



## Northern Area Planning Committee

**Date:** Tuesday, 25 February 2020  
**Time:** 2.00 pm  
**Venue:** Stour Hall - The Exchange, Old Market Hill,  
Sturminster Newton, DT10 1FH

**Membership: (Quorum 6)**

Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Tim Cook, Les Fry, Matthew Hall, Carole Jones, Robin Legg, Bill Pipe, Val Potheary, Belinda Ridout and David Taylor

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**Chief Executive:** Matt Prosser, South Walks House, South Walks Road,  
Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

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# AGENDA

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## 1 APOLOGIES

To receive any apologies for absence

## 2 DECLARATIONS OF INTEREST

To receive any declarations of interest

## 3 MINUTES

5 - 22

To confirm the minutes of the meeting held on 21 January 2020.

## 4 PUBLIC PARTICIPATION

There will be no opportunity for Members of the public to speak on a planning application unless proper notification is given to Democratic Services no later than two clear working days before the meeting in accordance with the [Guide to Public Speaking at Planning Committee](#).

## 5 PLANNING APPLICATIONS

To consider the applications listed below for planning permission

### a Sherborne - Various Parking Traffic Regulation Orders

23 - 38

To recommend delegation to the Portfolio Holder to approve various parking traffic regulation orders

### b Application no. WD/D/19/002376/FUL - Burleston Farmhouse

39 - 50

Installation of ground mounted solar PV array

## 6 URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972

The reason for the urgency shall be recorded in the minutes.

## 7 EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended)

The public and the press will be asked to leave the meeting whilst the item of business is considered.

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## DORSET COUNCIL - NORTHERN AREA PLANNING COMMITTEE

### MINUTES OF MEETING HELD ON TUESDAY 21 JANUARY 2020

**Present:** Cllrs Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Tim Cook, Les Fry, Carole Jones, Robin Legg, Bill Pipe, Val Potheary and Belinda Ridout

**Apologies:** Cllrs Matthew Hall and David Taylor

**Also present:** Cllr David Walsh

**Officers present (for all or part of the meeting):**

Robert Lennis (Area Lead (Major Projects) Eastern), Robert Firth (Solicitor (Deputy Monitoring Officer)), Charlotte Haines (Senior Planning Officer), Hannah Smith (Planning Area Manager), Cass Worman (Planning Officer) and Fiona King (Democratic Services Officer)

**76. Apologies**

Apologies for absence were received from David Taylor and Matthew Hall.

**77. Declarations of Interest**

No declarations of disclosable pecuniary interests were made at the meeting.

Cllr Mary Penfold declared a non-pecuniary interest in application number WD/D/19/000872 – Barton Farm Development Site because as a former district councillor she had previous involvement in this application. Cllr Penfold withdrew from the meeting during consideration of the item.

**78. Minutes**

The minutes of the meeting held on 19 December 2019 were confirmed and signed.

**79. Public Participation**

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

**80. Planning Applications**

Members considered written reports submitted on planning applications as set out below.

81. **WD/D/19/000872, Barton Farm Development Site, Yeovil Road, Sherborne**

Cllr Penfold left the meeting for this item.

The Senior Planning Officer introduced the outline application for the erection of 66 dwellings and associated works. Members were shown a site location plan and advised that the principle of residential development had been agreed at an outline stage and that the proposal would result in less than substantial harm to the nearby Grade II listed barn. This harm would be outweighed by the public benefits of the proposal, in terms of the provision of dwellings, including affordable homes.

The design of the dwellings had been improved through negotiation and the principle buildings fronting towards the listed building would employ natural stone to their exterior elevations.

The Planning team had received an objection from Sherborne Town Council which had now been addressed.

The applicant's Biodiversity Mitigation and Enhancement Plan had not yet been agreed by the Dorset Natural Environment Team but this was expected shortly. As such, the Area Lead proposed an amendment to the recommendation to account for this and allow changes to Condition 12

The Planning team had received one objection from Sherborne Town Council which had now been addressed.

The Senior Planning Officer proposed an amendment to the recommendation to be subject to comments being received from the Dorset Natural Development teams on the bio diversity mitigation plan and to condition 12 being updated, all of the following conditions remained.

Mr Christopher Perfect, resident of Barton Farm spoke objecting to the application. Mr Perfect advised members he was a homeowner at Barton Farm, in Phase 1 of the development which was built 3 years ago. He strongly objected to application in that the proposed 2 storey property at unit 33 was immediately opposite his property. It would be 12.5 metres from his property in respect of full height windows and balconies and views and light would be compromised, in effect his property would be completely overlooked and therefore urged the Committee to refuse permission.

As Cllr Matthew Hall was unable to attend the meeting, Cllr Jon Andrews read out a statement from him objecting to the application. His comments included that whilst he welcomed the number of affordable homes he felt the spread across the phase was inadequate. He had issues with the proposed tree planting, the current infrastructure not being sufficient, obstruction of views and loss of light for existing properties, the narrow road network and the sustainability of the site. He would like to see a condition in place that required the developer to use one are of open space for a toddler's play area.

Suzanne Knowles speaking on behalf of the applicant, highlighted that 23 units would be affordable. She advised that they had worked with the Local Authority in respect of this proposed development and had also worked closely with the design officer and with the Sherborne Conservation Team. Additional information regarding flooding and drainage was highlighted. Highways officers had not raised any objections. Whilst there had been several concerns regarding existing green spaces there had not been any objections from Natural England.

Comments from Members are detailed below:-

- There was a concern about the loss of open space and the Senior Planning Officer highlighted the public open space proposed for this phase and noted that in the near future additional open space would be provided. He also drew members' attention to the ecological survey. A further concern was raised about the potential lack of open spaces and how it would have been helpful to have a steer from the Natural Environment Team in this regard. The Senior Planning Officer advised that officers were waiting for their comments as a consultee but confirmed these had now been received.
- Provision of car parking was highlighted and the Senior Planning Officer was satisfied that parking could be accommodated to a reasonable extent.
- Reference was made to the loss of hedgerows and the Senior Planning Officer confirmed that the ancient hedge was being preserved as shown in the presentation and that enforcement officers were content that the hedge was being retained. He acknowledged that through previous applications the hedge had not been protected in its entirety.
- Concern was expressed about rendered buildings as in a few years the render becomes discoloured and crackles and can become unsightly. Members asked that an additional condition be added that stipulates that there is no render on exterior walls.
- There was a discussion on affordable housing, 23 units were proposed in this phase and members were concerned as to how the retention of rented properties would be sustained.
- One member following a visit to the site felt the play area was of poor quality and asked if one could be included, specifically for younger children.
- In respect of previous phases officers confirmed that the applicant had fulfilled previous conditions and worked reasonably well with officers.
- Concern was expressed that the main road through the estate was quite narrow and questioned if there was enough room for emergency vehicles to pass through. The Senior Planning Officer advised that highways engineers were content and had no objections to the proposals.
- Following a question about whether the drainage was satisfactory, the Senior Planning Officer advised it would be for Wessex Water to address any issues that might arise.
- One member asked that with regards to the barn particular attention be given to bats as there were a significant number of bats there.
- In respect of building materials, one member reflected that the site had a history of changing roofing materials in particular and would be content if there were no red tiles used at all. The Senior planning Officer felt that this might be a bit onerous as the rest of the development had been

allowed to receive a mix of tiles. However, they could push for a different colour reference in condition 5 and add wording to the condition to avoid red/pink tiles.

Cllr Jon Andrews felt that the reasons for recommendations were a subjective point of view. Affordable houses needed to be social rented houses otherwise they ended up freehold and subsequently sold. He applauded the fact that there was 35% affordable housing proposed and wanted to see it remain. The schools were full in Sherborne and he was concerned where children would go. Doctors surgeries were also under pressure and he felt that the infrastructure was not in place and therefore could not support the application.

Cllr Robin Legg proposed an amendment to recommendation B, as outlined in the report, that the Section 106 came back to Committee for approval within 6 months and to include an objection to affordable housing and the provision of open space. The Senior Planning Officer advised that the Housing Enabling Officer would give planning officers a steer on shared equity and were well placed to negotiate this. The amendment not supported.

Cllr Jon Andrews proposed a refusal on over development of site and lack of amenities. The proposal was lost.

Cllr Belinda Ridout felt that the issues raised had now been addressed and therefore saw no justification for refusal with the added conditions and amended recommendation in place.

Proposed: Cllr Belinda Ridout  
Seconded: Cllr Carole Jones

When put to the vote; 4 members voted for the application and 4 voted against. The Chairman's casting vote supported the officers' amended recommendation therefore the application was approved.

**Decision: that the application be delegated to the Head of Planning to grant planning permission subject to Dorset Natural Environment Team's comments on the applicant's Biodiversity Mitigation and Enhancement Plan and subsequent correction to condition 12, all of the following conditions, and the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed.**

82. **WD/D/19/001069 Land at Shakes Hole, Southover Farm Access Road, Tolpuddle**

The Senior Planning Officer introduced the proposal which sought the variation of 2 conditions attached to the planning permission that was granted on appeal to allow the change of use of the agricultural land to use for leisure purposes.



A comparison between the existing and proposed use of the site was highlighted to members. No statutory noise complaints had been received from residents.

An update sheet circulated to the Committee prior to the meeting provided an update on the comments that had been received from Affpuddle and Briantspuddle Parish Council.

A statement from Affpuddle and Briantspuddle Parish Council was read out by the Vice-Chairman which highlighted their objections to the application. The Chairman allowed this as there had been some confusion around the use of an incorrect email address which had resulted in the Parish Council not receiving the notice of when the item was being presented to committee in a timely way which had led to members of the Parish Council not being able to attend.

Mr Pitman, the Applicant, advised members he had lived in Tolpuddle for 30 years and had been working with the local community for the past 10 years. The existing use of the land was primarily on a Saturday. The additional 2 days requested would be used to target new groups to the site. There was no significant change to the original application and no significant noise or disturbance complaints had been received. Sound was not an issue as had been stated. The Highways Officer had no issue with any potential increase in traffic. Mr Pitman commented that he hoped to attract new diverse groups to the area and would embellish local employment and revenue if accepted.

