

## Area Planning Committee

### Traffic Regulation Order – One-Way System for Vehicular Traffic at Sheeplands, Lane, Sherborne

Date of Meeting: 23<sup>rd</sup> June 2020

Portfolio Holder: Cllr R Bryan, Highways, Travel and Environment

Local Member(s): Cllr J Andrews (Sherborne East), Cllr M Hall (Sherborne West)

Director: John Sellgren, Executive Director of Place

#### **Executive Summary:**

On 11 March 2015, West Dorset District granted planning permission for the development of land at Barton Farm, Yeovil Road, Sherborne (1/D/11/001659).

Planning Permission was granted subject to a condition prohibiting occupation until a one-way system for vehicular traffic had been imposed and a two-way cycle/pedestrian scheme for Sheeplands Lane completed.

A Traffic Regulation Order (TRO) is required in order to give effect to the one-way system for vehicular traffic.

The Council have consulted the Police, the Local Member, the Town Council and other bodies regarding the proposed TRO and no objections have been raised by these statutory consultees.

Notice of the proposal to make the TRO was published in the Western Gazette between 8<sup>th</sup> - 30<sup>th</sup> August 2019. In addition, notices were erected on Sheeplands Land to publicise the proposed TRO.

15 responses were received in response. Of these 10 supported the proposals, 3 were against and 2 were neutral.

This report asks the Committee to consider the objections made and determine whether or not to proceed with the TRO and if so, with or without modification.

#### **Equalities Impact Assessment:**

There are no implications in terms of change to any new or existing policy with equalities implications.

#### **Budget:**

All costs associated with the TRO and its implementation will be met by Persimmon Homes, as the developer. There is no cost to Dorset Council and no VAT

implications have been identified.

**Risk Assessment:**

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: LOW

Residual Risk: LOW

**Climate implications:**

Drivers wishing to access the B3148 Marston Road from this development will be required to drive an additional 1.5km to reach the junction of Sheeplands Lane and Marston Road.

The proposals include the provision of a shared use footway/cycleway so that the existing route will remain open in both directions to pedestrians and cyclists.

**Other Implications:**

Highway Safety

Sheeplands Lane is not wide enough to satisfy modern design standards for two-way traffic. The Barton Farm development, consisting of 279 new dwellings, will increase the traffic on Sheeplands Lane by approximately 750 trips per day. If vehicular traffic is not regulated, as proposed, a highway safety issue could arise.

**Recommendation:**

That the Committee recommend to the Portfolio Holder that the Traffic Regulation Order be implemented as advertised.

**Reason for Recommendation:**

To give effect to the conditions imposed under the Planning Permission issued by West Dorset District Council on 11 March 2015 under reference 1/D/11/001659.

**Appendices:**

Appendix A: Copy of Planning Permission 1/D/11/001659.

Appendix B: Notice of Traffic Regulation Order.

Appendix C: Draft Traffic Regulation Order.

Appendix D: Table of Responses to Public Consultation.

**Background Papers:** None

**Officer Contact:**

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**1. Background**

- 1.1 On 11 March 2015, West Dorset District Council granted outline planning permission for development at Barton Farm, Yeovil Road, Sherborne. The permission approved the erection of up to 279 dwellings together with other works including amendments to Yeovil Road, Sheeplands Lane and Marston Road. A copy of the decision notice is annexed to this report as Appendix A.
- 1.2 Condition 25 of the decision notes requires:  
*No part of the development hereby permitted shall be occupied until the proposed one-way system for vehicular traffic and a two-way cycle/pedestrian scheme for the Sheeplands Lane section shall have been completed in accordance with details which shall first have been submitted to and approved in writing by the local planning authority.*
- 1.3 This condition was imposed in the interests of highway safety on the recommendation of Dorset County Council, as highway authority.
- 1.4 Sheeplands Lane is not wide enough to satisfy modern design standards for two-way traffic. The Barton Farm development, consisting of 279 new dwellings, will increase the traffic on Sheeplands Lane by approximately 750 trips per day. If vehicular traffic is not regulated, as proposed, a highway safety issue could arise.
- 1.5 To facilitate the increase volume in traffic associated with the development, Persimmon Homes have constructed a new access road linking the development to the A30 Yeovil Road, which has been designed to appropriate standards.
- 1.6 The segregated shared use cycleway/footway has been designed and will be constructed in accordance with plans approved by Dorset Council.

