

Inspector,

This is a work in progress. Substantially complete. Both parties are working collaboratively to refine this list of conditions prior to the inquiry.

Appeal – W/25/3372602 - Land to the rear of 156-172, South Street, Bridport, DT6 3NP

Suggested conditions

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

«Plan_numbers»

2. 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.

Lead Local Flood Authority –

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 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.

Local Highway Authority –

5. Prior to commencement of any works on site **details of the off-site access** arrangements and works shown on Drawing no 01-PHL-101 shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the access shall be constructed in accordance with the agreed details and maintained as such in perpetuity.
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.

6. Prior to occupation of any dwelling hereby approved, **the access, geometric highway layout, turning and parking areas** shown on Drawing Number 10128BP-PA01 Rev E must be constructed, Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified. Reason: To ensure the proper and appropriate development of the site.

7. Prior to occupation of any dwelling hereby approved, a **Travel Plan** must be submitted to and approved in writing by the Planning Authority. The Travel Plan, as submitted, will include:

- 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 first occupation of the development.
- Effective mechanisms to achieve the objectives of the Travel Plan by the occupiers of the development.

The development must be implemented only 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.

8. 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.

9. Prior to their installation a scheme showing precise details (including the technical specification) for the provision of the **electric gate(s)** must be submitted to and approved in writing by the Planning Authority. The approved scheme must be constructed before any part of the development hereby permitted is occupied or utilised. Thereafter, the electric gate(s) must be maintained and available for the purpose specified.

Reason: To ensure the free and easy movement of vehicles through the access and to prevent any likely interruption to the free flow of traffic on the adjacent public highway.

10. Prior to commencement of any works on site (other than those required by this condition) **the first 15.00m of the proposed access road**, including the junction with the existing public highway, must be completed to at least binder course level.

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.

Ecology –

11. Prior to occupation of any dwelling hereby approved, the mitigation and enhancement measures detailed in the **Reptile** Survey Report and Reptile Mitigation Strategy (dated October 2025) shall be completed in full and evidence of completion submitted to and agreed in writing by the Local Planning Authority. Thereafter the mitigation must be permanently maintained and retained in accordance with the RSR and RMS.

Reason: In light of information submitted by the applicant's ecologist it is considered necessary to mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

12. The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in the Preliminary **Ecological Appraisal** report by Tetra Tech and dated May 2024. The development hereby approved must not be first brought into use unless and until:

- i) the recommendations detailed in section 4 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, and
- ii) evidence of compliance has been supplied to the Local Planning Authority prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner.

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.

13. Prior to commencement a detailed **lighting** strategy which reflects the need to avoid harm to protected species shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy must demonstrate that light spill onto the riparian corridor, from all internal and external lighting fixtures, is no greater than 0.5 lux. The riparian corridor in this instance is defined as the river, riverbank and 10m from the top of the riverbank.

The strategy should address all aspects of lighting that will be introduced, including:

- i. the extent of areas to be illuminated including lux levels, by way of a lighting contour plan;
- ii. the types of lighting that will be used;
- iii. the specification for all light fixtures including measures to prevent light spill.

The lighting design for the site must follow guidance from the Institute of Lighting Professionals' (ILP) Guidance Note 8 Bats and Artificial Lighting (ILP, 2023).

Where acceptable levels cannot be achieved through compliance with the ILP Guidance Note alone, additional measures will be required to reduce light transmission, such as application of glazing films to reduce light transmission. The lighting shall be implemented in accordance with the approved strategy. Lighting that is not detailed within the lighting strategy must not be installed within the site area at a later date without the written consent of the Local Planning Authority.

Reason: The appellant's EcoAppraisal indicates the presents of bats foraging across the site. This is needed in the interests of biodiversity

13b - Prior to the commencement of development on the site, a Construction Environmental Management Plan (**CEMP**) (Biodiversity) must be submitted to and approved in writing by the local Planning Authority. The CEMP must include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs

The development shall take place strictly in accordance with the approved CEMP.

Reason: To protect biodiversity during the construction phase.

Public Health –

Raised a concern regarding building ventilation. I thought this was now a requirement of Bld Reg, if not a condition would be required “Prior to occupation...” Your comments please.

Env Agency –

The EA is doubling up on the need to investigate land contamination, see comments from the Council’s consultant WPA if need. We just need to cover off their concerns. I think the LPA’s condition below is more to the point of what’s needed. But, we need to agree on this...your comments please.

14. No development approved by this planning permission shall commence until a **remediation** strategy to deal with the risks associated with **contamination** of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified: all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those offsite.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the National Planning Policy Framework.

15. Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved **remediation** strategy and the effectiveness of the remediation shall be submitted to and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with

the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with Paragraph 187 of the National Planning Policy Framework.

16. If, during development, **contamination not previously identified** is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with Paragraph 187 of the National Planning Policy Framework.

17. **No drainage systems for the infiltration of surface water** to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with Paragraph 187 of the National Planning Policy Framework.

Env Hlth –

Land contamination

18. Prior to the commencement of the development hereby approved the following information shall be submitted to and agreed in writing by the Local Planning Authority:) a site investigation report detailing ground conditions, a 'conceptual model' of all potential pollutant linkages, and incorporating risk assessment. 2) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed. 3) a detailed phasing scheme for the development and remedial works (including a time scale). 4) a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time. The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development hereby permitted first comes in to use or is occupied. On completion of the development written confirmation that

all works were completed in accordance with the agreed details shall be submitted to the Local Planning Authority.

Reason: There was a gasworks area in the northern part of the site. Our consultants note that past remediation may not be to current requirements. Condition considered to be essential.

Natural England –

Have their concerns all been addressed in the S106? Were there any? Their response is a 'scatter gun' approach to cover everything.