



Development Management

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Town and Country Planning Act 1990

**Town and Country Planning (Development Management Procedure) (England)
Order 2015**

Miss Charlotte Jaquest
Office F9
10 Whittle Road
Ferndown Industrial Estate
Wimborne
BH21 7RU

Grant of Full Planning Permission

Application reference no: **3/19/1399/FUL**

This permission does not carry any approval or consent which may be required under any enactment, by-law, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc.) other than Section 57 of the *Town and Country Planning Act 1990*.

Dorset Council in pursuance of powers under the above-mentioned Act hereby **PERMITS:**

Extend the existing skatepark and provide new flood lights

at Ferndown Skatepark Cherry Grove Ferndown BH22 9EZ

in accordance with the approved plans 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.

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

1014/1 Proposed Extended Area to Skate Park

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

3. Floodlighting must be off between the hours of 21:00 and 10:00 hours.

Reason: To safeguard the amenities of the area and to minimise the possibility of inconvenience to nearby residents.

4. No additional external lighting shall be installed without the express written permission of the Local Planning Authority.

Reason: To safeguard the amenities of the area and to minimise the possibility of inconvenience to nearby residents.

5. The development hereby approved shall not be first brought into use unless and until the mitigation measures as detailed in the approved mitigation plan by ABR Ecologist signed by Dorset NET dated 12.11.19 have been completed in full, unless any modifications to the agreed mitigation plan as a result of the requirements of a European Protected Species Licence, or the results of subsequent surveys have first been submitted to and agreed in writing by the local planning authority. Thereafter approved mitigation measures shall be permanently maintained and retained in accordance with the approved details, unless otherwise first agreed in writing by the local planning authority.

Reason: In the interests of nature conservation.

The following Informative Notes are drawn to the Applicant's attention:

The applicant's attention is drawn to the need to comply with all conditions imposed on this permission. There may be conditions that require the submission of additional details and these may be needed before the commencement of the approved development. Failure to comply with all conditions may result in the Council serving a breach of condition notice against which there is no right of appeal. Note that legislation requires the payment of a fee in respect of requests to discharge conditions.

Signed



Mike Garrity
Nominated Officer

Decision Date: 26 November 2019

NOTES TO THE APPLICANT

Town and Country Planning (Development Management Procedure) (England) Order 2015 and paragraphs 39 and 40 of the National Planning Policy Framework (February 2019)

In accordance with the above, Dorset Council has worked with the applicant in a positive and proactive way by offering to engage in pre-application discussions and, where possible, by enabling problems to be resolved within applications in accordance with its Development Management Charter. In responding to pre-application enquires and determining formal applications, Dorset Council always seeks to look for solutions rather than problems so that applications for sustainable development can be approved, thereby resulting in improvements to the economic, social and environmental conditions of the area.

Policy considerations and reasons

In reaching this decision the policies in the Development Plan for the area, which currently comprises the Christchurch and East Dorset Local Plan Part 1 – Core Strategy 2014, were taken into account. Saved policies within the East Dorset Local Plan 2002 were also taken into account. These include specifically the following policies:

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|--------|---|
| KS1 | Presumption in favour of sustainable development |
| HE4 | Open Space Provision |
| HE2 | Design of new development |
| DES2 | Criteria for development to avoid unacceptable impacts from types of pollution. |
| LTDEV1 | Criteria for external lighting on developments. |
| ME2 | Protection of the Dorset Heathlands |
| ME1 | Safeguarding biodiversity and geodiversity |
| KS3 | Green Belt |

Appeals to the Secretary of State

- If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant it subject to conditions, then you may appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. The appeal will be dealt with, on behalf of the Secretary of State, by The Planning Inspectorate.
- If you want to appeal your Local Planning Authority's decision then you must do so within six months of the date of this Notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application, and if you want to appeal

against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

- Appeals must be made using the Appeals Casework Portal which is available at <http://www.planningportal.gov.uk/planning/appeals/> alternatively, please call The Planning Inspectorate on 0303 444 5000.
- The Planning Inspectorate can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of the appeal.
- The Planning Inspectorate need not consider an appeal if it seems that the Local Planning Authority could not have granted planning permission for the proposed development, or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order, and to any directions given under a development order.
- In practice the Planning Inspectorate does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

Purchase Notice

If either the local planning authority or the Planning Inspectorate refuse permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.