

Application Number:	P/FUL/2024/04629
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	26 Canford Bottom Colehill BH21 2HE
Proposal:	Demolish existing buildings and construct a Class E(a) retail store and associated parking, servicing arrangements and landscaping
Applicant name:	ALDI Stores Ltd
Report Author	Philip Crowther
Case Officer:	Diana Mezzogori-Curran
Ward Member(s):	Cllr Atwal and Cllr Todd
No of Site Notices:	12 site notices - Displayed on 13.09.2024 in following locations: 1 x Henbest Close 2 x Stapehill Crescent 1 x in front of no. 9 Canford Bottom 1 x junction with Dales Drive/Dales Close 1 x Fryer's Copse 2 x by no. 32 and 26-30 Canford Bottom 1 x next to no. 24 Canford Bottom 1 x Sycamore Place 1 x Fox Lane 1 x Wyelands Avenue
SN displayed and press advert reasoning:	The application was advertised by means of site notices and press advert for awareness.

1. Reason application is going to committee:

This application was originally referred to the Committee at the request of the Service Manager for Development Management and Enforcement.

2. Summary of recommendation:

GRANT planning permission subject to conditions and subject to the Committee giving fuller reasons for its decision.

3. Reason for the recommendation

- The Committee resolved to grant planning permission at its meeting on 3 September 2025
- The reasons given at the meeting on 3 September were not sufficient.

4. Events since the 3 September 2025 Meeting

- 4.1 Officers received a letter from solicitors acting for Lidl which in short alleged that the Committee had failed to give any reasons for its decision on 3 September 2025.
- 4.2 Officers considered the issues set out in the letter and obtained counsel's advice. Whilst officers disagreed with Lidl's assertion that the Committee gave no reasons for its decision, officer's advice is that the reasons given were not sufficient which runs the risk of the decision being successfully judicially reviewed on the basis that the Committee's reasons were legally inadequate. Accordingly, the Monitoring Officer has decided that this constitutes exceptional circumstances under the Council's Constitution so that the application should be returned to the Committee.
- 4.3 In its 3 September 2025 resolution, the Committee delegated the precise wording of the conditions it considered were necessary to Head of Planning and the Service Manager for Development Management and Enforcement to agree with the Chair and the Vice-Chair. Those conditions were agreed in line with the resolution. As the matter is now before Committee again, the Committee is asked to agree the full wording of the conditions as part this decision.
- 4.4 The Secretary of State has declined to call-in the application.

5. Legal Considerations

- 5.1 There is no statutory requirement for reasons to be given for granting planning permission (whereas there is such a requirement when permission is refused). There is though a common law duty to give reasons for granting planning permission particularly in circumstances like this where the Committee's decision was contrary to the officer's recommendation.
- 5.2 The standard of reasons given must be sufficient so that there is no genuine room for doubt about what has been decided and why and be clear as to what conclusions were reached on the principle important controversial issues.

6 The Committee's 3 September 2025 Decision

- 6.1 The reasons given by the Committee for its decision were:
- '... that the poor provision of supermarkets locally and the additional choice of an affordable supermarket, that the application would bring, did constitute very special circumstances which justified the development of Green Belt land. There was also planned growth in the area with a significant number of new homes being built in Wimborne, therefore the new supermarket would provide community benefits.'
- 6.2 Given the Committee's reasons, officers disagree with Lidl's assertion that no reasons were given. However, the case officer's report (which is appended to this report) set out a number of harms which she considered would result from the proposal.

6.3 So, whilst the reasons given on 3 September 2025 set out what members considered to the benefits of the proposed development, officer do not consider that they explain what harms the Committee considered would result from the development and how it had balanced those against the benefits.

18. Recommendation

That the Committee expands on its reasons for granting the application to consider what harms it considers would result from the development and how those are balanced against the benefits identified by the Committee.

