

Decision List

Application Reference: P/FUL/2025/05981, LAND SOUTH OF COMMON ROAD, SIXPENNY HANDLEY.

Application Site: Land South Of Common Road Sixpenny Handley

Proposal: Erect 11 no. affordable dwellings, modify vehicular access, form parking areas, gardens and open spaces for landscaping, storm water attenuation and biodiversity mitigation.

Recommendation: To delegate authority to the Corporate Director for Planning, the Service Manager for Development Management & Enforcement or the Development Management Area Manager Northern Team to A) grant planning permission subject to conditions as set out at the end of this report and the completion of a Section 106 Planning Obligation under Section 106 of the Town and Country Planning Act 1990 (S106 agreement) to secure Affordable Housing and one wheelchair accessible/adaptable unit. OR B) Refuse permission for the reasons set out below if the agreement is not completed by 14th October 2026 or such extended time as agreed by the Corporate Director for Planning, the Service Manager for Development Management & Enforcement or the Development Management Northern Area Manager.

Decision:

To delegate authority to the Corporate Director for Planning, the Service Manager for Development Management & Enforcement or the Development Management Northern Area Manager to:

A) Grant, subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Legal Services manager to secure the following:

100% Affordable Rented Housing with one wheelchair accessible/adaptable unit.

and subject to the following conditions:

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

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

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

AM004-01 A Location, Site/ Roof Plan

AM004-04 Site Ground Floor Plan
AM004-05 A Site First Floor Plan
AM004-07 A Proposed Elevations 1-6
AM004-06 Proposed Elevations 7-11
AM004-08 Ground Floor Plans 1-11
AM004-09 A First Floor Plans 1-11
102 Landscape Plan
836 Planting Plan 1-2
836 Planting Plan 2-2
105 Landscape Management Plan
107 Topsoil Plan
106 Landscape Fencing Plan
50029-0010 Highway Works
50029-0005 F Vehicle Swept Path Analysis
50029-0020 Highway Works Adoption Layout
50029 - 0050 Drainage Works
50029 - 0055 A Proposed Drainage Details Sheet 1
50029 - 0056 A Proposed Drainage Details Sheet 2
50029 - 0057 Proposed Drainage Details Sheet 3
50029-0041 B Overland Flow Route
50029-0100 A Foundation Plan 1 of 2
50029-0100 A Foundation Plan 2 of 2

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

3. No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be fully implemented in accordance with the submitted details before the development is completed.

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

4. Prior to the commencement of any development hereby approved, all hedges shown on approved plan 836_102 as 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

5. Prior to commencement of any works on site, a Construction and Ecological Mitigation Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed CEMP.

Reason: To ensure the protection of species and habitats during construction of the development.

6. Prior to the commencement of any development hereby approved, details and samples of all hardstanding materials, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been approved unless otherwise agreed in writing by the LPA.

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

7. 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
- inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
- 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.

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

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

9. Before the development hereby approved is occupied or utilised the turning/manoeuvring and parking shown on Drawing Number AM004-04 must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

10. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on Drawing Number 50029-0010 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.

11. Prior to the occupation of the development hereby approved a scheme showing precise details of the proposed cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme must be constructed before the development is first occupied and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

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

12. Before the development hereby approved is occupied or utilised the following works must have been constructed to the specification of the Planning Authority:

The tactile crossing points located on either side of the access shown on drawing number 50029-0010 Rev F (or similar scheme to be agreed in writing with the Planning Authority).

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.

13. 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.

14. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. On completion of the approved remediation scheme a verification report shall

be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

15. Prior to development above damp proof course level, details and samples of all external materials for the dwellings, hereby permitted, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been approved unless otherwise agreed in writing by the LPA.

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

16. The planting and soft landscaping must be carried out in accordance with the approved plans and documents (Specification for soft landscape and landscape management – Dated 25th July 2021) and carried out before the end of the first available planting season following substantial completion of the development. In the ten year period following the substantial completion of the development any trees that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as shall be agreed in writing with the Local Planning Authority. In the event of any disagreement the Local Planning Authority shall conclusively determine when the development has been completed, when site conditions permit, when planting shall be carried out and what specimens, size and species are appropriate for replacement purposes.

Reason: To ensure that adequate mitigation for the landscape and visual impact of the proposals.

17. No external lighting of any kind, including but not limited to street lighting, bollards, security lights, decorative lighting or illuminated signage, shall be installed on the site until a full and detailed external lighting scheme has been submitted to and approved in writing by the Local Planning Authority.

The lighting scheme shall:

a) Demonstrate how the lighting proposal minimises light spill, glare and sky glow, and protects the dark-sky environment of the Cranborne Chase National Landscape and International Dark Sky Reserve;

- b) Include a layout plan showing the location of all light fixtures;
- c) Provide technical specifications for all luminaires, including lamp type, colour temperature (which shall not exceed 2700 Kelvin), luminaire design, mounting height, shielding, orientation and luminance levels;
- d) Include isolux contour plans and, where appropriate, vertical illuminance data demonstrating light levels at site boundaries and beyond;
- e) Incorporate measures to limit illumination to the minimum necessary for safety, including the use of timers, curfews, dimming controls and/or motion sensors; and
- f) Confirm that no upward light spill is created.

