

**LAND SOUTH OF LOWER ROAD, STALBRIDGE**  
**LPA REF: 2/2020/0406/OUT**  
**APPEAL REF: APP/D1265/W/20/3265743**

**Suggested Conditions Agreed between the Parties**

1. No part of the development hereby approved shall commence until details of all reserved matters, including layout, appearance, scale, and landscaping have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory development of the site.

2. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990 (as amended).

3. An application for approval of any 'reserved matter' must be made 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 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Dwg No. 1001B, Site Boundary Plan;
  - Dwg No. 194687-A02 Rev A, Proposed Pedestrian & Vehicular Access (East) General Arrangement, Visibility Splays and Swept Path Analysis (Large Refuse Vehicle); and
  - Dwg No 194687-A01 Rev A, Proposed Pedestrian & Vehicular Access (West) General Arrangement, Visibility Splays and Swept Path Analysis (Large Refuse Vehicle).

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

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

Reason: In the interest of safety to ensure the proper and appropriate development of the site.

6. Prior to the occupation of any dwelling or commercial building hereby approved, a scheme showing precise details of the proposed cycle parking facilities shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme must be constructed before the development is 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.

7. Prior to occupation of any dwelling or commercial building hereby approved, the visibility splay areas as shown on the submitted plans (refs: Drw No 194687-A02 Rev A and Dwg No 194687-A01 Rev A) 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: In the interest of safety to ensure that a vehicle can see or be seen when exiting the access.

8. Prior to the occupation of any dwelling hereby approved, the following works must have been carried out and provided:

- The provision of a dedicated pedestrian access and a dropped kerb and tactile paving crossing onto Lower Road at the northwestern corner of the site.
- The provision of pedestrian access points from the site onto Lower Road and the public right of way that runs along the site's southwestern boundary.
- The vehicular access points from Lower Road to the development site, as shown on the approved plans (Ref: Drw No 399194687-A02 Rev A and Dwg No 194687-A01 Rev A).

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.

9. Prior to the occupation of any commercial building hereby approved, the following works must have been carried out and provided:

- The provision of a dedicated pedestrian access and a dropped kerb and tactile paving crossing over onto Lower Road at the northwestern corner of the site.
- The provision of pedestrian access points from the site onto Lower Road and the public right of way that runs along the site's southwestern boundary.
- The western vehicular access point from Lower Road to the development site, as shown on the approved plan (Ref: Drw No 399194687-A01 Rev A).

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.

10. Prior to commencement of any works on site, a Construction Traffic Management Plan (CTMP) shall be submitted to and agreed in writing by the Planning Authority. The CTMP shall include as a minimum:

- 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.

11. Prior to the occupation of any dwelling hereby approved, a Residential Travel Plan must be submitted to and agreed in writing by the Planning Authority. The Residential Travel Plan, as

submitted, shall incorporate the measures set out in the Framework Travel Plan dated March 2020 and include as a minimum:

- Targets for sustainable travel arrangements.
- Effective measures for the on-going monitoring of the Travel Plan.
- A commitment to delivering the Travel Plan objectives for a period of at least five years from 50% occupation of the development.
- Effective mechanisms to achieve the objectives of the Travel Plan by the occupiers of the development

The development must be occupied in accordance with the approved Travel Plan.

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.

12. Prior to the occupation of any commercial building hereby approved, a Commercial Travel Plan must be submitted to and agreed in writing by the Planning Authority. The Commercial Travel Plan, as submitted, shall incorporate the measures set out in the Framework Travel Plan dated March 2020 and include as a minimum:

- Targets for sustainable travel arrangements.
- Effective measures for the on-going monitoring of the Travel Plan.
- A commitment to delivering the Travel Plan objectives for a period of at least five years from 50% occupation of the development.
- Effective mechanisms to achieve the objectives of the Travel Plan by the occupiers of the development

The development must be occupied in accordance with the approved Travel Plan.

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.

13. Prior to the commencement of any works on site, a detailed and finalised surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, shall be submitted to, and approved in writing by the local planning authority. The surface water scheme thereby approved, shall be implemented in accordance with the approved details before the development is completed.

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

14. Prior to commencement of any works on site, details of the 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 which covers 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.

