

Strategic and Technical Planning Committee

18 November 2024

Traffic Regulation Order – Mampitts Road Vehicle Restriction Facility

For Decision

Cabinet Member and Portfolio:

Cllr J Andrews, Place Services

Local Councillor(s):

Cllr Derek Beer, Shaftesbury Town Ward

Cllr Jack Jeanes, Shaftesbury Town Ward

Executive Director:

Jan Britton, Executive Lead for Place

Report Author: Alison Curtis

Job Title: Highways Development Team Leader

Tel: 01305 225372

Email: alison.curtis@dorsetcouncil.gov.uk

Report Status: Public

Brief Summary:

On 12 February 2007, the Secretary of State for Communities and Local Government granted planning permission on appeal for the development of land north of A30 Salisbury Road North and South of Mampitts Lane, Shaftesbury, Dorset (APP/N1215/1191202) at a development known as 'The Maltings'.

Planning Permission was granted subject to a condition that requires the provision of a Bus Route which shall, in particular, include details to secure that at all times the Bus Route at the junction of Mampitts Lane can only be used by buses, bicycles and pedestrians. This is defined in the planning permission as "the Vehicular Restriction Facilities".

The vehicle restriction facility will consist of a physical and localised narrowing of Mampitts Road to 3.6m, along with speed cushions and associated regulatory signage as detailed within drawing ref. PSC/E3913/126 Rev N (See Appendix A). The physical works will be accompanied by a Traffic Regulation Order (TRO)

which will prohibit the use of a 13m section of Mampitts Road by any classes of traffic other than buses, pedestrians and cyclists.

The TRO has been consulted upon in accordance with statutory requirements and details of the consultation responses can be found at section 3 of this report. No objections were raised by the Emergency Services or Local Members.

Shaftesbury Town Council resolved to offer no comment on the TRO and to request a delay to the TRO implementation until such time as the spine road is completed to Wincombe Lane or an alternative route provided.

121 responses were received in response to the public consultation. Of these 34 supported the proposals, 78 were against and 9 were general comments. There have been 8 comments made after the consultation closed, but these have not been included.

As objections have been made to the TRO and because the TRO has the effect of prohibiting the loading or unloading of certain classes of vehicles in Mampitts Road, the Council is required to appoint an inspector to hold a public inquiry before determining whether to make the TRO (with or without modification).

This report is brought to Committee for a decision as to whether the Council is minded to make the TRO (with or without modification). This decision will form the basis of the Council's position at the public inquiry.

The inspector will prepare a report following the public inquiry which sets out their recommendation. The Inspector's report will be reported to the Cabinet Member for Place Services or Cabinet because the final decision is an executive decision.

Recommendation:

That the Committee is minded to make the TRO without modification.

Reason for Recommendation:

For preventing the use of the road by vehicular traffic of a kind which, or the use thereof by such traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property.

Prohibition of Driving – to prevent the use of the road by through traffic for the purposes of road safety.

The 'minded to' decision of the Committee will form the basis of the Council's position at the inquiry.

1. **Report**

- 1.1 In April 2002 Persimmon Homes, Heron Land and Westbury Homes applied to North Dorset District Council for planning permission to develop land north of A30 Salisbury Road North and south of Mampitts Lane, Shaftesbury, Dorset for residential and mixed-use purposes with associated open space, vehicular and pedestrian accesses (reference 2/2002/0415).
- 1.2 This application was called in by the Secretary of State for Communities and Local Government for determination and a public inquiry was held by an Inspector in January 2007.
- 1.3 Planning Permission was granted on 12 February 2007.
- 1.4 A copy of the Inspector's report is annexed to this report as Appendix B.
- 1.5 Conditions 33 - 36 of the permission require that:

33. Prior to the commencement of the development, a scheme shall be submitted to and approved in writing by the local planning authority for the provision of the Bus Route which shall in particular:

- a) Include details for the provision (including location, design, means of construction and layout) of the Bus Route;*
- b) Accord with any details approved as part of the Phasing Programme;*
- c) Include details to secure that at all times the Bus Route as the junction with Mampitts Lane can only be used by buses, coaches, bicycles and pedestrians ("the Vehicular Restriction Facilities"); and*
- d) Include provision for the on-going maintenance of the Vehicular Restriction Facilities after their completion, ("the Bus Route Scheme).*

34. The development will only be implemented in accordance with the Bus Route Scheme provided that the Bus Route Scheme may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

35. Once provided in accordance with the Bus Route Scheme the Vehicular Restriction Facilities shall thereafter at all times be maintained in accordance with the Bus Route Scheme, provided that the Vehicular Restriction Facilities may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

- 1.6 The Officer notes that no reasons are given for the imposition of these conditions within the Inspectors report, nor does the body of the report

expand upon these. However, paragraph 126 of the report notes that conditions were put forward by the applicant and North Dorset District Council (NDDC) for the Inspectors approval. The Officer further notes that discussion sessions relating to conditions were attended by the applicant, NDDC, Shaftesbury Town Council, AONB Partnership and other third parties.

- 1.7 To facilitate the increased volume in traffic associated with the development, Persimmon Homes have constructed a 6.7m wide spine road, Allen Road, and a new traffic signal-controlled junction with the A30 Salisbury Road which has been designed to appropriate, current standards and to accommodate all traffic flows from/to the development.
- 1.8 A plan detailing the layout of the Vehicle Restriction Facility is contained in Appendix A.
- 1.9 Analysis shows that The Maltings development will potentially increase the traffic travelling to the west by approximately 1,500 trips per day.
- 1.10 Routes available to this traffic are limited to Mampitts Road, Trinity Road and Pound Lane.
- 1.11 Mampitts Road does not comply with current design standards for safely accommodating this level of traffic. The carriageway locally narrows, at numerous points to approximately 4.5m which is not sufficient for two-way traffic. In addition, there are no safety margins or footways on parts of Mampitts Road (See plan and photographs in Appendix C). Therefore, if vehicular traffic is not regulated, as proposed, a highway safety issue may arise.
- 1.12 Trinity Road is not highway maintainable at public expense and is owned and maintained by a third party (See Appendix D).
- 1.13 Pound Lane is located to the west of the proposed vehicle restriction facility, and provides a route from Mampitts Road to A30 Christys Lane (See Appendix E). At its junction with Mampitts Lane, the carriageway of Pound Lane is approximately 5m in width and is subject to substantial on-street parking.
- 1.14 There have been 4 recorded slight injury collisions in the vicinity of the proposed bus gate in the most recent 5-year period available (See Appendix F).

2. Law

- 2.1 TROs are governed principally by the Road Traffic Regulation Act 1984, Schedule 9 and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

- 2.2 Section 1(1)(d) of the Road Traffic Regulation Act 1984 provides that a Traffic Authority may make an order for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property.
- 2.3 The procedure for making a TRO is as follows:
- **Preliminary Requirements:** The Council are obliged to consult the Chief of Police for Dorset and other specified bodies including the local member. The Council must publish a notice in a local newspaper and generally ensure that that adequate publicity is provided to persons likely to be affected by the TRO (i.e. displaying notices in the relevant area).
 - **Public Objections and Inquiries:** Any person may object in writing to a TRO by the date specified in the notice or, if later, within 21 days of the notice being given and publicised. If objections are received, the Council must consider them and decide whether or not to hold a public inquiry. There are two sets of circumstances where a public inquiry must be held.
 - **Making an Order:** TRO's cannot be made until the statutory period for objections has ended or after a period of two years from the making of the initial notice. Before making an order the Council must consider all objections duly made and not withdrawn and, if a public inquiry was held, the inspectors report and any recommendations they make. The Council may decide not to proceed with the TRO or to make it with or without modification. If the TRO is made, the authority must place a notice in the local press announcing their decision within 14 days of the date of the order, again ensuring that adequate publicity is given to the making of the TRO. This includes writing to persons or bodies who objected to the TRO outlining the reasons for proceeding.
- 2.4 A copy of the draft Traffic Regulation Order is contained in Appendix G of this report.

3. Preliminary Consultation and Requirements

- 3.1 The Council have consulted the following persons, in compliance with its statutory obligations and standard procedures:
- Local Members;
 - Dorset Police;

- Dorset Road Safe;
 - Dorset Waste Services;
 - Dorset and Wiltshire Fire and Rescue Service;
 - South West Ambulance NHS Trust;
 - Shaftesbury Town Council;
 - Bus Operators;
 - Statutory Utilities;
 - Road Haulage Association;
 - Freight Transport Association;
- 3.2 Notice of the intention to make the TRO was advertised in the Western Gazette between 12th September 2024 – 4th October 2024.
- 3.3 Notices were also placed on site at Mampitts Lane and Mampitts Road, Shaftesbury. (See Appendix H).
- 3.4 The consultation period ran between 12th September 2024 – 4th October 2024.

4. Public Response and Objections

- 4.1 121 responses were received. Of these, 43 supported or were neutral to the proposed TRO. 78 responses were received against the proposed TRO. A number were from the same households, so have been counted as one objection for each household.
- 4.2 The responses received against the making of the TRO included a wide range of issues. In the officer's opinion, the substantive issues may be summarised as follows:
- Impact on Allen Road
 - Northern Link / Spine Road
 - Increase in Speeding Vehicles
 - Impact on Climate Change
 - Increase in Journey Times
 - 20mph request

5. Officer Comments on Objections

Impact on Allen Road

- 5.1 Concerns have been raised about the suitability of Allen Road to accommodate all traffic from the residential development including:
- Increase in traffic using Allen Road;
 - Unsuitability of Allen Road for large vehicles;
 - Substandard visibility along Allen Road;
 - Width of Allen Road;
 - Lack of parking restrictions to Allen Road; and
 - Impact of Allen Road becoming blocked.
- 5.2 Allen Road has been designed and constructed to facilitate all traffic accessing and egressing the development in accordance with current design standards and requirements.
- 5.3 The carriageway is generally 6.7m in width which is commensurate with design standards for a local distributor road and bus route.
- 5.4 There are no departures from standards, including for visibility.
- 5.5 The requirement to implement a vehicle restriction facility at Mampitts Lane is a condition of the planning permission granted for the development which also considered and approved traffic flows and access and egress arrangements associated with the development.

Northern Link / Spine Road:

- 5.6 A number of the representations received make reference to the delivery of a northern link / spine road that would potentially provide access to and egress from the north of the residential development via the existing highway at Wincombe Lane.
- 5.7 The extent of development included within planning application 2/2002/0415, and subsequent appeal ref. APP/N1215/1191202 is illustrated on the Site Location Plan contained in Appendix J.
- 5.8 The extent of the development comprised within this application does not extend to Wincombe Lane and does not include for the provision of a northern link / spine road.

Increase in Speeding Vehicles:

- 5.9 Concerns have been raised that the implementation of the vehicle restriction facility will directly lead to an increase in vehicles exceeding the speed limit along Allen Road.
- 5.10 Allen Road is subject to a 30mph speed limit though by its geometric design, vehicle speeds should generally be lower than this. A speed survey undertaken in October 2023 shows 85th percentile speeds on Pound Lane lower than 23mph, and an average speed of 21 mph. Both Mampitts Lane and Allen Road recorded speeds lower than 18mph.

Impact on Climate Change and Increase in Journey Times

- 5.11 The proposed vehicle restriction facility for part of Mampitts Road will prevent vehicular traffic travelling from Allen Road to Mampitts Road and vice versa.
- 5.12 Drivers wishing to access the A30 Christys Lane from this residential development will be required to drive an additional 1.5km to reach the junction of Christys Lane and Pound Lane.
- 5.13 Sustainable modes of transport, such as walking and cycling, are unaffected by the vehicle restriction facility.
- 5.14 The increased journey time, though unfortunate, is minimal and the safety of all highway users should be paramount.

20mph request

- 5.15 This TRO does not include a reduction in posted speed limit from 30mph to 20mph. Requests for 20mph limits will need to be made to the Town Council who will need to apply through Dorset Council's adopted [20mph Policy](#).