## 2. Law

- 2.1 TROs are governed principally by the Road Traffic Regulation Act 1984, Schedule 9 and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 2.2 The procedure for making a TRO is as follows:
- **Preliminary Requirements:** The Council are obliged to consult the Chief of Police for Dorset and other specified bodies including the local member. The Council must publish a notice in a local newspaper and generally ensure that adequate publicity is provided to persons likely to be affected by the TRO (i.e. displaying notices in the relevant area).
  - **Public Objections and Inquiries:** Any person may object in writing to a TRO by the date specified in the notice or, if later, within 21 days of the notice being given and publicised. If objections are received, the Council must consider them and decide whether or not to hold a public inquiry. There are two sets of circumstances where a public inquiry must be held but these are not applicable to this report.
  - **Making an Order:** TRO's cannot be made until the statutory period for

objections has ended or after a period of two years from the making of the initial notice. If objections have been received the Council may decide not to proceed with the TRO or to make it with or without modification. If the TRO is made, the authority must place a notice in the local press announcing their decision within 14 days of the date of the order, again ensuring that adequate publicity is given to the making of the TRO. This includes writing to persons or bodies who objected to the TRO outlining the reasons for proceeding.

### 3. Preliminary Consultation and Requirements

3.1 The Council have consulted the following persons, in compliance with its statutory obligations and standard procedures:

- Local Members;
- Dorset Police;
- Dorset Fire and Rescue Service;
- Dorset Ambulance Service;
- Sherborne Town Council;
- Bus Operators;
- Statutory Utilities;
- Road Haulage Association;
- Freight Transport Association;

3.2 Notice of the intention to make the TRO was advertised in the Western Gazette between 8-30<sup>th</sup> August 2019.

3.3 Notices were also placed on site at Sheeplands Lane, Sherborne.

3.4 The consultation period ran between 8<sup>th</sup>-30<sup>th</sup> August 2019.

### 4. Public Response and Objections

4.1 15 responses were received. Of these 12 supported or were neutral to the proposed TRO. 3 responses were received against the proposed TRO.

4.2 The responses against the proposed TRO may be summarised as follows:

<b>Objector</b>	<b>Address</b>	<b>Concerns raised in Correspondence</b>
Resident	Yeovil Road, Sherborne	<ul style="list-style-type: none"> <li>• Direction of one-way traffic</li> </ul>
Resident	Yeovil Road, Sherborne	<ul style="list-style-type: none"> <li>• Traffic Disruption</li> <li>• Access to Property</li> </ul>
Resident	Amors Drove, Sherborne	<ul style="list-style-type: none"> <li>• Bridleway remaining rideable in two directions.</li> <li>• Access for Emergency Vehicles.</li> <li>• Restricted use for cyclists.</li> <li>• Traffic disruption.</li> <li>• Increased car use.</li> </ul>

As two of these responses were from the same address, they may only be

counted as one objection. It is further noted that since raising their objections to this proposed TRO, the residents from Yeovil Road have sold their property.

## **5. Officer Comments on Objections**

### Direction of One-Way Traffic

- 5.1 The proposed one-way restriction for part of Sheeplands Lane will prevent traffic travelling from west to east along Sheeplands Lane towards junction of Sheeplands Lane and Marston Road.
- 5.2 Visibility at the junction of Sheeplands Lane and Marston Road is restricted and increasing vehicular traffic to use this junction would create a highway safety issue.
- 5.3 Visibility at the junction of Sheeplands Lane and Marston Road cannot be improved due to required land being in third party ownership.
- 5.4 The proposed one-way system would force the majority of traffic from the development to be directed to the newly constructed signalised junction of Sheeplands Lane and the A30, providing a controlled and safe access and egress.
- 5.5 The new junction of Sheeplands Lane and Amors Drove has been designed to appropriate standards for visibility and does not present a highway safety issue for vehicles travelling from West to East along Sheeplands Lane.

### Traffic Disruption

- 5.6 Sheeplands Lane is not wide enough by modern design standards to accommodate two-way traffic. The development will increase the traffic on Sheeplands Lane by approximately 750 trips per day.
- 5.7 The proposed one-way system would force the majority of traffic from the development to be directed to the newly constructed signalised junction of Sheeplands Lane and the A30, providing a controlled and safe access and egress.
- 5.8 Some of the objections query why the one-way system could not be reversed so that traffic would flow in a north westerly direction. This would force traffic to use the junction of Sheeplands Lane and Marston Road. This junction has poor visibility to the south making it inappropriate for any volume of traffic.