The application to be **granted** for those reasons and subject to the following conditions:

1. Expiration of three years

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

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

2. List of approved plans

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

221016-1010 P03 Location Plan
221016-1300 P06 Proposed Block Plan
221016-1301 P03 Proposed Floor Plan
221016-1302 P03 Proposed Roof Plan
221016-1400 P02 Proposed Elevations
221016-1401 P03 Proposed Sections
0050 P01 Proposed Drainage Layout
15852_P03 Tree Constraints Plan
15852_P03 Tree Retention & Removal Plan
15852-P03 B Detailed soft landscape proposal sheet 1 of 2
15852-P03 B Detailed soft landscape proposal sheet 2 of 2
001 F Proposed access arrangements
002 C Swept path analysis 16.5m HGV entry/egress
003 C Swept path analysis large car

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

3. Construction traffic management plan

Prior to the commencement of any development hereby approved, a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Local 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
- 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

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.

4. Construction environmental management plan to be submitted

Prior to the commencement of development on the site, 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

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

Reason: To protect biodiversity during the construction phase.

5. Drainage details required to be submitted (LLFA and National Highways combined)

No development shall commence until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the hydrological and hydrogeological context of the site and shall;

- Include full design details for the treatment and disposal of surface water;
- Clarify how surface water will be managed during the construction phase;
- Demonstrate that no surface water will discharge onto the Strategic Road Network (SRN) or into any drainage system connected to the SRN;
- Confirm that no drainage connections from any part of the development will be made to any SRN drainage systems.

The approved surface water drainage scheme shall be fully implemented prior to the development being brought into use and shall be retained and maintained thereafter in accordance with the approved details.

Reason: To prevent the increased risk of flooding, protect water quality, improve habitat and amenity, and safeguard the safe and efficient operation of the A31 trunk road and its drainage infrastructure.

6. Drainage maintenance required to be submitted

Prior to occupation of the development, details of maintenance & management of both 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 shall be implemented

and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

7. Boundary details (including acoustic fencing to neighbouring boundaries) to be submitted
Prior to the commencement of development, a comprehensive boundary treatment scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to, the following boundary treatments:
- Location, height, design, materials, and construction method of all proposed boundary enclosures.
 - Installation of acoustic fencing along the northern and western boundaries adjoining residential properties, with a minimum height of 2 metres, constructed of solid, noise-reducing materials.
 - Installation of close-boarded fencing or other suitable screening features adjacent to the Strategic Road Network (SRN) to mitigate headlight glare and protect highway safety.
 - Maintenance schedule for all boundary treatments.

The approved boundary treatments shall be installed prior to first occupation of the development and retained and maintained thereafter.

Reason: To safeguard the residential amenity of neighbouring properties from noise and light intrusion, ensure appropriate visual screening, and protect the safe and efficient operation and integrity of the A31 trunk road to satisfaction of the Local Planning Authority, in consultation with National Highways.

8. Trees protection – Site meeting
Before any equipment, materials or machinery are brought onto the site for the purposes of development, A PRE-COMMENCEMENT SITE MEETING between the Tree Officer, Arboricultural Consultant and Site Manager shall take place to confirm the protection of trees on and adjacent to the site in accordance with the Arboricultural Method Statement ref. 15852_R04_MB_NC, by Tyler Grange, dated 22/01/2025. The tree protection shall be positioned as shown on the Tree Protection Plan, ref. 15852_P03, by Tyler Grange, dated 21/01/2025, before any equipment, materials or machinery are brought onto the site for the purposes of the development. The tree protection shall be retained until the development is completed and nothing shall be placed within the fencing, nor shall any ground levels be altered or excavations made without the written consent of the Local Planning Authority. This condition shall not be discharged until an arboricultural supervision statement, the contents of which are to be discussed and agreed at the pre-commencement meeting, is submitted to and approved in writing by the Local Planning Authority on completion of development.

In order for this condition to be discharged the Local Planning Authority shall be notified for a site inspection at each of the following stages:

- 1) completion of the specified tree protection,
- 2) any alteration to the scheme of tree protection,
- 3) before commencing excavations for drains and soakaways,
- 4) removal of tree protection, and
- 5) prior to the commencement of the landscaping phase.

Reason: This meeting is required prior to commencement of development in the interests of tree protection and to safeguard trees and natural features which are important to the visual amenities of the area.

