

**Northern Area Planning Committee**  
**16<sup>th</sup> May 2023**  
**Decision List**

**Application Reference:** P/VOC/2022/05646

**Application Site:** Frogmore Lane Sixpenny Handley Dorset SP5 5NY

**Proposal:** Residential development comprising 7 new dwellings with ancillary car parking. (As amended 25/02/21 by Flood Risk Assessment and Surface Water Strategy and revisions to Plot 1). (Variation of Condition Nos. 2 and 10 of Planning Permission No. P/VOC/2022/02389 to substitute approved plans for a revised layout, and revised house and garage types and designs).

**Recommendation:** Grant, subject to conditions

Decision: **Deferred to a subsequent meeting to seek further information on flood risk.**

**Application Reference:** P/FUL/2022/06898

**Application Site:** Units 36,40 & 45 Enterprise Park Piddlehinton Dorset DT2 7UA

**Proposal:** Demolish units 36,40 & 45 and erect 3 no. blocks of industrial units (9-22) for B2, B8 & E class use

**Recommendation:** GRANT subject to conditions

Decision: Approve subject to the following 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 in accordance with the following approved plans:

4564 61 Proposed floor plans Units 9-14  
4564 62 A Proposed elevations Units 9-14  
4564 63 B Proposed floor plan and elevations units 21-22  
4564 64 A Proposed floor plans Units 15-20  
4564 65 B Proposed elevations Units 15-20  
4564 67 Contextual elevations Units 9-14  
4564 55 C Proposed block and location plans  
4564 68 C Contextual elevations Units 15- 22 1 of 2  
4564 66 G Proposed Site Plan Units 9 to 22-.pdf

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

3. Prior to commencement of work on the site, a lighting strategy which reflects the need to avoid harm to protected species and to minimise light spill, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved lighting strategy and there shall be no lighting of the site other than in accordance with the approved strategy.

Reason: In the interests of biodiversity and the character of the area

4. Before the development hereby approved is occupied or utilised the turning and parking for vehicles and cycles shown on drawing number 4564 66F - Full Site Plan must have been constructed in accordance with the approved plan. 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.

5. The surface water scheme for the development hereby approved shall be fully implemented in accordance with the submitted details being; Area 36 Surface Water Drainage Layout drawing number 22012-903 Rev P1, Area 45 Surface Water Drainage Layout drawing number 22012-904 Rev P1, Test Pit analysis for Areas 36 and 45, Area 36 Units 15-22 Modular Crate Soakaways, Area 45 Units 9-14 Modular Crate Soakaways Area 36 Surface Water Drainage Management and Maintenance Plan dated April 2023 and Area 45 Surface Water Drainage Management and Maintenance Plan dated April 2023.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and to improve habitat and amenity.

6. The surface water sustainable drainage scheme and the receiving system associated with the development hereby approved shall be managed and maintained in full accordance with the approved management and maintenance plans being; Area 36 Surface Water Drainage Management and Maintenance Plan dated April 2023 and Area 45 Surface Water Drainage Management and Maintenance Plan dated April 2023.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

7. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 21st March 2023 must be implemented in accordance with any specified timetable and completed in full (including

photographic evidence of compliance being submitted to the Local Planning Authority in accordance with section J of the Biodiversity Plan) prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained.

Reason: In the interests of safeguarding protected species, compensate and enhance/provide net gain for impacts on biodiversity.

8. The external materials to be used for the walls and roofs (being Olive Green and Goosewing Grey profile sheeting and buff brick) shall be as specified in the materials section of the submitted planning application form.

Reason: To ensure a satisfactory visual appearance of the development.

9. Prior to the commencement of any development hereby approved, above damp course level, full details of hard and soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

Planting scheme including the position, species, type, number and spacing of heavy tree standards and all other planting  
Proposed finished levels or contours,  
Means of enclosure,  
Car parking layout and vehicular and pedestrian access and circulation areas,  
Hard surfacing materials,  
Minor artefacts and structures (eg; bin stores, cycle stands, lighting and signage).

The development shall be carried out in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or new landscape features.

10. All hard and soft landscape works shall be carried out in accordance with the landscaping plans approved under condition number 9. No part of the development shall be occupied until work has been completed in accordance with the approved details. Any trees or plants that within a period of five years after planting are removed, die, or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced as soon as it is reasonably practical with others of species, size and number as originally approved.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

11. The buildings hereby approved shall be used for no other purpose other than those purposes in Classes B2, B8 and E(g) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: The Council considers an unrestricted Class E use would not be compatible with the principles of sustainable development and provision of Policy ECON2.

12. 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 mezzanine floors shall be installed within the buildings hereby approved, unless the prior written approval of the Local Planning Authority is forthcoming.

Reason: In the interests of highway safety and to protect the character of the area.

13. The development hereby approved shall not be first occupied or brought into use until a scheme to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development shall first have been submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully installed prior to first occupation or use of the development and retained there after.

Reason: To promote the use of more sustainable transport modes

14. Prior to any development above slab level, full details of the location, materials, appearance and content of an interpretation panel in relation to a record of the history of the former World War II camp shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the interpretation panel shall be installed in accordance with the agreed details prior to first use of the development.