In response to a question about 'blind driving', the Senior Planning Officer advised this was when the driver was blindfolded and the passenger directed them, a form of team building exercise.

Comments from members are detailed below:-

- Would be good for the local area, would bring people in and help the local economy.
- Suggest a notice or something similar to encourage better litter collection. A condition could be inserted to address this.
- Members supported an amendment to ensure a register was kept of the days of operation, to ensure the business operated no more than 4 days each week.
- Need to attract businesses to the countryside highlighted.
- Did the catering van sell alcohol? Was currently just food, but would be a matter for Licensing should this be required.
- Discussion about the noise assessment and when this was carried out. Possibly not carried out at the busiest times but then guidelines would have been referred to.

Proposed: Cllr Carole Jones

Seconded: Cllr Les Fry

All members voted in favour of the application.

**Decision: That the application be approved subject to the amended conditions outlined in the appendix attached to these minutes.**

83. **2/2019/1223/FUL, Land at, 9-10 Pigeon Close, Blandford St Mary, Dorset**

The Planning Officer introduced the outline application for the erection of 4 No.2 storey dwellings, in the form of 2 semi-detached units. The existing permission for 4no. chalet style dwellings with amenity space and car parking was highlighted to members.

The previously approved application was accompanied by an approved Biodiversity Mitigation and Enhancement Plan and officers advised that a new certificate had since come through and would be updated.

Cllr Mackay from Blandford St Mary Parish Council spoke objecting to the proposal and highlighted that access to the properties 9 and 10 were solely from Pigeon Close, whilst the access road at the back serviced Knights Close. The Parish Council considered the application to be an overdevelopment of the site.

Mr Mckeon, speaking in support of the application and on behalf of the Applicant, highlighted the positive impact on an underused site and noted that the proposed development was within settlement boundary.

Comments from members are detailed below:-

- Concern raised about the inundation of sewers. Members were advised that Wessex Water had not raised any objections but felt this could be dealt with by an additional condition.
- In respect of Biodiversity and landscaping, it was not clear in the report how much tree planting was planned but could there be more? The Planning Officer referred members to Condition 4 and advised this would be taken into account.
- With regards to the height of dwellings in respect of other properties, the Planning Officer advised that there was a condition included that related to this.
- Members did not believe the application represented overdevelopment of the site.

Proposed: Cllr Belinda Ridout

Seconded: Cllr Les Fry

All members voted in favour of the application.

**Decision: That the application be approved subject to the conditions outlined in the appendix attached to these minutes.**

84. **Urgent items**

There were no urgent items of business.

## Appendix

**Duration of meeting:** 2.00 - 4.20 pm

**Chairman**

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**APPLICATION NUMBER: WD/D/19/00872**

**APPLICATION SITE: Barton Farm Development Site, Yeovil Road, Sherborne**

**PROPOSAL: Erection of 66 Dwellings and associated works**

**Decision:**

**DELEGATED to the Head of Planning to grant planning permission subject to Dorset Natural Environment Team's comments on the applicant's Biodiversity Mitigation and Enhancement Plan and subsequent correction to condition 12, all of the following conditions, and the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed.**

**1. Plans List**

- a. Phase 4 Location Plan Feb 2019 (received 11 October 2019)
- b. 2019-SHR4-121-P6 Site Layout
- c. 2019-SHR4-500-P4 Alnwick Housetype Design Sheet 1
- d. 2019-SHR4-501-P4 Hanbury Housetype Design Sheet 1
- e. 2019-SHR4-503-P5 Souter Housetype Affordable Design Sheet 1
- f. 2019-SHR4-505-1-P5 Clayton Corner Housetype Design Sheet 1
- g. 2019-SHR4-505-2-P5 Clayton Corner Housetype Design Sheet 2
- h. 2019-SHR4-506-P4 Greyfriars Housetype Design Sheet 1
- i. 2019-SHR4-509-P4 Hanbury Housetype Affordable Design Sheet 1
- j. 2019-SHR4-510-P3 Garages Design Sheet 1
- k. 2019-SHR4-511-P4 Greyfriars Corner Housetype Design Sheet 1
- l. 2019-SHR4-512-1-P4 Corby Apartments Design Sheet 1
- m. 2019-SHR4-512-2-P4 Corby Apartments Design Sheet 2
- n. 2019-SHR4-512-3-P4 Corby Apartments Design Sheet 3
- o. 2019-SHR4-512-4-P4 Corby Apartments Design Sheet 4
- p. 2019-SHR4-513-1-P4 Souter Housetype Design Sheet 1
- q. 2019-SHR4-513-2-P4 Souter Housetype Design Sheet 2
- r. 2019-SHR4-513-3-P4 Souter Housetype Design Sheet 3
- s. 2019-SHR4-513-4-P4 Souter Housetype Design Sheet 4
- t. 2019-SHR4-514-P3 CH2 (Coach House) Housetype Design Sheet 1
- u. 2019-SHR4-122-P3 Materials Layout
- v. SK402.00.P3 Highway & Site Levels Plan – Phase 4 Overall Strategy
- w. SK420.01.P2 Highway Longitudinal Sections
- x. SK420.02.P2 Highway Longitudinal Sections
- y. SK420.03.P2 Highway Longitudinal Sections
- z. 2019-SHR4-301-P4 Phase 4 Landscape
- aa. D11 78 P3 Tree Protection Plan

2. Prior to occupation of any dwelling hereby approved, the development hereby approved shall not be occupied or utilised until the access, geometric highway layout, turning and parking areas shown on the relevant approved drawing(s) have been constructed, unless otherwise agreed in writing by the Local Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site.

3. Prior to any development relating to the dwellings hereby approved, a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including confirmation of how the proposed scheme (phase) integrates with the wider development, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.  
Reason: To prevent the increased risk of flooding, and to improve water quality.
4. Prior to any development relating to the dwellings hereby approved, details of maintenance and management of the surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.  
Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk.
5. Notwithstanding the details on the approved plans, samples of all wall type material (including boundary and garden walls), and mortar mix for stone walls, shall be submitted to and agreed in writing by the Local Planning Authority. Additionally, 1m by 1m sample panels of stone wall(s) and brick boundary walls shall be constructed on site and agree prior to construction of those features. Roofing material shall not be red or any shade thereof.  
Reason: To insure the character and appearance of the development accords with the aims and objectives of the Barton Farm Design Brief.
6. Notwithstanding the details shown on the approved plans, detailed specifications and drawings at a scale of 1:10 or 1:20 of all doors (including associated canopies and roofs) and windows (including cills and arches) shall be submitted to and agreed in writing by the Local Planning Authority and the development shall be carried out in accordance these agreed details. Reason: To insure the character and appearance of the development accords with the aims and objectives of the Barton Farm Design Brief.
7. Notwithstanding the details shown on the approved plans, all windows shall be timber and all dormer windows installed with lead cheeks.  
Reason: To insure the character and appearance of the development accords with the aims and objectives of the Barton Farm Design Brief.
8. Notwithstanding the details on the submitted plans, chimney stack specifications and details at a scale of 1:10 or 1:20 shall be submitted to and agreed in writing by the Local Planning Authority and the development shall be carried out in accordance these agreed details.  
Reason: To insure the character and appearance of the development accords with the aims and objectives of the Barton Farm Design Brief.

9. The development hereby approved shall be carried out in accordance with the hard and soft landscaping proposals shown on the relevant approved drawings. Planting shall be carried out before the end of the first available planting season following completion of fifty percent of the dwellings unless otherwise agreed in writing by the Local Planning Authority. If within a five year period following this planting any tree(s) are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, then these shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as to be agreed with the Local Planning Authority. In the event of any disagreement the Local Planning Authority shall conclusively determine when the development has been completed, when site conditions permit, when planting shall be carried out and what specimens, size and species are appropriate for replacement purposes. Reason: In the interests of continued visual public amenity.
10. Prior to the first occupation of any dwelling hereby approved, details of the long-term maintenance of the approved soft landscaping details shall be submitted to and approved in writing by the Local Planning Authority. Reason: In the interests of the amenity and appearance of the location.
11. All existing trees and hedges shown on approved plan D11 78 P3 to be retained, shall be fully safeguarded during the course of site works and building operations. All trees to be protected on and immediately adjoining the site shall be protected from damage for the duration of works on the site to the satisfaction (to be confirmed in writing) of the Local Planning Authority in accordance with BS 5837:2012 (Trees in relation to construction - recommendations) or any new Standard that may be in force at the time that development commences. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s). Any trees or hedges removed without the written consent of the Local Planning Authority, or dying or being severely damaged or becoming seriously diseased before the completion of development or up to 12 months after occupation of the last dwelling shall be replaced with trees or hedging of such size, species in a timescale and in positions as may be approved in writing by the Local Planning Authority. Reason: To ensure that trees and hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity.
12. The Biodiversity Mitigation and Enhancement Plan (BMEP) signed and dated **xxxxx** shall be implemented in full in accordance with the specified timetables in the BMEP. Reason: To minimise impacts on the flora and fauna associated with the site.
13. Prior to occupation of any dwelling hereby approved, details of access for wheelchairs and buggies through the public spaces of this phase of development shall be submitted to and agreed in writing by the Local Planning Authority.

Thereafter the development shall be carried out in accordance with the agreed details.

Reason: To provide suitable access in accordance with the Equalities Act 2010.

14. No render shall be used on the external elevations of any building hereby approved.

Reason: To preserve or enhance the character and setting of heritage assets and local distinctiveness.

15. Prior to occupation of the first dwelling, details for a local area of play (LAP), including long term management and maintenance, shall be submitted to and agreed in writing by the Local Planning Authority and prior to the occupation of the 50<sup>th</sup> dwelling the LAP shall be constructed in accordance with these details and made available to the public and thereafter maintained and managed in accordance with the agreed details.

Reason: To provide recreational opportunities for children.