9. Tree protection scheme

Prior to commencement of works (including site clearance and any other preparatory works) the scheme for the protection of trees in accordance with the submitted Arboricultural Method Statement ref. 15852_R04_MB_NC, by Tyler Grange, dated 22/01/2025 and Tree Protection Plan ref. 15852_P03, by Tyler Grange, dated 21/01/2025 shall be implemented. At least 5 working days' notice shall be given to the Local Planning Authority that it has been installed.

Note: The protective fencing shall be as specified in figure 2 of Section 6.2.2 of BS5837:2012 unless otherwise agreed in writing with the Local Planning Authority.

Note: Your attention is drawn to the requirement for a pre commencement site meeting with the Arboricultural Consultant, Local Authority Tree Officer and Site Manager in attendance (as per condition 8).

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

10. Trees – drainage plan

Prior to commencement of works (including site clearance and any other preparatory works) an updated drainage plan shall be submitted showing all underground drainage and service routes to be relocated outside of all tree root protection areas as shown on submitted tree protection plan ref: 15852_P03, by Tyler Grange, dated 21/01/2025 shall be submitted and agreed with the Local Planning Authority and the development shall be carried out in accordance with the agreed updated drainage plan .

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

11. Trees – Cellular confinement system

Prior to commencement of works samples of the cellular confinement system to be used, including the samples of the cell infill aggregate (which shall be of a 4-20mm clean angular granite or flint and not be of a calcareous nature) shall be submitted and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved samples.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

12. Trees – Construction Method Statement

Prior to commencement of works (including site clearance and any other preparatory works), a construction method statement for implementation of the cellular confinement system within the root protection area (RPA) of retained trees shall be submitted to the Local Planning Authority. Development shall not proceed until the details have been approved by the Local Planning Authority and work shall only take place in accordance with the approved details.

Reason: To ensure the development hereby approved does not prejudice the long-term retention of trees which make a significant contribution to the character and appearance of the area.

13. Soft and Hard Landscaping Scheme (including Strategic Highway Landscaping Requirements) to be submitted

Prior to the commencement of development, a comprehensive soft and hard landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to, the following:

- Full details of all proposed planting, including:
 - Species, sizes, densities, and locations.
 - A planting schedule and specification for soil preparation and planting methods.
 - A maintenance and management plan for all landscaped areas
 - Species selection adjacent to the Strategic Road Network (SRN) shall comply with National Highways guidance, excluding species identified as unsuitable due to safety, liability, or maintenance concerns.
 - A revised planting palette to include native and non-native evergreen and deciduous species to ensure year-round screening and biodiversity enhancement.
 - Tree planting within hard-surfaced areas (car park) using structural soil systems or equivalent to soften visual impact and improve landscape quality.
 - Details of all hard surfacing materials, finishes, and colours.
 - Layout and design of paved areas, pedestrian routes, trolley bays, and landscape features such as seating, bollards, and planters.
 - Integration with lighting and drainage infrastructure to ensure compatibility and avoid conflict with tree canopies or root protection areas.
 - Existing Vegetation Management

The approved landscaping scheme shall be implemented in full prior to first occupation of the development or in accordance with a phasing plan to be agreed in writing with the Local Planning Authority.

All planting shall be maintained for a minimum period of five years from the date of planting. Any trees or plants which die, are removed, or become seriously damaged or diseased within that period shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the delivery of a high-quality landscape scheme that enhances visual amenity, supports biodiversity and safeguards the safe and efficient operation of the A31 trunk road.

14. Substation details to be submitted

Prior to the commencement of any groundworks, details of the proposed substation, including plans, elevations, materials and acoustic details must be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme and thereafter retained.

Reason: To safeguard the amenity of neighbouring residents

15. Reptile mitigation strategy to be submitted

Prior to the commencement of development, a Reptile Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Following implementation of the approved strategy a report detailing compliance with it shall be submitted to the Local Planning Authority prior to the commencement of development.

Reason: The Local Planning Authority must be satisfied that the agreed strategy has been completed before any development takes place on the site.

16. Lighting Strategy to be submitted (NET)

Prior to commencement of work on the site details of any proposed lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy will reflect the need to avoid harm to protected species and to minimise light spill from lighting associated with pre-construction, construction and operational activities, and demonstrate how the current best practice guidance, including Guidance Note 8 Bats and Artificial Lighting (BCT/ILP, 2023) has been implemented. There shall be no lighting of the site other than in accordance with the approved strategy.

