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|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Number:</b> | P/FUL/2024/06791                                                                                                                                                                                                               |
| <b>Site address:</b>       | Picnic Area Cafe New Street Lane Bridport DT6 6AS                                                                                                                                                                              |
| <b>Proposal:</b>           | Demolition and removal of existing buildings and structures and the construction of a new highway depot, including a single-storey office building, 3,000 tonne salt barn, and garages with associated parking and landscaping |
| <b>Applicant name:</b>     | National Highways                                                                                                                                                                                                              |
| <b>Case Officer:</b>       | Bob Burden                                                                                                                                                                                                                     |
| <b>Ward Member(s):</b>     | Cllr D Bolwell; Cllr B Bolwell; Cllr Williams                                                                                                                                                                                  |

### **Reason for referral to committee**

- 1.0** The officer recommendation is contrary to the objection and representations made by the Parish Council, and the adjacent Town Council.

**2.0 Summary of recommendation:**

Grant subject to conditions as set out at the end of this report.

**3.0 Key planning issues**

| <b>Issue</b>                                            | <b>Conclusion</b>                                                                                                                                                                             |
|---------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Principle of development                                | The principle of a highways depot is supported by policy SUS2 of the adopted local plan. Other existing community facilities for rest and recuperation are available locally and in the town. |
| Effect on Dorset National Landscape and visual amenity. | The development would not cause visual harm to the National Landscape.                                                                                                                        |
| Effect on heritage assets                               | The scheme would not cause harm to the conservation area setting nor the setting of historic buildings.                                                                                       |
| Drainage considerations                                 | Drainage measures are acceptable subject to details.                                                                                                                                          |
| Ecology                                                 | An acceptable ecological impact assessment is included. Scheme would also provide the appropriate biodiversity net gain.                                                                      |
| Effect on residential amenity                           | The location and physical context is acceptable in residential amenity terms.                                                                                                                 |
| Land contamination                                      | A contamination report has been provided. Further details would be conditioned.                                                                                                               |
| Highways                                                | The scheme is acceptable in parking and highway safety terms.                                                                                                                                 |

## **4.0 Description of Site**

- 4.1 The site is accessed from the A35 trunk road, with the site located adjacent to its west side. The site comprises about 1.055 ha and provides a rest area including public toilets, a café (portable-type building), picnic tables, grassed open space and surfaced parking areas. An internal access road loops around the site with parking areas adjacent to it. The site boundary is mainly formed by a mature tree belt. There are other trees within the site. The toilets are within a buff reconstructed stone pitched roof building.
- 4.2 The site is flanked by Broad Lane to the south, New Street Lane to the west and north, and the A35 trunk road to the east. The nearest housing is Cock Crowing Cottages on Higher Eype Road located about 25m to the west. The site is about 0.97miles (1.5km) from Bridport town centre.

## **5.0 Description of Development**

- 5.1 A new depot is proposed to support gritting and maintenance services to the surrounding road network (which will become National Highways responsibility in October 2026). All existing structures would be removed, save for the existing foul pumping station which would remain. The existing (northern) routes into and exiting the site would be retained. Moving progressively southwards, a drainage attenuation basin would be installed. A parking area beyond would include EV charging facilities, and an office building. South of this would be the main yard area including a pitch-roofed garage to house 4 gritters and ploughs. Next to this would be a 5.2m high covered vehicle wash area. At the southern end of the site would be the circular salt barn silo to hold up to 3000 tonnes with a loading area. Fuel and other ancillary storage facilities are included. An area for LGV and HGV parking is to the west. Six covered cycle spaces would be included. Additional tree planting is proposed.

- 5.2 The nature of the main buildings proposed is as set out below:

Garage: 410m<sup>2</sup> internal floor area. 6.488m high. Concrete base, vertical timber cladding, fibre cement corrugated sheet roofing-anthracite grey, polycarbonate roof lights. PPC roller shutter doors.

Office: 310m<sup>2</sup> internal floor area. 4.488m high. The office building would be timber-clad with solid metal panels and metal doors and windows. “Green” roof with photovoltaic panels.

Salt barn: A domed structure with vertical walls up to 3.13m, then with a curving walls such that overall height at “pinnacle” is 11.63m. Concrete retaining wall to lower section and for vertical walling at entrance rising to 9.55m internal height. 490m<sup>2</sup>. Dome finished in roofing shingles. Fan panel in roof.

Ancillary structures include; a re-fuelling station, vehicle wash, a gantry, salt saturator (brine preparation used in gritting process), material storage area with canopy over.

## **6.0 Relevant Planning History**

1/W/83/000487 - Decision: GRA - Decision Date: 28/11/1983

Use land as picnic area to include toilets and parking areas CIRCULAR 7/77  
PROCEDURE

P/PAP/2024/00442 - Decision: Response given - Decision Date:  
22/08/2024

Redevelopment of site to provide a National Highways Depot.

## 7.0 List of Constraints

Eype Conservation Area - Distance: 13.89

SUS 2; Land Outside DDBs; - Distance: 0

ENV 1; Area of Outstanding Natural Beauty; Dorset - Distance: 0

Article 4 Direction, Record Key = 119.0 - Distance: 0

Article 4 Direction, Record Key = 130.0 - Distance: 0

Wessex Water Treatment Works Catchment - Distance: 0

PAR - Bridport West and Allington CP - Distance: 345.14

PAR - Bridport CP - Distance: 345.13

Right of Way: Footpath W18/3; - Distance: 35.45

Right of Way: Footpath W18/27; - Distance: 14.22

Right of Way: Footpath W18/26; - Distance: 29.94

SGN - Medium pressure gas pipeline 12.5m or less from Medium Pressure Pipelines  
(75mbar - 2 bar); - Distance: 0.51

Higher Potential ecological network - Distance: 0

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076); -  
Distance: 2051.14

Site of Special Scientific Interest (SSSI) impact risk zone; - Distance: 0

EA - Risk of Surface Water Flooding Extent 1 in 1000 - Distance: 0

Surface water flooding - 1 in 100 year event plus 20% allowance - Distance: 0

Surface water flooding - 1 in 100 year event plus 40% allowance - Distance: 0

Radon: Class: Class 1: Less than 1% - Distance: 0

Radon: Class: Class 2: 1 - 3% - Distance: 0

Setting of Conservation Area: (statutory duty to preserve or enhance the significance  
of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act  
1990)

National Landscapes (formerly Areas of Outstanding Natural Beauty): (statutory  
protection Local Planning Authorities to seek further the purposes of conserving and  
enhancing the natural beauty of the area of outstanding natural beauty- National

Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

Historic Contaminated Land - Description: Quarrying of sand & clay, operation of sand & gravel pits

## 8.0 Consultations

All consultee responses can be viewed in full on the website.

### Consultees

**National Highways** - Noting that National Highways is the applicant in this case, the Spatial Planning Team will not be submitting comments on the application.

**Highways Officer** - The application is supported by a Transport Statement – LS/AH/34400 which has been accepted by the Highway Authority as being appropriate and robust. It considers the impact of the traffic associated with the proposed development on the local highway network. An existing entrance will be used to access the site. A drawing confirms that the appropriate visibility splays for the junction can be achieved. This is shown on plan H-01. It is anticipated that the proposed development would attract 62 vehicle movements on an average day between 0700-1900 compared to 707 currently. A Stage 1 Road Safety Audit was undertaken and mitigation measures agreed upon issues that were highlighted. To sum up, the Highway Authority considers that the submitted Transport Assessment is satisfactory and robust and that the residual cumulative impact of the development cannot be thought to be "severe" when consideration is given to paragraphs 115 and 116 of the National Planning Policy Framework (NPPF) . Should planning permission be granted, it is suggested that the following conditions be imposed:

- Manoeuvring, parking and loading areas
- Construction traffic management plan to be submitted
- Visibility splays as shown
- Electric Gate(s) details to be submitted.

**Natural England** - No objection subject to securing mitigation. NET approved mitigation required. CMP and LEMP required by condition.

Section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities in exercising or performing any functions in relation to, or so as to affect, land in an Area of Outstanding Natural Beauty ("National Landscape") in England, to seek to further the statutory purposes of the area. The duty applies to local planning authorities and other decision makers in making planning decisions on development and infrastructure proposals, as well as to other public bodies and statutory undertakers. It is anticipated that the government

will provide guidance on how the duty should be applied in due course. In the meantime, and without prejudicing that guidance, Natural England advises that:

- the duty to 'seek to further' is an active duty, not a passive one. Any relevant authority must take all reasonable steps to explore how the statutory purposes of the protected landscape e.g. Dorset National Landscape can be furthered;
- The new duty underlines the importance of avoiding harm to the statutory purposes of protected landscapes but also to seek to further the conservation and enhancement of a protected landscape. That goes beyond mitigation and like for like measures and replacement. A relevant authority must be able to demonstrate with reasoned evidence what measures can be taken to further the statutory purpose; The proposed measures to further the statutory purposes of a protected landscape, should explore what is possible in addition to avoiding and mitigating the effects of the development, and should be appropriate, proportionate to the type and scale of the development and its implications for the area and effectively secured. Natural England's view is that the proposed measures should align with and help to deliver the aims and objectives of the designated landscape's statutory management plan. The advice of the Dorset National Landscape Team should be sought.