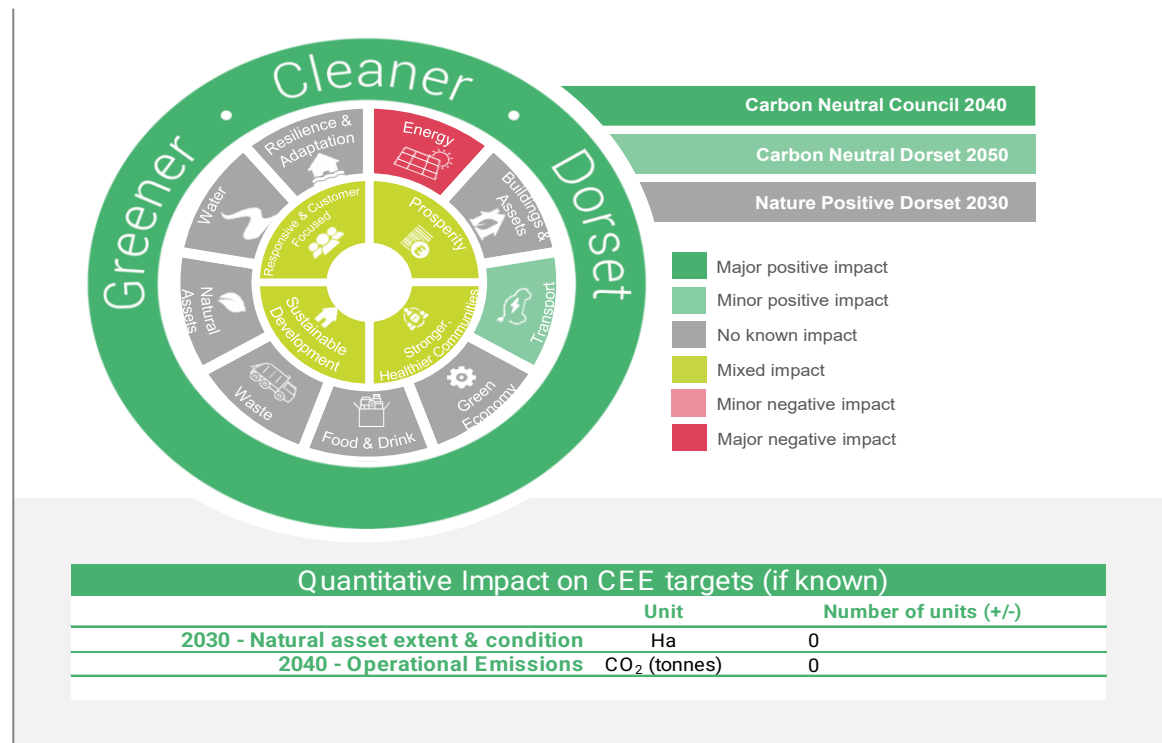
6. Conclusions

- 6.1 The proposed Traffic Regulation Order is expressly conditioned in the planning permission. This condition was, at the time of granting permission, supported by North Dorset District Council, the Applicant and Shaftesbury Town Council.
- 6.2 Allen Road and its junction with the A30 has been designed and constructed to provide safe access and egress from the development for all traffic.
- 6.3 Sustainable methods of transport including pedestrians, cyclists and horse riders may continue to use the existing route via Mampitts Road in both directions.

7. Financial Implications

All costs associated with the TRO application, order making, and its implementation will be met by Persimmon Homes, as the developer. However, due to the statutory process in this case, the costs of the Public Inquiry will need to be met by Dorset Council.

8. Natural Environment, Climate & Ecology Implications



People wishing to access Mampitts Road from this development by car will be required to drive an additional 1.5km to reach the junction of Christys Lane and Pound Lane. This is why a negative impact is shown in the wheel above.

The proposals include the provision of a footway along the length of the vehicular restriction and the existing route will remain open in both directions to pedestrians, cyclists, buses, and emergency vehicles. This would encourage sustainable travel.

The existing chestnut tree will remain unaffected.

9. Well-being and Health Implications

No Well-being and health matters that have been identified. The proposals include the provision of a contiguous footway along the length of

the vehicular restriction and the existing route will remain open in both directions to pedestrians, cyclists, buses, and emergency vehicles.

10. Highway Safety Implications

The existing highway at Mampitts Lane and Mampitts Road is not wide enough to satisfy modern design standards in providing a primary route of access for a development of 670 dwellings. The Maltings development will potentially increase the traffic on Mampitts Road by approximately 1,500 trips per day. If vehicular traffic is not regulated, as proposed, a highway safety issue could arise.

The Maltings development provides for a 6.7m wide spine road, Allen Road, and new traffic signal-controlled junction with the A30 Salisbury Road which has been designed to accommodate all traffic flows from / to the development.

11. Risk Assessment

HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: LOW

Residual Risk: LOW

12. Equalities Impact Assessment

The proposed TRO would not affect anyone with protected characteristics.

13. Appendices

Appendix A: Drawing PSC/E3913/133 – Proposed Vehicular Restriction Facility.

Appendix B: Inspector's Report to the Secretary of State for Communities and Local Government (APP/N1215/1191202).

Appendix C: Plan of Trinity Road.

Appendix D: Plan and Photographs of Mampitts Road.

Appendix E: Plan and Photographs of Pound Lane.

Appendix F: Pound Lane and Allen Road Collision Data.

Appendix G: Draft Traffic Regulation Order.

Appendix H: Notice of Traffic Regulation Order.

Appendix I: Accessible Impact Assessment & Table of Recommendations

Appendix J: Site Location Plan

Appendix K: Respondents Comments

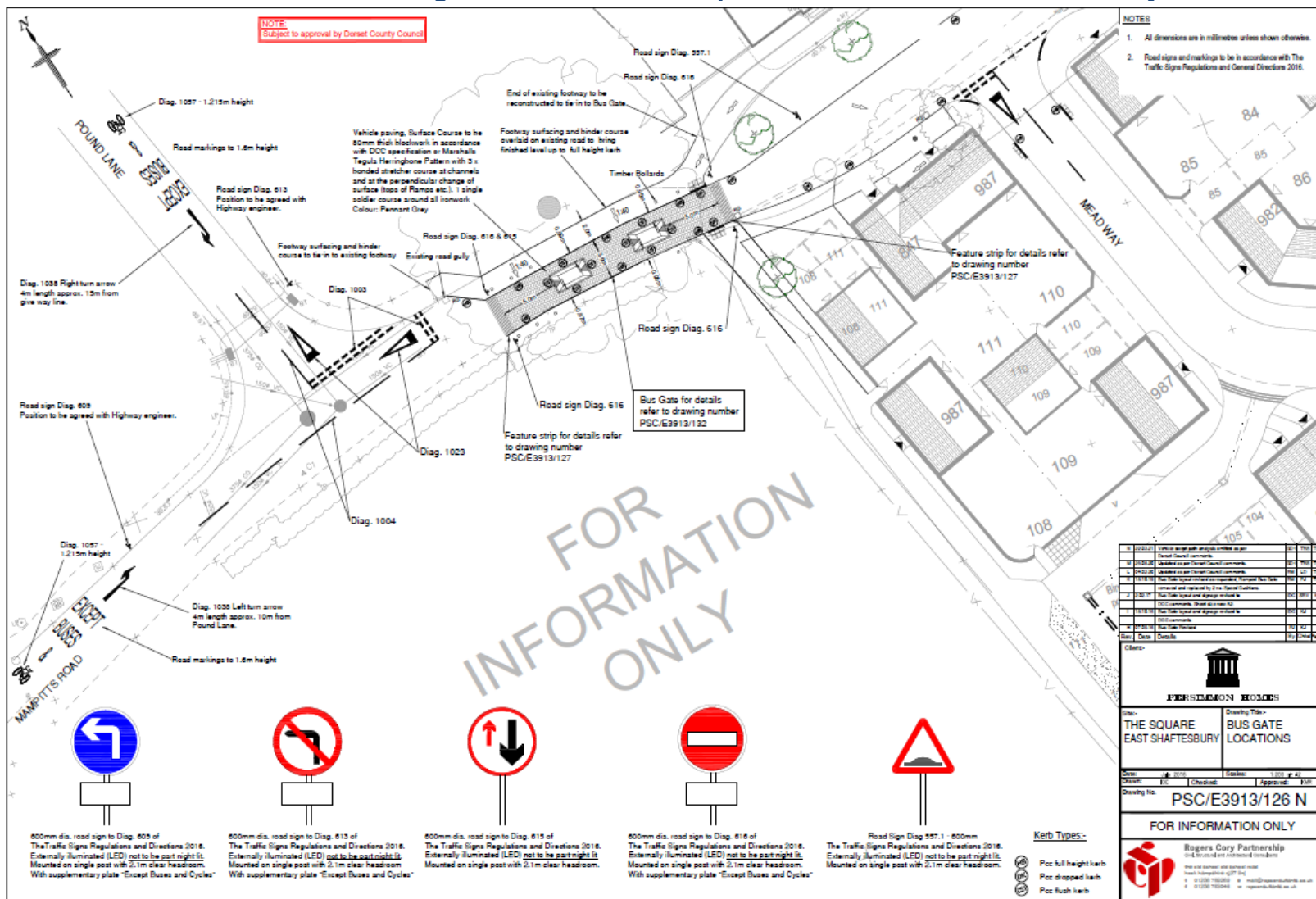
Papers

None

Report Sign Off

This report has been through the internal report clearance process and has been signed off by the Director for Legal and Democratic (Monitoring Officer), the Executive Director for Corporate Development (Section 151 Officer) and the appropriate Cabinet Member(s).

APPENDIX A: Drawing PSC/E3913/133 – Proposed Vehicular Restriction Facility



APPENDIX B

Inspector's Report to the Secretary of State for Communities and Local Government (APP/N1215/1191202)



Report to the Secretary of State for Communities and Local Government

by Richard Ogier BA MRTPI

an Inspector appointed by the Secretary of State for
Communities and Local Government

2/2002/0882
+
2/2002/0415

The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ GTN 1371 8000

Date 12 February 2007

DEVELOPMENTAL INF.

04 MAY 2007

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REPLY

AKX

OFFICIAL

OFFICER Appeals

TOWN & COUNTRY PLANNING ACT 1990 (SECTION 77)

NORTH DORSET DISTRICT COUNCIL

APPLICATIONS BY

PERSIMMON HOMES (SOUTH COAST) LTD, WESTBURY HOMES (HOLDINGS)
LTD AND HERON LAND DEVELOPMENTS LTD

AND BY

MRS M KAVANAGH, MR R COLES AND THE TRUSTEES OF THE WILL TRUST
OF THE LATE A P KAVANAGH

Inquiry opened on 9 January 2007

Land at Salisbury Road, Mampitts Road and Gower Road, Shaftesbury, Dorset

File Refs: APP/N1215/1191202 & APP/N1215/1191206
(SW/THM/5220/47:1 & SW/THM/5220/47:2)

APPLICATION A: File Ref: APP/N1215/1191202 (SW/THM/5220/47:1)
Land at Salisbury Road, Mampitts Road and Gower Road, Shaftesbury, Dorset

- The outline application was called in for decision by the then First Secretary of State by a direction made under section 77 of the Town and Country Planning Act 1990, on 4 October 2005.
- The application is made by Persimmon Homes (South Coast) Ltd, Westbury Homes (Holdings) Ltd and Heron Land Developments Ltd to North Dorset District Council. Westbury Homes (Holdings) Ltd have withdrawn from the application.
- The application Ref 2/2002/0415 is dated 24 April 2002.
- The development proposed is residential and mixed use development, with associated open space and access to A30 Salisbury Road, Mampitts Road and Gower Road.
- The reason given for making the direction was that the FSS considered that the application proposals may conflict with national policies on important matters.
- On the information available at the time of making the direction, the following were the matters on which the FSS particularly wished to be informed for the purpose of his consideration of the application:
 - (i) the extent to which the proposed developments are in accordance with the regional planning guidance for the south west (RPG 10), including guidance on rural areas and that the main focus of development should be at Principle Urban Areas, as set out in policies SS6, SS7 and SS19;
 - (ii) the extent to which the proposed developments are consistent with policy advice in the adopted (2000) Dorset, Poole and Bournemouth Joint Structure Plan and the adopted North Dorset District – Wide Local Plan (2003);
 - (iii) the extent to which the applications may prejudice the emerging Regional Spatial Strategy (RSS) and the consequences for the appropriate scale and distribution of housing development in North Dorset including Shaftesbury;
 - (iv) the extent to which the applications would, if granted, secure a high quality of design, having regard to the general advice in paragraphs 33-39 of Planning Policy Statement 1: Delivering Sustainable Development and the fact that the applications are for outline planning permission;
 - (v) the extent to which the proposed developments are consistent with Government policies in Planning Policy Guidance Note 3: Housing, with particular regard to:
 - whether there is a need for the proposals at this time;
 - whether the proposals will contribute to long term sustainable patterns of housing growth
 - whether a sequential approach to site selection for housing development has been followed, taking account of the availability of previously developed land and buildings and of any urban capacity study;
 - whether the proposed developments would secure an appropriate mix of dwelling size, type and affordability, taking account of any housing needs assessment by the Council;
 - accessibility of jobs, shops and other services from the site by modes of transport other than private car, and the potential for improving such accessibility;
 - the capacity of existing and potential infrastructure, including public transport, water, sewerage, other utilities and social infrastructure such as school and health facilities to absorb additional demand from the proposed development and the prospect of any necessary infrastructure improvements being delivered in a reasonable time frame;
 - whether the proposed developments would make an efficient use of land, taking into account its density, layout, design, and the level of car parking provision;
 - (vi) the extent to which the proposed developments are consistent with Government policies in Planning Policy Guidance Note 13 : Transport, in particular the need to locate development in a way which helps to:
 - promote more sustainable transport choices
 - promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and reduce the need to travel, especially by car
 - (vii) whether any permission granted for the proposed developments should be subject to any

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conditions and, if so, the form these should take, having regard to the advice in DOE Circular 11/95, and in particular the tests in paragraph 14 of the Annex;
(viii) whether any planning permission granted should be accompanied by any planning obligations under section 106 of the 1990 Act and, if so, whether any proposed terms of such obligations are acceptable;

(ix) Any other matters that the Inspector considers relevant.

• The inquiry sat for 5 days, on 9-12 and 16 January 2007.

