



Development Management
County Hall, Colliton Park
Dorchester, Dorset, DT1 1XJ
) 01305 838336
8 www.dorsetcouncil.gov.uk

Spruce Town Planning Ltd
46 Chalvington Road
Chandlers Ford
Eastleigh
SO53 3DX

Date: 7 January 2022
Ref: 2/2020/0577/FUL
Case Officer: Robert Lennis
Team: Northern Team
) 01258 484365
* robert.lennis@dorsetcouncil.gov.uk

Town and Country Planning Act 1990
Town and Country Planning
(Development Management Procedure) (England) Order 2015

Planning Decision Notice

Full Planning Application

Application Number: 2/2020/0577/FUL
Applicant: Pennyfarthing Homes Ltd
Location: Land At E 386515 N 116640 South Street Fontmell Magna Dorset
Description: Erect 30 No. dwellings with garages, form vehicular access, parking and a school drop off area. Carry out landscaping works including the diversion of the public footpath at the northern end of the site.
Decision Date: 7 January 2022

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/contacts/building-control-contacts for more details about making a building regulation application and contacting our Building Control Team.

This planning permission is subject to conditions set out over the page. The applicant's attention is drawn to the need to comply with all conditions imposed on this permission. There may be conditions that require additional details to be submitted and this may be needed before work can start on the development. Failure to comply with all conditions may result in the Council serving a breach of condition notice, of which, there is no right of appeal. Note that legislation requires the payment of a fee in respect of requests to discharge conditions.

Signed

A handwritten signature in black ink, appearing to read "Mike Garrity".

Mike Garrity
Head of Planning
Economic Growth and Infrastructure

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:

Location Plan - 5939-WLA-ZZ-XX-DR-A-1001 Rev A
Block Plan - 5939-WLA-ZZ-XX-DR-A-1002-Rev C
Proposed Site Layout - 5939-WLA-AF-XX-DR-A-1005 Rev G
Proposed Street Scene & Section - 5939-WLA-XX-XX-DR-A-1010
Materials Drawing - 5939-WLA-ZZ-XX-DR-A-1013 Rev A
House Type A1 – Plans - 5939-WLA-OM-XX-DR-A-1110 Rev A
House Type A1 – Elevations - 5939-WLA-OM-XX-DR-A-1111 Rev B
House Type A2 – Plans - 5939-WLA-OM-XX-DR-A-1150 Rev B
House Type A2 – Elevations - 5939-WLA-OM-XX-DR-A-1151 Rev B
House Type B1 – Plans - 5939-WLA-OM-XX-DR-A-1210 Rev A
House Type B1 – Elevations - 5939-WLA-OM-XX-DR-A-1211 Rev A
House Type B2 – Plans - 5939-WLA-OM-XX-DR-A-1220 Rev A
House Type B2 – Elevations - 5939-WLA-OM-XX-DR-A-1221 Rev A
House Type C1 – Plans - 5939-WLA-OM-XX-DR-A-1300 Rev B
House Type C1 – Elevations - 5939-WLA-OM-XX-DR-A-1301 Rev B
House Type C2 – Plans - 5939-WLA-OM-XX-DR-A-1400 Rev B
House Type C2 – Elevations - 5939-WLA-OM-XX-DR-A-1401 Rev B
House Type C3 – Plans - 5939-WLA-OM-XX-DR-A-1410 Rev A
House Type C3 – Elevations - 5939-WLA-OM-XX-DR-A-1411 Rev A
House Type D – Plans - 5939-WLA-OM-XX-DR-A-1310 Rev B
House Type D – Elevations - 5939-WLA-OM-XX-DR-A-1311 Rev B
House Type E1 – Plans - 5939-WLA-OM-XX-DR-A-1530 Rev A
House Type E1 – Elevations - 5939-WLA-OM-XX-DR-A-1531 Rev A
House Type E3 – Plans - 5939-WLA-OM-XX-DR-A-1540 Rev A
House Type E3 – Elevations - 5939-WLA-OM-XX-DR-A-1541 Rev A
House Type E4 – Plans - 5939-WLA-OM-XX-DR-A-1550 Rev A
House Type E4 – Elevations - 5939-WLA-OM-XX-DR-A-1511 Rev A,
House Type E4 – Elevations - 5939-WLA-OM-XX-DR-A-1551 Rev A
House Type F – Plans - 5939-WLA-OM-XX-DR-A-1520 Rev A
House Type F – Elevations - 5939-WLA-OM-XX-DR-A-1521 Rev A
House Type E&G – Plans - 5939-WLA-OM-ZZ-DR-A-1600 Rev A
House Type E&G – Elevations - 5939-WLA-OM-XX-DR-A-1601 Rev A
House Type K1 – Plans - 5939-WLA-SH-XX-DR-A-1900 Rev B
House Type K1 – Elevations - 5939-WLA-SH-XX-DR-A-1901 Rev B
House Type K2 - Plans - 5939-WLA-SH-XX-DR-A-1910 Rev A
House Type K2 – Elevations - 5939-WLA-SH-XX-DR-A-1911 Rev A
House Type L2-3-2-Plans - 5939-WLA-AF-XX-DR-A-2300 Rev B
House Type L2-3-2-Elevations - 5939-WLA-AF-XX-DR-A-2301 Rev B
House Type L4-5-4-Plans - 5939-WLA-AF-XX-DR-A-2400 Rev A
House Type L4-5-4-Elevations - 5939-WLA-AF-XX-DR-A-2401 Rev A

House Type M1 – Plans - 5939-WLA-ST-XX-DR-A-2500
House Type M1 – Elevations - 5939-WLA-ST-XX-DR-A-2501
Single Garage - 5939-WLA-MS-XX-DR-A-3000 Rev A
Double Garage - 5939-WLA-MS-XX-DR-A-3001 Rev A
Twin Garage - 5939-WLA-MS-XX-DR-A-3002 Rev A
Double Garage – 5939-WLA-MS-XX-DR-A-3003 Rev A
Tree Protection Plan reference no 17271-7

Reason: For the avoidance of doubt and to clarify the permission.