**Landscape Officer - Dorset National Landscape Team** - We note that the application proposes the replacement of an established rest area, close to the A35, containing a toilet block, café, picnic area, parking spaces and landscaped areas.

We understand that the pretext for this application is that responsibility for gritting the A35 will be returned to Highways England, who require a suitable facility to deliver this service. The Council will need to appraise the need for this proposal and consider any perceived loss of amenity resulting from changes to the use of the site. Whilst noting that the area presently provides a degree of amenity to users of the trunk road and other users, it is not our opinion that the existing facility provides an experience that is necessarily representative of or linked to the landscape and scenic qualities of the designated landscape. Therefore, we would not consider the loss of amenity and services to inherently produce an effect that is directly contrary to the purpose of the designated landscape, this being the conservation and enhancement of natural beauty, or as being substantively detrimental to the special qualities that underpin the designation.

Notwithstanding the above, being sited within the Dorset National Landscape necessitates that particular care should be taken in the design of this development. The approach adopted is outlined within section 3.3.2 of the Planning Statement, informed by pre-application consultation. It is noted that in developing the final design, a number of enhancements to the design of the garage building and office have been made. These changes include areas where the aesthetics of these buildings have been uplifted, particularly in relation to the specification of suitable materials. It is noted that timber cladding is to be used extensively for the office and

garage buildings. A green roof for the office building will incorporate solar panels, but these will be orientated away from the site entrance. In addition to the timber elevations, the garage will be specified with an anthracite grey fibre cement roof, this being typical of agricultural barns in the wider area. It is understood that the colour of windows, doors and other external features, such as rainwater goods, will match the timber cladding, as per the visualisations that have been provided.

Concerning the salt barn itself, which is the tallest structure proposed by some measure, the materials specified for this will have a notable bearing on the visual integration of this within the wider existing landscape framework (the trees surrounding the site, which are to be retained and which will form a backdrop to any available views of the salt barn). I am encouraged to see that the applicant is proposing to specify a relatively textured roofing solution, this being Katepal UK's 'Rocky Shingle'. However, the image provided on the corresponding drawing appears to be 'Bedrock Red', which I consider potentially sub-optimal, due to the red hues. I therefore recommend that the specified colour be amended to be 'Barkwood Brown'.

Given the nighttime uses, a Lighting Assessment and Strategy has been prepared. Whilst we are not suitably qualified to appraise this, good lighting design is an important consideration for this proposal, given the likely operating hours. Overall, a condition can be applied to control lighting within the site, in accordance with the strategy, and to restrict the introduction of any potentially obtrusive lighting in the future.

We note that a Landscape and Visual Impact Assessment (LVIA) and landscaping proposals have been provided. Overall, the assessment considers that the sylvan nature of the site, in combination with topographical considerations, reduce the foreseeable impacts and thereby limit the wider landscape and visual effects on Dorset National Landscape. Overall, we would not contest this opinion and have concluded that the proposal would not have a significant detrimental impact, largely because of its containment within a wooded area, with surrounding trees screening or filtering views. Notwithstanding this point, there will be some notable localised effects, particularly from the gateway to the site, with the proposed removal of the semi-mature trees associated with the central picnic area effectively opening views into the central area until the new planting, understood to include 58 trees, provide substitute screening. It is noted that those trees that are likely to be more important to screening views into the site from the entrance point are specified to be semi-mature and that elsewhere the new trees are specified to be heavy or extra-heavy standard. Tree pit details have also been provided to illustrate how the area to be planted will be prepared and will accommodate means of irrigation. In relation to the triangular tree planting at the fore of the central island toward the site gateway, the tree planting will also be supplemented by native understorey planting, forming a layered approach to screening views into the site in the longer term.

Overall, it is our perception that the applicant has made a discernible effort to enhance the design of the depot and to incorporate mitigation measures that should reduce residual impacts within a reasonable timeframe. Whilst there will be some initial and residual impacts from the development, these are expected to be relatively localised and/or limited in their significance. Consequently, we do not have an overriding objection to this planning application.

**Land Contamination Consultant** - I have reviewed the Phase 1 site investigation prepared for National Highways by Pick Everard and dated August 2024. WPA concurs with the report's findings. A Phase 2 site investigation is warranted to further characterise potential contaminant linkages. Contaminated Land planning conditions should apply to this development to regulate/formalise the risk assessment process.

**Tree Officer** - No objection subject to an Arboricultural Method Statement and pre-commencement site meeting.

**Environmental Services – Protection** - The recommendation in paragraph 6.2 of the Acoustic Report, with regards to the cumulative noise levels from the as yet unknown fixed plant to be used, should be dealt with by way of a condition.

**Economic Development and tourism** - We have not identified any concerns within our remit and therefore have no objection to the proposal.

**Flood-Risk Management Team** - This is a follow up to my previous response dated 10/01/25. The applicant has submitted the following updated information to support the application: • Report: Drainage Strategy and Drainage Maintenance Plan, by Pick Everard, ref 240777-PEV-XXXX-RPT-C004, rev 03 and dated 17/01/25. I can provide the following comments: The amended surface water drainage management report and drawing provides adequate information to address our previous concerns. We can therefore recommend removal of our previous holding objection subject to the following recommended conditions:

-A detailed surface water management scheme for the site

-Details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system for the site

**Senior Conservation Officer - (summary)** - We confirm that there are no designated heritage assets identified within the immediate extent of the application site, thus the proposals are not considered to impact directly (physically) on the fabric of any encompassing assets. However, varying degrees of impact are considered likely by way of the scheme's presentation within the landscape and, therefore, the setting of encompassing designations and respective heritage assets. On this basis, the scheme has been assessed on its effect towards identified designations, in the context of perceived degrees of impact on their setting and thus, associated attributes, and their individual and collective contribution toward the significance and appreciation of the asset.

The assessment is proportionate to the significance of the identified heritage assets to which consideration is given to the degree to which proposals influence the setting by enhancing or detracting from that significance and any ability to appreciate it.

I note that pre-application commentary recommends the provision of a *Heritage Statement* and inclusion of an associated impact assessment. I consider that significance and impact, associated with the setting of affected assets, has been suitably addressed in the application's supporting Heritage Statement and is not, therefore, further reviewed here.

Based on the application's supporting indicative plans, and inclusion of a Heritage Statement, we consider that the scheme represents a conclusion of no harm and, therefore, on heritage grounds no objection is raised.

**Symondsburry Parish Council – Object - Introduction:** The proposal is for the redevelopment of the Rest Area, Picnic Area and Toilets to provide a new support hub for gritting and road network maintenance for the A35 through Devon and Dorset. It will involve the full removal of any public use for the site and a full regeneration of the site, to include the removal of the internal picnic area, trees and soft landscape, a new layout, new office buildings, new grit/salt storage, vehicle garaging and parking for operatives. No real consultation had taken place with Symondsburry Parish by National Highways. A letter was received which informed of the proposals and application which Symondsburry responded to. Immediately prior to the meeting a presentation was made by National Highways.

**Consideration:** The current site layout was given a temporary planning permission in 1983 however due to the passage of time this can be considered a full consent. It should be recognised that the site is busy all year round and especially in the spring, summer and autumn months. This is contrary to the comment in the planning statement which suggests the site is only lightly used, including the note that only 3% of commercial traffic uses the facility. Even if that small amount was correct (which the Committee felt was inaccurate) then this is still a substantial number of HGV vehicles given the large amount of passing traffic. It is clear the site accommodates both commercial traffic as well as business vehicles, holiday makers and general private travellers. There is no other rest area that can accommodate commercial vehicles with full facilities within a considerable distance. In addition, this site also serves the Eype Village and coastal area as there is limited vehicle access at the coast in this location.

In the planning statement at 3.1.2 it states that the NPPF gives weight and support to proposals where active community engagement has taken place, with Paragraph 16 of the NPPF promoting early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses. It appears that to date no such meaningful engagement has taken place with local people or Symondsburry Parish, apart from the direct neighbours of 'Cock Crowing'.



The real issue is whether the redevelopment of the site for a non-public access facility is appropriate, or should the facilities remain, be upgraded and a different site be identified for the Highways maintenance depot. The ownership of Land is not a planning issue.