**Reason for the Decision:**

- This site is allocated of residential development;
- The proposal would contribute towards the Council's 5 year land supply;
- Paragraph 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise. None have been identified.
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact;
- There is not considered to be any significant harm to neighbouring residential amenity;
- There are no material considerations which would warrant refusal of this application.



**APPLICATION NUMBER WD/D/19/001069**

**APPLICATION SITE: Land at Shakes Hole, Southover Farm Access Road, Tolpuddle**

**PROPOSAL: Variation of conditions 2 & 3 of reference APP/F1230/C/07/2056624 to allow activities (excluding clay pigeon shooting) to take place on four days per week (excluding Sundays) plus a variation of hours of operation to 8am - 18.30pm between 1st April - 30th September in any calendar year.**

**Decision: Permission granted subject to the following conditions.**

**CONDITIONS:**

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

Location Plan received on 21<sup>st</sup> November 2019

Block Plan received on 21<sup>st</sup> November 2019

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

2. The leisure uses hereby permitted on this land shall not take place on a Sunday.

REASON: In order to safeguard the living conditions of neighbouring residential properties.

3. The leisure uses hereby permitted shall take place on no more than 4 days in any one week. A register of the days of operation shall be kept by the operator and made available upon written request by the council within 7 working days.

REASON: In order to safeguard the living conditions of neighbouring residential properties.

4. The leisure uses hereby permitted shall not take place between 18.30 hours and 08.00 hours during the period 1 April to 30 September in any one calendar year and for the remainder of the year will not take place between 17.30 hours and 09.00 hours.

REASON: In order to safeguard the living conditions of neighbouring residential properties.

5. The catering van shall only be sited on the land when the land is in use for leisure purposes. When such use takes place the van shall only present on the land between the hours of 07.30 and 19.00 during the period 1 April to 30 September in any one calendar year and for the remainder of the year between the hours of 08.30 and 18.00 hours.

REASON: To accord with terms of application and in the interests of neighbouring amenity.

**Reason for the recommendation:**

- The noise assessment submitted with the application adequately demonstrates that the proposed use would not cause significant noise and disturbance to occupants of residential properties within the surrounding rural area.

- It is considered that the concerns of the previously refused application have been overcome.
- It is therefore considered that the use of the site for following activities:- archery, off-road buggy racing, 4x4 vehicle driving and blind driving on an additional two days of the week would not cause significant harm to neighbour's living conditions in terms of unreasonable noise or disturbance.
- The proposal would have an acceptable impact on highway safety.

**APPLICATION NUMBER: 2/2019/1223/FUL**

**APPLICATION SITE: Land at 9-10 Pigeon Close, Blandford St Mary**

**PROPOSAL: Erect 4 No. dwellings and create new vehicular and pedestrian access (demolish existing garage).**

**Decision: Permission granted subject to the following conditions:**

**CONDITIONS:**

1. 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).

2. The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details:  
9232/200; 9232/201; 9232/202; 9232/203;  
forming the approved application.

Reason: For the avoidance of doubt and to clarify the permission.

3. Prior to development above damp proof course level, samples of materials to be used in the construction and finish of the walls and roof; shall be made available on site and retained in that location thereafter for the inspection and approval of the Local Planning Authority. Any such samples shall require approval to be obtained in writing from the Local Planning Authority and the development shall thereafter accord with the approved materials.

Reason: To safeguard the character of the locality and the appearance of the development.

4. Prior to works above damp proof course level, full details of both hard and soft landscape proposals shall, by reference to site layout drawings of an appropriate scale, be submitted to and approved in writing by the Local Planning Authority. The details shall include, the following information:

(a) Means of enclosure, including details of proposed height, materials and finish. Thereafter, no individual house shall be first occupied until the agreed means of enclosure for its plot boundaries have been completed.

(b) Planting plans, to include: Written specifications; schedule of plants, species, size, proposed numbers and densities; implementation & maintenance timetables. The development shall thereafter accord with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design

5. Before any foul drainage pipe work is installed, the details of that system and how it will be implemented to ensure it results in a sealed system, must be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved drainage scheme and shall be completed before first occupation or use of the development.

Reason: To avoid drainage problems as a result of the development to ensure that no groundwater enters the foul water drainage system within the site.

6. Before the development hereby approved is occupied or utilised the turning and parking shown on Drawing Number 9232/200 must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

7. Before the development is occupied or utilised the first 5.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

8. Before the development is occupied or utilised, the first 5.00 metres of any access, access crossing and drive must be constructed to a gradient not exceeding 1 in 12.

Reason: To ensure that the public highway can be entered safely.

9. There must be no gates hung so as to form obstruction to the vehicular access serving the site.

Reason: To ensure the free and easy movement of vehicles through the access and to prevent any likely interruption to the free flow of traffic on the adjacent public highway.

10. Prior to occupation or use, the mitigation measures as detailed in the approved Biodiversity Mitigation Plan dated 15 Jan 2020 shall be completed in full. Thereafter the scheme shall be maintained as detailed in the approved plan

Reason: To minimise impacts on biodiversity.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargements or alterations of the dwellinghouse hereby approved, permitted by Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

Reason: To protect amenity and the character of the area.

12. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no fences, walls, gates or other means of enclosure permitted by Class A of Schedule 2 Part 2 of the 2015 Order shall be erected around the curtilage of any dwellinghouse hereby permitted in a position forward of any wall of that dwelling house which fronts onto a road, private drive, footway, footpath or open space area.

Reason: To protect visual amenity and the character of the area.

13. Prior to the construction of any foundation, precise details of the finished floor level of the proposed dwellings shall be submitted to the local planning authority for approval in writing. The development shall be carried out strictly in accordance with the agreed details.

Reason: To ensure that the dwellings are set below street level which will further reinforce the recessive nature of the design and ensure that the dwellings relate properly to the surrounding development.

**1. Informative - Dorset Highways:**

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the County Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways 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 Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

**2. Informative – Wessex Water:**

According to WW records, there are no recorded public sewers or water mains within the red line boundary of the development site. Please refer to the notes and map submitted by WW for advice on what to do if an uncharted pipe is located.

The proposal is located in an area prone to sewer flooding caused by high levels of groundwater during prolonged periods of wet weather. Separate systems of drainage on site must be completely watertight and vent stacks rather than durgo valves must be used to prevent restricted toilet use during these prevailing conditions

The surface water strategy:

Surface water flows, generated by new impermeable areas, must not be connected to the foul water network which will increase the risk of sewer flooding and pollution. The surface water strategy for the proposed site must follow the SuDS hierarchy, and will be subject to building regulations

**Reason for the Recommendation:**

- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact on the character of the site and locality.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There would be no harm to protected trees and appropriate landscaping would be secured by means of condition.
- There are no material considerations which would warrant refusal of this application.

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## Northern Area Planning Committee Date: 25 February 2020 Sherborne – Various Parking Traffic Regulation Orders

### For Decision

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

**Local Councillor(s):** Cllr Matt Hall, Cllr Jon Andrews

**Executive Director:** John Sellgren, Executive Director of Place

**Report Author:** Andrew Brown  
**Title:** Management Engineer, Highway Improvements  
**Tel:** 01305 225142  
**Email:** andrew.brown@dorsetcouncil.gov.uk

**Report Status:** Public

**Recommendation:** That having considered the community support, objections received and officers report, this committee recommend that the Portfolio Holder approve the proposals to introduce, formalise or amend no waiting at any time, no waiting, no loading or unloading, or limited waiting, or limited waiting except permit holder, restrictions in the following roads in Sherborne:

- Abbey Road
- Back Lane
- Cold Harbour
- Digby Road
- Fairfield Heights
- Higher Cheap Street
- Horsecastles
- Hospital Lane
- Newland
- Portman Road (replacing previous proposals)
- The Green
- South Street
- Station Road
- Westbury

**Reason for Recommendation:** The proposals will address several parking concerns in Sherborne and in some cases increase parking for residents by removing parking restrictions that are no longer required.

## **1. Executive Summary**

Following the advertising to formalise or amend no waiting at any time, no waiting, no loading or unloading, or limited waiting, or limited waiting except permit holder, objections were received to 3 of the 15 proposals.

The proposals for 'No loading and unloading' in Cheap Street received 8 objections from businesses who will be potentially affected. Following discussions with the local Dorset Councillors and Sherborne Town Council this element of the TRO notice has been withdrawn with further consultation to take place with businesses to bring forward a scheme as a separate TRO that meets the needs of all users.

This report considers the objections to the Fairfield Heights and Horsecastles proposals and whether they are implemented as advertised.

## **2. Financial Implications**

The cost of making the order is estimated at £3500 inclusive of advertising Charges and new signs and road markings.

## **3. Climate implications**

None

## **4. Other Implications**

None

## **5. Risk Assessment**

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

Current Risk: LOW

Residual Risk: LOW

## **6. Equalities Impact Assessment**

The proposed waiting restrictions will have the usual exemption for disabled badge holders where appropriate and in accordance with the Highway Code.