### Bridleway Users

- 5.9 Objectors were keen that horse riders should continue to be able to use the lane in both directions. Officers can confirm that only vehicular traffic will be restricted under the TRO and that horse-riders may continue to use the lane at Sheeplands Lane in both directions. The proposed TRO will increase safety for horse riders by reducing traffic.

### Emergency Services

- 5.10 Objectors were concerned that the proposed TRO would restrict access for emergency vehicles.

- 5.11 All emergency services were consulted as part of the preliminary consultation and no objections were raised. Officers can also confirm that emergency vehicles may lawfully breach a one-way TRO if the circumstances demand.

#### Restricted Use for Cyclists

- 5.12 Pedestrians and cyclists will be able to use the shared use footway/cycleway in both directions once constructed.

#### Increased Use and Climate Impact

- 5.13 Officers confirm that drivers wishing to access the B3148 Marston Road from this development will be required to drive an additional 1.5km to reach the junction of Sheeplands Lane and Marston Road. However, sustainable modes of transport are unaffected.
- 5.14 The increased journey time, though unfortunate, is minimal and the safety of highway users should be paramount.

#### Officer Correspondence with Objectors

- 5.15 Officers have made efforts to allay the concerns raised by objectors. However, none of the objections received have been withdrawn.

### **6. Conclusions**

- 6.1 Sheeplands Lane cannot safely accommodate the increase in traffic from the residential and industrial development and some form of regulation is necessary to ensure driver safety.
- 6.2 The proposed TRO was the results of officer discussions and advice at the planning stage of the development and was expressly conditioned in the planning permission.
- 6.3 The junction of Sheeplands Lane with the A30 has been significantly amended, including signals so as to provide safe access and egress from the development.
- 6.4 Sustainable methods of transport including pedestrians, cyclists and horse riders may continue to use the existing route and the new shared use cycleway.footway in both directions.
- 6.5 If the Committee do not approve the TRO then Persimmons Homes will be unable to satisfy the conditions imposed as part of the Planning Permission.

Neil Turner  
Development Team Leader

Appendix A: Copy of Planning Permission 1/D/11/001659.

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SHERBORNE

**APPROVAL OF PLANNING PERMISSION**  
**Town and Country Planning (Development Management Procedure) (England) Order 2010**  
**(DMPO)**  
**Town and Country Planning Act 1990**

This permission does not carry any approval or consent which may be required under any enactment, byelaw, order or regulation (eg in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act 1990.

**Application No: 1/D/11/001659**

**Location of Development:**

LAND AT BARTON FARM, YEOVIL ROAD, SHERBORNE

**Description of Development:**

Demolition of existing modern agricultural and non-listed derelict buildings, detailed works to facilitate the change of use of the existing listed farm buildings to provide 225m<sup>2</sup> community use, 682m<sup>2</sup> of flexible B1/A2 space, 266m<sup>2</sup> of storage space and car parking. Works to subdivide the existing Barton Farmhouse into 3 no. dwellings and 122m<sup>2</sup> of office space. The erection of a terrace of 3 houses and the creation of a new footpath/cycle link through the existing 'Secret Garden'

In pursuance of their powers under the above mentioned Act(s), West Dorset District Council **HEREBY GRANT PLANNING PERMISSION** for the development described in the application specified above, and the plans listed below.