The National Highways planning statement is clearly considered biased towards their goal of obtaining a consent on the land they own. As such the fact that they own the site is a considerable cost saving issue for them although this is not a planning matter. They do put a good deal of emphasis on the need for highway safety and that the Eype site can best serve that with a direct access to the A35. However, we have in our previous letters suggested alternative sites that are better placed. There are also sites outside of Symondsbury and Bridport but which are still located in a central operating position on the A35. With reference to the site off the new roundabout on land owned by Symondsbury Estate they claim there was no response to their approach. They added that the construction of the roundabout by the developer also provides a large risk. With regards to the commercial element of Vearse Farm they claim that reserved matters have yet to be submitted by Symondsbury Estate and as such the delay this might cause is too great a risk. With regards to the radio mast site near Dorchester they suggest this is not suitable. What was clear in the statement from National Highways was that they only develop on land in their ownership.

It must be remembered that National Highways do have a requirement to provide HGV rest areas. In considering the requirements of National Highways it is understood that there are other sites, although not in their direct ownership, within a reasonable distance with direct access to the A35 that provide the requirements of National Highways.

Looking at the planning issues the following key points are relevant.

1) Biodiversity and net gain: the proposals radically alter the site including the removal of habitat within the centre area and to the sides. The operation of the site can be intensively 24 hours. As such and notwithstanding the suggested proposals of the applicant it is felt there would be no net gain in this instance and a reduction on the site generally especially due to the 24 hour intensive use and lighting pollution.

2) Landscape: this area is outside of the development boundaries and within the Dorset National Landscape. SUS 2 expressly states that development outside of the defined development boundaries will be strictly controlled, having particular regard to the need for the protection of the countryside and environmental constraints. Furthermore, Policy L1 of the Bridport Area Neighbourhood Plan states that proposals must preserve and enhance the natural beauty of the Dorset AONB (Dorset National Landscapes), by being located on sites that do not adversely affect the wider landscape setting and being designed in such a way as to positively exploit

the site features using form, scale, materials and an architectural approach appropriate to the site. The proposals remove the whole of the central tree and landscape area which will form part of the hard built area. Paragraph 136 of the NPPF states that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate changes. In addition, the Local Plan Policy ENV10 states that development should provide for the future retention and protection of trees and other features that contribute to an area's distinctive character.

The National Highways also claim is that there is no visibility of the site from the roads and surrounding area. Although there is screening landscape there is still clear visibility of the site from the A35 and the wide entrance, even of the current low rise built forms from all sides, especially around the entrance, which the existing landscape softens. It is clear the larger built forms such as the salt barn, garages and offices will clearly be visible from all sides and an intrusion into the landscape and create substantial harm to the Dorset national Landscapes in this area. There is no confidence that the proposed landscape treatment will provide any benefit to the site.

As a foil to the SUS2 requirements National Highways state that it will create new employment. However, this employment already exists elsewhere and is not 'new' and is only 15 posts. Highway depots appear to fall into the 'sui generis' category however it is felt this does not satisfy SUS2.

The current working regime is located at Rockbeare, located towards Honiton, by the PFI consortium whose contract ends in October 2026. The current regime subcontracts the work to local companies and also Dorset Council. There is no description of the effect on these subcontractors of running the maintenance in-house apart from the statement that 15 jobs will be created on the site.

3) Retention of local community buildings and structures: COM3 states that planning permission for proposals which result in the loss of community buildings or structures, will not be permitted unless it can be demonstrated that there is no local need for the facility or that the facility is no longer likely to be viable, and an appropriate community use to meet local needs is not needed or likely to be viable. Policy COM5 states that redevelopment of recreational facilities will not be permitted unless it meets one of the exceptions listed in the policy. Bridport Area Neighbourhood Plan Policy CF states that existing community facilities will be protected and enhanced unless it can be demonstrated that there is no local need for the facility or that the facility is no longer viable.

This site clearly provides benefits to all drivers arriving from both directions of the A35 and the site is also an important part of the tourism set up for the area and the Southwest in general. It is understood that Bridport Town have offered the Car Park next to the local football club as an alternative in providing the facilities the Eype rest

area currently has. The main issue with this site is that it is not directly off the A35 for through travellers. In addition, the car park does not have the facilities required and the route into the suggested car park is not straight forward as the roads have restricted widths and are busy with other traffic. This would result in further traffic congestion which the town does not need.

As stated previously National Highways has a requirement to provide rest areas for HGV drivers and this site is also used as a holding area for abnormal loads. The suggested car park by the football club cannot provide the rest area for commercial vehicles. National Highways also state that the current site is lightly used and suffers from anti-social behaviour. Local evidence suggests that the site is fully utilised and that the anti-social behaviour is no different than the rest of the highway network. The site is a national requirement as well as a local requirement which can be evidenced. National Highways do recognise the benefits of the site however it is clear the financial benefit of ownership is their main rationale.

4) Planning Comment: National Highways claim that the application planning statement and accompanying documents demonstrate that the proposal is in accordance with the policies contained within the development plan and the NPPF. They also claim that the proposed development is acceptable development within the countryside, would conserve and enhance the National Landscape and meets the criteria of policies relating to community facilities.

It is believed that the application - although substantial - does not demonstrate accord with the local plan policies and acceptable development. The only beneficial issue is that they own the site from the previous development of the Bridport bypass. It is also noted that Bridport Town Council have resolved to support the application but subject to five conditions, one of which is a financial compensatory funding for the large car park area adjacent to the football club. This condition of support does not address the increased traffic to the southern edge of the town or the facilities required to replace the rest area for transitory travellers, including commercial vehicles.

It is clear that the application fails to address the following policies:

Local Plan: SUS 2: ENV3: Biodiversity and Net Gain ENV4: Landscape ENV11: Amenity ECON2: Protection of Other Employment Sites COM2: New or Improved Local Community Buildings and Structures COM3: Retention of Local Community Buildings and Structures.

Bridport Neighbourhood Plan Objectives 4,8,12 and 17 AM2, EE3, CF1, CF2, L1, L2, D8.

The following key clauses of the local plan and Bridport Neighbourhood Plan are relevant: INT1: SUS 2: ENV3: Biodiversity and Net Gain ENV4: Landscape ENV11: Amenity ECON2: Protection of Other Employment Sites COM2: New or Improved

Local Community Buildings and Structures COM3: Retention of Local Community Buildings and Structures COM8: Parking Standards in New Development COM9: Provision of Infrastructure for Electric and Other Low Emission Vehicles DEV9: Neighbourhood Plans (Objectives 4, 8, 12, 17, clauses AM2, EE3, CF1, CF2, L1, L2, L5, D8)

Conclusion: In conclusion and following debate the Planning Committee confirmed they could not support the application. Decision: Object.

**Bridport Town Council** - (adjacent parish) - The Town Council recognises the potential highway maintenance, environmental, and employment benefits of the proposals and supports the application in principle, subject to the following:

- A condition or similar requiring alternative provision to be made, in order to meet policy CF1 of the Bridport Area Neighbourhood Plan which seeks to protect and enhance community facilities such as this. Whilst the council understands and supports the need for a highway depot in this area, this should not be at the expense of the amenity provided for those travelling on the A35. The Council's preference is for compensatory funding to the Town Council to meet the cost of completion of surfacing, and provision of toilets, at Bridport Football Club Car Park – a convenient alternative location.
- Provision of highway signage to such alternative amenity provision.
- A construction traffic management plan that incorporates consideration of timetabling such that the works do not exacerbate the impact of the forthcoming upgrade to the nearby Miles Cross junction.
- Safe access and egress arrangements in accordance with Bridport Area Neighbourhood Plan policy AM2, which may include consideration of safety improvements at the dangerous junction with the A35.
- Consideration of the impact of closure of the public area on the nearby facilities at Eype Beach, and on the area surrounding the application site, which is already subject to inconsiderate parking on highway verges."

### **Representations received**

#### **Summary of comments of objections:**

118 letters of objection/comment. The main planning-related points include:

- valued location for a rest-break, toilet and refreshments for tourists and commercial drivers on this Folkstone - Honiton trunk road
- valuable place for over-night park-up and stop for lorries and cars on long journeys
- lack of suitable alternative comprehensive facilities near-by, particularly for HGV/lorry drivers/towing vehicles
- used as a mandatory stop for lorry drivers (tachometer-related)

- will result in more vehicles entering town causing greater congestion and reducing parking availability
- loss would encourage less suitable parking on A35 - detrimental to road safety.
- Would increase traffic at a dangerous junction
- Lack of similar convenient facilities will make it less likely long-distance drivers take a necessary rest-break-detrimental to road safety
- increased movement of slow moving council vehicles in and out onto busy and fast A35 would increase risk of accidents
- Useful toilet stop for disabled persons
- loss of toilet could lead to relieving in lay-bys
- a welcome rest area to break long or delayed journeys
- important parking area/base for walkers/tourists to explore the AONB and local Jurassic Coast
- its loss will mean less people come to the area
- Eype village will be overwhelmed by the depot
- café well used by locals, and by people travelling longer journeys
- will result in less convenient, longer trips to find toilets, etc

-site not needed for depot as an adequate depot already present near the supermarket

-grit and salt not used very often so not needed

Other redundant sites in Bridport should be used instead for the depot

-should build *more* rest areas-not have less.