## **7. Appendices**

**Appendix 1 – TRO Location Plan**



**Appendix 2** – Abbey Road, Cheap Street and Hospital Lane, Proposed Restrictions Plan

**Appendix 3** – Back Lane, Proposed Parking Restrictions Plan

**Appendix 4** – Cold Harbour, Fairfield Heights & Portman Road, Proposed Restrictions Plan

**Appendix 5** – Digby Road, South Street & Westbury, Proposed Restrictions Plan

**Appendix 6** – The Green, Higher Cheap Street & Newland, Proposed Restrictions Plan

**Appendix 7** – Station Road, Proposed Restrictions Plan

## **8. Background Papers**

Responses from the Town Council, Dorset Police and the local County Councillors are held on file in the Environment Infrastructure and Economy Directorate

### **Footnote:**

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

## 1. Background Information

- 1.1 A parking review for Sherborne was taken forward in 2017/18 to look at on-street and off-street parking in the town centre. At the time they were managed by different local authorities being West Dorset District Council for off street parking and Dorset County Council for on street parking. The working group included Sherborne Town Council, local members, residents and the local chamber of trade.
- 1.2 The parking review report made recommendations for the long-term management of parking, however there were several issues and concerns highlighted by the working group that could be dealt with in the short term. This includes a number of parking measures that would help traffic flow in certain locations along with removal of parking restrictions in certain locations to assist local residents and reduce traffic speed. The parking proposals only will be covered in this report.
- 1.3 The proposals also standardise parking restriction times and return times to enable Dorset Council Civil Enforcement Officers to more efficiently manage enforcement in the town centre.
- 1.4 15 proposals were advertised for public consultation on 12 September 2019 for a 21 day notice period along with notices on site. 10 objections were received for the proposals. This report considers the objections and comments raised.
- 1.5 Details for the proposals are outlined below and as shown in appendices 1 to 6:

**Abbey Road:** a) Proposed Waiting Limited to 2 hours return prohibited within 4 hours, Monday to Saturday, 9.30am to 6pm - change to existing 2 hour return prohibited period.

b) Proposed No waiting at any time

**Back Lane:** a) Proposed change to unrestricted from No waiting at any time

b) Proposed Waiting Limited to 1 hour return prohibited within 2 hours, Monday to Saturday, 9.30am to 6pm - change to existing 1 hour return prohibited period

**Cold Harbour:** Proposed No waiting at any time

**Digby Road:** a) Proposed Waiting Limited to 1 hour return prohibited within 2 hours, Monday to Saturday, 9.30am to 6pm - change to existing 1 hour return prohibited period

b) Proposed Waiting Limited to 2 hours, return prohibited within 4 hours, 8am to 6pm, Monday to Saturday, except permit holders, change to existing 2 hour return prohibited period

**Fairfield Heights:** a) Proposed No waiting at any time

b) Proposed Waiting Limited to 2 hours return prohibited within 4 hours, Monday to Saturday, 9.30am to 6pm

c) Proposed No waiting, Monday to Saturday, 10am to 11am and 2pm to 3pm

**Higher Cheap Street:** Proposed Waiting Limited to 1 hour return prohibited within 2 hours, Monday to Saturday, 9.30am to 6pm - change to existing 1 hour return prohibited period

**Horsecastles:** a) Proposed No waiting, Monday to Saturday, 9.30am to 6pm

b) Proposed No waiting at any time

**Hospital Lane:** Proposed No waiting at any time, Monday to Saturday, 9.30am to 6pm

**Newland:** Proposed Waiting Limited to 2 hours return prohibited within 2 hours, Monday to Saturday, 9.30am to 6pm

**Portman Road:** Proposed No waiting at any time

**The Green:** Proposed Waiting Limited to 1 hour return prohibited within 2 hours, Monday to Saturday, 9.30am to 6pm - change to existing 1 hour return prohibited period

**South Street:** Proposed Waiting Limited to 2 hours return prohibited within 4 hours, Monday to Saturday, 9.30am to 6pm – removes section of No Waiting at any time.

**Station Road:** a) Proposed Waiting Limited to 30 minutes, Monday to Saturday, 9.30am to 6pm, return prohibited within 1 hour, change to existing 30 minutes return prohibited period

b) Proposed reinstatement of Waiting limited to 30 minutes, Monday to Saturday, 9.30am to 6pm, with new 1 hour return prohibited period

c) Proposed Waiting Limited to 2 hours, Monday to Saturday, 8am to 6pm, return prohibited within 4 hours, except permit holders, change to existing 2 hour return prohibited period

**Westbury:** a) Proposed Waiting Limited to 1 hour return prohibited within 2 hours, Monday to Saturday, 9.30am to 6pm

b) Proposed Waiting Limited to 1 hour return prohibited within 2 hours, Monday to Saturday, 9.30am to 6pm - change to existing 1 hour return prohibited period

c) Proposed formalisation and extension of existing No waiting at any time

## **2. Law**

2.1 Sections 1 and 2 of the Road Traffic Regulation Act 1984 allow the Council to make an Order prohibiting or restricting the waiting of vehicles or the unloading of vehicles. The circumstances where an Order may be made include:

- For avoiding danger to persons or other traffic using the road;
- For facilitating the passage on the road of any class of traffic;

### **3. Consultation**

- 3.1 Under Dorset Council's procedure, primary consultation was carried out on the proposed scheme and is supported by Sherborne Town Council and Dorset Police with approval given to advertise by the local Dorset Councillors for the town.
- 3.2 There have been eighteen responses to the public consultation process for this Order which included 10 objections.
- 3.3 There were 8 objections to the 'No loading and unloading' proposal in Cheap Street from businesses who would be directly affected. Due to these objections and in discussion with the two Dorset Councillors for the town and the Town Council, this proposal has been withdrawn from the advertised TRO. Subsequent meetings have been held with businesses to bring forward an acceptable proposal that meets the needs of the local community and businesses in this busy shopping street. Any new proposals will be taken forward as a separate TRO.
- 3.4 The proposed 'no waiting at any time' in Fairfield Heights combined with 'limited wait' timed restrictions would remove all day parking which is generally used by visitors to the town centre and would ensure safe access by emergency services. This proposal received 6 correspondence in support and 1 objection.
- 3.5 The objection considered that the proposed restrictions are too complex and would move the existing parking to the north and east of Fairfield Heights. The suggestion was made that double yellow lines at key points would alleviate the problem of access. However, the proposed scheme also addresses all day parking of vehicles generally by those that work in the town centre. By introducing limited wait at certain times of the day this will discourage the all day parking and maintain safe emergency vehicle access. The proposals were also drawn up through the town working group which included a resident from Fairfield Heights and it must also be noted that there were 6 correspondence in support.
- 3.6 The proposed 'No waiting Monday to Saturday' in Horsecastles had one response in support and one objection. To summarise, the response in support highlighted the need for parking restrictions as there is a risk that emergency service vehicles and buses are not left enough room to get through due to parking on both sides of the road. The objection highlighted the lack of residents parking in the area and that non-residential parking should be tackled before we implement any TRO's.
- 3.7 On consideration of the comments for and against and taking into account the views of the town council and the working group it is officers opinion

that to ensure safety for all users the 'no waiting at anytime' is implemented as advertised in Horsecastles. This will also ensure that all day parking at this narrower section does not impede the X11 (Dorchester to Yeovil) South West Coaches Service which runs along Horsecastles 6 times a day (Mon-Fri) in each direction.

- 3.8 The proposed 'No waiting at any time' restriction in Portman Road which will improve access for residents and emergency services, received one response in support.
- 3.9 There was no response to the public notice to all the other advertised proposals.
- 3.10 A summary of the responses to the advertised Traffic Regulation Order's is shown below in tabulated format along with response summary:

Location	Objections	Support	Response summary
Abbey Road	0	0	N/A
Back Lane	0	0	N/A
Cheap Street	8	0	<b>WITHDRAWN FROM ADVERTISED TRO</b> - Review proposals and work with businesses on solution
Cold Harbour	0	0	N/A
Digby Road	0	0	N/A
Fairfield Heights	1	6	6 correspondence in support. 1 Objection considered that proposal is complex and will move parking to the north and east of Fairfield Heights.
Higher Cheap Street	0	0	N/A
Horsecastles	1	1	1 correspondence in support 1 objection highlighted the lack of residents parking in the area and that non-residential parking should be tackled before we implement any TRO's.
Hospital Lane	0	0	N/A
Newland	0	0	N/A

Portman Road	0	<b>1</b>	1 correspondence in support
The Green	0	0	N/A
South Street	0	0	N/A
Station Road	0	0	N/A
Westbury	0	0	N/A

#### **4. Summary and Recommendation**

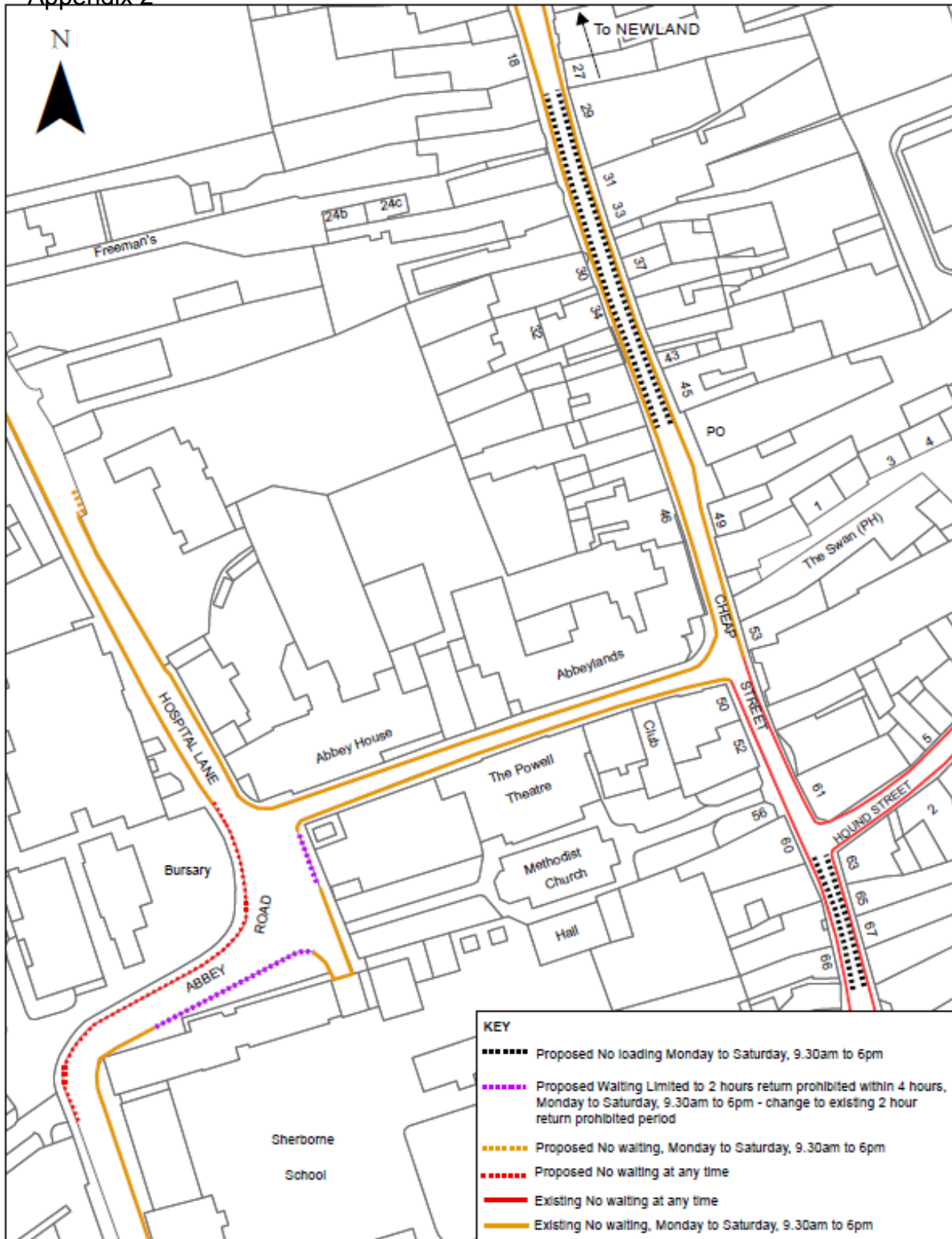
- 4.1 Proposals for loading and unloading bans in Cheap Street have been withdrawn. Officers are working with local councillors, businesses and the Town Council to bring forward proposals as a separate TRO.
- 4.2 Representations for the proposed TRO's in Fairfield Heights and Horsecastles, have been considered with officers' recommendation that the TRO's are supported as advertised.
- 4.3 That having considered the representations received, in response to public advertisement and community support that the Portfolio Holder be recommended to support the proposed Traffic Regulation Orders as advertised in the streets of Abbey Road, Back Lane, Cold Harbour, Digby Road, Fairfield Heights, Higher Cheap Street, Horsecastles, Hospital Lane, Newland, Portman Road, The Green, South Street, Station Road and Westbury.