**SUBJECT TO ATTACHED**  
**SCHEDULE OF TWENTY SIX CONDITIONS**

**PLEASE REFER TO NOTES ENCLOSED**

**Signed:** John Greenslade  
Development Services Manager  
Dated: 20 December, 2013

Chief Executive: D M Clarke  
Directors: D Evans, K Hindson, J Vaughan

**APPLICATION NO: 1/D/11/001659**  
**LAND AT BARTON FARM, YEOVIL ROAD, SHERBORNE**  
**SCHEDULE OF CONDITIONS**

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

Proposed Road Traffic Signals A30/Yeovil Road/Horsecastles Lane/Sheeplands Lane - drawing no. P281/27 E received on 25/06/2012  
Plan showing vehicular link to Barton Farm complex - drawing no. P281/51 A received on 11/10/2011  
Existing Floor plans and Elevations-farm house Drawing no. LE BFH 02 Rev B (AMENDED PLAN) received on 16/07/2012  
Farm house Existing Elevations Drawing no. LE BFH 03 Rev B (AMENDED PLAN) received on 16/07/2012  
Farm Building A Existing Ground Floor Plan Drawing no. LE BFH 04 Rev B (AMENDED PLAN) received on 16/07/2012  
Farm Building A Existing Roof plan Drawing no. LE BFH 05 Rev A (AMENDED PLAN) received on 16/07/2012  
Farm Building B existing plans and Elevations Drawing no. LE BFH 07 Rev A (AMENDED PLAN) received on 16/07/2012  
Farm Building C Existing plans and Elevations Drawing no. LE BFH 08 Rev B (AMENDED PLAN) received on 16/07/2012  
Existing sections Drawing no. LE BFH 09 Rev A (AMENDED PLAN) received on 16/07/2012  
Outbarns existing Drawing no. LE BFH 10 Rev A (AMENDED PLAN) received on 16/07/2012  
Outbuilding -Existing Drawing no. LE BFH 11 Rev A (AMENDED PLAN) received on 16/07/2012  
Farm Building A - Proposed Roof Plan - drawing no. LP BFH 07 Rev C (AMENDED PLAN) received on 16/07/2012  
Farm Building B - Proposed Plans and Elevations - Drawing no. LP BFH 09 Rev D (AMENDED PLAN) received on 16/07/2012  
Farm Building C - Proposed Plans and Elevations - Drawing no. LP BFH 10 Rev D (AMENDED PLAN) received on 16/07/2012  
Proposed Sections - drawing no. LP BFH 11 Rev B (AMENDED PLAN) received on 16/07/2012  
Proposed Site Section - drawing no. LP BFH SE-01 Rev B (AMENDED PLAN) received on 16/07/2012  
Secret Garden Sections Drawing no. RGLA 02 (ADDITIONAL) received on 25/06/2012  
Farm Building A - Existing Elevations - Drawing no. LE BFH 06 Rev C (AMENDED PLAN) received on 06/08/2012  
Farm House Proposed Elevations - drawing no. LP BFH 03 D (AMENDED PLAN) received on 16/07/2012  
Proposed Building A - Proposed First Floor Plan - Drawing no. LP BFH 06 Rev D (AMENDED PLAN) received on 06/08/2012  
Housetype Planning Drawing 1187 Plans - Stone - Elevations - drawing no. HT-1187-01 Rev C (AMENDED PLAN) received on 06/08/2012  
Housetype Planning Drawing - Elevations - drawing no. HT-1187-02 Rev C (AMENDED PLAN) received on 06/08/2012

Farm house Proposed Plans Drawing no. LP BFH 02 Rev E (AMENDED PLAN) received on 08/08/2012  
A30 Access road landscape proposals - drawing no. RGLA 09 Rev A (Additional plan) received on 23/08/2012  
Earthworks for proposed access P281/60B (additional plan) received on 11/09/2012  
Farm Building A Proposed Ground Floor Plan LP\_BFH\_04 Rev G (amended plan) received on 25/07/2013  
Farm Building A Mezzanine level/upper ground plan LP\_BFH\_05 Rev H( amended plan) received on 25/07/2013  
Farm Building A Proposed Elevations LP\_BFH\_08 Rev F (amended plan) received on 25/07/2013  
Existing Site Plan LE BFH 01 Rev B (Amended plan) received on 09/10/2013  
Demolition Plan LE BFH 12 Rev B (Amended plan) received on 09/10/2013  
Red Line Boundary - Barton Farm Complex Application PL 01.1 Rev E (Amended plan) received on 09/10/2013  
Proposed Site Plan LP BFH 01 Rev G (Amended plan) received on 09/10/2013  
Access road - detailed drawing RGLA 08 Rev B (Amended plan) received on 09/10/2013

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

2. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

3. No development (other than the works to the Community Hall required pursuant to the s106 Agreement ) shall be commenced until details and samples of all external facing materials for the wall(s) , roof(s) (including sample panels, render and mortar specifications) shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, unless otherwise agreed in writing by the Local Planning Authority the development shall proceed in strict accordance with such materials as have been agreed.

REASON: To ensure a satisfactory visual appearance of the development in accordance with West Dorset District Local Plan (2006) Policy DA7.