-only approve if an alternative free rest and toilet stop is provided elsewhere on the A35.

-EV charging facilities should be added to existing rest area

-Old Askerswell motel site or Broomhills area reclamation yard/cafe nearby, or on Vearse Farm sites could be used instead.

-supermarket alternatives not open 24/7 and take more time to access and queue

-vehicular access to the rest area could be improved

-will further undermine already poor public toilet provision along the A35

-toilets should be upgraded

-Dorset removes facilities whereas other south-west counties improve theirs

-also useful to exercise dogs

-useful open space to stretch legs

-employment at café would be lost

-transient stoppers having to divert into Bridport will not add significantly to town viability

-National Highways should provide an alternative rest/refreshment facility near-by

-a replacement facility will have an adverse visual impact on the Dorset National Landscape

-Bridport Football Club site suggested by Town Council not suitable due to substandard access/highway safety dangers

-industrial development here would set a precedent for more development detrimental to AONB

-for car-borne walkers, loss of this car park will force cars to use the Eype Beach car park—adding to congestion on the single track road-detrimental to Eype residents.

-provides a social meeting place

-wish to see facilities upgraded

- global warming means less area of site needed for salt storage-use for keeping rest facility instead
- will encourage litter on sites lacking these facilities
- ability of several HGVs to park overnight helps informal surveillance to deter potential thieves
- to re-locate this facility into town would not be in accordance with the Neighbourhood Plan/policies; it should remain.
- valued rest point for lorries in connection with supporting local businesses
- should accommodate both the depot and rest area uses on-site

### **Summary of comments of support:**

None received

## **9.0 Duties**

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas (and settings).

Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (formerly known as Areas of Outstanding Natural Beauty)

## **10.0 Relevant Policies**

### Development Plan

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

INT1 Presumption in favour of Sustainable Development

ENV1 Landscape, seascape and sites of geological interest

ENV2 Wildlife and habitats

ENV4 Heritage Assets

ENV5 Flood-risk

ENV9 Pollution and contaminated land

ENV10 Landscape and townscape setting

ENV11 The pattern of streets and spaces

ENV12 Design and Positioning of buildings

ENV13 Achieving high levels of environmental performance

ENV15 Efficient and appropriate use of land

ENV16 Amenity

SUS2 Distribution of development

ECON1 Provision of Employment

COM3 The Retention of Local Community Buildings and Structures

COM7 Creating a safe and efficient transport network

COM9 Parking standards in new development

COM10 The provision of utilities service infrastructure  
COM11 Renewable Energy Development

### **Emerging Local Plans:**

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

### **The draft Dorset Council Local Plan**

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft Dorset Council Local Plan should be accorded very limited weight in decision making.

### **Bridport Area Neighbourhood Plan-**

Policy CC1 Publicising Carbon Footprint

Policy CC2 energy and Carbon emissions

Policy CC3 energy generation to Offset Predicted Carbon emissions

Policy AM2 Managing Vehicular Traffic

Policy CF1 Protection of existing Community Infrastructure

Policy L1 green Corridors, Footpaths, Surrounding Hills & Skylines

Policy D8 Contributing to the local character

Policy D10 Mitigation of Light Pollution

### **National Planning Policy Framework**

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

2 Achieving sustainable development  
3 Plan-making  
4 Decision-making  
6 Building a strong, competitive economy  
7 Ensuring the vitality of town centres  
8 Promoting healthy and safe communities  
12 Achieving well-designed places  
14 Meeting the challenge of climate change, flooding and coastal change  
15 Conserving and enhancing the natural environment  
16 Conserving and enhancing the historic environment

#### Other material considerations

AONB Management Plan (2019-2024)

Design and Sustainable Development Guidelines 2009

West Dorset Landscape Character Assessment 2009

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

### **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**

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 Public Sector Equalities Duty.

The scheme includes the removal of public toilets (including disabled facilities). Access to such facilities will be available to varying degrees/times in Bridport town and other locations in the wider locality as already existing alternatives.



### **13.0 Financial benefits**

#### Material considerations

Facilitating the safe and free movement of all types of vehicular traffic on the highways network (beneficial to delivery times, timeliness to meetings/destinations, etc).

Additional number of jobs that may be created is up to 10.

### **14.0 Environmental Implications and Sustainability-**

Emissions will be produced during the construction phase for the various buildings/structures. During the operational phase there will be emissions from any non-EV type road maintenance and other vehicles associated with the site.

The application includes a Planning Energy and Sustainability Statement. This covers a number of areas in detail including reducing energy consumption and carbon emissions (e.g. depot aligned with BREEAM requirements, rooftop solar PV panels and air source heat pumps); maximising use of sustainable materials (e.g. timber (not steel) frame for office); minimising waste and increasing recycling (e.g. an operational waste management strategy will be used); conserving water resources (e.g. water-saving devices in toilets, showers, kitchen); incorporating green infrastructure (e.g. green roof to the office building); sustainable drainage and pollution (e.g. an attenuation basin with a controlled outfall, silt and oil separators); adaptation to climate change (e.g. comprehensive energy modelling of office building); sustainable travel (e.g. EV charging ports, bike storage area).

### **15.0 Planning Assessment**

#### **Principle of development:**

- 15.1 The proposed depot is proposed by the applicant, National Highways, to support gritting and maintenance services to the surrounding road network - which will become National Highways' responsibility from October 2026. Given this, they indicate there is an imperative to deliver a new depot to serve the A35 trunk road - a key and strategic local route. The applicants Planning Statement states the following:

"The depot will be vital infrastructure of regional significance which is necessary to ensure the ongoing safe operation of the local trunk road network, which in turn is vital to support the local economy and public safety".

- 15.2 The site will; "provide a new National Highways Depot to support the gritting and maintenance service to the surrounding road network, the responsibility of which for the A35 is due to be transferred to them from the local highway authority".

"The operational need for the proposed facility in the location proposed is significant and necessary to ensure highway safety".

- 15.3 Turning to adopted Local Plan policies, Policy SUS2 (Distribution of development) indicates that:

“Outside defined development boundaries, development will be strictly controlled, having particular regard to the need for the protection of the countryside and environmental constraints”. Various uses are listed. Although highways depots are not specifically listed it could be regarded as new employment related development- because reference is made to new employment-related development in the policy. Additionally, the Local Plan glossary explains “For the purposes of this plan employment includes development in the B Use Classes such as offices, workshops and industrial premises, storage and distribution warehouses and sui generis uses commonly found on industrial estates.” The scheme is hence considered to be consistent with the thrust of policy SUS2. The visual/landscape issue will be explored further later in this report.

15.4 Policy ECON1 (Provision of Employment) of the adopted Local Plan is relevant. This states that employment development will generally be supported within or on the edge of a settlement. The applicant indicates that the proposed depot would provide employment for up to 18-23 full-time posts (there are up to 8 full time jobs (at height of season) at present associated with the café). Whilst in a rural area it is an existing developed site and lies a short distance south-west of the Defined Development Boundary (associated with the Vearse Farm development). In these circumstances it is considered it can be regarded as on the edge of the settlement of Bridport and as such would in principle meet the above policy.

15.5 The applicant has also explored other sites before focussing on this site and they summarise these as below:

*Land at Vearse Farm*

*Whilst the outline consent for the Vearse Farm development includes employment floorspace, our understanding is that Reserved Matters for the commercial element of the development are yet to be submitted or approved, and occupation here would also be dependent on delivery of the new Miles Cross roundabout (enforced by planning condition). As such, it cannot be said to be deliverable within the required timescales.*

*Land south of the proposed Miles Cross Roundabout*

*National Highways made an approach to the landowner of this site in October 2023. However, no response was received. Notwithstanding that, delivery of any development there would be far less certain in planning terms given it is a greenfield site within the National Landscape (formerly AONB – the application site in contrast is well screened and predominantly previously developed), and inherently dependant on delivery of the wider roundabout and infrastructure, which is outside of National Highways’ control, so is not a feasible option.*

*Land East of New St Lane*

*Land opposite the entrance to the application site, between New St Lane and the A35 is in National Highways ownership and therefore available to them. This land is however a narrow parcel making it unsuitable for the depot, which necessitates room*

*for vehicle loading and manoeuvring etc. It is also heavily vegetated, which coupled with its geometry would mean that meaningful retained screening would be unlikely. This is not compatible with the National Landscapes designation and policy and would also prove much more problematic in ecology and Biodiversity Net Gain terms. As such, the site is not suitable and has been discounted by National Highways.*

#### *Former Askers Motel Site*

*This site was reviewed by National Highways two years ago. It was however confirmed by them to be too far east to achieve the target winter gritting routes and incident response times. Operational concerns were also raised regarding the ability to provide a suitable and safe access for larger vehicles owing to the road geometry at that point. Being on the brow of a hill, visibility is limited to the east and manoeuvres into and out of the site could not be safely achieved. The location is also known for its heavy fog and poor visibility during winter.*