Summary of Recommendation: That planning permission be granted, subject to conditions.

APPLICATION B: File Ref: APP/N1215/1191206 (SW/THM/5220/48:1)
Land adjacent to Greenacres, Salisbury Road, Shaftesbury, Dorset

- The outline application was called in for decision by the then First Secretary of State by a direction made under section 77 of the Town and Country Planning Act 1990, on 4 October 2005.
- The application is made by Mrs M Kavanagh, Mr R Coles and the Trustees of the Will Trust of the late A P Kavanagh to North Dorset District Council.
- The application Ref 2/2002/0880 is dated 2 September 2002.
- The development proposed is for residential, business and retail purposes and for the formation of a vehicular and pedestrian access thereto.
- The reason given for making the direction was that the First Secretary of State considered that the application proposals may conflict with national policies on important matters.
- On the information available at the time of making the direction, the matters on which the First Secretary of State particularly wished to be informed for the purpose of his consideration of the application were the same as those for Application A.
- The inquiry sat for 5 days, on 9-12 and 16 January 2007.

Summary of Recommendation: That planning permission be granted, subject to conditions.

PROCEDURAL MATTERS

1. When reading out the list of matters about which the First Secretary of State wished to be informed, I indicated that PPG3 *Housing* had been cancelled by PPS3 *Housing*, published in November 2006. The evidence submitted to the inquiry includes that relating to the possible impact of the proposed development on the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB), a matter not expressly referred to in the Secretary of State's call-in letter.
2. The Council confirmed that it had notified interested persons of the inquiry (Document 1).

THE SITES AND THEIR SURROUNDINGS

3. A detailed description of both of the application sites which are on the eastern outskirts of the market town of Shaftesbury, is to be found within Statement of Common Ground 1 (SCG1) (Document 10, section 2, with context and site photographs at Document 11, Appendix1). The site of Application A (Site A) is particularly characterised by its subdivision into a number of fields, hedges and trees marking the field boundaries. The land is mainly laid to pasture, with some recent arable cultivation (maize). The site of application B (Site B) contains parcels of land in differing uses (Plan I). It includes the dwelling Greenacres, open storage of agricultural machinery and building materials as part of two of the applicants' businesses, and some open land.

4. The eastern urban periphery of Shaftesbury contains suburban housing, much of it fairly recent and generally presenting a firm edge to the adjoining open land. To the east of the application sites is further gently undulating but relatively level open land used for agricultural and urban fringe purposes. Further to the north is an industrial site occupied by the Blackmore Vale Creamery which takes its access from Wincombe Lane.
5. At the southern end of the area immediately east of the application sites is an open site used for the holding of agricultural auction sales, with access from the A30 Salisbury Road. Both application sites adjoin the A30 at their southern end, Site B occupying the greater part of the frontage. Facing this frontage on the south side of the A30 are business premises operated by one of the Site B applicants, and land the subject of an undetermined application for employment development (Application C, Document 34). One of the Application A applicants has a controlling interest in this land.
6. To the east of the application sites there is a 'reservation' for a future A350 road scheme, the Shaftesbury Outer Bypass. This runs mainly inside the Dorset County boundary, but over into Wiltshire at its northern end. To the east of and at varying distances from the County boundary the area of the Cranborne Chase and West Wiltshire Downs AONB encloses the head of the valley of the River Nadder and its tributaries at Long Bottom (Document 59 Appendix 3 Plan A and Document 17 Plan 2).
7. Long distance views of Shaftesbury and the application sites can be obtained on high ground from distant viewpoints within the AONB to the south and south east (Map K). There are no significant views of the sites from the east, as the land falls away towards the Nadder Valley.

PLANNING POLICY

8. Applicants A & B, the North Dorset District Council (NDDC) and the Dorset County Council (DCC) are recorded in SCG1 as being in agreement as to the material planning policies and guidance affecting the consideration of these cases (Document 10 paragraphs 5.1-5.9). The development plan currently comprises RPG10 *Regional Planning Guidance for the South West* (Interim Regional Spatial Strategy (RSS)), the Bournemouth, Dorset & Poole Structure Plan 2000 (SP) and the North Dorset District Wide Local Plan (First Revision) 2003 (LP). The new RSS10 has been published and submitted in draft form but has not yet undergone formal Public Examination.

RPG10

9. Of the policies referred to (Document 11 Appendix 10), the vision expressed in VIS1 includes minimising the need to develop on greenfield sites and to travel, concentrating growth in the Principal Urban Areas (PUAs) and other designated centres of growth, and recognising the different roles of appropriate development in market towns. Development principles listed in VIS2 include seeking development on suitable previously developed land (PDL) in urban areas, and promoting mixed use developments and development densities as high as commensurate with a good living and working environment.
10. Policy SS1 seeks for the South East sub-region to promote economic growth while recognising that the protection of important environmental assets may act as a constraint. The strategy in SS2 provides for towns outside PUAs and other designated growth centres to be designated as local service centres (LSCs). Objectives of the strategy for the South Eastern sub-region in SS3 includes encouraging appropriate housing, employment, retail

and social facilities in sustainable locations to reduce social exclusion and rural need. SS7 calls for the identification, outside PUAs and Other Designated Centres for Growth under Policy SS6 (ODCGs), of towns to accommodate smaller scale development to serve local needs and make services available to the wider rural areas. SS19 defines the role and scope of market towns.

11. Of the RPG's environment policies, the provisions of EN1 include that the protection and, where possible, enhancement of the landscape and biodiversity should be planned into new development. EN4 pursues a 'high quality' agenda, the use of PDL and other objectives including proposals that reflect local distinctiveness. EN5 deals with various forms of infrastructure including that relating to health and education. Of the housing policies, HO1 provides for the construction of 2,650 new dwellings in Dorset between 1996 and 2016. HO2 requires housing provision to be the subject of regular monitoring, HO3 that affordable housing targets be set in development plans. A key objective of HO6 is to ensure an appropriate mix of housing to cater for the needs of the whole community.
12. Of the transport policies, TRAN1 sets out ways in which development plans and local transport plans can support the objective of reducing the need to travel. TRAN7 seeks ways in which sustainable transport choice can be optimised in rural areas. TRAN10 lists ways in which walking, cycling and public transport can be supported as travel choices. IM1 has to do with the means by which the RPG provisions may be implemented, including through the provision of infrastructure.

Structure Plan (SP)

13. Of the SP policies referred to (Document 11 Appendix 11), Settlement Policy C identifies those towns, which in North Dorset include Shaftesbury, whose role as LSCs will be supported by the development of employment, shopping, education, recreation and community facilities. Settlement Policy D indicates locations where housing growth will be accommodated, including within and adjoining Shaftesbury. Settlement Policy H confirms that built development should be of a scale and design which respects and reflects the form, setting, historic character and other distinctive attributes of each settlement.
14. Housing Policy A specifies housing provision to be made within Districts between 1994 and 2011, in North Dorset about 5,900 units. Housing Policy B calls for a mix of accommodation and housing types, for balanced communities and to meet the needs of those with special housing requirements. Housing Policy C directs development to locations well-related to employment, education, shopping, transport and community facilities. Housing Policy D states that local plans should have policies to meet the needs of those unable to compete in the housing market. Demonstrable local need should be shown, with the accommodation available to successive occupiers in the same circumstances.
15. Environment Policy E seeks to maintain and enhance the County's biodiversity in specified ways, including replacing appropriate habitats in situations where damage or loss occurs as a result of development. Environment Policy F requires the quality and diversity of the Dorset landscape to be maintained and enhanced in a number of ways, including respect for existing landscape features and the encouragement of built development that will be beneficial in environmental and landscape terms. Environment Policy G explains the basis on which decisions should be made in relation to major developments within AONBs. The application sites do not fall within an AONB.

16. Transportation Policy B seeks to encourage sustainable transport choices, based upon a hierarchy of walking, cycling, public transport and private vehicles. Transportation Policy M requires new development areas to be designed for efficient bus operation, with new bus services sought at an early stage in the development. Transportation Policy Y proposes reservations for four major highway schemes, including the A350 Shaftesbury Bypass. Implementation Policy A seeks to extend the principle of sustainable development to the preparation of local plans and the determination of planning applications. Implementation Policy E applies other considerations to the same processes, including water supply, drainage, sewerage, energy supplies, telecommunications and a range of transport modes, including seeking developer contributions where appropriate.

Local Plan

17. Of the LP strategic and environment policies (Document 11 Appendix 12), 1.1 provides a sustainable development strategy, specifying that larger developments should be located in four larger towns including Shaftesbury, identified as suitable in principle for major growth in 1.2. The application sites fall within settlement boundaries referred to in 1.7. Policy 1.8 lays down standard assessment criteria. Policies 1.14 and 1.15 specify surface water and foul drainage requirements, 1.19 lighting standards. 1.30 raises the possible need for archaeological evaluations. 1.32 provides criteria for development *within* AONBs. 1.33 identifies Landscape Character Areas (LCAs). The application sites fall within the Northern Scarp Hills, and 1.33 seeks integration between development and the distinctive landscape character of each LCA. 1.39 provides for tree preservation orders (TPOs)
18. Of the LP housing policies, 2.1 specifies provision of about 5,900 dwellings in the District between April 1994 and March 2011. 2.2 seeks development of derelict, disused or previously-developed sites or buildings before greenfield land. 2.3 apportions 1,170 dwellings to be built in Shaftesbury, a rate of 69 dwellings per year. 2.4 allocates sites for housing development including both application sites and also other land immediately to the north ('the Hopkins land'), with an estimated minimum yield of 680 dwellings to be developed in two or three phases, and an affordable housing potential of 164 (24%).
19. Policy 2.5 envisages that major development should be planned as compact 'urban villages' with high quality environments, convenient access by public transport and access to community infrastructure and employment opportunities. 2.8 and 2.9 require the Council to monitor housing land supply, managing the release of housing land throughout the Plan period having regard to the availability of PDL. The latter policy enables development programmed later to be brought forward if planned construction rates, levels of affordable housing or strategic infrastructure are being significantly underachieved. Policy 2.10 requires the development density to make full and effective use of the proposed site, subject to compatibility and good design principles. The provisions of 2.12 confirm that affordable housing is to be sought on the application sites and 2.13 provides detail.
20. LP Policies 3.19 and 3.22 relate to retail development, the latter enabling provision to be made in new housing areas. Community Facilities and Recreation policies include 4.2, 4.3, 4.5 and 4.8 which require education, community and cultural provision and outdoor sports, recreational and play space to be made in association with new residential development. Of the Transportation policies referred to in SCG1, 5.7 and 5.8 seek provision for cyclists, pedestrians and those with a mobility impediment, and 5.10-5.12 address traffic management, pedestrian priority provision and traffic calming. 5.15 requires new residential areas to be designed for the movement and efficient operation of bus services

and for parking provision consistent with sustainable travel principles. 5.20-5.22 provides for transport infrastructure enhancements through planning obligations, the safeguarding of land for highway improvement schemes and, specifically, for the Shaftesbury Outer Bypass.

21. Of LP Local Area Policies, SB1 requires new development in Shaftesbury to respect the historic character of the town and its surroundings, with major development and expansion of the town only permitted 'on flat plateau land to the east' (including the application sites). SB4 emphasises that new development will only be permitted where its design and location strengthens local character. SB8 adds detail to the housing allocation east of the town, and SB9 specifies access arrangements, seeking to create a comprehensive and permeable movement network providing for pedestrian, cyclist and vehicular linkages to all areas. Access specifications include two signal-controlled junctions to the A30, a road network which links the A30, Mampitts Lane and Wincombe Lane and enhanced pedestrian and cycleway crossing facilities across Christy's Lane to link the eastern side of the town and town centre. SB10 provides for two-phase implementation with links to certain infrastructure works. There is provision in Phase 1 for 75 dwellings north of Mampitts Lane, *initially* accessed via Pound Lane¹, although the policy also provides for a though vehicular link during Phase 1 to serve not only a single-controlled junction with Mampitts Lane but also the 75 dwellings. Policies SB11, SB14, SB15 and SB16 provide details of associated or area infrastructure provision and SB18 seeks to safeguard the A350 Outer Bypass corridor.

Emerging RSS10

22. Policies SD1 to SD4 relate to sustainable development issues including the stabilisation of the Region's ecological footprint, addressing climate change, the protection and enhancement of the Region's resources and the creation and maintenance of sustainable communities. Shaftesbury is not one of 21 Strategically Significant Towns and Cities (SSTCs) in the Region where significant change is expected to occur. Smaller change is expected outside the SSCTs to achieve more balanced communities and a better local environment. Housing development would occur to enhance a settlement's role and function.
23. Policy HD1 directs the delivery of new housing according to the locational principles set out in Development Policies A to C. Table 4.1 proposes an annual average net dwelling requirement for North Dorset between 2006 and 2026 of 255 dwellings, made up of 290 between 2006 and 2016 and 220 between 2016 and 2026.
24. Shaftesbury is a Development Policy B settlement (Market Towns), the focal point of locally significant development. Development Policy D deals with the contribution development projects should make towards infrastructure costs. Development Policy E seeks the highest possible standards of design and Development Policy F applies the

¹ Inspector's note: the supporting text to Policy SB9 indicates that the phasing policy does not seek to split the development site at Mampitts Lane but allows the development of an additional 75 houses to the north of Mampitts lane in the first phase, to be accessed via Pound Lane. The text continues 'the 75 figure represents the spare capacity along this road from the point where it becomes in effect a cul-de-sac with the junction with Ten Acres'. Paragraph 3.11 of the Transport Assessment in Volume 2 of the Addendum to the Environmental Assessment (Document 25) repeats this information when describing the proposed access to 75 dwellings 'accessed by Pound Lane via Gower Road' and refers to agreement with the highway authority 'in historic correspondence'. The Highway Authority is reported as having been satisfied with the details submitted, including the securing of linkages to adjoining development, after the submission of a traffic assessment (Document 11 Appendix 4 page 16 and Appendix 5 page 68).

principles of master planning. Development Policy G outlines ways in which sustainable construction may be achieved.