Reason: In the interests of on biodiversity

17. Non-significant on-site BNG implementation and 5 year maintenance

No development shall be commenced until a timetable for the implementation and maintenance of any proposed on-site (within the red line of the application site) non-significant biodiversity net gain (see informative below), has been submitted to and approved in writing by the Local Planning Authority. The implementation timetable and maintenance details must be prepared in accordance with the approved Biodiversity Gain Plan for the site. Thereafter the on-site non-significant biodiversity net gain shall be implemented and maintained for a period of no less than 5 years following the completion of said biodiversity net gain in accordance with the approved timetable and maintenance details. If within a period of 5 years from the date of the planting of any habitat it is removed, uprooted, destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) the habitat shall be replaced with the same habitat as set out in the approved biodiversity gain plan in the next planting season, unless the Local Planning Authority first agrees in writing to any variation.

Reason: To ensure that non-significant on-site biodiversity net gain is provided on site as required by the Town and Country Planning Act 1990 (as amended) and the National Planning Policy Framework.

18. Air Quality Mitigation and Dust Management

Prior to the commencement of development, a Dust Management Plan (DMP) shall be submitted to and approved in writing by the Local Planning Authority. The DMP shall be based on the recommendations of the Institute of Air Quality Management (IAQM) guidance and shall include, but not be limited to:

- Implementation of all 'highly recommended' mitigation measures as set out in the IAQM guidance and reproduced in Appendix E of the approved Air Quality Assessment.
- Site-specific measures to control dust emissions during demolition, earthworks, construction, and track out activities.
- Identification of a named person responsible for air quality and dust issues on site, with contact details displayed at the site boundary.
- Procedures for recording and responding to dust and air quality complaints.
- Regular site inspections and monitoring of dust levels, including baseline monitoring where appropriate.
- Measures to prevent dust emissions from stockpiles, haul routes, and construction activities.
- Use of water-assisted dust suppression systems and wheel washing facilities.
- Avoidance of dry sweeping and burning of waste materials.
- Provision of mains electricity or battery-powered equipment where practicable to reduce generator emissions.

The development shall thereafter be carried out in accordance with the approved DMP for the duration of the construction period.

Reason: To minimise the impact of dust and air pollution during the construction phase, safeguard the health and amenity of nearby residents.

19. Contaminated land (Site investigation and Risk Assessment)

No development shall commence until a detailed site investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority. This shall include further investigation into the hydrocarbon contamination identified within Geo-Environmental Site Investigation Report, ref. no. B3031//SI/23 dated October 2023, and any other areas of potential concern not previously assessed. The investigation shall determine the nature, extent and sources of contamination, and assess the risks to human health, controlled waters, property and ecological systems.

Reason: To ensure that risks from land contamination to the future users of the land, neighbouring land, and the wider environment are minimised, and to ensure that the development can be carried out safely without unacceptable risks.

20. Contamination (Remediation Strategy and monitoring)

Where contamination is found to be present, a remediation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The strategy shall detail the measures required to remediate the site to render it suitable for the proposed use, including a timetable for implementation.

The approved remediation strategy shall be fully implemented in accordance with the approved timetable. A verification report demonstrating the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any part of the development.

Throughout the construction period, a watching brief shall be maintained by a suitably qualified environmental consultant. Should any unexpected contamination be encountered, all works shall cease until the Local Planning Authority has been notified and an appropriate remediation strategy has been agreed and implemented.

Reason: To ensure that any contamination is appropriately identified, assessed, and remediated, and that the development does not pose a risk to human health or the environment.

21. Trees – RPA excavation as submitted

Any excavation within root protection areas of retained trees must comply with the recommendations set out in sections 2.36-2.37 of the Arboricultural Method Statement, ref: 15852_R04_MB_NC, by Tyler Grange, dated 22/01/2025. All excavation within the root protection area (RPA) of retained trees will be carried out using handheld tools or by air-spading/air-vacuuming. Light-weight machinery for excavation shall only be used as a last resort and must only be used if fitted with a toothless bucket. All excavation with root protection area (RPA) of retained trees shall be supervised and recorded (by means of photographs) by the project arboriculturist.