#### *Land at Broomhill Farm*

*This site is well located to serve the network and benefits from an existing and safe access onto the A35, shared with the adjacent nursery and recycling centre. The site does though predominantly fall within Flood Zone 3, the highest risk of flooding, with a smaller portion (under 2 acres) in Flood Zones 2 and 1. Given this, the site is not sequentially preferable in planning policy terms. This, coupled with other constraints including its greenfield status and more open setting in the National Landscape, the nearby Grade II Listed 'Broomhills', and the Grade 2 agricultural land classification making it Best and Most Versatile Agricultural Land, means that the site was considered less suitable in planning terms than the application site. Third party ownership also adds further to uncertainty on delivery – NH have previously approached the site owner, however they were not willing to consider a sale at the time given its established yearly use in association with the Jurassic Fields Music Festival.*

- 15.6 The applicant sets out in more detail the justification for their proposal in their Planning Statement sections below :

*(6.2) National Highways have identified a need for a new depot within the area. The County Council's existing highway depot is situated in Dorchester. However, National Highways will soon adopt responsibility for maintaining the A35, which the site is situated directly adjacent to. Their responsibilities will require good and unhindered access to the A35, in particular during the winter months. When gritting, large operational vehicles travel to and from the depot throughout the night with nighttime movements also occurring during the summer when incidents on the highway require such movements. Therefore, a site located in very close proximity to the A35 is essential and also overcomes risks associated with delays accessing the A35 if operational vehicles relied on the local road network to get to and from the*

*depot. Given the function of the depot ultimately is to maintain highway safety, a location with free access to the highway is essential and in the public interest.*

*Furthermore, if the depot was situated within a settlement or further from the highway, this would add large vehicle trips onto the local network at unneighbourly hours and could add potential delay and inefficiencies to the operations resulting from increased travel times. In the interest of highway safety and the public interest, it would not be suitable to locate the depot within the settlement and further from the highway.*

*(6.2.7) Bridport is also a geographically favourable location within the wider network, being the approximate mid-point between the urban areas of Exeter and Bournemouth, providing a convenient location to access and service the A35 in both directions.*

*(6.2.8) Furthermore, National Highways owns the site subject to this application, making it a deliverable option within the required timescales prior to October 2026. No more suitable deliverable sites have been identified to date by National Highways to meet the key operational requirements.*

#### **Loss of Community Facility Issue:**

- 15.7 Policy COM3 of the adopted Local Plan relates to the retention of local community buildings and structures. Regarding the parking provision, whether for cars or HGVs, there is no policy requirement for its provision in the Local Plan and Policy COM3 is not relevant to parking areas. In these circumstances It would not be appropriate (as suggested by the Town Council) to require National Highways to fund or provide alternative parking provision and toilet facilities.
- 15.8 Turning to the café facility, this could be considered as a community facility since it is listed as such in the Local Plan. However, that mention is caveated by “especially where there are only one or two locally”. Clearly, there are various other cafes in and around Bridport town. For example, those on the more peripheral town edge locations include those at Morrisons, Groves Garden Centre, Highlands End Holiday Park and the Symondsburry Estate Café.
- 15.9 Regarding the public toilets, Policy COM3 of the Local Plan does not actually refer to toilets in the list of community facilities. Whilst there is an argument it could be regarded as a community facility, given that there are other free to use public toilets in locations within the town centre and whilst they may not be so convenient, alternative facilities do exist in relatively close proximity. It is also worth noting that the on-site toilets are only open between 7am-5pm (due to vandalism and anti-social behaviour).
- 15.10 Policy COM5 of the Local Plan refers to retention of open space and recreational facilities. This is in the context of open spaces of public value and recreational facilities. Whilst there is a small central grassed area within the site associated with

several picnic tables, this area is not specifically identified in the Local Plan as of particular significance. Furthermore, Policy COM5 is really aimed at the more “obvious” open spaces of public value such as recreation fields and school playing fields. This site functions primarily for rest and refreshment rather than recreation.

15.11 Regarding the Neighbourhood Plan, policy AM4 (Car parking strategy):

*This refers to: proposals for the redevelopment of public car park sites in the neighbourhood plan area should be informed by a comprehensive Transport Assessment. A broadly equivalent amount of public car parking should be provided within walking distance of the existing car park, unless it can be demonstrated that the level of car parking is no longer required due to the provision of alternative modes of transport/access.*

The supporting text includes:

*Surveys and community consultations have highlighted that in the absence of extensive public transport, access to the centre of Bridport and around the neighbourhood plan area by car is the only choice many people have. Places to park cars, in or close to, the town centre and community facilities are therefore very important.*

It is clear from this that Policy AM4 is really aimed at more “conventional town centre” car parks, as distinct from any associated with transit-related rest areas. In these circumstances it is not considered the compensatory measures cited in the policy are required.

15.12 Policy CF1 Protection of existing Community Infrastructure - In the context of CF1 of the Neighbourhood Plan community facilities includes public toilets and amenity open space. The policy seeks to retain these unless it can be demonstrated there is no local need or the facility is not viable. The applicant responds that:

*there is no operational requirement to requiring National Highways to provide rest areas. Where National Highways do have a need and strategy in place to resolve, is in relation to HGV rest areas. This site however is not suited to HGV use and does not meet this strategic need.*

The Case Officer adds that whilst this is not a “formal” amenity space it clearly does have some usage-albeit really as an ancillary to the transit rest area. It is also worth noting, as has previously been pointed out there are other public toilet options in Bridport town and area to cater for this need, so its loss is less critical in these circumstances.

**Effect on Dorset National Landscape and Visual Amenity:**

15.13 The site lies within the Dorset National Landscape (AONB) and is near to several public rights of way to the south, east and north of the application site.

15.14 The site benefits from an extensive existing tree planting belt that runs around the perimeter apart from the north where the vehicular access/egress is located. The site is also partially “sunken”, notably toward the southern end, with surrounding banking.

15.15 The existing structures would be removed and replaced with an office building (4.48m high), vehicle maintenance garage (6.48m high) and domed salt store (11.63m high) as the main built structures. The extensive surrounding tree belt would be beneficial in providing screening.

15.16 The Landscape Officer, Dorset National Landscape has been consulted and advises:

*it is not our opinion that the existing facility provides an experience that is necessarily representative of or linked to the landscape and scenic qualities of the designated landscape. Therefore, we would not consider the loss of amenity and services to inherently produce an effect that is directly contrary to the purpose of the designated landscape, this being the conservation and enhancement of natural beauty, or as being substantively detrimental to the special qualities that underpin the designation.*

Regarding the proposed building he refers to the use of suitable materials such as timber cladding with a pre-weathered treatment for the offices and garage building, and use of anthracite grey fibre cement for the garage roof- this being typical of agricultural barns in the area. Turning to the salt barn, the tallest structure on the site, he advises careful choice of the textured roofing to ideally be amended to “Barkwood Brown”. (*The agent has agreed this colour finish*). The garage would have roller shutter doors, and aluminium windows and doors. The office has PV panels on the south-facing mono-pitch roof slope.

He summarises the scheme as:

*I note that a Landscape and Visual Impact assessment and landscaping proposals have been provided. Overall, the assessment considers that the sylvan nature of the site, in combination with topographical considerations, reduce the foreseeable impacts and thereby limit the wider landscape and visual effects on Dorset National Landscape. Overall, we would not contest this opinion and have concluded that the proposal would not have a significant detrimental impact, largely because of its containment within a wooded area, with surrounding trees screening or filtering views.*

He does however note that the localised effects of removal of some trees towards the northern entrance will need to be mitigated by the proposed replacement planting which includes 58 new trees. He concludes that he does not object to this application.

15.17 The submitted landscaping scheme includes a new line of trees to part of the western side of the site, a “triangle” of planting around the attenuation pond (wetland

meadow mix) plus several other small tree planting groups, and an area of woodland regeneration to the south.

- 15.18 The proposed buildings and facilities will be lower in height than the existing mature woodland boundary planting. The existing site boundary which consists of mature woodland belts will be retained and enhanced where required to continue to provide screening to onsite activities through the construction process and when in use.
- 15.19 Following from the above it is considered that the scale, design and general palette of materials are acceptable. Final materials details would be addressed by a planning condition.
- 15.20 Having regard to the above it is considered that the duty to further the purpose of conserving and enhancing the natural beauty of the National Landscape is satisfied by this proposal. (The duty is as defined within the Countryside and Rights of Way (CRoW) Act 2000).
- 15.21 An Arboricultural Impact Assessment-(AIA) has been submitted and considered by the Tree officer. It relates to the two main groups; the densely spaced group forming the perimeter edge and the internal group on the central "grass island". The Tree Officer advises that an Arboricultural Method Statement, preceded by a pre-commencement site meeting will be required.