25. Policy H1 seeks to deliver at least 7,500 affordable homes per annum in the Region up to 2026. A general target of 30% of all new housing to be affordable is set, with authorities enabled to specify up to 60% or higher in areas of greatest need. Policy H2 indicates that housing densities of over 30 dwellings per hectare should be attained across the Region, with higher densities in some areas such as the SSTCs. Policies HE1, HE2 and HE3 relate to healthcare provision.
26. Policies ENV1, ENV2, ENV3 address the protection of the Region's Natural and Historic Environment, provide for Landscape Character Areas and a policy approach for Protected Landscapes including AONB. Policy GI1 relates to the provision of green infrastructure.

PLANNING HISTORY

27. The history of the application sites is described in Section 3 of SCG1 (Document 10). The only material decision, which affects Application site B, was the subject of an appeal relating to a residential development proposal (APP/N1215/A/01/1061153), dismissed on the ground of prejudice to the development plan process (Document 11 Appendix 2).

THE PROPOSALS

(Applications A & B)

28. The proposals for outline Applications A & B are described in Section 4 of SCG1 (Document 10). Both applications were accompanied by an Environmental Statement, subsequently amended and effectively superseded by an Addendum Statement (Documents 24-26). Details of the applications are at Document 26 Appendices 1.1-1.2 and 2.1-2.2. The development area was the subject of a development brief issued by the Council (Document 47). The 18 agreed principles set out in the Development Brief and principles embodied in the Design Statement, were set out in the report to the Council's Development Control Committee on 23 March 2005 when the applications were placed before the committee (Document 11, Appendix 4.7-4.8). These principles are to be applied in the urban Design Strategy (Draft Strategy Document 28).
29. It is envisaged that 530 dwellings would result from the implementation of Application A and 140 dwellings from Application B, totalling 670. There is no application for the 'Hopkins land' to the north of Site A. Of the 670 dwellings, 235 would constitute affordable housing. An agreed programme of phased construction would result in not more than 200 dwellings being completed before March 2011, the remainder being phased over the period 2011-2016 in accordance with Table A (Document 13). The means of foul and surface water drainage of the development are described in the ES Addendum Volume 1 (Document 24 sections 12.7 and 11.4). It is proposed to incorporate sustainable urban drainage systems (SUDS) and a corridor for this purpose is envisaged on the eastern side of the development (see 106 Plan 1 at Document 40), where its ground treatment can provide a transitional environment in relation to the adjoining countryside.

OTHER AGREED MATTERS

30. The SCGs also include agreement between the parties involved on the following matters:

- (i) The whole of Site A is greenfield; Site B is a mixture of greenfield and brownfield land.
- (ii) Shaftesbury is a market town, removed from larger urban centres. It should be regarded as a LSC under RPG10 Policy SS2 and a Category B settlement in the emerging RSS (Document 10 (SCG1) and 13 (SCG2)).
- (iii) Emerging draft RSS10 should be given less-weight than RPG10 (SCG2).
- (iv) If a phased/managed release of housing at Shaftesbury is secured in accordance with Table A of SCG2 through conditions and obligations, the proposals will comply with the RSS10 strategy for the release of housing land in North Dorset (SCG2).
- (v) The proposed affordable housing provision would accord with the emerging RSS's affordable housing objectives (SGC2).
- (vi) There are no strategic planning policy grounds to justify refusal of the subject applications, subject to the appropriate conditions and planning obligations.
- (vii) Other matters included in the 'Key Areas of Agreement' (SCG2 paragraph 5.1)
- (viii) The good accessibility of the application sites by modes other than the car (Document 14 (SCG3)).
- (ix) No prejudice to protected A350 Shaftesbury Eastern Bypass corridor (SCG3).
- (x) The significance of the statutory duty to take into account the statutory purposes of an AONB in making determinations and the materiality of draft RSS Policy ENV3 in relation to proposals lying outside an AONB boundary (Document 15 (SCG4)).
- (xi) Matters relating to the retention of landscape features and the environmental character of the area, the treatment of the eastern edge of the development, the phasing of structural landscaping, sustainable drainage, tranquillity, light pollution, intervisibility and the deliverability of a quality environment (SCG4).
- (xii) The local community's vision, the Enquiry by Design (EBD) process, the town centre, community facilities, affordable housing, primary care, employment, allotments, open space and amenity land (Document 16 (SCG5)).

CASE FOR THE APPLICANTS (APPLICATION A)

The role of Shaftesbury

31. The most important elements of the overall case for both the application proposals derive from the present and future role of Shaftesbury in both the development plan and the emerging RSS. There can be no doubt as to that role. The applicants and NDDC agree that in terms of RPG10, Shaftesbury is to be regarded as a LSC for the purposes of Policy SS2, an SS7 settlement for the purposes of meeting the needs of the town and its hinterland, and a Market Town for the purposes of Policy SS19. In SP terms, it is a LSC. In terms of the LP, the 'SB' allocation Policies provide the detailed planning framework for proposals of strategic importance to the District as well as to the town. These development plan policies provide as robust support for the proposals as can be imagined. As a Development Policy B settlement in the emerging RSS (a Market Town), it would continue in its role of meeting the need for locally significant development.

32. It is submitted that the Secretary of State will be giving increasing weight to emerging RSS, which within a year of the decisions in these cases, is likely to be the higher tier of the development plan. At that time the SP and any related points about 'oversupply' will be redundant. While the numerical housing provision may be subject to upward review, the present numerical position in the submitted RSS would introduce a reduction in overall development rates. The proposals for East Shaftesbury have been incorporated in the planned provision of the draft RSS from the outset and, in any event, substantial further provision will be required by RSS in North Dorset District and at Shaftesbury. Furthermore, the role of Shaftesbury as a Development Policy B settlement reflects an endorsement and continuation of Shaftesbury's traditional role.

Development plan compliance

33. It appears to be universally agreed that the application proposals comply, and do not materially conflict, with any detailed requirement of all limbs of the development plan. This appears to be the case even for the AONB Partnership, whose evidence has not alleged any non-compliance with the development plan. The only suggestion in evidence to qualify this is a reference by the NDDC to the proposition that it is appropriate to deviate for the phasing programme for the release of the site set out in the LP, in the light of housing supply issues and the delay caused by the call-in inquiry. Indeed, a minority of the development would be constructed within the LP Period (some 200 dwellings out of 670 proposed, or 30%). That development timetable, largely due to the elapse of time and agreed phasing restrictions, cannot constitute a relevant departure from the development plan, and Application A should not have been referred to the Secretary of State as such.
34. As PPS1 points out, the plan-led system, and the certainty and predictability it aims to provide is central to planning, and plays a key role in integrating sustainable development objectives. It can therefore be claimed against a background of compliance with the development plan and other emerging documents, that a very strong case needs to be made out as to why there would now be harm in releasing the application sites for development (Document 19 Appendix 2).
35. The sustainability credentials of the sites have been examined through the development plan process and the subsequent Development Brief (Document 47). It should not be appropriate, but for the call-in letter, to re-examine these credentials, since they go to the principles of the development already examined in the development plan process. The SCGs and evidence comprehensively address the sustainability credentials, and are fully rehearsed in the applicants' evidence (Document 19 Appendix 1).
36. The Inspector in the Greenacres decision (Document 11 Appendix 1) was in no doubt as to the appropriateness of delivery of the overall allocation of mixed use development proposed for that site (paragraph 17). The comprehensive approach in that case accorded with the national objective of creating attractive and sustainable residential environments (paragraph 15). The work undertaken in the current case entirely bears out those expectations.

Need for the development - general housing land supply

37. Although there is an undoubted need for the proposed development nothing in PPS3, and particularly in paragraphs 70 and 71, indicates a requirement to demonstrate numerical need in relation to an allocated site in the up-to-date planned 5 year supply. However, the evidence at the inquiry confirms that there is a compelling need for the proposals in overall housing supply terms (Document 11 Appendices 15A and 15B, Documents 19 and 45).

The NDDC's evidence indicates the shortage of previously-developed land available for development in Shaftesbury (Document 45 paragraphs 6.52 to 6.54 and Document 45A Appendix 14).

38. Because the proposed development is of strategic size, it can be built in phases. In District-wide terms, the combination of outstanding planning permissions and the agreement that no more than 200 dwellings should be completed on the application sites prior to March 2011 would not breach the planned SP and LP provision (Document 11 Appendix 15A, Table 7). The Council intends to hold back the release of other remaining allocations apart from the subject sites, affecting some 400 additional dwellings.
39. The agreed phasing of the application proposals involving 70% of the total development being implemented in the period 2011-2016 would enable the NDDC to manage its forward housing supply. Owing to the time necessary for the approval of reserved matters, infrastructure provision and other lead-in times, the first occupations on the application sites would not take place until approximately April 2008. The sites would not therefore be delivering housing within the SP Period, and the 'oversupply' scenario would have passed.
40. Even if 400 dwellings were not held back, the supply in the District would not exceed the expectations of paragraph 64 of PPS3 (Document 11 Appendix 15A Table 11 and paragraph 5.6). However, there is a substantial housing land shortfall in Shaftesbury (Document 11 Appendix 15A Tables 2-7 and paragraphs 5.2-5.4 and 5.7). Housing supply there has fallen very substantially below the planned provision, largely due to the delay in progressing the subject application sites. There remains a shortfall of some 630 dwellings to be provided in the remainder of the LP Period (Document 11 Appendix 15A, Table 7). The more substantial development rates in Gillingham or the rural areas of the District cannot meet housing needs in Shaftesbury. Sustainability issues require the planned provision to be made at the sustainable location of the planned LSC.
41. In terms of years' supply, assuming that the NDDC do *not* hold back the remaining unimplemented allocations, there was in April 2006 some 3.2 years' supply by reference to the SP requirement. With the current proposals, there would still be only 3.8 years' supply (Document 11 Appendix 15A, Table 13). This supply is on the basis of PPS3's requirement not only for a continuous supply of deliverable sites, but as stated in paragraph 55, with Local Development Documents providing for a continuous delivery of housing for at least 15 years from adoption. Unless such a supply is maintained, there will be, on final publication of RSS10 for 2006-2026, a significant shortfall.
42. It is clear that the RSS10 submitted draft housing provision should be regarded as a minimum. Following revised household projections, the South West Regional Assembly (SWRA) predict a need for an additional 5,000 dwellings. In terms of North Dorset, the section 4(4) authorities' preferred approach is an increase in the annual rate of 33%, from 255 to 340 (Document 50). Assuming the adoption of RSS in March or June 2008, the relevant housing requirement from the beginning of the RSS period is predicted to be at least the rate of 290 dwellings per annum for the period 2006-2016.
43. NDDC's preference for the residual approach to the estimation of future housing supply over the annual average approach (Document 11 Tables 13 and 13A) does not affect its support for the application proposals. Even assuming that the Council's claimed years' supply were correct, it should not follow that there should be a brake on the release of appropriate sites such as these allocated ones. The effect of so doing would be to

exacerbate the lack of a continuous supply from now until, after the publication of the final RSS, the supply can slowly be rectified.

44. The Council's approach results in the contention that there is a five years' supply (Document 49 paragraph 14). Taking the planning permissions at 984 there is, at 290 dwellings per annum, a supply of 3.4 years. But the permissions are actually 984 less the 190 on the Blandford Brewery site because formal planning permission has not yet been granted there, that is, 794 or 2.7 years' supply. No planning permission can be assumed for land that is currently in employment use. The addition of the yield of 400 dwellings from other outstanding allocations would give a total of 1384 or 4.8 years' supply or if the Brewery site is omitted, 4.1 years' supply.
45. Yet it is not appropriate to include the 400. NDDC are proceeding with their 'Management' Supplementary Planning Document (Document 45A Appendix 7), for which purpose the Council has support from the Government Office for the South West (Document 45A Appendix 8). This should mean that many fewer planning permissions will be issued over the next two years, possibly making it difficult, as the Council's evidence suggests, for it to maintain a continuous five year supply of housing from 2007 onwards.

