



Planning Services

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Dorchester, Dorset, DT1 1XJ

📞 01305 838336- **Development Management**

📞 01305 224289- **Minerals & Waste**

🌐 www.dorsetcouncil.gov.uk

Mr Simon Rutter
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Date: 2 October 2024

Ref: P/FUL/2024/01856

Case Officer: Jim Bennett

Team: Northern



✉ Jim.Bennett@dorsetcouncil.gov.uk

Planning Decision Notice

Full Planning Application

Town and Country Planning Act 1990

Town and Country Planning

(Development Management Procedure) (England) Order 2015

Application Number:	P/FUL/2024/01856
Location:	Land At Mampitts Lane Mampitts Lane Shaftesbury SP7 8GL
Description:	Erection of community hub/cafe building with offices over, associated car parking & associated public amenity park

Dorset Council **grants** planning permission for this development as detailed in the application. In making this decision the Council considered whether the application could be approved with or without conditions or should be refused.

This planning permission does not cover Building Regulations Approval or any other Byelaw, Order or Regulation. Please see our website www.dorsetcouncil.gov.uk/planning-buildings-land/building-control/building-control for more details about making a building regulation application and contacting our Building Control Team.

This planning permission is 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:

S03 Location plan
P01 Proposed ground floor plans
P02 Proposed first floor plans
P04 Proposed south-west & north-west elevations
P05 Proposed south-east & north-east elevations
P03 Proposed roof plan & bin store details
P07 B Proposed renders 1-3
P08 B Proposed renders 4-6
P11 F Landscaping layout

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

3. 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 surface water scheme shall 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.

4. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 14.12.2023 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/net gain measures detailed in the approved biodiversity plan have been completed in full, unless any modifications to the approved Biodiversity Plan as a result of the requirements of a European Protected Species Licence have first been submitted to and agreed in writing by the Local Planning Authority, and

ii) evidence of compliance in accordance with section J of the approved Biodiversity Plan has been supplied to the Local Planning Authority.

Thereafter the approved mitigation, compensation and enhancement/net gain measures must be permanently maintained and retained in accordance with the approved details.

Reason: To mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

5. Before the development hereby approved commences an Environment and Construction Method Statement (ECMS) must be submitted to and approved in writing by the Planning Authority. The ECMS must include:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- delivery, demolition, and construction working hours

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To minimise the likely impact of construction traffic and activity on the surrounding highway network and area.

6. Before the development is occupied or utilised the first 5.00 metres of each vehicular access, measured from the rear edge of the highway, must be laid out and constructed to a specification submitted to and approved in writing by the Planning Authority.

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

7. Before the development hereby approved is occupied or utilised the turning/manoeuvring and parking shown on Drawing Number P06 Rev D 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.

8. Before the development is occupied or utilised the cycle parking facilities shown on Drawing Number P01 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.

9. No works or development shall take place before a scheme for the protection of the existing trees and hedges to be retained shown on drawing number STC-TPP-1 - Tree

Protection Plan has been submitted to and approved in writing by the local planning authority. Such a scheme will comply with the provisions of BS58372005 (Trees in relation to construction) or any replacement standard that may be in force at the time that the development commences. The approved scheme for the protection of the existing trees shall be implemented before development commences and be maintained in full until the development has been completed.

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.

10. Prior to commencement of development, a Landscape Management Plan, including long term design objectives, management responsibilities, maintenance schedules and a timetable for implementation and/or phasing; for all landscape areas, including the street trees on Maple Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the Landscape Management Plan shall be implemented as approved.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation or historical significance.

11. Prior to the commencement of any development hereby approved, above damp course level, a soft landscaping and planting scheme, including full details of the planting medium/tree pits for the heavy standard street trees adjoining Maple Road, shall be submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years.

Reason: In the interest of visual amenity.