#### **Employment:**

- 15.22 The existing Kabin Café on-site would be removed. The employment associated with this is understood to be 3 full-time plus up to 5 on rotas in the April-October period. The café is open 8am to 4pm.
- 15.23 Regarding proposed employment with the depot the applicant indicates:  
*National Highways have confirmed that they expect their maintenance and response delivery resource to be 10-15 FT posts, these mainly being operatives, HGV drivers with support of 3 additional FT supervisor/managers/admin staff. In addition to this, they are planning 4 highway inspectors (principal function being safety and asset inspectors) supported by a team manager. Therefore, in all, 18-23 FT posts are anticipated to be created. Under the existing Design, Build, finance and Operate (DBFO) contract, National Highways expect approximately five of these posts to be filled across from the existing supply. The remaining gaps will be filled by advertising locally, meaning c. 13-18 new FT posts generated by the development.*

From the above it is apparent that the scheme is likely to generate larger employment numbers than on-site at present.

#### **Effect on Heritage Assets:**

- 15.24 A Heritage Statement has been submitted as part of this application. The site lies outside of the Eype Conservation Area. The Senior Conservation Officer has reviewed the Heritage Statement. He comments that:

*the assessment is proportionate to the significance of the identified heritage assets to which consideration is given to the degree to which proposals influence the setting by enhancing or detracting from that significance and any ability to appreciate it.*

*I consider that significance and impact, associated with the setting of affected assets, has been suitably addressed in the application's supporting Heritage Statement and is not, therefore, further reviewed here.*

*Based on the application's supporting indicative plans, and inclusion of a Heritage Statement, recommended at pre-application stage, we consider that the scheme represents a conclusion of no harm and, therefore, on heritage grounds no objection is raised.*

- 15.25 This conservation area lies south of the site and includes Mount Lane which commences to the south beyond Broad Lane. The conservation area leads away from the site broadening into the main body of the conservation area embracing Eype village. Regarding the relationship with the setting of the conservation area, the site is significantly physically separated from it, is sunken, with mature trees substantially encircling this side of it. There is a lack of intervisibility between the proposed development and the conservation area. In the light of these considerations it is considered there would be no harm to the setting of the conservation area.
- 15.26 The nearest listed building in the conservation area is Lower Eype Farmhouse - over 500m to the south-west from the site. By reason of the significant separation distance, topography and intervening roads and vegetation there is no intervisibility with the asset or its setting and as such makes no contribution to its significance. On this basis, it is considered that the proposed development would not result in any harm to Lower Eype Farm House and would therefore not result in any heritage impacts.
- 15.27 The nearest of the surrounding listed buildings is c350m from the site. Others lie at increased distance. Manor Farm lies to the west and Verse Farm buildings a similar distance to the east. Given the topographic characteristics of the surrounding area and the screening that the site provides, there would be no direct intervisibility between the site and these listed buildings. Consequently, it is considered there is no harm to the setting of the listed buildings.
- 15.28 The proposal is considered to preserve the character and appearance of the conservation area. This conclusion has been reached having regard to: (1) section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area; and (2) Local Plan policy. The scheme would preserve the setting of the conservation area. It is considered that the proposal will not adversely affect the setting of listed buildings. This conclusion has been reached having regard to: (1) section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the



desirability of preserving or enhancing the setting of Listed Buildings; and (2) Local Plan policy.

### **Drainage considerations:**

- 15.29 Regarding foul drainage, the existing site connects to the existing foul pumping station on the site (Wessex Water). This would also serve this scheme. Turning to surface water drainage, a drainage strategy has been submitted together with a Flood Risk Assessment. The site lies in Flood Zone 1 (low probability of flooding). The existing surface water system discharges to a water course away to the east of the site. It is proposed to use this outfall but limit the flow; an attenuation basin would be constructed on site with a flow control device.
- 15.30 Following the submission of additional information the Flood Risk Management Team advise they have no objection subject to conditions. These would include a detailed surface water management scheme and maintenance/management details. Accordingly, the scheme is now considered to comply with policy ENV5 of the adopted Local Plan.

### **Ecology:**

- 15.31 An Ecological Impact Assessment has been submitted by the agent. In summary, this includes the following statements:

*Broadleaved plantation woodland encompasses the site with an opening in the north for site access. Other habitats comprise modified and other neutral grassland, sealed surface urban land and a brick built toilet block (B1) and portacabin cafe.*

- The indicative proposals have been assessed using the DEFRA Statutory Biodiversity Metric tool and this has demonstrated that the proposals (Landscape General Arrangement Plan, Pick Everard) will lead to a habitat net gain score of +12.10% (providing an extra 0.65 habitat units). There are no hedgerows ponds or watercourses on site.*
- Surveys have demonstrated that the site is used by low numbers of common and widespread bat species, with the assemblage including registrations from low annex II listed species: lesser horseshoe (1 registration) and barbastelle (2 registrations).*
- Three buildings were assessed for bat roosting potential, two had negligible roosting potential and one (B1) had Low bat roosting potential. A nocturnal survey observed no roosting bats in association with the building and bat activity during the survey was very low.*
- Nest tube surveys for dormice were conducted throughout the wooded areas bounding the site. Evidence of dormice has been confirmed within the perimeter woodland.*
- Hedgehog were not recorded on site but are present locally and suitable habitat is present on site. Precautionary measures are recommended.*

*The scheme includes ecological mitigation and enhancement such as green infrastructure, planting of new trees and the retention of enhancement of the broad-leaved woodland. • Wherever vegetation removal is needed, it will occur only from November to March, to avoid nesting bird season. Vegetation clearance will need a granted European Protected Species Licence for dormice and will be supervised by*

*an ECoW, which would follow precautionary method statements detailed in the CEMP. Additionally, the CEMP would include a precautionary passive displacement method statement for reptiles.*

- A sensitive lighting scheme for bats will be implemented to ensure surrounding habitats remain functional for foraging and commuting bats.*
- The scheme will also include bat and bird boxes within the woodland, as well as hedgehog highways and woodpiles for reptiles, amphibians and invertebrates.*
- Intrinsic mitigation measures for protected species on site, and off site habitat provisions for Biodiversity Net Gain will ensure that all residual effects on Important Ecological Features present on site are not significant*

15.32 The ecological reports have been reviewed (with amendments) by the Senior Ecologist. He has no objection to the scheme subject to all of the proposed mitigation, compensation, enhancement measures, and BNG proposals being conditioned, along with the proposed CEMP and LEMP documents. In the light of these the scheme is considered in compliance with policy ENV2 of the adopted Local Plan.

15.33 Regarding biodiversity net gain (BNG), the baseline biodiversity metric is 5.36 habitat units. The total amount of proposed habitat units is 6.01 including a mix of enhanced broadleaved woodland, 58 small urban trees and wetland meadow areas. In total, the site post-intervention can achieve 12.1% net gain (i.e. an extra 0.65 habitat units above baseline). There would be a requirement, post decision, if planning permission is granted, for the completion of a section 106 agreement for the BNG elements within the blue line of the wider site in order to secure those elements and their management and monitoring for 30 years, along with the management and monitoring of the on-site significant BNG.

**Residential amenity related aspects:**

15.34 The nearest housing is Cock Crowing Cottages/Moon Cottage (3 terraced properties) on Higher Eype Road located about 25m to the west of the site. Other residential properties are at a markedly greater distance away along Mount Lane and Higher Eype Road. There will clearly be activity, notably at night-time, with the proposed depot.

15.35 The applicant has carried out noise impact assessments in relation to this site. This particularly included readings relative to the nearest noise sensitive receptor (NSR) - nearest window in Cock Crowing Cottages to the west. This included examination of the nature and frequency of gritter lorry movements and outlined the nature of fixed plant that is likely to be installed. The assessment included analysis of daytime and night-time movements of gritter lorries, notably most likely in Winter (when residential windows are more likely to be closed). The submitted report concludes by saying; *no adverse impact due to noise is likely to result at the location of the nearest-affected NSR location, as a result of vehicular movements at the site.*

15.36 The Council's Senior Environmental Health Officer has reviewed the report and comments that they have no objection subject to the following:  
*The recommendation in paragraph 6.2 of the Acoustic Report, with regards to the cumulative noise levels from the as yet unknown fixed plant to be used, should be dealt with by way of a condition.*

15.37 In more general residential amenity terms, whilst the use will generate some noise from activities, the physically contained nature of the site, coupled with the peripheral landscaping and the distance to properties would all help to assimilate the use on the site. It is considered that the scheme is acceptable in residential amenity terms, subject to the above recommended condition. Accordingly, the scheme is considered to comply with policy ENV16 of the adopted Local Plan.