4. No development (other than the works to the Community Hall required pursuant to the s106 Agreement) shall be commenced until details (1:10 scale) of the doors, windows, screens, shutters, rooflights and joinery/external colour treatment details of the development hereby approved shall first have been submitted to and approved in writing by the local planning authority. The development shall not be carried out otherwise than in accordance with such details as are approved, and such details shall be permanently retained thereafter.

REASON; In the interests of protecting the character of the listed buildings and the conservation area in accordance with policies SA19 and SA21.

5. Notwithstanding the submitted plans, no development (other than the works to the Community Hall required pursuant to the s106 Agreement) shall be commenced until revised final details of the design (including lighting), materials, landscaping, and wall openings associated with the "secret garden" pedestrian and cycle link shall first have been submitted to and approved in writing by the local planning authority. The development shall not be carried out otherwise than in accordance with such details as are approved unless otherwise agreed in writing by the local planning authority. Such details as are approved shall be permanently retained thereafter. REASON; In the interests of protecting the character of the conservation area in accordance with policy SA21.

6. No development (other than the works to the Community Hall required pursuant to the s106 Agreement) shall be commenced until an historic record (including an indexed photographic record) of all the buildings to be demolished, shall first have been submitted to and approved in writing by the local planning authority. REASON; To ensure an accurate historic record is provided of the buildings prior to their removal in accordance with policies SA21 and SA24.

7. The development (other than the works to the Community Hall required pursuant to the s106 Agreement) shall not take place within the area indicated until the developer has secured and implemented a programme of archaeological work in accordance with a written scheme of investigation which shall have been submitted to, and been approved in writing by the Planning Authority. This scheme shall cover archaeological fieldwork together with post-excavation work and publication of the results.

REASON: The area is of archaeological importance and the archaeology should be preserved by record in accordance with policy SA24.

8. No development (other than the works to the Community Hall required pursuant to the s106 Agreement) shall take place until all existing trees, shrubs and other natural features not scheduled for removal have been fully safeguarded and fenced in accordance with a scheme to be first approved in writing by the Local Planning Authority. Such fencing shall be maintained during the course of the works on site. No unauthorised access or placement of goods, fuels and chemicals, soil or other materials shall take place inside this fenced area. The soil levels within the fenced area shall not be raised or lowered and no trenching or excavation shall take place. In the event that protected trees (or their roots) become damaged, are lost or become otherwise defective in any way during such period, the Local Planning Authority shall be notified immediately and a programme of remedial action as directed by the Local Planning Authority shall be carried out within a timescale to be specified by the Local Planning Authority.

REASON: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity in accordance with policy DA1 .

9. The development hereby approved shall not be commenced (other than the works to the Community Hall required pursuant to the s106 Agreement) until a revised landscaping and tree planting scheme shall have been submitted to, and approved in writing, by the Local Planning Authority. Such scheme shall be implemented during the planting season November - March inclusive, immediately following commencement of the development, or as may be agreed otherwise in writing by the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 10 years following completion of the development.

REASON: In the interest of visual amenity in accordance with policy DA2 and SA21.

10. No development shall be commenced (other than the works to the Community Hall required pursuant to the s106 Agreement) until details of hard landscaping for the site shall first have been submitted to and approved in writing by the local planning authority. The development shall not be first occupied until the hard landscaping scheme has been fully implemented in accordance with such details as are approved, unless otherwise agreed in writing by the local planning authority.

REASON; In the interests of visual amenity and of protecting the character of the conservation area in accordance with policies SA20 and SA21.

11. No development (other than the works to the Community Hall required pursuant to the s106 Agreement) shall be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall include details of how the scheme will be maintained and managed after completion. The scheme shall be implemented in accordance with such details as have been agreed before any of the uses hereby approved are implemented, unless otherwise agreed in writing by the local planning authority.

REASON; In accordance with section 10 of the National Planning Policy Framework 2012.

12. No development (other than the works to the Community Hall required pursuant to the s106 Agreement) shall be commenced until details of the means of enclosure/boundary details shall first have been submitted to and approved in writing by the local planning authority. The development shall not be carried out otherwise than in accordance with such details as shall have been agreed and the means of enclosure shall be retained thereafter, unless otherwise agreed in writing by the local planning authority.

REASON; In the interests of visual amenity and residential amenity in accordance with policies SA21 and DA6.