Reason: In order to acknowledge and interpret the history of the former military camp in accordance with Policy ENV4 of the West Dorset and Weymouth & Portland Local Plan.

**Informative Notes:**

1. Dorset Council's Flood Risk Management Team advise that in order to satisfy the requirements of the drainage conditions, further details of a finalised surface water drainage scheme will need to be submitted. In particular the following information will need to be included with a future submission:
  - Ground investigation results detailing an assessment of ground conditions to not only demonstrate that infiltration is possible but to include an assessment of the suitability of the bedrock for soakaway features (eg. analysis of likelihood of the

presence of dissolution features within the chalk that could cause ground stability issues)

- Results of groundwater monitoring to demonstrate that the proposed soakaways will not be compromised when groundwater levels are high. Applicant should provide evidence to show that the base of any proposed soakaway will be at least 1m from the groundwater level throughout the year.
- Results of 3 sets of soakaway tests carried out to the standards set in BRE Digest 365 showing that the test were carried out at the depth and location of the proposed soakaway feature.
- Section 1.4 of the applicant's Surface Water Drainage Management and Maintenance Plan explains that the site has incorporated a modular crate soakaway to manage the requirement to accommodate the 1 in 100 year storm event plus 40% CCF however climate change allowances have been updated and the finalised design should allow for 1 in 100 year storm plus 45% climate change.

2. Dorset & Wiltshire Fire and Rescue Service offer the following informatives:

#### Building Regulation Matters

In the event the planning permission is granted for this development, the development would need to be designed and built to meet current Building Regulations requirements. The Authority raises the profile of these future requirements through this early opportunity and requests the comments made under B5 of Approved Document B, The Building Regulations 2010 be made available to the applicant/planning agent as appropriate. The assessment of this development proposal in respect of Building Control matters will be made during formal consultation, however early recommendations are identified on the attached schedules and relate to the following areas:

- Recommendations identified under B5 of Approved Document B relating to The Building Regulations 2010
- Recommendations to improve safety and reduce property loss in the event of fire

#### Access and Facilities for the Fire Service

Consideration is to be given to ensure access to the site, for the purpose of fire fighting, is adequate for the size and nature of the development.

#### Water Supplies for Fire Fighting

Consideration should be given to the National Guidance Document on the Provision of Water for Fire Fighting and the specific advice of this Authority on the location of fire hydrants.

#### Fire Safety Legislation

Once constructed and put to use, commercial premises will be subject to the Regulatory Reform (Fire Safety) Order 2005. Further information can be found

on the Dorset & Wiltshire Fire & Rescue Service website, where published guides are available to download.

#### Commercial Sprinkler Protection

The nature of the proposal gives reason for this Authority to strongly advise the consideration of an appropriate sprinkler system for these premises. There are ten good reasons to install automatic sprinkler systems:

- In the UK, there has never been a fire death in a building with sprinklers
- Installation cost is minimal in a new build (approximately 2-5%)
- Maintenance costs are low and sprinkler systems are designed to last in excess of 50 years
- Fire damage can be reduced by 90% compared to a similar, unprotected building. The chances of accidental discharge due to a manufacturing fault is 1 in 16,000,000 heads
- The likelihood of accidental damage causing a discharge is 1 in every 500,000 heads
- Installation of a sprinkler system may allow the relaxation of other passive fire safety measures
- Insurance costs may be significantly reduced
- Sprinklers will control a fire with significantly less water than full fire service intervention
- Greatly reduced business disruption due to a fire and improved recovery from it

3. Wessex Water offer the following informatives to the applicant

#### Foul drainage

Wessex Water can accept the domestic type foul flows only, which ultimately drain to the public foul sewer network. The use of an existing private sewer connection will require building control approval and approval from the current sewer owner. If non domestic or Trade Effluent flows are proposed to discharge into the public sewer please contact [trade.effluent@wessexwater.co.uk](mailto:trade.effluent@wessexwater.co.uk) to discuss.

#### Surface water drainage

Surface water must be disposed of via the SuDS Hierarchy which is subject to Building Regulations. There must be no surface water connections into the foul sewer network. Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system. The planning authority will need to be satisfied that soakaways will work here and arrangements are clear for any shared obligations. Soakaways will be subject to Building Regulations.

#### Water Supply

Wessex Water's records indicate the existing industrial estate is served by a private water supply. Connection to this existing system is by private agreement with the water pipe owner.

**Application Reference:** P/FUL/2022/07038

**Application Site:** Old Post Office House Church Road Bradford Abbas Dorset DT9 6RF

**Proposal:** Change of use of part of building (former Post Office) from mixed use to residential accommodation

**Recommendation:** Grant, subject to the following 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 in accordance with the following approved plans:

Location Plan & Drawing Plan - 10

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

**Application Reference:** P/FUL/2022/07513

**Application Site:** Frog Lane Farm Frog Lane Motcombe SP7 9NY

**Proposal:** Retain the change of use of existing agricultural building to allow the cutting and preparation of building stone, including the siting of a steel container & generator

**Recommendation:** Grant planning permission subject to the following conditions.

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

- IP/MBC/01 Location plan
- IP/MBC/02 Proposed site plan
- IP/MBC/03 Proposed floor plans & elevations

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

2. No powered machinery for the stone cutting use hereby approved, nor the generator hereby approved shall be operated outside of the hours 08:30 – 16:30hrs Monday – Friday (excluding Bank and Public Holidays).