#### **External Lighting Scheme:**

15.38 The lighting strategy has sought to minimise effects on local ecology. It includes use of warmer temperature LED and reducing the column height to 8m from the (preferred) 12m. A warm white source (2700k or lower) to reduce the blue light component is indicated. Back shields are also being included as an additional method to reduce light off-spill onto retained habitats. Some lanterns will have a 10 degree tilt, although the building mounted lanterns do not have a tilt. The applicant states:

*The site will be an operational highway depot, which requires to meet BS 1246-2, to ensure it can operate in accordance with regulations. Furthermore, and as set out within Section 4 of the submitted Lighting Strategy, the lighting is dimmable.*

To ensure lighting illumination is kept to the minimum necessary, a condition is recommended such that prior to first use of the lighting a schedule of lighting times and lighting levels will have been submitted for approval.

15.39 It must be recognised that the proposed lighting will be more visible than the current situation. However, the contained nature of the site, coupled with the peripheral tree belt helps to reduce visibility of the lighting. In these circumstances the lighting scheme is considered acceptable.

#### **Land contamination:**

15.40 A land contamination assessment desk study has been submitted. This indicates that the site was occupied by agricultural land from the time of the earliest available mapping data until the development of the current picnic/rest area by 1989. The submitted report's executive summary states that:

*it is considered to be a low/moderate risk to future site and construction workers from on-site contamination. All other risks are considered to be low to very low at this stage. Any Made Ground may require removal and replacement. Ground would be required to confirm the ground conditions. Undertake a scheme of ground investigation to further understand the ground conditions and to facilitate collection of samples for geotechnical testing.*

15.41 The Council's consultants have reviewed the report and advise that they concur with the findings. A Phase 2 site investigation is warranted to further characterise potential contaminant linkages and Contaminated Land planning conditions should apply to this development to regulate/formalise the risk assessment process. In the light of this information the scheme is considered to accord with policy ENV9 of the adopted Local Plan.

## Highways:

15.42 The existing site access is to be utilised from New Street Lane, in turn being accessed from the A35 trunk road close-by. The access with the A35 benefits from a right turn lane into the lane serving the site, and from good visibility in both traffic directions for vehicles exiting the lane when joining the A35. It is proposed to continue the one-way access/egress system within the proposed scheme. The site currently has two lay-by which can accommodate 3 HGVs each, or 9 or 10 cars each. There are also 26 car spaces. As proposed, there would be garage spaces for 4 gritter lorries and a snow plough. There would be 4 LGV/HGV spaces, and a frontage area with 15 car spaces.

15.43 A Transport Statement was submitted and has been considered by the Highways Officer. The Highways Officer comments:

*It is anticipated that the proposed development would attract 62 vehicle movements on an average day between 0700-1900 compared to 707 currently.*

*To sum up, the Highway Authority considers that the submitted Transport Assessment is satisfactory and robust and that the residual cumulative impact of the development cannot be thought to be "severe" when consideration is given to paragraphs 115 and 116 of the National Planning Policy Framework (NPPF) - December 2024. Should planning permission be granted, it is suggested that the following conditions be imposed:*

*-Manoeuvring, parking and loading areas*

*-Construction traffic management plan to be submitted*

*-Visibility splays as shown*

*-Electric Gate(s) details to be submitted.*

15.44 In the light of the above the Case Officer considers that the scheme is acceptable in highway safety and parking terms and is compliant with policies COM7 and COM9 of the adopted Local Plan.

### **Case Officer Comments on Town and Parish Council Comments:**

15.45 Other sites have been suggested by Symondsbury Parish Council in order to retain this as a public access facility. The applicant has indicated other sites have been considered (as indicated earlier in this report) and has provided explanations as to why those sites have not been pursued. Ultimately, it is the suitability of *this* site for this development which needs to be considered.

15.46 The Parish Council suggests there is no additional benefit in biodiversity net gain (BNG) terms. However, the gain in biodiversity from submissions is calculated as 12.1%. The scheme also includes a comprehensive landscaping scheme, and BNG will be managed and monitored under the terms of a S106 agreement to be completed post decision.

- 15.47 The Parish Council refer to removal of landscaping/trees from the central area. However, this is compensated for by the new tree and hedge planting, retention of the peripheral tree buffer, together with native species understorey scrub planting and wetland meadow mix planting.
- 15.48 The Parish Council consider the buildings will be clearly visible from all sides and create substantial harm to the National Landscape. However, the Landscape Officer, National Landscape Team, considers the scheme acceptable (see para 15.16).
- 15.49 Regarding employment the Parish Council consider the jobs are not “new” but exist elsewhere. As set out earlier in this report there are a range of jobs likely to be created; the applicant states: *National Highways have confirmed that they expect their maintenance and response delivery resource to be 10-15 FT posts, these mainly being operatives, HGV drivers with support of 3 additional FT supervisor/managers/admin staff. In addition to this, they are planning 4 highway inspectors (principal function being safety and asset inspectors) supported by a team manager. Therefore, in all, 18-23 FT posts are anticipated to be created.*
- 15.50 Regarding the loss of community facilities raised by the Parish Council this has been covered in detail in the earlier section headed Loss of Community Facilities, and is further considered in the Planning Balance section further below.
- 15.51 Bridport Town Council refer to Policy CF1 of the Neighbourhood Plan (NP) (Protection of existing community infrastructure) and suggest that if supported, the Town Council be given compensatory funding to meet the cost of new surfacing and toilets at Bridport Football Club car park. However, this is not a justifiable requirement, firstly there are other toilet and refreshment options available in the locality and secondly because it would not be a reasonable requirement having regards to the test of necessity and reasonableness when considered against the policies of the development plan. Furthermore, the Football Club site is not well located for safe and convenient access for significant vehicle numbers, particularly larger vehicles or HGV's. The Parish Council have also identified capacity and traffic problems with this suggestion.
- 15.52 The Town Council request a Construction Traffic Management Plan (CTMP) to ensure timetabling does not exacerbate the impact of the forthcoming upgrade to the Miles Cross Junction. A CTMP is recommended by the Highways Officer and will be conditioned. This would provide control over the timing of works.

### **Planning balance:**

- 15.53 The existing contract for gritting and related highway matters will change from Dorset Council (Charminster Depot) to National Highways in October 2026. A new location for a National Highways Depot is consequently required. The location needs to be close to the A35 strategic trunk road to enable efficient distribution of gritting lorries to the highways network. The site in question clearly lends itself to this. However, the existing public rest area is used by a variety of the general public and commercial travellers for rest and refreshment. Whilst it is not used continuously/intensively 24 hours a day it nevertheless is used mainly when the on-site facilities are open. Some walkers also use it to park in.

15.54 Planning policies generally seek to retain community facilities, although as explored earlier in this report, some Local Plan policies do not relate specifically to this type of facility, and in certain policy phrasings the availability of other community facilities (in this case particularly toilet or refreshment options) means the policy allows some flexibility, as can be the case in this locality. Neighbourhood Plan Policy CF1 is a more recently “made” policy and perhaps the most in conflict to the proposed development because it refers in its first sentence to:

*Existing community buildings, infrastructure and ancillary facilities will be protected and enhanced unless it can be demonstrated that there is no local need for the facility or that the facility is no longer viable.*

Viability here is really a reference to businesses such as pubs and convenience stores, which does not apply here.

15.55 Policy CF1 defines a range of community facilities including public toilets and amenity open space. Cafés are not specifically mentioned but could qualify as the definition says “not limited to” its specified list. Whilst this is not a “formal” amenity space it clearly does have *some* usage, albeit really as ancillary to the transit rest area. The existing rest/refreshment facility is clearly used. On the occasions the Case Officer has visited it has not been at, or near, capacity. It has not been witnessed in highly intensive use, but it clearly does have significant usage. In this sense it can be argued the scheme is contrary to Policy CF1 because there is a local need for the facility. However, it is also worth noting that the café and toilets are *not* available 24 hours a day; the café opens 8am to 4pm and the toilets 7am-5pm. The location of the facilities is convenient for users of the A35. However, there are a range of other rest/refreshment/toilet options nearby and in Bridport town. Given this, coupled with the compelling importance of highway safety; ensuring the availability of timely and efficient gritting of snow/ice affected roads and to attend other highways incidents, it is considered that the depot proposal is acceptable and the weight to be attached to the provision of it and its benefits in respect of employment provision and highway safety outweighs Policy CF1 and the loss of the rest area. The proposed development is considered to be in the wider public interest. The “redistribution” of the users of the current site to other sites would also be likely to spread wider benefits to the town economy such as shops, pubs, cafes and restaurants.

## **16.0 Conclusion**

16.1 Given the existing locally available options for rest/refreshment/toilets, the increased employment at the site and the acceptability of the ecological and landscape works, it is considered the scheme is acceptable. Policy SUS2 of the adopted Local Plan provides a basis for the use close to the defined development boundary. The increased employment associated with the use is aided by policy ECON1. Policies relating to retaining community uses, such as COM3, have limited relevance to transit rest sites; albeit policy CF1 of the Neighbourhood Plan has relevance, but must be balanced against the need for this strategic public safety-related facility.