# Appendix 1 – TRO Location Plan

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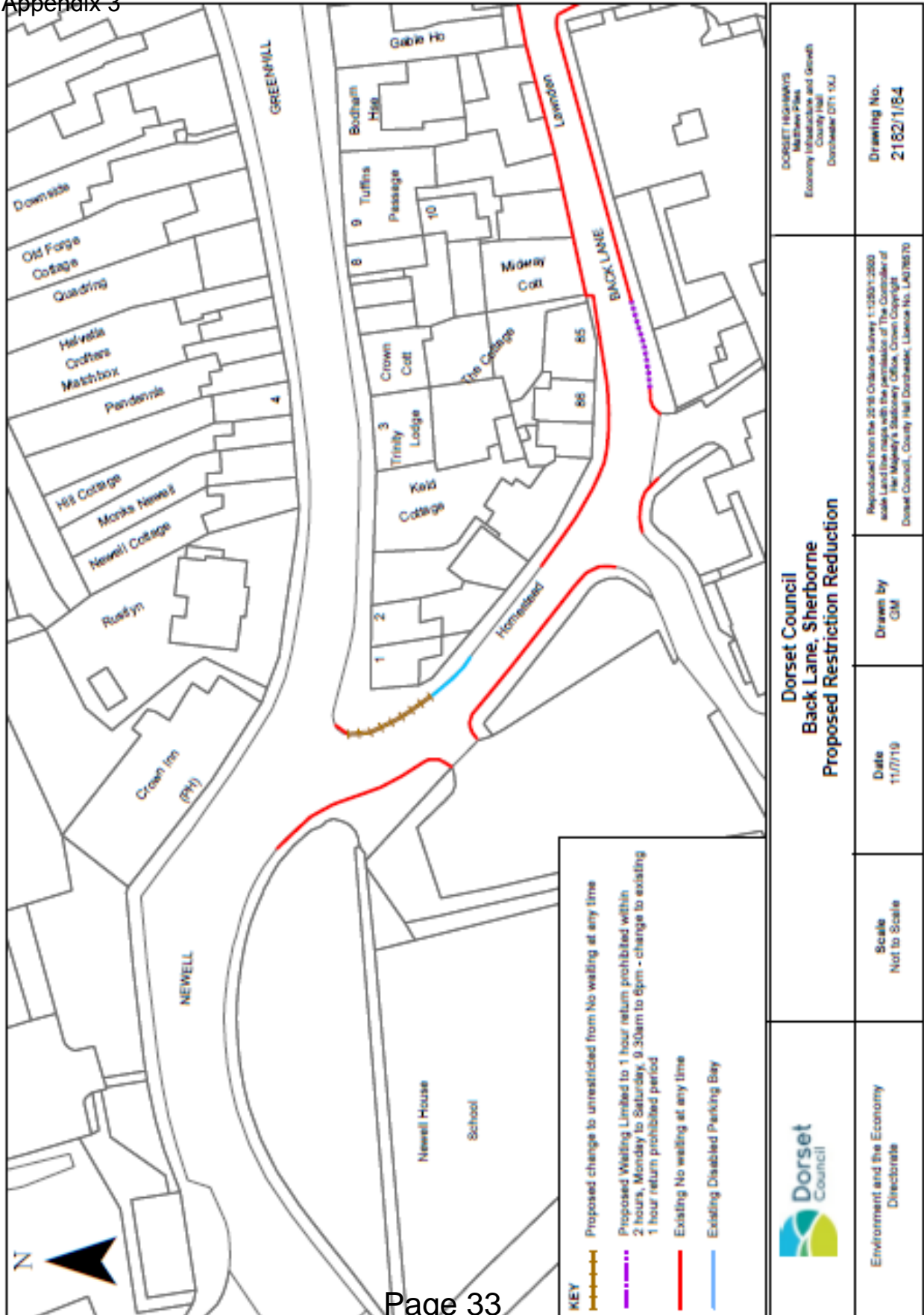


Appendix 2

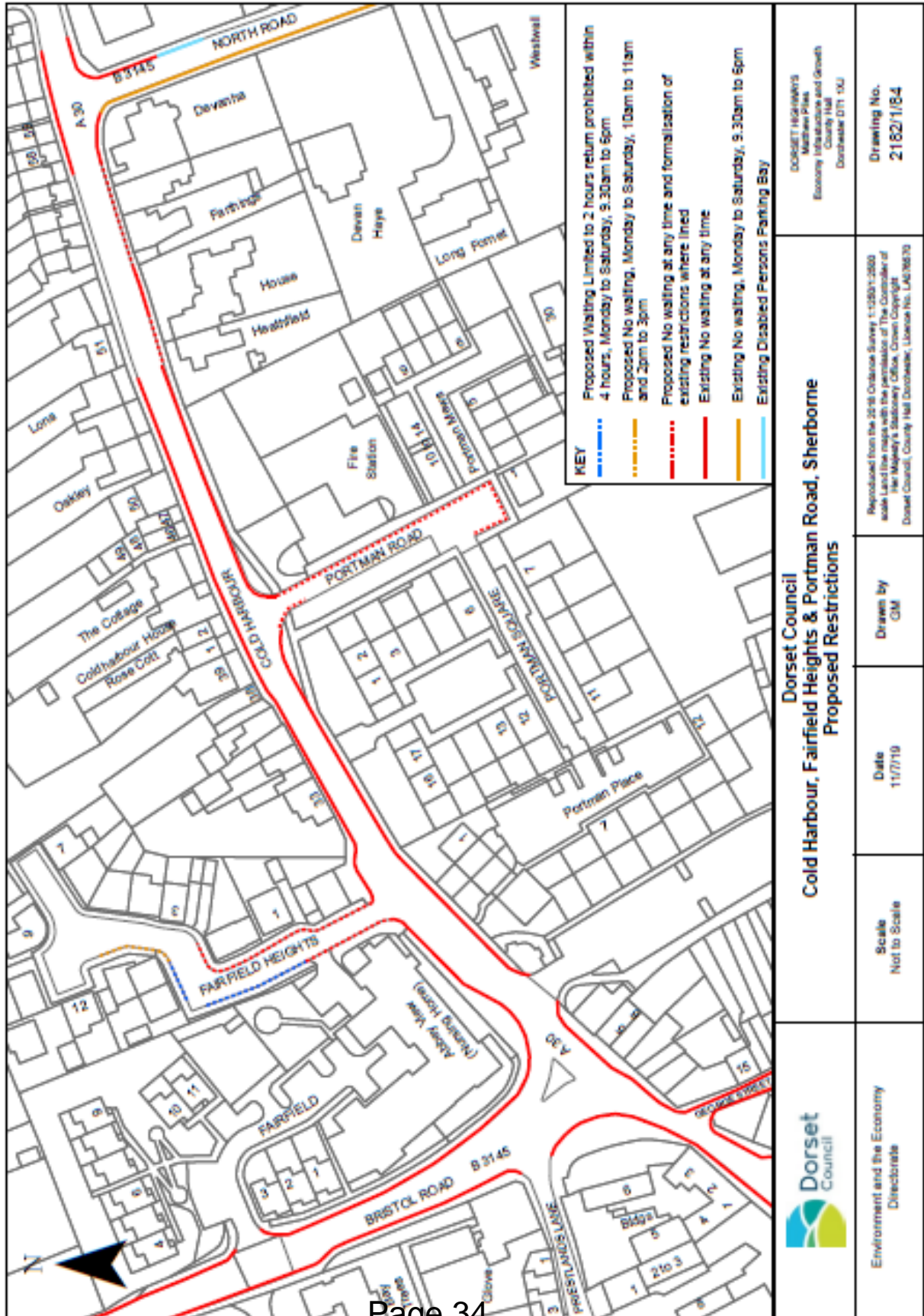


 <p>Dorset Council</p>	<p>Dorset Council Abbey Road, Cheap Street and Hospital Lane, Sherborne Proposed Restrictions</p>			<p>DORSET HIGHWAYS Matthew Piles Economy Infrastructure and Growth County Hall Dorchester DT1 1XJ</p>
<p>Environment and the Economy Directorate</p>	<p>Scale Not to Scale</p>	<p>Date 11/7/19</p>	<p>Drawn by GM</p>	<p>Reproduced from the 2018 Ordnance Survey 1:25000 scale Land line maps with the permission of The Controller of Her Majesty's Stationery Office, Crown Copyright Dorset Council, County Hall Dorchester, Licence No. LA076870</p>
<p>Drawing No. 2182/1/84</p>				