12. Prior to the installation and use of a kitchen extraction system, a scheme containing full details of the arrangements for internal air extraction, odour control, and discharge to atmosphere from cooking operations, including any external ducting and flues and details of operating hours shall be submitted to and approved in writing by the LPA along with an appropriate odour assessment. The works detailed in the approved scheme shall be installed in their entirety before the use hereby permitted is commenced. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions and always operated when cooking is being carried out unless agreed in writing by the LPA.

Reason: To control noise and odour emissions in the interests of adjoining amenity

13. Prior to the commencement of installation of externally mounted plant, details of such plant shall be submitted to the LPA along with a suitable and sufficient noise assessment. Such an assessment could be conducted in accordance with BS4142:2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. The assessment shall be submitted to and approved in writing by the LPA. The agreed scheme (together with any required measures) shall be installed to the agreed specification prior to the first use and maintained and operated in that condition thereafter unless agreed in writing by the LPA.

Reason: In the interest of residential amenity.

Informatives:

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

2. 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 development of land in England is deemed to have been granted subject to the condition (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 not require the approval of a biodiversity gain plan before development is begun because the development is 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).

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Read more about Biodiversity Net Gain at
<https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain>

3. In respect of the ECMS condition no. 5, due to the close vicinity of existing residential dwellings to this site, construction works should have regard to the following to protect residents from nuisance, the ECMS must make provision for the hours of construction work to be limited to Monday – Friday 0700 – 1900, Saturday 0800 – 1300 and no noisy activity on Sundays or Bank Holidays
4. In respect of condition no. 6 above, the details of the access/parking arrangements should make provision for raised kerbing and footway at the eastern extent of the linear parking spaces to protect pedestrians from vehicle movements.



Decision Date: 2 October 2024

Mike Garrity
Head of Planning
Economic Growth and Infrastructure

Planning Decision Notes

Power to grant planning permission

This permission is issued by Dorset Council as the local planning authority set out by the Town and Country Planning Act 1990 (as amended) and the Town and Country (Development Management Procedure) (England) Order 2015.

Site notice

If you have not already done so I would be grateful if you could take down and dispose of this application's site notice if it is still being displayed outside the property.

Conditions

You should not start work until you have agreed with the Council the information requested by the conditions. If you fail to do this the works on site could be unauthorised and the Council may consider enforcement action.

The information must be submitted in writing. There is a standard form which you can download from the website www.dorsetcouncil.gov.uk/planning. A fee is required each and every time you apply to discharge any or all of the conditions (£43 per request for householder applications, £145 per request for all other applications).

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

Appeals

If you disagree with our planning decision or the attached conditions, then you can appeal to the Secretary of State (Planning Inspectorate) under section 78 (1) of the Town and Country Planning Act 1990.

If you want to appeal, 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 you want to appeal against our enforcement notice, then you must do so within 28 days of the date of service of the enforcement notice.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. <https://www.gov.uk/appeal-planning-decision>

An appeal must be made by the applicant. Forms are available on-line at Appeals - Appeals - Planning Portal

The Planning Inspectorate can allow a longer period for giving notice of an appeal, but they will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Planning Inspectorate need not consider an appeal if it seems that we could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

The Planning Inspectorate does not normally refuse to consider appeals solely because we based our decision on a direction given by them.

For further information about making can be found at www.planningportal.co.uk

Southern Gas Networks – Overbuild Advisory

There are several risks created by building over gas mains and services. If you plan to dig, or carry out building work to a property, site or public highway you should check your proposal against the information held at <https://www.linesearchbeforeudig.co.uk/> for any underground services.

Purchase Notices

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

If this happens, the owner may serve a purchase notice on the Council. 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 (as amended).

Street Naming and Numbering

The Council is responsible for street naming and numbering within our district. This helps to effectively locate property for example, to deliver post or in the case of access by the emergency services. If this permission results in the creation, deletion or change to an address, you must let us know. You need to register the new or changed address by completing a form. You can find out more and download the form from our website www.dorsetcouncil.gov.uk