13. No development (other than the works to the Community Hall required pursuant to the s106 Agreement) shall commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and

risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

(Where no significant contamination is found and the land is fit for purpose and the presented report submitted to the local planning authority confirms this, then conditions 14 and 15 will not be applicable).

**REASON:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy AH6.

14. No development (other than the works to the Community Hall required pursuant to the s106 Agreement) shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, and approved in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

**REASON:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy AH6 .

15. The approved remediation scheme (other than the works to the Community Hall required pursuant to the s106 Agreement) must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, and works to the Community Hall, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (also referred to as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy AH6.

16. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 14, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 15, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 16.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy AH6.

17. No development (other than the works to the Community Hall required pursuant to the s106 Agreement) shall be commenced until a Biodiversity Mitigation Plan and Enhancement Plan, and a Bat Mitigation Plan shall first have been submitted to and approved in writing by the local planning authority. Such plans as are approved shall be implemented in accordance with any specified timetable and completed in full prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The scheme shall subsequently be implemented entirely in accordance with the approved details, unless otherwise agreed in writing by the local planning authority. Thereafter, unless otherwise agreed in writing by the local planning authority, the mitigation measures shall be permanently maintained and retained in accordance with the approved details.

REASON; In the interests of nature conservation in accordance with policies SA11 and SA12.

18. No other development (other than works to the Community Hall required pursuant to the s106 Agreement) shall commence until the new junction and improved traffic signal controlled junction at the A30/A352/Site Access (generally as shown on drawing P381/27E) and any site preparation works agreed in writing by the local planning authority, shall first have been completed in accordance with the submitted details unless otherwise agreed in writing by the local planning authority. No development shall commence until full details of the layout, specification and construction programme for the roads, footways, parking areas, street lighting and drainage, shall have been submitted to and approved in writing by the local planning authority.

REASON; In the interests of highway safety and to ensure the well-planned and proper construction of the highway in accordance with policy AH14.

19. No development (other than the works to the Community Hall required pursuant to the s106 Agreement) shall commence until a Construction Traffic Management Plan and programme of works shall have been submitted to and approved in writing by the local planning authority. The plan shall include construction vehicle details (number, size, type and frequency of movement), vehicular routes, delivery hours and contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities).

The plan shall also include:

Inspection of the highways serving the site jointly between the developer (or his contractor) and Dorset County Highways prior to work commencing and at regular, agreed intervals during the construction phase so that any damage to the edges of the carriageway and verges can be identified and suitable remedial works, to be paid for by the developer agreed). A scheme of signing of the heavy vehicle route to the site agreed with advice/warning signs at appropriate points. The development shall be carried out strictly in accordance with the approved Construction Traffic Management Plan.

REASON; In the interests of road safety in accordance with policy AH14.

20. No development shall be first occupied until; (1) the pedestrian link from the site to the A30/Marston Road Junction and the surface treatment at the A30/Bradford Road Junction shall have been constructed and completed to a specification that shall first have been submitted to and agreed in writing by the local planning authority.

REASON; In the interests of road safety in accordance with policy AH14.

21. No development shall be occupied until a scheme to close the existing eastern access to the Barton Farm complex from the A30 for vehicular traffic related to the new development and a scheme for pedestrian and cycle access has been completed in accordance with details which shall first have been submitted to and approved in writing by the local planning authority. Such scheme as is approved shall be retained thereafter.

REASON; In the interests of highway safety in accordance with policy AH14.

22. No dwelling shall be first occupied until the pedestrian "secret garden" gate onto the A30 shall have been permanently closed in accordance with details which shall first have been submitted to and approved in writing by the local planning authority.

REASON; In the interests of highway safety and of protecting this historic gate in accordance with policies AH14 and SA21.

23. The development hereby permitted shall not be occupied until the parking layout has been submitted to and approved in writing by the local planning authority. Such parking facilities as are approved shall be retained and maintained thereafter for that purpose.

REASON: To ensure provision of adequate off-street parking facilities within the site, in the interest of highway safety in accordance with policies TRAN5 and AH14.

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking or re-enacting that Order, no windows or doors, other than those shown on the approved plan, shall be constructed in the south elevations of Farm Building B , unless the written permission of the Local Planning Authority shall have been obtained.

REASON: In the interests of the privacy and amenity of adjoining occupiers in accordance with policy DA6 .