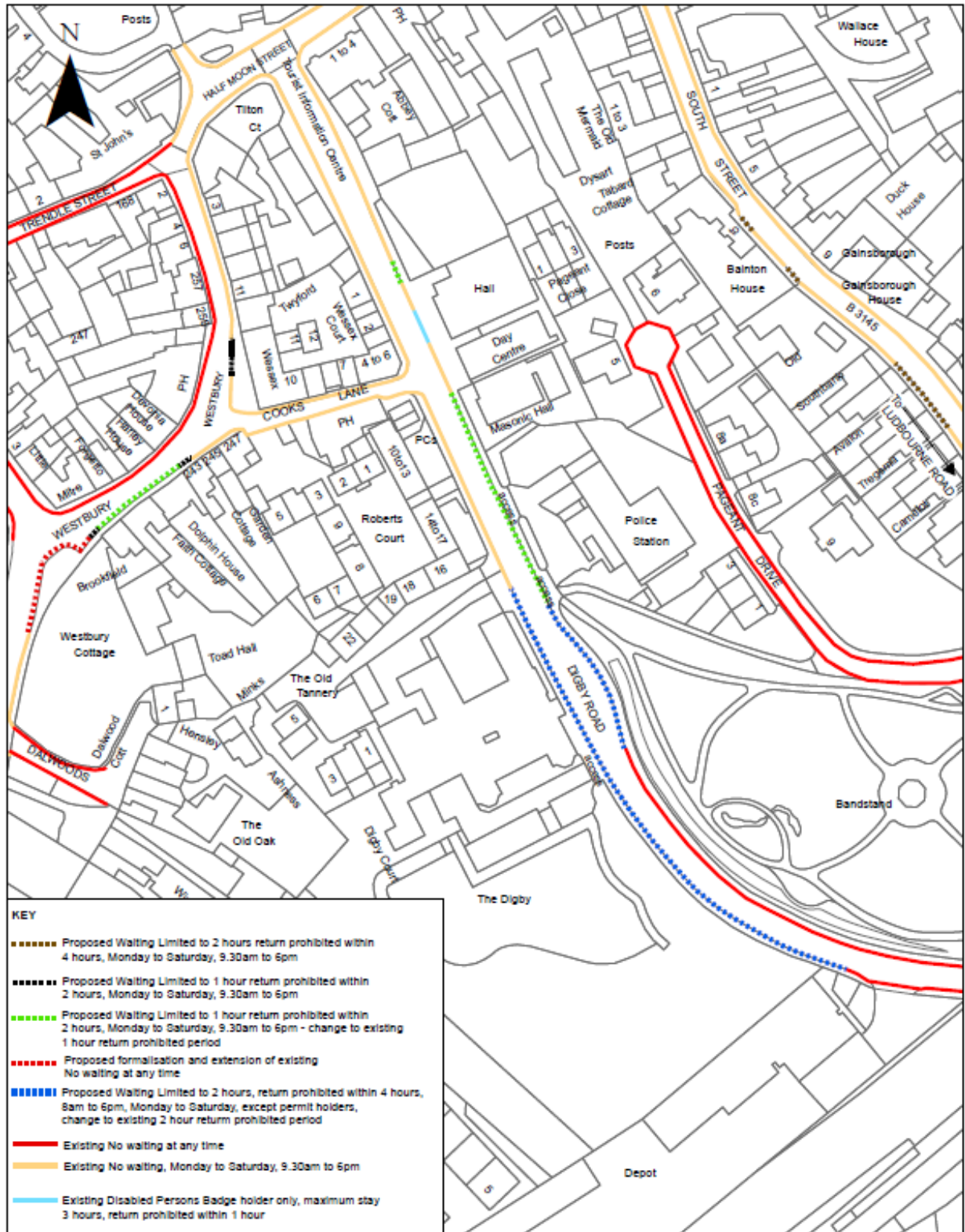


Appendix 4



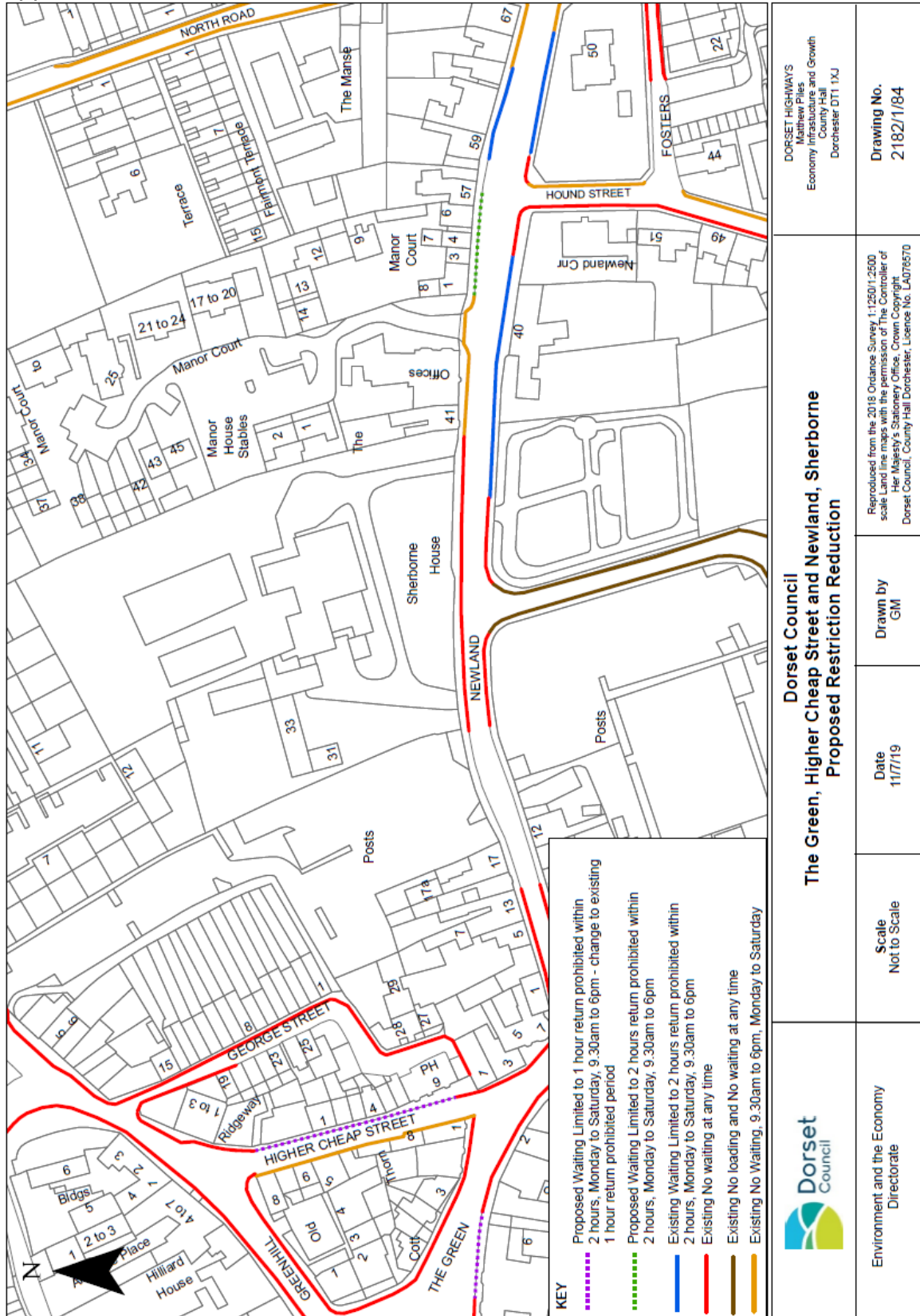
 <p><b>Dorset Council</b> Environment and the Economy Directorate</p>	<p><b>Dorset Council</b> <b>Cold Harbour, Fairfield Heights &amp; Portman Road, Sherborne</b> <b>Proposed Restrictions</b></p>	<p><b>Scale</b> Not to Scale</p>	<p><b>Date</b> 11/7/19</p>	<p><b>Drawn by</b> GM</p>	<p><b>Reproduced from the 2018 Ordnance Survey 1:25000 scale Land Use maps with the permission of The Controller of Her Majesty's Stationery Office, Crown Copyright Dorset Council, County Hall Dorchester, License No. LA0768709</b></p>	<p><b>DORSET HEIGHTS</b> Matthew Piles Economy, Infrastructure and Growth Consultation and Growth Dorchester DT1 1SA</p>	<p><b>Drawing No.</b> <b>2182/1/84</b></p>
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# Appendix 5