Need for affordable housing

46. The position is worse in relation to affordable housing. Affordable housing provision in the LP is based upon an out-dated housing needs assessment. Even on this basis, there is a current shortfall of 205 dwellings to be provided by 2011. Only 7 affordable homes are delivered on average each year in Shaftesbury, compared to the annual requirement of 20 units. No affordable dwellings will be delivered by outstanding permissions in Shaftesbury.
47. In the light of the Housing Needs Update 2006 (Documents 19 paragraph 6.7 and Document 19A Appendix 3), there is an annual District-wide affordable housing shortfall of 486 units per year, and 382 existing households and 96 concealed households intending to leave the town through lack of affordable housing. The latest information from the Waiting List indicates 1,800 households in housing need in North Dorset, of which 350 seek specifically to be housed in Shaftesbury (Document 11 Appendix 15B, paragraph 15.7). The application proposals would deliver affordable housing at a rate of 35%, well over the LP requirement of 24%. The LP suggested split of 55% subsidised and 45% low cost would in 670 dwellings provide 88 subsidised units. What is proposed is 164 socially-rented units, and 70 or 71 'homebuy' units.
48. The AONB Partnership advocate a substantially higher rate of affordable housing by reference to draft RSS10. The exceptional aspiration of 60% will first have to be tested through the Public Examination process. If it survives, it will need to be taken account of in future assessments feeding into the LDF process for North Dorset. In any event locus to advance such a view by the Partnership outside the AONB is doubtful, and the Partnership does not oppose the grant of planning permission in the terms proposed. The application sites are not rural exception sites in the terms of paragraph 30 of PPS3.

Community involvement and benefits

49. The breadth and depth of local support for the application proposals is unusual. Two prime reasons for such support are firstly that local people have been extensively involved in the evolutionary stages of the proposals through an EBD process (Document 20A Appendix PA6 and Document 68), and secondly, that there is widespread recognition of the

substantial benefits to the town and wider area if the development went ahead. The indicative heights of buildings with three storey buildings towards the centre of the site and two storey buildings near existing housing and at the countryside edge of the development, have evolved from the consultative process.

50. Primary benefits from the development would be the significant provision of much-needed market and affordable housing, and the facilitation of employment proposals to the south of the A30 (Application C, Document 12). Other benefits would be improved public transport provision, adding to the accessibility of the town by non-car means of transport (Documents 40 and 41); improved recreational facilities serving both the proposed development and existing residents, the *Healthcheck* (Document 44A Appendix MW3) having indicated that there was a shortage of playing fields and recreational facilities; a new neighbourhood hall available to new and existing residents (Documents 40 and 41), and educational facilities (Documents 40 and 41).
51. The Shaftesbury Town Council has played a key role in the formulation of the proposals, referring in its letter of 14 November 2005 (Document 2) to the five years of work designed to develop infrastructure and facilities to accommodate the new residents, mostly carried out jointly between the Town Council and the Shaftesbury Task Force. Projects under way have included a swimming pool and town enhancement proposals, referred to in SCG5 (Document 16).
52. The prospects of planning permission being granted by the NDDC for the development of the site of Application C for employment purposes is good (Document 12), and indicates the reality of early employment development and the consequent potential for 1090 to 1260 jobs (1240 to 1450 on the whole of this allocated site), with a boost to the local economy of some £30 million per annum.

Sustainability credentials

53. The fact that Shaftesbury does not have a railway station, the nearest station being at Gillingham, does not affect the sustainability credentials of the application sites. Shaftesbury residents have the lowest propensity in the District to commute to work by car, and the largest propensity to walk and cycle. The town has a large range of services and facilities (Document 19 Appendix 1), and a range of bus services (Document 22 Section 4 and Figure 2)². The additional bus service to Gillingham facilitated by the application proposals would provide a significant net improvement for all residents of both towns (see section 106 agreements, Documents 40 and 41). All the proposed dwellings fall within a 2 kilometre walking distance of the town centre and other main employment areas. A new employment area is proposed immediately to the south of the A30. No proposed dwelling would be more than 1 kilometre from the local primary and secondary schools. The nearest convenience store would be between 200 metres and 1 kilometre of the proposed dwellings.
54. The Shaftesbury Chamber of Commerce raises the issue of an outer ring road or bypass for the purpose of achieving greater linkage between the application sites and the town centre across Christy's Lane (Document 2). This concept forms no part of the LP proposals for the development of the sites; instead the linkage improvements required by the conditions and by the highways and cycleways contributions in the section 106 agreements (Documents 8, 9, 40 and 41), will assist in terms of the east-west linkage.

² Inspector's note: more detailed information on bus routes can be found in Appendix 1 to Mr Brimble's proof (Document 21A).

Environmental effects

55. The drainage aspects of the proposals have been regularly scrutinised by the Environment Agency (EA) over the last 4 years. Fully aware of the sensitivities of the watercourses to the south and east of the site, the EA raises no objection. Although some local residents have pursued their own concerns, the EA has specifically responded in a letter dated 4 January 2007 (Document 48), confirming that it has no objection subject to conditions. The applicants agree that stringent conditions should be imposed, including those to safeguard nature conservation and biodiversity interests involved. Recent developments in SUDS techniques are acknowledged (Document 30). The SUDS corridor is to be designed with the objective of leaving existing hydrological and ecological conditions as they presently are.
56. The relevant Environmental Statement (ES) for the purposes of both Applications A and B is the Addendum ES of September 2006 (Documents 24-26). The 'environmental information' also includes responses received to consultation (Document 27). The understanding in Mr P Zieleniewski's letter of 14 December 2006 (Document 2) that tributary streams east of the application sites which flow into the River Nadder formed part of a Special Area of Conservation (SAC) under the Habitats Directive is incorrect. Mr. Zieleniewski has subsequently accepted this point (Document 2). Natural England in its letter of 21 December 2006 (Document 2) confirms that the application proposals would not have a 'significant effect' on the SAC, which is 10 kilometres from the sites at its nearest point. There is therefore no need for the Secretary of State to make an 'appropriate assessment' under Regulation 48 of the Habitats Regulations.

AONB issues

57. Before the setting up of the AONB Partnership, the then Countryside Commission made no objection to the allocation of the application sites for housing during the LP process (Document 52). The Countryside Agency was consulted on the applications, and made no objection (Document 53). In the development plan and national planning guidance, there is stringent control over major development proposed *in* the AONB. There is no AONB-related policy relating to development *outside* the AONB, but which might affect its natural beauty. Only the last paragraph of draft RSS10 Policy ENV3 introduces such a consideration. Any concern over impact on the AONB was discharged by officers of the authorities whose areas fall within the AONB. Cognisant of the proximity of the development site to the AONB, the approach to the proposed development, as set out in the Development Brief 2003 (Document 47), was formulated accordingly.
58. The position of the AONB Partnership established by the end of the inquiry is that the Partnership is satisfied that the processes of conditions, reserved matters and the evolving Design Code would fully protect the statutory duties relating to the AONB, and the objectives of the AONB Management Plan (Document 7). This would include seeking exemplary developments fully reflecting their close proximity to the nationally important AONB and an historically important market town, including the disposition, form and heights of buildings as well as other matters under consideration in the preparation of the Design Code. The AONB witnesses are satisfied that the Partnership has, and can continue to have, a proper role in these processes.
59. The proposed development would have no effect on the flora, fauna, geology or physiological features of the AONB, nor on diversity or biodiversity, on distinctiveness, or

the sense of remoteness. There would also be no effect whatsoever on the tranquillity enjoyed on high ground. Any noise impacts would be wholly immaterial and, in any event, additional traffic generated inevitable from any development of the LP allocation.

CASE FOR THE APPLICANTS (APPLICATION B)

60. Shaftesbury is an ancient hilltop town with a population of some 7,300. It is a thriving market town and contains a wide range of social and essential services, including a hospital, 6 churches, leisure centre, library, swimming pool, police station, fire station, comprehensive school, primary schools, arts centre, a wide range of shops, banks, hotels, public houses, offices and employment estates (Document 21 Appendix 1). The town enjoys excellent public transport facilities and is 4 miles from Gillingham Railway Station, served by bus services from Shaftesbury.
61. The western part of the site of Application B (about 40%) is owned and occupied by one of the applicants Mr Cole in connection with an agricultural machinery business based on the opposite side of the A30. The machinery storage activity on the application land has taken place for about 19 years. That land was also about 4 times a year used for the sale by auction of agricultural machinery, activity that now takes place on land on the north side of the A30 but outside the application site to the east. The late husband of another of the applicants Mrs Kavanagh also ran a building business at the rear of their house *Greenacres*. She has continued the business since his death, although the business is now based elsewhere in Shaftesbury and she also lives elsewhere. A detailed description of the Application B site, and the history of land purchase and occupation by the applicants was given in evidence (Document 21 paragraphs 1.21-1.34 and 6.5-6.28). It is estimated that about 35% of the application site is PDL.
62. Following representations as part of the LP process against the provision of an outer spine road to serve a development allocation at East Shaftesbury because it would be prejudicial to the SP reservation for the A350 Bypass, NDDC proposed that access to the allocation land should be from Salisbury Road (A30). After the LP inquiry had closed, the Council indicated it would commence the preparation of a development brief for the East Shaftesbury land. A planning application for the residential development of the Application B land submitted in November 2000 was subsequently refused by the NDDC on grounds of prematurity, and a subsequent appeal dismissed (Document 21 paragraphs 3.3 and 3.5 and Document 21a Appendix 6). By that time it had been decided that the development of the allocation land would be taken forward through the EBD process.
63. The EBD process resulted in preparation of a Development Brief and Master Plan for Sites A and B, proposing a mix of dwelling types and urgently needed affordable housing. The application sites are well-related to all facilities and employment sites within Shaftesbury. A substantial contribution would be made through section 106 agreements to the provision of an improved bus service, including to the railway station at Gillingham.
64. A large proportion of Application B land is used for residential or commercial purposes. Encouragement is given in national and local policy for its re-use. From an appraisal of the housing supply position in North Dorset (Document 21 paragraphs 7.1-7.28), it is clear that unlike most of the remainder of North Dorset District, the number of dwellings provided at Shaftesbury is significantly below target. However, if 200 units were built on the application sites to 2011, this would not unacceptably breach target figures. An appraisal of

affordable housing provision (Document 21 paragraphs 8.1-10.9) identifies an urgent need to provide a further 205 affordable homes in Shaftesbury during the next 4.5 years.

65. The application site accords with the LP allocation and are some distance from the open or wooded area around the town. If the applications are approved, there would be significant community advantages for the town. The proposed phasing is different to that proposed in the LP, but the proposal nevertheless accords with LP Policy SB8. It is important that the whole development is permitted, so that development can proceed in the most efficient and comprehensive manner. The development would provide a comprehensive and permeable layout for pedestrians, cyclists and motor vehicles. Mr Coles would redevelop his site south of the A30 as part of the overall employment development allocation there. For other detailed reasons given in evidence (Document 21 paragraphs 10.18-10.50), the proposals would accord with LP Policies SB9-SB11. For further reasons given in evidence (Document 21 11.1-11.34 and Document 21a Appendices 1, 29-36), the application proposals would accord with RPG10, in particularly Policies HO1, HO2, HO3, HO6, SS2, SS3, SS7 and SS19.
66. The application proposals are in conformity with the development plan and no other material considerations indicate that they should not be approved. There is strong local support from elected authorities and other local bodies, and widespread consultation through the EBD process. The subject applications would meet the diverse needs of the people of Shaftesbury and surrounding villages by providing much needed sustainable general and affordable housing at appropriate densities, well related to employment, shopping and education and to the public transport system. Sufficient land would be brought forward in a managed manner in the most appropriate location in Shaftesbury, and there would be significant contributions towards community facilities. The proposals would in these circumstances accord with national policy advice in PPS1 and PPS3.
67. So far as draft RSS10 is concerned, Shaftesbury is a Development Policy B Market Town that meets the criteria set out in the Policy. Much work has been done to ensure that the development would achieve development which is of high quality, energy efficient and sustainable on other respects, to meet the requirements of Development Policies E, F and G, on land that is partially PDL.

CASE FOR THE NORTH DORSET DISTRICT COUNCIL

68. The application proposals have had a long period of gestation, and have subsisted and prospered in the context of a changing planning policy environment. The proposals enjoy a significant amount of local support, and from the District Council, Dorset County Council and Shaftesbury Town Council. The process of preparation for the inquiry has enabled other parties to consider their positions. In particular, there is now no objection to the proposals from the South West Regional Assembly (SWRA) (SCG2, Document 13) and the South West Regional development Agency (Document 4).
69. The matters raised in the call-in letter have at their heart issues of sustainability and spatial planning in the context of Shaftesbury's position in the hierarchy of settlements in the Region. The support of the SWRA and SCG2 are therefore of the utmost importance. The proposals accord with LP housing allocation policies, having withstood the scrutiny of the LP process. It was at that stage that the principle of residential development was open to challenge. Any sustained fundamental objection to the potential or location of the development would have resulted in the site not being allocated. The plan-led system,

consistency of decision making and endorsement of the proper planning process embodied in such a substantial allocation in the LP should only now be deflected off-course for compelling reasons, and on the basis of sound evidence.