Reason: To ensure the development hereby approved does not prejudice the long-term retention of trees which make a significant contribution to the character and appearance of the area.

22. Highways access constructed as submitted

Before the access is utilised it must be constructed as shown on Drawing Number 001 Rev F. Thereafter, it must be permanently maintained, kept free from obstruction and available for the purpose specified.

Reason: To ensure that highway safety is not adversely impacted upon.

23. Visibility splays as shown

Before the development hereby approved is occupied or utilised the visibility splay areas as shown on Drawing Number 001 Rev F must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

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

24. Pelican Crossing Installation and Operation to be submitted

Prior to the first occupation of the development, a signal-controlled pelican crossing shall be installed on Canford Bottom in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- The precise location and design of the crossing;
- Signal specifications, including low-intensity LED units;
- Measures to minimise light spill and glare, such as directional hoods or shields;
- A post-installation monitoring and review mechanism to assess any ongoing amenity impacts on nearby residential properties and implement further mitigation if required.

The pelican crossing shall be fully implemented and operational prior to the first use of the development and shall be retained and maintained thereafter in accordance with the approved details.

Reason: To ensure safe pedestrian access to the site, minimise light intrusion into neighbouring residential properties, and protect residential amenity and highway safety.

25. Sustainable transport links (details approved)

Before the development hereby permitted is occupied, the Pelican crossing providing permeability to Colehill and Wimborne shall be implemented in accordance with the approved details, as shown on drawing numbered 001 Rev F.

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

26. Delivery management plan information to be submitted

The development hereby permitted shall not be brought into use until a Delivery Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Delivery Management Plan shall be adhered to thereafter. The Plan shall:

- specify the type, number and frequency of vehicles that will serve the site
- specify delivery route to and from the store
- specify delivery times outside of store opening hours or specify a method of delivery and customer control that reduces the risk of collision between delivery vehicles and pedestrians if delivery during store opening hours is unavoidable

Reason: To provide safe and suitable access for all and reduce the potential impact on the public highway.

27. Travel plan implementation as submitted

Before the development hereby approved is occupied or utilised, the submitted Travel Plan must be implemented and operational.

Reason: In order to reduce or mitigate the impacts of the development upon the local highway network and surrounding neighbourhood by reducing reliance on the private car for journeys to and from the site.

28. Manoeuvring, parking and loading areas as submitted

Before the development is occupied or utilised the areas shown on Drawing Number 001 Rev F 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.

29. Electric charging points as submitted

Before the development hereby approved is occupied or utilised, the electric vehicle charging points and parking bays shown on Drawing Number 001 Rev F must have been constructed. Thereafter, they must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure that adequate provision is made to enable occupiers of the development to be able to charge their plug-in and ultra-low emission vehicles.

30. Cycle parking as submitted

Before the development is occupied or utilised the cycle parking facilities shown on Drawing Number 001 Rev F must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

31. Accessible parking provision to be submitted

Before the development hereby approved is occupied or utilised, a revised accessible parking layout shall be submitted to and approved in writing by the Local Planning Authority. The layout shall:

- Provide a minimum of six designated disabled parking bays and four electric vehicle bays in accordance with Building Regulations Part M and BS8300 standards;
- Include appropriate access zones on both sides and at the ends of each designated bay to ensure safe and convenient use by wheelchair users and those with mobility impairments;
- Be located as close as practicable to the store entrance;
- Be clearly marked and signed in accordance with current accessibility guidance.

The approved accessible parking layout shall be implemented in full prior to first use of the development and retained and maintained thereafter.

Reason: To ensure the provision of safe, convenient, and inclusive access for all users, including disabled persons and those with mobility impairments, in accordance with Policies HE2 and KS12 of the Christchurch and East Dorset Core Strategy and the National Planning Policy Framework (NPPF).

32. Car park barrier information to be submitted

Before the development hereby approved is occupied or utilised, details of a car park barrier; including drawings and details of the times when it will be open, closed or locked, must be provided and agreed in writing by the Local Planning Authority. The approved car park barrier shall be installed prior to the store being brought into use and thereafter retained. The Car park barrier shall be closed and locked in accordance with the agreed details.