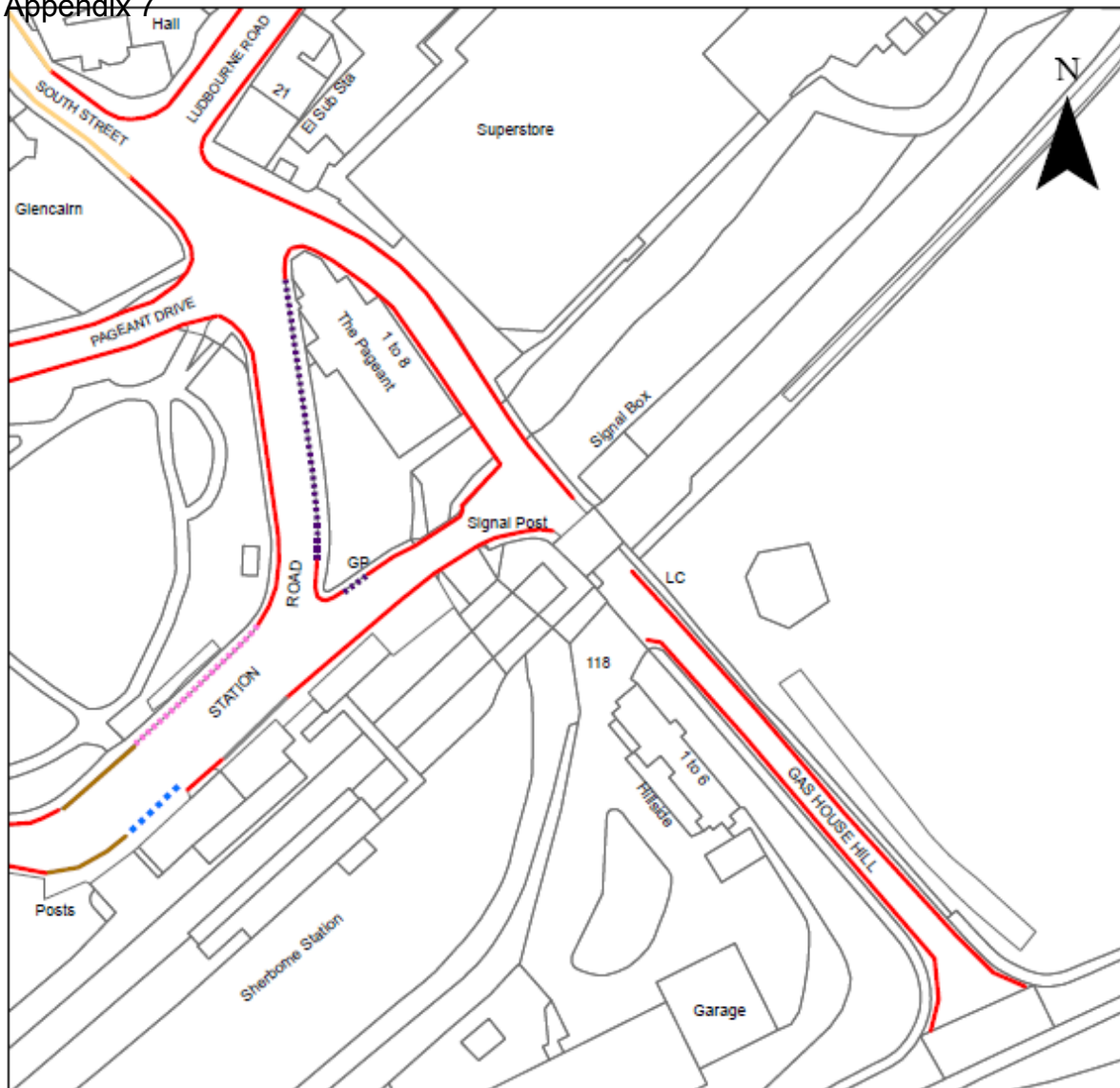
		<b>Dorset Council</b> <b>Digby Road, South Street and Westbury, Sherborne</b> <b>Proposed Restrictions</b>		DORSET HIGHWAYS Matthew Piles Economy Infrastructure and Growth County Hall Dorchester DT1 1XJ	
Environment and the Economy Directorate	Scale Not to Scale	Date 11/7/19	Drawn by GM	Reproduced from the 2018 Ordnance Survey 1:25000 2000 scale Land Use Data with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright Dorset Council, County Hall Dorchester, Licence No. LAC18570	Drawing No. 2182/1/84

Appendix 6




<p><b>DORSET HIGHWAYS</b> Matthew Piles Economy Infrastructure and Growth County Hall Dorchester DT1 1XJ</p>	<p><b>Dorset Council</b> <b>The Green, Higher Cheap Street and Newland, Sherborne</b> <b>Proposed Restriction Reduction</b></p>	<p>Reproduced from the 2018 Ordnance Survey 1:125001:2500 scale Land line maps with the permission of The Controller of Her Majesty's Stationery Office. Crown Copyright © Dorset Council, County Hall Dorchester, Licence No. LA076570</p>	<p><b>Drawing No.</b> 2182/1/84</p>
<p><b>Environment and the Economy Directorate</b></p>	<p><b>Date</b> 11/7/19</p>	<p><b>Scale</b> Not to Scale</p>	<p><b>Drawn by</b> GM</p>

Appendix 7



**KEY**

- Proposed Waiting Limited to 30 minutes, Monday to Saturday, 9.30am to 6pm, return prohibited within 1 hour, change to existing 30 minutes return prohibited period
- Proposed reinstatement of Waiting limited to 30 minutes, Monday to Saturday, 9.30am to 6pm, with new 1 hour return prohibited period
- Proposed Waiting Limited to 2 hours, Monday to Saturday, 8am to 6pm, return prohibited within 4 hours, except permit holders, change to existing 2 hour return prohibited period
- Existing Bus Stop Clearway
- Existing No waiting at any time
- Existing No waiting, Monday to Saturday, 9.30am to 6pm
- Existing No waiting at any time except taxis

 <b>Dorset Council</b>	<b>Dorset Council</b> <b>Station Road, Sherborne</b> <b>Proposed Restrictions</b>			DORSET HIGHWAYS Matthew Piles Economy Infrastructure and Growth County Hall Dorchester DT1 1XJ
Environment and the Economy Directorate	Scale Not to Scale	Date 11/7/19	Drawn by GM	Drawing No. 2162/1/84
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**1.0 APPLICATION NUMBER:** [WD/D/19/002376/FUL](#)

**SITE ADDRESS:** Burleston Farmhouse, Burleston, Dorchester, DT2 7EG

**PROPOSAL:** Installation of ground mounted solar PV array

**APPLICANT:** Mr Mason

**Case Officer:** Christopher Poad

**Ward Member(s):** Councillor E. J. Parker

**2.0 Summary of Recommendation:** APPROVE, subject to conditions.

**3.0 Reason for the recommendation:**

- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- The proposal is acceptable in its terms of its siting and design.
- There would be no harm to the natural or historic environment.
- There are no material considerations which would warrant refusal of this application.

**4.0 Table of key planning issues**

<b>Issue</b>	<b>Conclusion</b>
Principle of development	Policy SUS2 - Distribution of development permits a finite list of development outside of defined development boundaries which captures proposals for the generation of renewable energy.
Landscape and Character and Appearance of the area	The proposed development would be largely screened by existing vegetation and would be within close proximity to a range of outbuildings which currently serve Burleston Farmhouse.
Highway Safety	Access into the application site would be via an existing access which is considered to be suitable.

Amenity	The proposed development would be of an acceptable distance from neighbouring residential properties.
Heritage Assets	Diagonally to the north west of the application site is Grade II listed building 'The Old Rectory'. Owing to this oblique angle, distance, topography and existing screening, the heritage asset and its setting would be preserved. Therefore, the impact on the designated heritage asset would be neutral.
Flood Risk	There would be no flood risk associated with the proposed development.

## 5.0 DESCRIPTION OF SITE

5.1 The application site is within a modest parcel of agricultural land to the east of the host dwelling 'Burleston Farmhouse'. To the north of the application site runs Dorchester Road, beyond which is neighbouring residential property 'Tolpuddle Cottage' which is set back from the public highway. To the east of the application site is a larger parcel of agricultural land which shares an existing access onto Dorchester Road with the application site. To the south of the application site courses Devil's Brook with open countryside yonder. To the west of the application site is the host dwelling 'Burleston Farmhouse' and its associated outbuildings; one of which lies along the western boundary in part.

5.2 The application site is just over 1 mile from the eastern edge of the settlement boundary of Puddletown and is situated within Cerne and Piddle Valleys Landscape Character Area.

## 6.0 DESCRIPTION OF DEVELOPMENT:

6.1 Installation of ground mounted solar PV array.

## 7.0 RELEVANT PLANNING HISTORY:

Application No.	Application Description	Decision	Date of decision
1/E/00/000644	Approval of Reserved Matters 1/E/1997/0528 - erect replacement farmhouse and garage and construct	A	15 December 2000



	new vehicular and pedestrian access		
<b>1/E/03/001280</b>	Form new entrance from road. Make alterations & change of use of farm outbuildings to garages, stables, workshop store, office and garden store.	A	10 October 2003
<b>1/E/74/000014</b>	ERECT BARNs, DAIRY PARLOUR ETC AND CONSTRUCT TANKER LAY-BY	A	20 May 1974
<b>1/E/93/000062</b>	Demolish fire damaged dwelling and develop land by the erection of a dwelling	A	19 March 1993
<b>1/E/97/000528</b>	Demolish fire damaged dwelling and develop land by the erection of a dwelling	A	08 December 1997

## 8.0 LIST OF CONSTRAINTS:

- Landscape Character Area

## 9.0 CONSULTATIONS

(All consultee responses can be viewed in full on the website)

9.1 Natural England – *No comment.*

9.2 Dorset Council Highway Authority – *No objection.*

9.3 Environmental Health – *Recommend that prior to the installation of plant or such like equipment a noise report shall be provided.*

9.4 Mineral and Waste Planning Authority – *No comment.*

9.5 Puddletown Parish Council – *Objections made querying the proposed use of the solar PV array and the development’s impact on the Piddle Valley Pasture Landscape Character Area.*

**Representations received:**

3 letters of representation were received, all of which objected to the proposed development. Objecting comments were made for the following reasons;

- Impact on character and appearance of the area
- Impact on landscape
- Flood Risk
- Noise/Disturbance
- Previous Development/Speculative Development
- Road Safety
- Use

**10.0 RELEVANT POLICIES**

**10.1 Local Plan –**

INT1 – Presumption in favour of sustainable development  
ENV1 – Landscape, Seascape and sites of geological interest  
ENV2 – Wildlife and Habitats  
ENV4- Heritage Assets  
ENV12 – The design and positioning of buildings  
ENV16 – Amenity  
SUS2 – Distribution of development  
ECON8 – Diversification of land-based rural businesses  
COM11 – Renewable Energy Development

**10.2 National Planning Policy Framework**

- 2. Achieving sustainable development
- 4. Decision-making –
  - *Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.*
- 12. Achieving well-designed places

- 14. Meeting the challenge of climate change, flooding and coastal change –
  - *Para 151 - To help increase the use and supply of renewable and low carbon energy and heat, plans should: a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts).*
- 15. Conserving and enhancing the natural environment –
  - *Para 170 – Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan) (...)*
  - *Para 171 – (...) distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.*

### 10.3 Other

- WDDC Design & Sustainable Development Planning Guidelines (2009)
- West Dorset Landscape Character Assessment 2009
- UK Solar PV Strategy

### 11.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 – Protection of property

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

### 12.0 PUBLIC SECTOR EQUALITIES DUTY

**12.1** As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics

- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

**12.2** The proposed development would result in the erection of a solar panel PV array for the creation of energy. Public access would not be a concern in this instance.