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

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

4. No development shall take place until details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system have been 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.

5. Prior to commencement of any highway works, details of the access, geometric highway layout, turning and parking areas shall have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the proper and appropriate development of the site

6. Before the development is occupied or utilised the first 15.00 metres of the vehicle 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 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.

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

- a. The upgrading of the existing footpath on the site's eastern boundary , providing access to the village hall, primary school and recreation ground, to provide an all-weather surface suitable for use, in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority.

b. right turn lane access as shown in indicative form on plan IMA-17-163 Plan 2 Rev A within the Transport Statement (IMA Transport Planning, April 2020 IMA-19/124) the full details of which must be submitted to and agreed in writing with the Local 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.

8. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on plan IMA-17-163 Plan 2 Rev A within the Transport Statement (IMA Transport Planning, April 2020 IMA-19/124) must be cleared/excavated to a level not exceeding 0.6 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.

9. No development hereby approved above damp proof course shall commence until samples and product details of all proposed materials for roofing, chimneys, walling and external surfacing are to be provided along with sample panels (min. 1m x 1m), to be constructed on site showing the proposed coursing and pointing of all types of external masonry walls. These details shall be approved in writing by the local planning authority and the development shall thereafter accord with the approved materials.

Reason: To safeguard the character of the locality.

10. All windows and external doors within the development shall be in timber, and rainwater goods shall have a black external finish. Details (sections at 1:5 and elevations at 1:10) of all new window (including cills, arches, and lintels) and external door types are to be provided and approved in writing by the local planning authority prior to commencement. Each type is to be clearly cross-referenced with its position on the respective plots throughout the development. The development shall be carried out in accordance with the agreed details.

Reason: To safeguard the character of the locality.

11. No development hereby approved above damp proof course shall commence until details of all boundary materials and treatments are to be provided and approved in writing by the local planning authority and the development shall thereafter accord with the approved details.

Reason: To safeguard the character of the locality.

12. Prior to occupation of any dwelling hereby approved, details of all tree, shrub and hedge planting (including positions, density, species and planting size) shall be submitted to and approved in writing by the Local Planning Authority. Planting shall be carried out before the end of the first available planting season following substantial completion of the development. In the five 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 may be agreed 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: In the interests of public amenity and ecology.

13. The development hereby permitted must not be occupied or utilised until a scheme showing details of the proposed cycle parking facilities is submitted to and approved in writing by the Local Planning Authority. The approved scheme 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.

14. Prior to commencement of any works on site, a Construction Traffic Management Plan (CTMP) shall be submitted to and agreed in writing by the Local Planning Authority. The CTMP shall include details of the following;

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

The development shall thereafter be carried out 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.

15. The development shall be carried out in accordance with the submitted Biodiversity Mitigation and Enhancement Plan (BMEP) dated 21.06.21. The BMEP shall be implemented in full and in accordance with the timeframes stated therein.

Reason: To order to ensure that the ecology interests of the site are protected and enhanced where appropriate.

16. Prior to commencement of any works on site, a Landscape and Ecological Management Plan (LEMP) 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 LEMP.

Reason: To order to ensure that the ecology interests of the site are protected and enhanced where appropriate.

17. 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.

18. Prior to commencement of works a site-specific Arboricultural Method Statement expanding on the heads of terms detailed within section 2.5 of the Barrell's report reference no. 17271-AA-CA-5.docx. shall be submitted to and approved in writing by the Local Planning Authority. This should also look to provide detail on the custom designed no-dig specification surfacing that encroaches into the root protection areas of G11 and G14. The development shall be carried out in accordance with the approved statement.

Reason: To ensure thorough consideration of the impact of the development and any mitigating measures on the existing trees.

19. The Tree Protection Plan reference no 17271-7, shall be adhered to in full subject to the pre-arranged supervision detailed within section 2.3 of the preliminary AMS reference no. 17271-AA-CA-5.docx which should be undertaken by a suitably qualified and pre-appointed tree specialist.

Reason: In order to protect trees on site which are to be retained and to protect and enhance the biodiversity interests of the site.

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 applications/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. 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. 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/planning-buildings-land/street-naming-and-numbering

3. Informative: 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 County Council's Developer-Led Infrastructure

team. They can be contacted by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Developer-Led Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.

4. Informative: 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 County Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at Dorset Direct (01305 221000), by email at dorsetdirect@dorsetcc.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
5. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated ## ## relating to [Insert key matters covered in the agreement]
6. The applicant is reminded of their responsibility to submit evidence of compliance with the Biodiversity Plan to Dorset Natural Environment Team in order to comply fully with requirements of condition xx.

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.

Removal of application 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.

How to comply with the conditions of your planning permission

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 (£34 per request for householder applications, £116 per request for all other classes).

Appeals to the Secretary of State

If you disagree with our 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 this decision is on a planning application relating to the same or substantially the same land and development that is already subject to an **enforcement notice**, if you want to appeal against our decision on your application, then you must do so within 28 days of the date of this decision 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 decision, 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 the decision notice, whichever date expires first.

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. Further details are on GOV.UK.

An appeal must be made by the applicant. You must use a form that you can get from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or an appeal can be made on-line at this website www.planningportal.gov.uk/pcs

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.

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