70. A development brief for the site (Document 47) has informed the design evolution. This had regard to the proximity of the AONB which was identified as an issue in the ES (Documents 24-26). The proposals have engaged the local community in an exemplary manner. The EBD process has been explained in evidence and the applicants and other stakeholders having continued to work co-operatively. The SCGs (Documents 10-17) show in relation to the issues identified in the call-in letter that there is a strong level of overall unanimity both in terms of facts and consequent opinions.
71. An area of disagreement concerns housing land supply, particularly the extent of any undersupply of housing in the District, having regard to paragraph 71 of PPS3. Whilst the methods used by the applicants and NDDC to gauge the level of housing supply differ, both parties agree that the applications are supported by relevant layers of planning policy connected with the amount and distribution of housing supply in that, and with appropriate phasing, the proposals do not result in the delivery of either too much or too little housing, and do not result in that housing being in the wrong location, either sequentially or spatially.
72. There is agreement that there is a need for the development, subject to the terms of the section 106 agreements and conditions. The stakeholders are to be commended for formulating proposals that seek to address the need for housing in Shaftesbury without prejudicing LP housing land supply policies; make an increased provision for affordable housing; and provide a site of sufficient size and in the right location in order to manage housing land supply in one of three principal settlements in the District in the short to medium term including post-2011, thus enabling less sustainable housing growth elsewhere to be resisted.
73. The work in the ES supports the proposals, and given the final remit of the AONB Partnership to make its contribution to the formulation of an exemplary scheme, particularly in the scope and content of the conditions of planning permission, there is no objection from the Partnership to the development proceeding.

RPG10 (Interim RSS)

74. The LP in which the relevant housing allocation was made took into account RPG and acknowledged it as interim RSS. The role of Shaftesbury as a Market Town and focus for appropriate development is consistent with RPG10 Policy VIS1. Such compliance is reflected in terms of location, role, position in the settlement hierarchy, site assessment, the regional balance in achieving PDL targets which recognises that this rural District has limited availability of PDL on which to make strategic housing allocations, and preserving an appropriate and sustainable distribution of housing within the District. The provisions of Policy VIS2 have been taken into account in making the relevant allocations, and SCG1 records agreement on this matter.
75. It is agreed that Shaftesbury is a LSC under Policy SS2 and that when planning for development in such settlements outside the PUAs and ODCGs under Policy SS7, limited housing growth can be provided in the town to meet local rather than commuting needs. Shaftesbury has an appropriate level of self-containment for a settlement of its size and performs relatively well in that context (Document 46 Appendices C and D). SCG2 identifies no conflict with policy ENV1. The development is not within the AONB and has

emerged though the development plan process with those responsible for safeguarding the interests of the AONB not raising any fundamental or in-principle objection to the allocation on the basis of harm to the AONB or its setting.

76. It is also agreed that the ENV4 objectives should be met in terms of quality of design; that the proposed phased and managed release of housing at Shaftesbury would accord with Policy HO1; that the adopted LP supports a sequential approach to the development of land compatible with Policy HO5, there is no identified conflict with Policy HO6; sustainability and transport-related policies in TRAN1 and TRAN10 are compatible with the proposals, and infrastructure requirements are addressed in the section 106 agreements (Documents 40 and 41). Thus the application proposals emerge as in accordance with the interim RSS which is part of the development plan.

Structure and Local Plans

77. The application proposals accord with SP Settlement Policies B, C and F, and there is no objection from the Dorset County Council both as strategic planning authority and highway authority. The proposals also accord with the SP's economy policies, particularly when the policy support for the employment development proposals on Application site C is taken into account (Document 12). The Applications A & B proposals also accord with the SP's environment policies (Document 10 paragraph 6.7) and with its transportation policies (SCG3, Document 14).
78. The control over housing land supply secured by the phasing agreement underpins the NDDC's evidence that the proposals accord with the thrust of the housing policies in the LP. So that the level of housing indicated by the development plan is not substantially breached, the NDDC now seek actively to manage further housing development in the manner envisaged by LP Policy 2.9. The proposed phasing addresses the issue of District-wide oversupply whilst making substantial progress towards meeting the under supply at Shaftesbury during the LP period. More importantly, the grant of planning permission would assist in meeting the shortfall in open market and affordable housing provision in Shaftesbury, whilst again facilitating sustainable housing growth in the District generally.
79. Much of the development that has taken place in the first two of the three LP periods has occurred in villages and has not yielded as much affordable housing as planned strategic growth can achieve. The proposed phasing of the development would concentrate growth where it is needed, promote more sustainable development and accrue many benefits associated with planned growth that could not be achieved without it. Most significant in this context is 35% affordable housing as against the 24% specified in the LP. The Council acknowledges that the LP definition of affordable housing as accommodating low cost market dwellings has not really withstood the test of time.
80. It is accepted there is no need to provide a new first school, and the objectives of LP Policy SB10(iv) can be met by educational contributions secured by the section 106 agreements (Documents 40 and 41). Notwithstanding concerns raised by County Councillor Deane (Wiltshire) these contributions have been agreed with the Dorset County Council as Education Authority, having regard to the available capacity for primary and secondary school pupils in Shaftesbury.

Emerging RSS10

81. The draft RSS sets housing levels for North Dorset significantly *below* recently planned and historical actual levels of provision, due to the absence of PUAs or ODCGs in the District which is a rural area with a limited number of Market Towns meeting local needs. The section 4(4) advice released at about the same time as the opening of the inquiry, contains a bid for more housing for North Dorset District than is currently provided for under the emerging RSS (Document 50). The outcome of this is uncertain, but it is NDDC's view that either the levels of housing provision in the RSS will be reduced as compared with the rates in the SP, or they will approximate to previous levels of planned provision – there will be no increase.
82. In any event, the issue raised by call-in matter (iii) has been addressed in SCG2 (Document 13). This demonstrates that with the proposed phasing of the development and conditions of planning permission, the application proposals would not prejudice the emerging RSS, nor have adverse consequences for the appropriate scale and distribution of housing development in North Dorset including Shaftesbury. On the contrary, the proposals would be beneficial for reasons already advanced.

PPG3, PPS3 and call-in matters

83. Following the cancellation of PPG3 it would be inappropriate not to have regard to the important advice in PPS3, particularly at a call-in inquiry. However, the matters below referred to in the call-in letter should be addressed. The evidence has addressed the need in housing terms for the proposed development, and concluded that such a need exists (Document 11 Appendix 15A, including Table 4). There is also a clear need for affordable housing (Document 11 Appendix 15B). This case is compelling; in terms of compatibility with the level of housing need identified in the development plan, the level and nature of oversupply in North Dorset as a whole are now being addressed by an active approach to 'plan, monitor and manage'. In terms of future need to be identified in the emerging RSS, the proposals would meet the needs of a Policy B settlement and would deliver needed housing in the right place, both open market and affordable, and not 'too much too soon'.
84. However, some elements of the applicants' evidence require comment, particularly as regards the holding back of planning permission for 400 dwellings, the effect on the objectives of PPS3 if that is not done, and the question of maintaining a continuous supply of deliverable sites (see Document 35). Firstly, the Council considers a realistic date for adoption of RSS10 to be the middle of 2008. Secondly, whatever conclusion may eventually be reached about the housing supply for NDDC, it would be wrong to describe the present concern about 'oversupply' in the District as theoretical. Numerically it is a fact at the present time, set against the scale and distribution identified in the development plan (Document 11 Appendix 15A, Table 4). So the need to monitor and manage the scale and provision of new housing in the period 2006-2011 as contemplated in the LP is clear cut (Document 11, Appendix 15A, Tables 4 and 7).
85. NDDC will judge the continuing relevance of its emerging SPD, particularly as part of the work associated with the production of the LDF for the District. The monitoring and management may last only for a relatively short period in planning terms, but its purpose, to provide the right amount of development in the right place and at the right time, is clear. Performance against the SP should be judged by applying the residual method to establish whether the scale of distribution has been achieved. Performance against the LP scale of

provision must have regard to previous provision, whether as over- or under-supply. To do otherwise could produce unintended consequences (Document 49, paragraphs 4-11).

86. In these circumstances, and in terms of a 5 year requirement set against emerging RSS, a phased approach to the delivery of the development arising from Applications A and B is justified. Without that, the 5 year rolling supply would be exceeded, taking the supply up to 7.1 or 7.4 years. The bottom line of Table 13A (Document 11 Appendix 15A, page 15) shows an adequate 5 year supply against draft RSS in all circumstances, providing the 'Hopkins land' (allocated land north of Site A) is included. The Brewery site in Blandford is PDL, its proposed development is for mixed use and the development is now the subject of a planning application. It is therefore reasonable to include that site within Table 13A.
87. The management of the supply of housing contemplated in PPS3 paragraph 57 aims to ensure the maintenance of a continuous supply of deliverable sites to deliver the requirements over the next 5 years of the 'housing trajectory'. The Council's view, supported by Annex B to PPS12 is that the 'trajectory' must take past performance into account. To do otherwise could provide unintended consequences in terms of the under- or oversupply of housing in the context of the spatial vision for an area (Document 11 Appendix 15A and PPS3, paragraphs 63, 68 and 69).
88. Not too much should be inferred from the Southview decision referred to by the applicants (Document 19A Appendix 2). The 'direction of travel' for Trowbridge, an SSCT is clearer than any Development Policy B settlement, including Shaftesbury. The 'direction of travel' of North Dorset District is currently downwards in the emerging RSS. The annualised housing rate for Trowbridge in the draft RSS is 250 dwellings, a figure comparable to the whole of North Dorset. NDDC therefore considers that its action to monitor and manage the housing supply accords with PPS3. There is no 'dire' need for more housing, nor absence of a 5 year supply. Yet whilst the circumstances of paragraph 71 of PPS3 do not fit the application proposals in terms of undersupply, the proposals do not undermine, and positively support the policy objective that seeks to maintain a supply of deliverable sites.
89. The facilities and services of Shaftesbury are listed in SCG1 and elsewhere (Documents 10, 19A Appendix 1, and 21). The town has appropriate levels of self-containment, and a significant number of trips are undertaken by non-car modes. The application sites are well located in relation to existing and future planned employment sites, local town centre and supermarket shopping, schools and medical facilities and an appropriate range of other facilities by walking and cycling, with benefits from permeable links by these modes. The proposals would confer additional benefits in terms of bus provision, including an enhanced link to the nearest railway station in Gillingham (Documents 22A Figure 2, Documents 40 and 41).
90. The growth of Shaftesbury has been planned in accordance with policies in a LP adopted in 2003. The planning process took into account sustainable patterns of housing growth and recognised a role for the town which existing and emerging Government policy has not displaced. Bringing forward the employment allocation to the south of the A30 which has been shown to be needed and is the subject of a current planning application (Documents 12 and 34) complements and reinforces the sustainable nature of Applications A and B. The same conclusion can be reached from the point of view of transportation planning.
91. The District has consistently met its LP PDL target of 34% (Document 11 Appendix 12.1). The potential for housing delivery on PDL in Shaftesbury is low (Document 45 Appendix

- 13), the potential PDL sites within the urban area very few (Document 45 Appendix 14) and the likelihood of their coming forward early, doubtful due to significant impediments to development. A conclusion of the Employment Land Review is that there is no potential for housing development on existing employment sites within Shaftesbury because they are fully occupied by businesses (Document 45 Appendix 15 Table 18).
92. The range of densities proposed in Applications A and B accords, at between 30 and 60 dwellings per hectare, with guidance in PPS3 (and the replaced PPG3). The proposed 235 affordable units exceeds the development plan requirement and was negotiated to reflect increased emphasis on affordable housing in Government policy and the level of need identified by the recent Housing Needs Study (Document 19A Appendix 3). The level, nature and distribution of that need is a compelling and weighty factor supporting the proposals. The mix of social rented and 'homebuy' (shared equity) units accords with aspirations and objectives in paragraph 27 of PPS3.
93. Diversity of house type lies at the heart of the design approach to be embodied in the Design Code (Document 28). Questions of layout, design and car parking provision to be dealt with within the Design Code (Document 28) and the applicants' evidence on these matters confirm that the proposals would make efficient use of land, whilst capturing local distinctiveness, providing an attractive place to live, responding to context including views into and out of the AONB and improving the coherence of the eastern side of Shaftesbury. Proposed Condition 64 (Application A) and 61 (Application B) provide for a numerical control of the number of dwellings being permitted, having regard to these and other planning circumstances.
94. The additional demands on infrastructure generated by the application proposals will be met by contributions secured through the section 106 agreements (Documents 40, 41 and 55). They will, for example enable enhanced school and health facilities to absorb the additional demand generated by the proposals. The concerns of County Councillor Deane (Wiltshire) with regard to secondary school capacity are not shared by Dorset County Council which is content with the availability of capacity. The evidence on dental provision questioned by Councillor Mrs Bone confirms that the relocation of the existing surgery in Sturminster Newton has added spare dental capacity not presently found in Shaftesbury (Document 66).
95. Agreement on transport and travel issues is confirmed in SCG3 (Document 14). The application proposals would underpin and enhance an already appropriate level of self-containment in Shaftesbury. This is further reinforced when the need and support for the employment development proposals on Site C to the south of the A30 are taken into account. Within the boundaries of the town, patterns of travel sustainable choices are very apparent, given the relative proximity of jobs, shops, leisure facilities, schools and medical facilities. The proposals would share those benefits and build upon them. Permeable walking and cycle routes and enhanced bus provision would be secured.
96. The range of available facilities is appropriate to a Market Town, and the scale of the proposed development is accepted by all relevant bodies as appropriate to the status of the settlement. The proposals would make a contribution to the protection and enhancement of Shaftesbury's offer, as an asset in sustainability terms for its residents and those of the surrounding hinterland (Document 46 Appendices B to D).
97. Despite some concern expressed by residents of Wiltshire villages on or off the A30 to the east of Shaftesbury, the highways evidence clearly shows that the road system supporting

the proposed development would be able to accommodate the level of traffic it would generate. Neither Dorset nor Wiltshire County Council objected to the proposal at the allocation stage; nor has either Council objected to Applications A or B.