25. No development (other than the works to the Community Hall required pursuant to the s106 Agreement) shall commence until details of the specification for the whole access road shall first have been submitted to and agreed in writing by the local planning authority. The access road shall be carried out to an agreed standard before first occupation of the farm complex.

REASON; In the interests of providing acceptable access to the farm complex in highway safety terms, in accordance with policy AH14.

26. Works to the Community Hall shall be required to comply with above condition numbers 3, 4, 6, 7, 11, 13, 14, 15, 16 and 17, but only to the extent that they relate to the works to the Community Hall required by the S106 Agreement and to no other works forming part of the development, have been submitted to and approved in writing by the local planning authority . Thereafter, the works to the Community Hall shall proceed in accordance with the approved details.

REASON; In the interests of protecting the character of this listed building and of keeping a record of its character; in the interests of protecting the archaeological record; to ensure satisfactory surface water drainage for the building and to avoid land contamination risk, in accordance with policies SA19, SA12, SA24 and AH6 of the West Dorset District Local Plan 2006 and advice within the National Planning Policy Framework 2012.

## **NOTES TO APPLICANT**

### **1. National Planning Policy Framework paragraphs 186 &187 Statement**

In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development

Appendix B: Notice of Traffic Regulation Order.

proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. **In this case-**
- The applicant/agent was updated of any issues after the initial site visit.
- The applicant was provided with pre-application advice.

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

2. This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated 20th December 2013 which addresses a range of matters including infrastructure contributions, community matters, highways contributions, affordable housing measures and drainage measure details.
3. The applicants attention is drawn to the Environment Agency letter dated 6/12/11 which provides guidance on the required surface water drainage submissions and in relation to water management advice.
4. The applicants attention is drawn to the Natural England letter dated 16/12/11 regarding guidance on the contents and procedure relating to the condition on biodiversity and bat considerations, together with the email from John Stobart (Natural England) dated 20/2/12.
5. NOTE: The applicant is advised that notwithstanding this consent Section 184 of the Highways Act 1980 requires the proper construction of vehicle crossings over kerbed footways, verges or other highway land. Before commencement of any works on the public highway, Dorset County Council's Dorset Highways should be consulted to agree on the detailed specification. They can be contacted by telephone at Dorset Direct (01305 221000), by email at [dorsetdirect@dorsetcc.gov.uk](mailto:dorsetdirect@dorsetcc.gov.uk), or in writing at Dorset Highways, Dorset County Council, County Hall, Dorchester, DT1 1XJ.
6. A summary follows of the schemes main planning considerations in relation to the EIA Regulations:

7. **1/D/2011/1659**

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS) 2011.**

**REGULATION 24.**

This statement sets out the main considerations on which the decision is based, together with measures to avoid and/or reduce and any major adverse effects having taken into account the findings of the Environmental Statement submitted in October 2011 when determining this application for full planning permission.

In landscape/visual terms the site largely comprises a group of buildings and the associated land which lies at the junction of the Yeovil and Marston Roads, to the north-west side of the town. It mainly comprises a grade II listed farmhouse, a listed barn and a range of curtilage listed buildings, bounded by residential and other development and by agricultural land associated with the accompanying outline application. The Environmental Statement (ES) indicates that some trees/vegetation will be lost. However, significant areas of new landscaping and planting will be carried out as part of the scheme.

Transportation and access have been an important consideration. A Transport Assessment (TA) has therefore been carried out which has looked at the constraints of the road network and other highway limitations. A full assessment of transport sustainability and accessibility of the site has been undertaken as part of the TA. This has included discussion with the Dorset County Council as local highway authority. It has explored junction improvements, public transport implications, pedestrian and cycle access and modifications to existing highways in the vicinity. Following discussion with the Highway Authority a range of mitigation measures to reduce the effects of the development-generated traffic on the wider highway network have been incorporated. The scheme will include provision for improving provision for pedestrians and cyclists in the locality (in particular, a new pedestrian/cycle link to the site from Kithill will be included), a new traffic signal controlled junction with the A30 west of the existing (including pedestrian/cyclist crossing facilities), new pedestrian/cycle links to/from the development and measures to improve cyclist and pedestrian safety on adjacent roads.

The issues of dust, noise and vibration have also been assessed in the submitted ES reports, both in terms of the construction phase and thereafter. There will invariably be some disturbance during the construction phase from activity, plant and machinery. There will be variations in noise levels within the development, notably where near to busier road sections.