Reason: In the interests of discouraging anti-social behaviour and to discourage the car park being used as parking for using accessing nearby protected landscapes.

33. No vehicle access obstruction during opening/delivery hours

There must be no gates hung so as to form obstruction to the vehicular access serving the site during opening and delivery hours.

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.

34. Biodiversity management plan to be implemented

The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in the ecology report titled Ecological Impact Assessment, by Tyler Grange and dated 20 March 2025, and certified by the Dorset Council Natural Environment Team on 20.03.2025.

The development hereby approved must not be first brought into use unless and until:

- i) the recommendations detailed in section 5 of the approved ecology report have been completed in full, in accordance with any specified timetable, unless otherwise agreed in writing with the Local Planning Authority, and
- ii) evidence of compliance has been supplied to the Local Planning Authority prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved ecology report and thereafter the approved mitigation, compensation and enhancement measures must be permanently maintained and retained in accordance with the approved details.

Reason: To mitigate and compensate for impacts on ecological receptors, and to provide biodiversity gains.

35. External Lighting (including National Highways)

No lighting shall be installed until details of the lighting scheme have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the lighting scheme shall be installed, operated and maintained in accordance with the agreed details. The scheme must include details of parts or all of the lighting that will be switched off outside of the opening and delivery hours set out in condition 38 and 39.

Note: External lighting adjacent to A31 trunk road shall be designed, implemented and operated to be in a downward facing position at all times to minimise light spill onto the strategic road network, and maintained as such thereafter.

Reason: To protect visual amenities, avoid nuisance to adjoining properties and protect biodiversity and in the interest of the safe and efficient operation of the A31 trunk road in accordance with DfT Circular 01/2022 and to mitigate any adverse impact from the development on A31 trunk road safety.

36. Waste

Before the development hereby approved is occupied or utilised, a detailed scheme showing facilities to be provided for the storage and removal of waste material(s) from the premises and their maintenance shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include the means of enclosure of any area concerned. The agreed scheme shall be implemented in full before use or occupation of the development and maintained thereafter.

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

37. Noise mitigation measures

Prior to first use of the development hereby permitted, the following noise mitigation measures shall be implemented in full and retained thereafter:

- Acoustic Fencing - A minimum 2-metre-high solid acoustic fence shall be installed along the northern and western boundaries of the site, in accordance with the recommendations of the approved Environmental Noise Assessment. The fencing shall be constructed of materials with proven acoustic attenuation properties and shall be maintained in good condition.
- Fixed Plant Noise Limits - No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development, and any mitigation measures to achieve the required noise limits, have been submitted to and approved in writing by the Local Planning Authority. The rating level of the sound emitted from the site shall not exceed:
 - 40 dB LAeq (1 hour) between 07:00 and 23:00
 - 25 dB LAeq (15 minutes) at all other times
 - Measurements shall be taken at the nearest noise-sensitive premises and assessed in accordance with BS 4142:2014+A1:2019.
- Deliveries and servicing operations shall only take place as specified in condition 39.
- Car Park Activity - Noise from customer car park activity shall be mitigated through the installation of acoustic fencing and site layout design. The store shall not operate outside the hours as agreed in condition 38.
- A post-installation acoustic compliance report shall be submitted to the Local Planning Authority within three months of first occupation, confirming that the above noise limits have been achieved and that mitigation measures are effective.

Reason: To safeguard the residential amenity of neighbouring properties from noise disturbance arising from car park activity, deliveries, and mechanical plant, in accordance with Policy HE2 of the Christchurch and East Dorset Core Strategy and paragraph 191 of the National Planning Policy Framework (NPPF).

38. Opening hours

The premises shall not be open to customers outside the hours of 07:00 to 22:00 on Monday to Saturday or between 10:00 and 17:00 on a Sunday.

Reason: In the interests of the amenities of adjoining and nearby residential properties.

39. Delivery hours

No deliveries shall be taken at or despatched from the site outside the hours of 07:00 to 21:00 Monday to Saturday and 08:00 to 18:00 on Sundays and Public Holidays.