98. A long gestation period and iterative process of improving and refining the application proposals have been the outcome of a number of important stages that would enable a high quality of design for the development to be secured. They are the allocation of the application sites, and some other land, in the LP; the production of a Development Brief (Document 47); the EBD process and the submission of a design statement (Document 26 Appendix 1.3). The production of the ES and Addendum ES has informed the work to be embodied in the Design Codes to be secured through conditions of planning permission, to ensure that a high quality of design is being sought and would be delivered as a result of the subject applications. The applicants' evidence and the Design Strategy work undertaken by the commissioned architects (Document 28) offer a framework for providing a high quality development.

AONB

99. The proposed development is not within the AONB and development plan policies for the AONB do not apply. The interests of the AONB were represented in work which lead up to the allocation of the land. It is clear from the Countryside Commission's letter (Document 52) that no objection was raised. Neither NDDC nor Dorset County Council both of whom have a remit to have regard to the interests of the AONB have considered that an in-principle objection should be made to the proposals based upon AONB impact. This is also true of Salisbury District Council and Wiltshire County Council.
100. It should be accepted that distant views of Shaftesbury and the application sites from the higher chalk downlands to the south of the town which are within the AONB would not change in any materially adverse way if the sites were developed as proposed. The Design Code has been prepared with the collaboration of the AONB Partnership's advisor, and his input has been welcome. The interests he seeks to protect have fully been taken into account. Concern about a loss of tranquillity associated with traffic on the A30 must be calibrated by a recognition of the present relative tranquillity of that road compared with others in the AONB, and of the imperceptibility of any change arising from its increased use, identified in the applicants' expert evidence as amounting only to 1 dB.

A30 in Wiltshire

101. Wiltshire County Council as local highway authority has not raised any in principle objection to the application proposals in terms of the use of the A30, either prior to the sites' allocation for residential development, or since³. Nor has that Council identified any improvements required or justified by the subject proposals or those for the employment site south of the A30. This is clear from the County Council's consultation response referred to in the NDDC evidence, which had express regard to the representations of the Donhead St Mary Parish Council about the need for improvements to the A30 (Document 51). It is not unusual for residents of villages on A roads to raise the sort of concerns

³ Inspector's note: The Application A applicants estimate that a maximum of 500 car trips in a peak hour would be generated by the proposed development, with access to the majority of the sites being provided by two signal-controlled junctions on the A30. The TA conclusion (Document 25), agreed with DCC, is that the road network can accommodate generated traffic subject to minor improvements.

advanced in these cases, but no expert evidence has been submitted to the effect that the proposals are unacceptable in road capacity or road safety terms.

Other matters

102. Issues of drainage, water supply and ecology have been addressed by the statutory agencies and in the applicants' evidence, including the Addendum ES (Documents 24-27). Conditions have been framed to accommodate reasonable concerns expressed in relation to these issues. Mr P A Crane's interest in the future of the A350 corridor was expressed at the inquiry and in representations he has made at every level of the development plan. Yet he did not oppose the allocation of the application sites in the LP, and neither has Dorset County Council as highway authority raised an objection or case for improvement based on impacts on the A350 corridor.
103. Shaftesbury Chamber of Commerce has expressed concerns but not objected, because the Chamber supports the Eastern Bypass. The application proposals seem to address some of the other issues raised by the Chamber. Concerns over soil contamination raised by Mr Thorpe are addressed in the Addendum ES and in clauses 26.1 and 25.1 of the respective section 106 agreements (Documents 26 section 13, Documents 40 & 41). Shaftesbury Town Council is satisfied by the contributions secured through the section 106 agreements (Document 55), and its support for the position taken by the NDDC is very welcome.
104. The position of the Campaign for the Protection of Rural England (CPRE) appears to have changed over time. CPRE raised no objection to the development of land to the east of Shaftesbury for housing purposes at the LP allocation stage, and supported the application proposals when they were considered by NDDC in 2005 (Document 3)

**CASE FOR THE CRANBORNE CHASE & WEST WILTSHIRE DOWNS
AONB PARTNERSHIP**

105. The Partnership does not object in principle to the proposed developments, although it would prefer not to have developments that could adversely affect the setting of the AONB, views to and from the AONB, potentially impact on water flows and valley landscapes of the River Nadder, and introduce additional traffic to roads already recognised as problematic and which will prejudice the tranquillity of the AONB and quality of life of its inhabitants. The AONB is a material consideration and the Government accords AONBs the highest protection.
106. Oversupply of housing in North Dorset and NDDC's agreement that the development should be phased suggest that there is no urgency to develop the application sites. So if the outcome of the inquiry is the grant of outline planning permission, there is time to finalise designs and layouts so that the developments are exemplary, fully reflecting their proximity to an historically important market town. That process could include the disposition, form and heights of buildings as well as other matters under consideration in the preparation of the Design Code/Urban Design Strategy. In particular, the sustainable urban drainage system (SUDS) proposals could be designed with greater focus on source control (Level 2). The AONB team has been party to the preparation of draft planning conditions, which could go a long way towards achieving exemplary development. The Design Code/Urban Design Strategy should be applied to all parts of the developments.
107. The Partnership recognises that the proposed developments offer an opportunity to make a significant contribution towards affordable home provision the need for which is identified

in the LP and the AONB Management Plan (Document 7 page 67). The proposal that only 200 dwellings be completed prior to 2011 would mean that less than half the number of affordable homes needed to meet the LP target of 506 would be built during this period. It is therefore suggested that the initial phases of development are 'front loaded' with affordable housing to meet that target. This would require at least 160 affordable homes to be built prior to 2011.

CASE FOR THE SHAFTESBURY TOWN COUNCIL

108. The Town Council supports the application proposals. The Council has sought to ensure an adequate proportion of affordable housing, as now defined by PPS3, in the proposed development. The Council has recognised a duty to encourage providers so that, as far as is possible, physical and social infrastructure including sports, leisure and cultural facilities, are adequate for the existing and proposed population. The draft New Horizons Leisure Consultancy Feasibility Study is indicative of that intent (Document 63). From the Council's perspective it would be beneficial if the phased development could proceed as soon as possible.

109. The relevant agencies, bodies or persons have given and will be encouraged to continue to give consideration to the range of facilities listed by the Town Council, if planning permission is granted (Document 60 item 3(b)). The provision of the greater amount of affordable housing now secured by NDDC and strongly encouraged by the Town Council is likely to result in more of the residents of the development working locally, including on the Application C land, the development of which the Town Council supports.

CASE FOR INTERESTED PERSONS

110. **Shaftesbury Civic Society** supports the application proposals. The development would provide a sustainable population for a notable market town, with opportunities for small employment units and retail shops, reducing reliance on the car. The schemes would help meet an urgent need for affordable housing in Shaftesbury not otherwise realisable. The phasing of the development would allow the town to absorb the increase and its location on the edge of the town would complete its growth and create an integrated settlement. Recent development at Little Shilling in East Shaftesbury has proved popular. The prosperity of Shaftesbury depends on a larger population. Use of local materials should be made, with good insulation and sustainable energy sources.

111. The **Campaign for the Protection of Rural England** (West Dorset Branch) was involved in the EBD process, and has no objection to the general approach of the applications, accepting a need for affordable housing in the town. However, there is some concern about the number of dwellings proposed, the tendency of the development to draw new residents into the area, the environmental capacity of the area including increased traffic on local roads including the A350 and C13, congestion in the town centre, and the inappropriateness of the 'boulevard' concept at the southern end of the sites. Organic growth would be more sustainable in Shaftesbury than more rapid growth such as has been experienced in Gillingham. The CPRE's position is therefore one of partial support.

112. **Councillor Hooper** (Salisbury DC) supports the evidence of the AONB Partnership. He hopes the proposed development will cause minimum light pollution. The impact of the development on local drainage needs to be monitored. Local materials should be used, as well as brick. The development should not take place all at once. **Mr J Ryan** considers that there is a need to mitigate the environmental and highways impact of the proposals.

113. **County Councillor Deane** (Wiltshire) is a Governor of Shaftesbury School (Secondary). He has spoken to the Head Teacher and Chair of Governors of the school about its capacity to accommodate the increase in pupils that would arise from the proposed development. The Head Teacher considers that oversubscription of the school in the medium term is inevitable (Document 65). Councillor Deane is concerned about the impact of commuter and 'white van' traffic on the A30. It should not be assumed that all residents of the development would work in Shaftesbury. He is not opposed to the development, but considers the infrastructure of the area east of the site to be barely adequate. There should be a tighter control on speed limits.
114. **Mr P A Crane** opposes the applications. The status of Shaftesbury in terms of draft RSS has not been finally determined in RSS. The growth town of Gillingham is only just over 5 miles from Shaftesbury. He has objected to Application C on traffic grounds. He questions the view taken by NDDC that only large schemes such as that proposed could ensure an adequate supply of affordable housing. The status of the A350/C13 corridor is an important consideration given scant attention; increased traffic would exacerbate conditions in some villages. He supports the evidence of the AONB Partnership. **Mr J G Lichfield** considers the proposals overambitious and inappropriate, and is uncertain as to how the development could be adequately serviced without a major new access road. The scheme would not contribute anything to the quality of life in Shaftesbury.
115. **The Shaftesbury & District Chamber of Commerce** has modified comments it made in July 2006. It now broadly supports the proposals on condition that the development is an exemplar of good design sympathetic to the style and atmosphere of Shaftesbury, includes mixed use buildings (flats over shops), a large proportion of affordable homes and an Eastern Bypass to prevent the town being split into two halves along Christys Lane. There is disappointment that the developers have failed to commit to making maximum use of renewable energy systems. The Chamber also conveys concern from St Mary's School (private sector) about increased traffic on the A30 and the potential effect of the development on the water table.
116. **Mr P Zieleniewski** lives within the AONB to the east of the application sites. He is concerned about the lack of comprehensive information about the hydrological and ecological impact of the application proposals. The water regime is fundamental to the wellbeing of this area. The ES requires the developer to explain these matters to the general public, but not all negative impacts have been recognised nor satisfactory measures proposed to control them. There is a local need for a continuing supply of high quality ground water. There have been some SUDS failures and the potential for invasion by alien species exists, particularly in failed urban ponds. More local springs exist than have been identified. Stream flow and water quality should have been measured. Public consultation should be carried out on a drainage plan. More investigative work should be undertaken. There are also dangers from changes to the ecological balance, and easy access by urban populations. Scrutiny given to such matters by the Environment Agency is inadequate.
117. **Mr M R Thorpe** occupies Mampitts Lane Farm, immediately east of the Application A site. His is concerned about the impact of the proposed development on a spring at Mampitts Farm that also serves the Coombes. He wonders whether a soil analysis has been undertaken of the application sites, as there have been over the years deposits there of agricultural waste, including chicken manure. Shaftesbury is a relatively small market town with no railway station and limited public transport in general; one additional bus service would not assist. The town is served by the A30 and A350/C19 corridors. The latter is

unsuitable for heavy goods vehicles, despite Dorset County Council supported by Poole Council and NDDC advocating that it should be designated as a strategic route up to the M4. They are seen to promote it as an interregional route, against the findings of the Bristol/Bath to South East Study. Organic growth is what is needed to sustain local housing needs in Shaftesbury, in smaller greenfield or PDL sites that exist around the town.