Reason: In the interests of residential amenity.

3. The areas shown on Drawing Number IP/MBC/02 for the manoeuvring, parking, loading and unloading of vehicles must be 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.

4. Deliveries to and collections from the site for the use hereby approved shall be via Church Road, Bittles Green and the part of Frog Lane from the site southwards only, unless there are road closures in place affecting this route.

Reason: In the interests of highway safety.

5. Within 3 months of the date of this permission details of a surface water drainage scheme shall be submitted to the local planning authority. The scheme shall be implemented in full within 3 months from the approval in writing by the local planning authority of this scheme and retained thereafter for the remaining lifetime of the development.

Reason: To ensure no increase in the risk of flooding.

**Decision: deferred to enable further consideration of the noise impact of the proposal.**

**Application Reference:** P/OUT/2022/00536

**Application Site:** Land at Lower Blandford Road, Shaftesbury Dorset

**Proposal:** Erection of upto 7 dwellings with associated highway and drainage infrastructure and landscaping (outline application to determine access only)

**Recommendation: Grant permission subject to the following conditions.**

1. No part of the development hereby approved shall commence until details of all reserved matters (layout, scale, appearance and landscaping) have been submitted to and approved in writing by the Local Planning Authority.
  - a. The layout and landscaping reserved matters shall include full details of the proposed biodiversity mitigation measures which shall be in accordance with the measures set out in section F of the Biodiversity Plan dated 12<sup>th</sup> Jan 2022 prepared by Jonathan Crewe and approved by Dorset Council on 13<sup>th</sup> January 2022.
  - b. The layout and appearance reserved matters shall include the provision of cycle storage for each dwelling.
  - c. The appearance reserved matters shall include full details of the proposed biodiversity net gain measures which shall be in accordance with the measures set out in section H of the Biodiversity Plan dated 12<sup>th</sup> Jan 2022 prepared by Jonathan Crewe and approved by Dorset Council on 13<sup>th</sup> January 2022.



d. The landscaping and reserved matters shall include a timetable for the implementation of the measures detailed in a) and c) above.

2. An application for approval of any 'reserved matter' must be made 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 92 of the Town and Country Planning Act 1990.

3. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990 (as amended).

4. No part of the development hereby approved shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out,

- a. Measures for the controlling of movements of plant and machinery within the site during the construction phase.
- b. The setting out and protection of exclusion zones within 5m of watercourses within and abutting the site and root protection areas of retained trees.
- c. The hours when mechanised plant and machinery will be used on site and the specification for any lighting to be used during the construction phase.
- d. Pollution spillage avoidance measures.

The development shall be carried out in full accordance with the approved CEMP at all times.

Reason: To secure the necessary biodiversity impact avoidance and mitigation measures.

5. Before any of the dwellings hereby approved are first occupied, the access including the visibility splay detailed on the approved plans 21156.05 K and 21156.01 K shall be completed. The said access and visibility splays shall be retained thereafter for the lifetime of the development with the visibility splays free of operational development and vegetation exceeding 0.6 metres above the relative level of the adjacent carriageway.

Reason: In the interests of highway safety.

6. Before any of the dwellings hereby approved are first occupied the first 15.00 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.

7. Before any of the dwellings hereby approved are first occupied an uncontrolled crossing point on the A350 and a new 2m wide footway on the western side of this road, as shown on Dwg No PL4072/4C shall have been completed.

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

### **Informatives**

1. 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 Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at [dorsethighways@dorsetcouncil.gov.uk](mailto:dorsethighways@dorsetcouncil.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. The applicant is advised that, notwithstanding this consent, before commencement of any works Dorset Council Waste Services should be consulted to confirm and agree that the proposed recycling and waste collection facilities accord with the "guidance notes for residential developments" document (<https://www.dorsetcouncil.gov.uk/bins-recycling-and-litter/documents/guidance-for-developers-a4-booklet-may-2020.pdf>). Dorset Council Waste Services can be contacted by telephone at 01305 225474.

3. The highway improvements referred to in the recommended condition 7 above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Local Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site.

4. In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

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 and provided with the opportunity to address issues identified by the case officer.

**Decision: refuse for the following reason**

The proposal would encroach on the green area between Shaftesbury and Cann and cause adverse visual harm to the character of the Important Treed Area (as designated in the Shaftesbury Neighbourhood Plan), specifically the setting of the protected trees and the experience from the public rights of way network, which would be contrary to Policy SFG11 of the Shaftesbury Neighbourhood Plan and policy 4 of the North Dorset Local Plan, First Review. These adverse impacts significantly and demonstrably outweigh the benefits derived from the development.