**13.0 FINANCIAL BENEFITS:**

**13.1** Any surplus of renewable energy would be fed back to the national grid, contributing to the UK’s energy production.

**14.0 CLIMATE IMPLICATIONS:**

**14.1** The proposed development would result in the generation of renewable energy for the dwelling. Any surplus of energy produced would be fed into the National Grid having both economic and environmental benefits.

**15.0 PLANNING ASSESSMENT:**

- Principle of Development
- Landscape and Character and Appearance of the area
- Highway Safety
- Amenity
- Heritage Assets
- Flood Risk
- Other

**15.1 Principle of development**

Dorset Council accepts that energy needs to be produced from renewable sources and the Council must aim to provide this within its administrative area. The Council recognised this by declaring a climate emergency on May 16<sup>th</sup> 2019 with the aim of taking a lead as an authority in tackling climate change. The UK government amended the Climate Change Act (2008) to legally commit to net carbon neutrality (zero emissions) by 2050.

The application site is situated outside of any settlement boundary as defined by the West Dorset, Weymouth and Portland Local Plan (2015). Policy SUS2 strictly controls development outside defined development boundaries, in line with National Policy, recognising the importance over the protection of the countryside and environment. Policy SUS2, therefore, permits a finite list of development outside of defined development boundaries which captures proposals for the generation of renewable energy.

With reference to proposals for the generation of renewable energy, Policy COM11 supports proposals for generating electricity from renewable energy sources providing that any benefits, such as the contribution towards renewable energy targets, significantly outweigh any harm. In terms of potential harm, permission for such proposals would only be granted should any adverse impacts on landscapes, townscapes or areas of historical interest be satisfactorily assimilated; there would be minimal harm to residential amenity; and any adverse impacts upon designated wildlife sites can be satisfactorily mitigated.

## **15.2 Landscape and Character and Appearance of the area**

The application site is situated within the Cerne and Piddle Valleys Landscape Character Area. The proposed development would be positioned adjacent to the northern boundary of the modest parcel of agricultural land in which it is to be located. The parcel of land is bound by hedgerows to the north and east, Devil's Brook to the south and the shared boundary with 'Burleston Farmhouse' delineated by post and rail fencing to the west. The parcel of land sits at a lower level in comparison to Dorchester Road which runs to the north of the application site of an east to west orientation. The land continues to slope gradually to the south until meeting the watercourse Devil's Brook.

The proposed solar array would sit at ground level and cover an area measuring approximately 18 metres by 9.5 metres with each panel measuring approximately 1.6 metres in length and 0.9 metres in width. Owing to the tilt of each panel, each panel would stand at a height of just under 0.5 metres.

Given the change in topography, with the application site sat at a lower level than the adjacent highway, it is considered views of the proposed development would be limited. When travelling along Dorchester Road it is considered when looking to the south one's sight would look over the proposed development and would have a continuous vista of the countryside to the south. Immediate views stood north of the proposed development would also be largely interrupted owing to the deciduous hedgerow along the northern boundary of the application site. From wider views of the application site, particularly from the east and south, it is considered the proposed development would be related to 'Burleston Farmhouse' and would be confined within the modest parcel of land. New

planting is also proposed along the southern perimeter of the application site to further soften the presence of the proposed development.

In light of the above, it is considered the proposed development would not have an adverse impact on the character or appearance of the area or wider landscape.

### **15.3 Highway Safety**

Access into the site would be via an existing access point along the southern edge of Dorchester Road leading into the north-eastern corner of the agricultural parcel of land where the solar PV array is to be sited. Concerns were raised within the letters of representation received that the access would pose a threat to highway safety. The existing access is considered to be acceptable with adequate visibility to the east and west when exiting the site and once installed there would be minimal access required to the solar panels other than for servicing purposes. The Dorset Council Highway Authority have considered the proposed development and raised no objections.

Given the above, it is considered the proposed development would not have an adverse impact on highway safety and access into the application site is adequate.

### **15.4 Amenity**

Proposals for development should be designed to minimise their impact on the amenity of both existing and future residents. Concerns were raised within one letter of representation received over the noise and disturbance produced as a result of the proposed development. Equally, having had regard to the consultation response received from the Council's Environmental Health officer, a condition was recommended that prior to the installation of associated plant or such like equipment a noise report shall be provided.

In response to these comments, it has been confirmed that the inverters would be housed in the store room of the outbuildings to the west of the application site within the curtilage of 'Burleston Farmhouse'. Following discussions between the case officer and the Environmental Health Officer it is considered this location would overcome the requirement for such a condition and would be of an acceptable distance from neighbouring residential property to not adversely impact on the amenity occupiers of these properties currently enjoy. It was, however, recommended that any plant or such like equipment should be sited over vibration absorbers to minimise disturbance to occupiers of 'Burleston Farmhouse'. The applicant is to be made aware of this by means of an informative.

Given the above, it is considered the plant or such like equipment associated with the proposed development would be of an adequate distance from neighbouring residential property to not adversely impact on neighbour amenity.

### **15.5 Heritage Assets**

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be paid to the desirability of preserving or enhancing the setting of Listed Buildings; and (2) Local Plan policy. Policy ENV4 of the local plan seeks to conserve the significance of both designated and non-designated heritage assets.

To the north west of the application site is Grade II listed building 'The Old Rectory'. The listed building is set within a wooded curtilage with trees lining the southern boundary. Owing to the level of separation between the application site and the heritage asset with intervening highway and mature vegetation, it is considered the proposed development would not have an adverse impact on the setting of The Old Rectory. Due to the lack of intervisibility between the application site and the listed building, and the fact that there would be no wider views of the proposal juxtaposed with the heritage asset, the impact of the proposal would have a neutral impact on the setting of the asset. In view of the foregoing, Footnote 6 of the NPPF is not engaged and the development should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

### **15.6 Flood Risk**

Within a couple of letters of representation received, concerns were raised over the proposed development being sited within a flood plain. Whilst it is noted the watercourse Devil's Brook runs along the southern boundary of the agricultural parcel of land, the proposed development would not be within either Flood zone 2 or 3. It is considered the proposed development would not increase the risk of flooding.

### **15.7 Other**

Concerns were raised within both the Parish Council's consultation response and the letters of representation received over the supposed use of the proposed development. The size of the proposed development is not considered to be inappropriate and has been sized to suit the host dwelling 'Burleston Farmhouse', which is not considered to be of an average size, as it is a relatively substantial 5 bedroom dwelling with outbuildings. It is also noted that the solar PV arrays would run three electric car charging points. It is, therefore, considered the number of panels proposed is acceptable to serve 'Burleston Farmhouse'.

Furthermore, any additional energy produced as a result of the proposed solar panels would be fed back to the national grid providing both economic and environmental benefits.

With regards to the internet cables that had been laid previously across the application site, it is understood these cables were installed to connect to Bovington. It has been stated that there is no correlation between the proposed development and the former work undertaken for improvements to infrastructure. Nonetheless, there is no reason to believe why the proposed development would serve as a precedent and would allow for other developments within the area to be permitted. Each application is to be considered on its own merits. In this instance, as discussed above, the proposed development would not have an adverse impact on the character and appearance of the area, the wider landscape or residential amenity and is, thus, recommended for approval.

## **16.0 CONCLUSION**

- 16.1** The proposed development is considered to comply with the relevant policies of the Local Plan and sections of the National Planning Policy Framework as previously listed.
- 16.2** There would be no harm to the natural or historic environment.
- 16.3** The proposed development would not have an adverse impact on the amenity currently enjoyed by occupiers of neighbouring residential properties
- 16.4** The proposed development would not have an adverse impact on highway safety.

## **17.0 RECOMMENDATION:**

GRANT planning permission, subject to conditions.

### **CONDITIONS:**

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

Location Plan - Drawing Number S-1378-02 received on 23/09/2019  
Site Plan - Drawing Number S-1378-03 received on 23/09/2019  
Site Sections - Drawing Number S-1378-04 received on 23/09/2019  
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 All existing trees and hedges shown on approved plan Site Plan S-1378-04 to be retained, shall be fully safeguarded during the course of site works and building operations in accordance with BS 5837:2012 (Trees in relation to construction - recommendations) or any new Standard that may be in force at the time that development commences. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s). Any trees or hedges removed without the written consent of the Local Planning Authority, or dying or being severely damaged or becoming seriously diseased before the completion of development or up to 12 months after occupation of the last dwelling shall be replaced with trees or hedging of such size, species in a timescale and in positions as may be approved in writing by the Local Planning Authority.  
REASON: To ensure that trees and hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity.
- 4 Prior to the development hereby approved being brought into first use, precise details of all tree, shrub and hedge planting (including positions and/or density, species and planting size) shall be submitted to and approved in writing by the Local Planning Authority. Planting shall be carried out before the end of the first available planting season following approval having been obtained in writing. In the five year period following the substantial completion of the development any trees, shrubs or hedge that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority. In the event of any disagreement the Local Planning Authority shall conclusively determine when the development has been completed, when site conditions permit, when planting shall be carried out and what specimens, size and species are appropriate for replacement purposes.  
REASON: In the interests of continued visual public amenity.

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The panels when no longer required or no longer functioning, whichever is sooner, shall be removed from the land and the land made good to the satisfaction of the Local Planning Authority in accordance with a scheme that shall be submitted to and approved in writing by the local planning authority within 3 months of the panels becoming redundant.

REASON: To safeguard the long term future of the landscape requiring the removal of redundant infrastructure.