The approved lighting shall be installed, operated and maintained strictly in accordance with the approved details and shall not be altered, replaced or supplemented thereafter without the prior written approval of the Local Planning Authority.

The use of any lighting not approved under this scheme is expressly prohibited.

Reason: Reason: To restrict artificial internal light spill into the intrinsically dark Dorset National Landscape.

18. 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 roof enlargement(s) or alteration(s) of the dwellinghouse hereby approved, permitted by Class B and Class C of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

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

19. The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in the ecology report titled Ecological Impact Assessment Report, by abbas ecology and dated 27/01/2025, and certified by the Dorset Council Natural Environment Team on 02/05/2025.

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

i) the recommendations detailed in section 6 and 8 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 (LPA), and

ii) written evidence demonstrating compliance has been submitted to and approved in writing by the LPA.

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.

20. Prior to the installation of the permitted rooflights, details of the method(s) of securing the Visible Light Transmission at a maximum upper Visible Light Transition (VLT) of 0.65 shall be submitted to the Council for approval. Thereafter, all permitted rooflights - first installation and replacement - shall be fitted in accordance with the approved details and shall not exceed the maximum VLT limit of 0.65 at any time.

Reason: To restrict artificial internal light spill into the internationally recognised dark skies of Cranborne Chase National Landscape.

OR

B) Refuse permission for the reasons set out below if the agreement is not completed by 14th October 2026 or such extended time as agreed by the Corporate Director for Planning, the Service Manager for Development Management & Enforcement or the Development Management Northern Area Manager.

Reason for refusal: In the absence of a legally binding mechanism to ensure the delivery of affordable housing the proposal is contrary to Policies LN3 and LN4 of the Christchurch and East Dorset Part 1 Core Strategy (2014).

Informative Notes:

1. 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>

2. 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.

3. In addition to this permission, the vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email atdorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

4. 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

5. The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset Council's Highways Development team. They can be reached by telephone at 01305225401, by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at

6. 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.

7. Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.

Application Site: Lawn Bridge Lawn Bridge To Bridewell Lane - Road Motcombe

Proposal: Carry out works and repairs to undercut training wall & replace fencing

Recommendation: GRANT listed building consent subject to conditions as set out in section 18 of this report.

Decision: That the application be granted subject to the following conditions.

1. The work to which this listed building consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.

Reason: This condition is required to be imposed by reason of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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

Location Plan

Proposed Plan BS0198-700-002

Reason: To preserve the architectural and historical qualities of the building.

3. The detailed biodiversity mitigation, compensation and enhancement strategy set out within the Bridge Ecology and Biodiversity Mitigation Report, conducted by the Dorset Council Natural Environment Team on 16/06/25, must be strictly adhered to during the carrying out of the development.

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

- i) the mitigation, compensation and enhancement measures detailed in the Bridge Ecology and Biodiversity Mitigation Report have been completed in full, in accordance with any specified timetable.
- ii) evidence of compliance, including photographic evidence, in accordance with section B of the Bridge Ecology and Biodiversity Mitigation Report has been supplied to the Local Planning Authority. The development shall subsequently be implemented entirely in accordance with the Bridge Ecology and Biodiversity Mitigation 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.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

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

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The application was acceptable as submitted and no further assistance was required.

2. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

The Natural Environment Team, Dorset Council recommends that vegetation, hedge, shrubs and tree removal; translocation or cutting back avoids the bird nesting season which runs from mid-February to 31st August. This is in order to avoid impacts to nesting birds and infringement of the legislation.

Vegetation or site clearance as a result of this development should be undertaken outside of the nesting season specified above. In some seasons the nesting period may start before or extend beyond these dates, so the applicant should be aware that the dates are a guide only.

If clearance work has to be undertaken during the nesting season, a breeding bird survey needs to be carried out by a suitably qualified person no more than 48 hours before clearance /cutting works commence. Any active nests identified should be protected by a 5m exclusion zone until the young have left the nest.

As a general rule, it should be assumed that birds will be nesting in trees, scrub, reeds or substantial ditch side vegetation during the core breeding period, unless a survey had shown this not to be the case. In addition, some species are ground nesting, such as the skylark and lapwing, both of which can occur on grassland areas and cleared sites where there is a time lapse between demolition and development.

3. The applicant is advised that bats are protected in the UK by Schedule 5 of the Wildlife and

Countryside Act 1981 and Part 3 of Conservation of Habitats and Species Regulations 2017 (as amended). Work should proceed with caution and if any bats are found, all work should cease, the area in which the bats have been found should be made secure and advice sought from Natural England (tel: 0300 060 3900), website www.naturalengland.org.uk before proceeding.

Further information about the law and bats may be found on the following website <https://www.gov.uk/guidance/bats-protection-surveys-and-licences>