15. The development hereby approved shall be completed in accordance with the submitted Biodiversity Plan (BP)(dated 6 September 2021). In particular, the reserved matters application(s) shall provide detail of all mitigation measures and on the following ecological enhancement measures:

- 10 bird nesting boxes (Schwegler 1B) to retained trees;
- 50% of residential dwellings to have built-in bird nesting features;
- The detailed landscape strategy to prescribe native species of local provenance (This should include a range of species to provide berry and fruits and those that provide a diverse structure and form);
- New native hedgerow planting incorporating standard native trees within public open space and provided to replace loss of H1 by two-fold;
- Retained hedgerows to be subject to target bolster/enhancement planting to increase species diversity;
- New hedgerows to include standard native trees with a minimum of 20m between trees to allow for full crown development;
- New hedgerows to be subject to a minimum 2m buffer either side of the hedge starting at the edge of the hedge (assuming mature width of 1.5m) within residential zones with this increased to a minimum 5m buffer within non-residential zones;
- Hedgehog friendly gravel boards / holes (10cm x 10cm) in garden fencing between houses;
- Two bee bricks per dwelling;
- New wildlife pond to be designed in line with Natural England's Great Crested Newt Mitigation Guidelines;

- Two drainage attenuation features to be designed for the benefit of wildlife and to hold an element of water throughout the year;
- Open space to be designed to accommodate a mosaic of new habitats to provide enhanced habitat for a range of additional faunal groups, such as herpetofauna and invertebrates;
- Management details of habitats for wildlife: hay meadow management regime of species-rich grassland, cutting of new established hedgerows to encourage wildlife.

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

16. Prior to commencement of any works on site, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the location planning authority. As a minimum the CEMP shall include details of the following:

- Measures to be adopted during construction works to avoid any adverse impacts on the Stalbridge SNCI;
- In relation to retained habitats (hedgerows and trees) appropriate protective fencing in line with BS42020: 2013 (Biodiversity: Code of Practice for Planning and Development) and BS 5837: 2012 (Trees in Relation to Design, Demolition and Construction – Recommendations);
- Specifically for hedges, root protection zones would be safeguarded in line with provisions under BS 5837:2012
- In relation to newly seeded species-rich grassland, the ground preparation to be carried-out as required prior to seeding in line with the suppliers' recommendations. Including the required removal of undesirable species which may out-compete the grassland during establishment.;
- avoidance measures in relation to the potential presence of nesting birds, Badgers, Hazel Dormice and Great Crested Newts as set out in Dorset Council's Great Crested Newt Licence Scheme Guidance Note.

The development shall be carried-out in accordance with the agreed details.

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

17. Prior to commencement of any works on-site, a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall have due regard to the submitted Biodiversity Plan (BP)(dated 6 September 2021) and include the following:

- a) Description and evaluation of features existing and, or, to be created and managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management as set out in the BP.
- d) Appropriate management options for achieving aims and objectives.

- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (or bodies) responsible for its delivery.

The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Thereafter, the development shall be carried-out and implemented in accordance with the approved LEMP.

Reason: To protect the landscape character of the area and to mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

18. Lighting strategy – Prior to occupation or use of an dwellings or buildings hereby approved a detailed lighting strategy shall be submitted to and agreed in writing by the local planning authority as set out in the submitted Biodiversity Plan (dated 6 September 2021). Amongst other relevant details set out in the BP, the lighting scheme should be designed by a suitably qualified person and shall be in accordance with the Bat Conservation Trust’s Guidance Note 08/18 (Bats and artificial lighting in the UK). The lighting strategy thereby agreed shall be implemented in accordance with the agreed details and remain throughout the lifetime of the development.

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

19. No more than 200sqm of the 2000 sqm of Class E employment space hereby approved shall be used as retail space.

Reason: in the interest of protecting the vitality and viability of Stalbridge District Centre

20. Details of the extract ventilation and odour control equipment, including details of any noise levels, noise control and external ducting if the space is used as a café, shall be submitted to and

approved in writing by the Local Planning Authority prior to its installation and operation. The development shall be implemented in accordance with the approved details and thereafter maintained.

Reason: To protect the vitality and viability of the town centre and the amenity of local residents.