Reason: To protect nearby residential accommodation from excessive noise at nighttime/evening/Sundays and Bank Holidays

40. Construction Hours

No construction or demolition work, including deliveries to and from the site, shall take place outside the following hours:

- Monday to Friday: 08:00 to 18:00
- Saturday: 08:00 to 13:00
- No work shall take place on Sundays or Bank Holidays.

Reason: To protect the amenities of neighbouring residential occupiers in accordance with Policy HE2 of the Christchurch and East Dorset Core Strategy.

41. Use as a discount food retailer only

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and the Town and Country Planning (Use Classes) Order 1987, the development hereby approved shall be used as a discount food retailer only and for no other use whatsoever (including under Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended)) and in accordance with the following:

- 1) The sales area (convenience and comparison goods) shall not exceed 1315 sqm;
- 2) The food store shall not provide any of the following services;
 - a) Fresh meat counter
 - b) Fresh fish counter
 - c) Delicatessen/cheese counter
 - d) Hot Food (except bakery items baked on site)
 - e) Post office services but not including the sale of books or postage stamps

Reason: The application is justified on the basis of the provision of a discount food retailer on the site and the Local Planning Authority require control is retained over the use of the development for this purpose in the interests of the vitality and viability of the existing town centre and for the protection of neighbouring amenity given the location of the application site and proximity to neighbouring boundaries.

42. Remove PD rights for collection lockers

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no collection facilities permitted by Class C of Schedule 2 Part 7 of the 2015 Order shall be erected or constructed.

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

INFORMATIVES

1. Grampian

In addition to this permission, the highway improvement(s) referred to in the recommended condition above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site. The applicant should contact Dorset Council's Highways Development team. They can be reached by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.

2. Junction

In addition to this permission, the junction works referred to in the recommended condition above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site. The applicant should contact Dorset Council's Highways Development team. They can be reached by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.

3. Electric vehicle charging points

The applicant is advised that prior to the development being brought into use, it must comply with the requirements of Building Regulations Approved Document S: Infrastructure for the charging of electric vehicles.

4. Travel Plan monitoring

The applicant is advised that as part of the continued monitoring of the Travel Plan, they are required to regularly liaise, at regular time periods to be agreed, with Dorset Council's Travel Plan team (travelchoice@dorsetcouncil.gov.uk) for the lifespan of the Travel Plan. The Travel Plan surveys, and other pertinent information should be submitted to Dorset Council to ensure that continued progress is being made to meet the targets of the Travel Plan.

5. Biodiversity Net Gain

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>

6. Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan
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.

 7. On site BNG non significant

It is likely that if the proposed BNG is on-site and it does not meet one or more of the criteria below that it will not be considered to be significant. However, what counts as a significant enhancement will vary depending on the scale of development and existing habitat, but would normally be:

- habitats of medium or higher distinctiveness in the biodiversity metric (both proposed habitats and retained habitats)
- habitats of low distinctiveness which create a large number of biodiversity units relative to the biodiversity value of the site before development - the combined number of units delivered is equal to or greater than 0.5; and/or the combined number of low distinctiveness units is equivalent to 10% or more of the baseline biodiversity unit value of the site (excluding proposed gardens)
- habitat creation or enhancement where distinctiveness is increased relative to the distinctiveness of the habitat before development - higher distinctiveness of any baseline habitat type e.g. low to medium
- enhancements to habitat condition, for example from poor or moderate to good.

8. Section 106 BNG

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.

9. CIL

This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development, and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties, it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.

10. Sufficient evidence to demonstrate a lack of market demand to justify loss of employment land including physical survey of the existing buildings would be required.
11. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.
12. The applicant is advised that they will need to demonstrate compliance with Part B of the Building Regulations - means of escape and boundary conditions.
13. Please be advised that this planning permission does not grant consent for any advertisements associated with the development. If you intend to display signage or other forms of advertisement, you may need to apply separately for Advertisement Consent under the Town and Country Planning (Control of Advertisements) Regulations.
14. In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:
- offering a formal pre-application advice service, and –
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

Eastern Area Planning Committee
3 September 2025

- The applicant received pre-application advice advising the proposed development is unlikely to be supported.
- The applicant was advised that the proposal did not accord with the development plan and was given the opportunity to address concerns.
- The Council has worked with the applicant to reduce reasons for refusal.