Surface water drainage and flood-risk is an important consideration, given that this is a relatively impermeable site. An initial partially off-site surface water drainage strategy was replaced by an on-site strategy. A Flood Risk Assessment formed part of the Environmental Statement, which was referred to the Environment Agency. This, together with additional surface water drainage information has been further discussed with the Environment Agency. An on-site Sustainable Urban Drainage System is to be used. The measures will include a combination of off-line cellular storage in conjunction with on-line tank sewers. Outflow would be controlled by suitable flow-control devices. On-site storage would include over-sized pipes and box culverts. The Environment Agency supports the scheme, which is now acceptable in surface water drainage terms subject to planning conditions and appropriate mechanisms to control maintenance and management.

Foul water drainage has also been addressed as part of the ES; Wessex Water has commented on this and considers the scheme to be acceptable in principle. In the case of the existing building complex the foul water drainage network will be directed into the public sewer system.

Regarding ecological issues, the ES has been referred to Natural England. It

has considered the submitted details. It advises that it is supportive of the scheme, which should make use of planting where possible and subject to a Biodiversity Mitigation and Enhancement Plan.

Regarding land contamination the ES indicated some likely contamination by farming activities, including the use and storage of fuel on site. The council's Community Protection Manager has studied the relevant parts of the ES in this respect. Accordingly conditions to address this issue have been included. This issue is more apparent as a consideration during construction. Appropriate mitigation by condition including supervision is used to address this.

The ES included sampling of the site for archaeological remains. Some evidence of mid-late Bronze Age and of post-medieval field boundaries was found. Having discussed with the Senior County Archaeologist, this consideration can be dealt with by planning condition.

Further application(s) should be submitted to this Council where the above condition(s) require the written approval of the local planning authority. All such applications must be made in writing and must be accompanied by the relevant fee. A standard application form (1APP form No. 27), fee details and extract from the relevant government Circular 04/2008 is available from our website: <http://www.dorsetforyou.com/index.jsp?articleid=363982> .

Appendix C: Draft Traffic Regulation Order.

**DRAFT ORDER (2182/1/82)**

**The County of Dorset (Sheeplands Lane, Sherborne) (One-Way (Part)) Order 201'**

Dorset Council in exercise of powers under Sections 1(1) and (2) and 2(1) to (3) of the Road Traffic Regulation Act 1984 (hereinafter referred to as 'the Act of 1984') and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with paragraph 20 of the Schedule 9 of the Act 1984, hereby make the following Order:-

1. No person shall cause or permit any vehicle to proceed in that length of road or in that direction specified in the Schedule to this Order.
2. This Order may be cited as 'The County of Dorset (Sheeplands Lane, Sherborne) (One-Way (Part)) Order 201' and shall come into operation on the                      day of 201'.

Dated this                      day of                      201'

The Common Seal  
of the Dorset Council  
was affixed hereto in the presence of:-

Authorised Signatory

**Schedule**

Sheeplands Lane, Sherborne – One way in a south westerly direction from a point 217 metres south of its junction with B3148 Marston Road for a distance of 82 metres.

Appendix D: Table of Responses to Public Consultation.

	Originator	Address	Date	Response
1	Resident	Sheeplands Lane, Sherborne	28/8/2019	For
2	Resident	Sheeplands Lane, Sherborne	27/8/2019	For
3	Resident	The Sheeplands, Sherborne	27/8/2019	For
4	Resident	Sheeplands Lane, Sherborne	27/8/2019	For
5	Resident	Sheeplands Lane, Sherborne	24/8/2019	For
6	Resident	Sheeplands Lane, Sherborne	23/8/2019	For
7	Resident	Sheeplands Lane, Sherborne	23/8/2019	For
8	Resident	Sheeplands Lane, Sherborne	23/8/2019	For
9	Resident	Sheeplands Lane, Sherborne	23/8/2019	For
10	Resident	Sheeplands Lane, Sherborne	21/8/2019	For
11	Resident	Vale Road, Sturminster Newton	19/8/2019	Neutral
12	Resident	Paynes Road, Southampton	09/8/2019	Neutral
13	Resident	Yeovil Road, Sherborne	16/8/2019	Against
14	Resident	Yeovil Road, Sherborne	16/8/2019	Against
15	Resident	Amors Drove, Sherborne	29/8/2019	Against