16.2 In economic terms the scheme would provide jobs during construction in addition to those when operating. It is likely more will be spent in the businesses in and around Bridport due to travellers visiting, rather than using the current site. There is also the economic benefit of the efficient and timely gritting of roads to keep traffic flowing

freely. Subject to conditions, the development would not adversely impact highway safety. In social terms the movement of traffic is facilitated by the scheme in winter months. The development, subject to conditions, would have an acceptable impact on the residential amenity of nearby dwellings. In environmental terms the proposals include biodiversity gains and enhancements to the existing landscaping and would not adversely impact on views into and out of the Conservation Area or the setting of designated heritage assets.

16.3 The proposal is therefore considered to be in accordance with the Development Plan as a whole and there are no material considerations indicating that permission should be refused.

## **17.0 Recommendation**

Grant subject to the following conditions:

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

Location plan 240777-PEV-ZZ-ZZ-DR-C-0102 P04

Demolition and Site Clearance 240777-PEV-ZZ-ZZ-DR-C-0110 P01

Proposed site layout 240777-PEV-ZZ-ZZ-DR-C-3701 P06

Proposed site levels 240777-PEV-ZZ-ZZ-DR-C-0600 P02

Proposed ground floor - office PL0001

Proposed ground floor - garage PL0002

Proposed roof plan -office PL0003

Proposed roof plan -garage PL0004

Proposed east and west elevations PL 0005

Elevations-office P0006

Proposed garage elevations PL0007

Proposed salt barn LD-25-4P5-30

Landscape general arrangement plan 240777-PEV-XX-00-DR-L-0201 P06

Tree pit details 240777-PEV-XX-XX-DR-L-1001 P02

Landscape sections 240777-PEV-XX-XX-DR-L-1201 P04

Site layout 240777-PEV-ZZ-ZZ-DR-C-3701 P10 (in Transport Statement)

Visibility splays H01-P2 (in Transport Statement)

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 Prior to the commencement of any development hereby approved, all existing trees and hedges shown on approved plan 240777-PEV-XX-00-DR-L-0201 P06 to be retained, shall be fully safeguarded in accordance with BS 5837:2005 (Trees in relation to construction - recommendations) or any other Standard that may be in force at the time that development commences and these safeguarding measures shall be retained for the duration of construction works and building operations. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s).

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 Before the development hereby approved commences a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Planning Authority. The CTMP must include:

- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads
- location of construction site access
- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary.

Thereafter the development must be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

5 Prior to the commencement of the development hereby approved the following information shall be submitted to and agreed in writing by the Local Planning Authority:

- 1) a 'desk study' report documenting the site history.
- 2) a site investigation report detailing ground conditions, a 'conceptual model' of all potential pollutant linkages, and incorporating risk assessment.
- 3) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed.



4) a detailed phasing scheme for the development and remedial works (including a time scale).

5) a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time.

The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development hereby permitted first comes in to use or is occupied. On completion of the development written confirmation that all works were completed in accordance with the agreed details shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed.

6 Prior to the installation of any gates at the site a scheme showing precise details (including the technical specification) for the provision of the electric gate(s) must be submitted to the Local Planning Authority and approved in writing. The approved scheme must be constructed before any part of the development hereby permitted is occupied or utilised. Thereafter, the electric gate(s) must be maintained and available for the purpose specified.

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.

7 Prior to the commencement of any development hereby approved, an Arboricultural Method Statement (AMS) prepared by a qualified tree specialist providing comprehensive details of construction works in relation to trees that have the potential to be affected by the development must be submitted to and approved in writing by the Council. All works must be carried out in accordance with the approved details. In particular, the method statement must provide the following where appropriate:

a) a specification for protective fencing to trees and hedges during both demolition and construction phases which complies with BS5837 (2012) and a plan indicating the alignment of the protective fencing;

b) a specification for scaffolding of building works and ground protection within the tree protection zones in accordance with BS5837 (2012);

c) a schedule of tree work conforming to BS3998;

d) details of the area for storage of materials, concrete mixing and any bonfires;

e) plans and particulars showing proposed cables, pipes and ducts above and below ground as well as the location of any soakaway or water or sewerage storage facility;

f) details of any no-dig specification for all works within the root protection area for retained trees;

g) details of the supervision to be carried out by the developers tree specialist.

Reason: This information is required to be submitted and agreed before any work starts on site to ensure that the trees and hedges deemed worthy of retention on-site will not be damaged prior to, or during the construction works.

8 Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) (Biodiversity) must be submitted to and approved in writing by the local Planning Authority. The CEMP must include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs

Thereafter the development shall take place strictly in accordance with the approved CEMP.

Reason: To protect biodiversity during the construction phase.

9 Prior to the commencement of development a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and providing clarification of how drainage is to be managed during construction and a timetable for implementation of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should have regard to the guidance set out in the current DEFRA national standards Sustainable Drainage Systems (SuDS). The surface water scheme shall thereafter be implemented in accordance with the approved details including the timetable for implementation.

Reason: To prevent the increased risk of flooding and to protect water quality.

10 The development shall be carried out in accordance with the Ecological Impact Assessment Rev C dated March 2025 and its appendices. Such measures as are included shall be retained at the site thereafter.

Reason: In the interests of safeguarding ecological interests.

11. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to any works above damp proof course. The ecology/landscape features shall be managed for a minimum of 5 years. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.

- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved LEMP must be implemented in accordance with the approved details.

Reason: To protect the landscape character of the area and to mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

12 Prior to development above damp proof course level, details and samples of all external facing materials for the wall(s) and roof(s) shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include Barkwood Brown colouring for the salt barn exterior unless otherwise first agreed in writing by the local planning authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

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

13 Prior to the occupation of the development details of maintenance and management of the surface water sustainable drainage scheme (and any receiving system) shall be submitted to and approved in writing by the Local Planning Authority. The scheme should have regard to the guidance set out in the current DEFRA national standards Sustainable Drainage Systems (SuDS). 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 the future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

14 Before the development is occupied or utilised the areas shown on Drawing Number 240777 P10 for the manoeuvring, parking, loading and unloading of vehicles must be surfaced, marked out and made available for these purposes. Thereafter, these areas 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.

15 Before the development hereby approved is occupied or utilised visibility splays must be provided at the access from a driver position of 2.40 metres and a stopping sight distance (SSD) of 24 metres to the east and 34m to the west as shown on Drawing Number H-01 P2 (in Transport Statement) Thereafter the visibility splay areas must be maintained and kept free from obstruction. All land within the area of any visibility splay must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway.

Reason: To ensure that a vehicle can see or be seen when exiting the access.

16 Prior to first use of the lighting a schedule of lighting times and lighting levels shall first have been submitted and approved in writing by the local planning authority. The site lighting shall be carried out in accordance with the submitted External Lighting Assessment and Strategy dated 29/10/24. There shall be no lighting of the site other than in accordance with the details approved under this condition.

Reason: In the interests of minimising necessary lighting and to safeguard biodiversity.

17 No fixed plant is to be used on the premises until full details of this shall first have been submitted to and approved in writing by the local planning authority. The submitted details shall be in accordance with the "Rating Levels" and the contents of Section 6.2 regarding cumulative noise levels of the Acoustics Planning Report 0063928-BHE-RP-YA-0001 P02 dated 8/11/24. The agreed fixed plant shall be permanently retained thereafter.

Reason: In the interests of the amenity of the area.

18 The soft landscaping works detailed on approved drawings; Landscape general arrangement plan 240777-PEV-XX-00-DR-L-0201 P06; Tree pit details 240777-PEV-XX-XX-DR-L-1001 P02; Landscape sections 240777-PEV-XX-XX-DR-L-1201 P04 must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

19 The development shall be carried out in accordance the Hard and Soft Landscape Specification document 240777-PEV-XX-XX-SP-L-1401 dated 13 September 2024, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure appropriate landscaping.

### **Informatives:**

1. This application is subject to Biodiversity Net Gain. A Section 106 Agreement is likely to be required to secure the maintenance and monitoring of any Biodiversity Gain Plan or Habitat Management and Monitoring Plan (HMMP) approved by the Council.

#### **Biodiversity Net Gain**

2. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Dorset Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Read more about Biodiversity Net Gain and Biodiversity Gain Plans at

<https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain> and

<https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

#### **3. Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan**

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
  - (i)the original planning permission to which the section 73 planning permission relates\* was granted before 12 February 2024; or
  - (ii)the application for the original planning permission\* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
  - 4.1 Development which is not ‘major development’ (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates\* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A “householder application” means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

\* “original planning permission means the permission to which the section 73 planning permission relates” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

4. The applicant’s attention is drawn to the Scotia Gas Networks letter dated 27/11/24 on the Dorset Council website.