118. **Councillor J Cole-Morgan** represents the deeply rural Donheads area of Salisbury District east of the application sites. He and some other members of Salisbury's West Area Planning Meeting are concerned about the number of dwellings proposed, the increase in commuting throughout the rural area along country roads, the inadequacy of public transport and safety issues along the A30. He also has doubts about the impact on the hydrological regime, and whether the proposed measures to control that impact would work, and concerns about light pollution.
119. **Mr J G Wright** lives in Middle Coombe in the AONB rural area to the east of the application sites. There, small hamlets are linked by narrow unlit lanes without street lighting or pavements. The valleys have unpolluted streams running through them. The application proposals would place an urban area close to a sensitive rural area. There would be night-time light pollution and the impact from surface water run-off would be damaging to the fragile local water environment. Increased traffic in rural lanes would exacerbate difficult driving conditions for residents. It cannot be assumed that there would be sufficient local employment for the new population, and so there would be increased commuting along the A30 with its problems of speed, noise and dust pollution and parking conflict at Ludwell, and to Gillingham and, across country, Tisbury railway stations.
120. Shaftesbury is unsuited to major growth as there is no land for further retail development and a shortage of parking space in the town centre. Any growth should be organic. There can be no shortage of housing for local needs, given the new development in Gillingham over the last 10 years.
121. **Councillor M Jeffery** represents Christy's Ward on NDDC. After initial concern about the East Shaftesbury proposals, he realised that there would be benefits to the community of Shaftesbury and surrounding parishes if the right kind of development could be achieved. He took part in the EBD process. Contrary to some views expressed, social issues were considered at each stage of the process. The danger of creating a community isolated from the rest of the town was appreciated. Walking, cycling and public transport links into the town were proposed (he disagrees with the view expressed for Applicant B that the bus services are excellent). The creation of a multipurpose community hall was an early aspiration. The surrounding countryside including the AONB was in most people's minds. EBD was followed by a draft and finally a definitive design brief. Renewable energy sources should be included in the development. There is a dire need for affordable housing, particularly in the social rented sector. Unlike the evidence for Applicant B, he does not consider Shaftesbury's existing bus service to be good; the enhanced service proposed would be worthwhile.
122. Of the concerns brought to Councillor Jeffery by residents, any issue of overlooking of existing development appears to have been resolved in the draft Design Strategy. There is still concern about the use of Gower Road and Pound Lane as an access for 75 dwellings. These arrangements which are a requirement of LP Policy SB10 (Document 11 page 12.61) are a negation of the ethos that the development should encourage the need to reduce the use of the private car, because it would bring about more car use, as journeys to work in

Salisbury to the east, Blandford to the south or Warminster to the north would have to travel nearly 1.6 km (1 mile) to the west. The development should not necessarily model itself on Poundbury; Shaftesbury has diverse styles and materials. Local, rather than Mendip stone, should be used as one of the materials.

123. **Mrs N Warburton** who lives in Gower Road confirms concern about the use of that road as an access to the new development. She also refers to the need to accommodate a badger set near her house into the new development. **Mr L Dibben** criticises the effect of the call-in by the Secretary of State, both in terms of the delay caused in what was in any event a long process of iteration of the application project, and his difficulty in understanding the reason for the call-in. The local community has acted in good faith, and many projects are being triggered as a result of the proposals. It is clear that the process would deliver an acceptable development and that Shaftesbury distinctiveness is slowly emerging. The suggestion that Shaftesbury can survive without further development should not be taken seriously. EBD principles were not just adopted for this development, but for all development in the town. However they had not been followed in development on the north-west side of the town.

124. **Councillor Mrs C Bone** (NDDC) notes the reference in the applicants' evidence to the provision of new medical facilities in Sturminster Newton. A committee minute confirms that planning permission has been refused for the redevelopment of the existing medical centre site there (Document 66). **Mr P Lucas** who lives at Donhead St Mary has some concerns in relation to hydrology and roads/transport. His property benefits from a stream sourced from the application sites. He considers that appropriate due diligence has not been exercised nor detailed technical evidence made available to the inquiry. The Donhead St Mary Parish Council of which he is a member considered commissioning expert help, but lacked the necessary funds. He supports the submissions of Messrs Zieleniewski and Wright, and has heard the applicants' engineering evidence – no other expert engineering analysis is available. The Parish Council has submitted a Road Safety Report to Dorset County Council. He regrets the location chosen for this inquiry.

WRITTEN REPRESENTATIONS

125. Key points made are:

- Potential for flooding from increased surface water run-off
- Impact on groundwater supplies
- Danger of pollution of River Nadder from proposed A30 industrial estate
- Increase in traffic on A30 and through narrow lanes (eg to Tisbury Station)
- Status of the A350 corridor and village bypasses
- National Trust's duties in relation to its holdings south of Shaftesbury
- Need for such a large expansion of Shaftesbury
- Support for housing of appropriate scale
- High rate of growth in Gillingham
- Impact on AONB, including light pollution

- Effect on hedgerow ecosystems
- Need for affordable housing; too many market houses proposed
- Lack of sufficient local employment
- Poor social and community facilities
- Inadequate educational, social and health infrastructure
- 'Brownfield' land should be used
- congestion and lack of car parking in Shaftesbury Town Centre
- Insufficient upgrading of transport infrastructure
- Inappropriateness of 'boulevard' at southern end
- Inability to engage in discussion of details at the outline stage
- Concern about interface between existing and proposed development
- Integrated approach to housing and employment facilitated by proposed development
- EBD consultation too narrow
- Need not to jeopardise access to employment land south of A30

CONDITIONS AND OBLIGATIONS

Conditions

126. The applicants and the NDDC have agreed a list of draft planning conditions to be considered for imposition in relation to Applications A and B if planning permission were to be granted (Documents 8, 8a and 9, available except for 8a on disc). It was put to me that the number and complexity of the conditions proposed reflected the need carefully to determine details of this large development in the context of outline planning permissions, having regard to the sensitivity of visual, ecological, hydrological, drainage, water and other considerations. The discussion sessions relating to conditions were attended by the applicants, NDDC, Shaftesbury Town Council, AONB Partnership and some third parties.
127. The conditions fall into discrete categories relating to the definition of the reserved matters (and their association was a Parameters Assessment Plan P.0139_87-2B); the design Code which would be part of the Urban Design Strategy (in draft, Document 28); the Phasing Programme; lighting; open space and landscaping including the protection of existing trees and hedges to be retained; drainage, SUDS and biodiversity requirements; phasing details; the bus route; access and highways considerations; archaeological investigation requirements; operational controls including the construction of a haul road within the site for construction vehicles; the protection/accommodation of badgers and other protected species; the height of dwellings; noise; the number of dwellings permitted.
128. There are some differences between the lists for Applications A and B, mainly on account of the differences in size between the two proposed developments. For example, the time allowed for submission of 'reserved matters' for Application A (Condition 3) is 10 rather than 3 years, owing to the size of the development and phasing arrangements. The

requirements in relation to the bus route are different (Conditions 34-36 for Application A, Condition 9 in relation to the Phasing Programme for Application B). The Phasing details for Application A are necessarily more complex (Condition 33) than for Application B (Condition 34). The Application A proposal is limited to 530 dwellings (Condition 64), for Application B it is 140 (Condition 61), to enable the Council to consider any proposal for increased numbers of dwellings in the light of environmental and other considerations. Condition 37 (Document 8) prescribes the access circumstances in which 75 dwellings would be served by an access through Gower Road to Pound Lane, namely that there should be no vehicular link between those dwellings and the remainder of the development.

129. During the discussion on conditions relating to drainage, SUDS and biodiversity matters, Mr Zieleniewski requested that consideration be given to a condition which would in terms of groundwater supply protect one or more springs that occur on land under his control. In my view such a condition would be unnecessary, difficult to draft with clarity and difficult to enforce. The SUDS system is intended to maintain the status quo so far as the ground water is concerned. Draft Conditions 26-31 provide for the formulation, approval and application of 'Surface Water Principles', Biodiversity Enhancement Principles' and 'Water Efficiency Principles'. One of the purposes of those conditions is to control and minimise the impact of the proposed development on the existing hydrological system in the area. Whilst much depends on the detail of the measures adopted, the conditions drafted have the potential to address the concerns raised by Mr Zieleniewski and others on these matters.
130. B E L & A T Legg own land south of the A30 that is part of the LP employment allocation. They request that a condition be imposed on any planning permission granted for the development of the Application A and B sites to require a means of access to the employment land that is to their satisfaction to be approved before the commencement of the development on the application sites. The arrangements for access to the A30 from the proposed development on the site of Application B (Plan E) also indicate an access to the employment land. That access is not however, part of the proposals which are the subject of this report. Yet there is nothing on that plan or in the evidence of the applicants or NDDC nor representations from the Dorset County Council as highway authority to suggest any fundamental difficulty in achieving a satisfactory access to the employment land. No reference to any difficulty was made in the minutes of the NDDC Development Control Committee on 14 December 2006 (Document 34). In these circumstances the condition requested by Messrs Legg would appear unreasonable and unnecessary.
131. Concern expressed by the Blackmore Vale Creamery whose premises are off Wincombe Lane resulted in a statement on noise being prepared and agreed between the company and the applicants for Application Site A (Document 42). The agreement seeks the imposition of a condition of planning permission for the Site A proposals, acceptable to the NDDC, that would require a noise control scheme for protecting bedrooms within dwellings in a defined zone at that end of Site A nearest the Creamery to be submitted and approved. If planning permission is granted for the Application A proposals, draft condition 63 (Document 8) would apply to these circumstances. It would add clarity to that condition if an additional sentence 'Development shall be carried out in accordance with the approved scheme' were added to the end of the condition.

Section 106 Obligations

132. Separate agreements under section 106 of the Town and Country Planning Act 1990 (as amended) have been completed in relation to the Application A proposals and the

Application B proposals. The agreement for the Application A site has been entered into by the applicants and Beazer Homes Ltd ('the developers'), the NDDC and the Dorset County Council. That for the Application B site has been entered into by the applicants, Clydesdale Bank PLC, the NDDC and the Dorset County Council.

133. The agreement in relation to the Application A site contains covenants relating to affordable housing, education contributions, a neighbourhood hall contribution and the transfer of a site for that purpose to the NDDC, an Outdoor Sports Contribution, a Community Facilities and Leisure Contribution and an Off-Site Play Areas Contribution. Its provisions also include a Play Area and Open Space Amenity Land Strategy and works associated therewith, a commuted maintenance sum for play areas, open space amenity land, a wildlife corridor and the SUDS corridor, the transfer of land including the Wildlife Corridor to the NDDC or nominated body, the construction and marketing of one or two shops, the provision of live/work units, a SUDS strategy involving transfer of the facility to the Council or nominated body and the construction of the dwellings to Building Research Establishment Environmental Assessment Method Standards (BREEAMS) 'good' or 'very good' eco-homes standards.
134. Highways provisions include Public Transport Contributions, links between the implementation of highways works and the phasing of the development, and the preparation, promotion and implementation of a Travel Plan. There are requirements relating to the indexing of contributions, the investigation and any necessary remediation of adverse ground conditions in relation to certain parts of the site and the investment and use of the contributions paid to the County Council and NDDC.
135. The agreement in respect of the Application B site contains broadly similar provisions.

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INSPECTOR'S CONCLUSIONS

[Numbers in square brackets indicate source paragraphs]

136. The structure of this section of the report is topic-based, but takes into consideration all the matters on which the First Secretary of State indicated he required information, and in addition contains an assessment of the impact of the proposed development on the Cranborne Chase & West Wiltshire Downs AONB.

Regional and strategic settlement policy

Assessment against RPG10 settlement policy

137. The main focus on new development in RPG10 is in the PUAs. However Policy SS2 provides, outside PUAs and ODCGs, for the designation of Local Service Centres LSCs [9]. The Sub-regional strategy encourages appropriate housing, employment and other types of development in sustainable locations. LSCs are seen in Policy SS6 as providing 'smaller scale' development to serve local needs including those of a rural hinterland [10]. Whilst there is no express definition of what constitutes 'smaller scale', there is no suggestion by the South West Regional Assembly (SWRA), the Dorset County Council (DCC) or the North Dorset District Council (NDDC) that the development proposed in Applications A and B is of excessive size in relation to Shaftesbury's role as a LSC.
138. Although the majority of the land forming the application sites is greenfield, very little PDL is available in Shaftesbury for housing development [37]. Because of the limited supply of PDL, and the lack of scope for the re-use of employment land [91], the general and affordable housing shortfall in the town could not be remedied without the use of a significant amount of greenfield land. I therefore find no conflict with RPG10 Policies VIS1 and EN4 in this regard.

Assessment against Structure Plan (SP) settlement policy

139. The role of Shaftesbury as a LSC is confirmed by Settlement Policy C [13]. The Plan identifies Shaftesbury, under Settlement Policy D, as a suitable location for housing growth, subject to the criteria of scale and form set out in Settlement Policy H [13]. I consider that the development would have sufficient 'critical mass' to accommodate a mix of housing to satisfy the objectives of Housing Policy B, in a location well-related to the land uses and facilities mentioned in Housing Policy C [13].

Assessment against emerging RSS10

140. The main parties agreed at the time of the inquiry that draft RSS10 should be given less weight than RPG10 (Interim RSS) [30(iii)]. The identification of Shaftesbury as a Development Policy B Market Town should therefore be viewed with a degree of caution, and there was at least one inquiry participant who appeared not to support such a status [114]. However, it can be concluded that the proposed identification of Shaftesbury as a Development Policy B settlement would confer no material change to the town's Market Town status from that which has been established for some years under RPG10 and the SP [30(ii)].
141. One of the main objectives of the draft RSS as expressed in Policy SD4 is the creation and maintenance of sustainable communities. Irrespective of whether or not Shaftesbury retains

its designated status as a Market Town, it is in the public interest that encouragement is given for it to develop further as a sustainable community. A number of third party submissions were made at the inquiry about the adverse effect of car commuting along less than adequate rural roads such as the A30 to the east and the A350/C19 to the south [111, 113-115, 117-119, 124]. Housing development such as that proposed would support the town's social, cultural and economic life to enable it to continue as the resource for rural areas envisaged in the draft RSS.

Housing land distribution and supply; housing needs

Assessment against development plan provisions

142. The application sites forms the greater part of a housing allocation in the adopted North Dorset Local Plan (LP). Thus the allocation is an important part of the LP provision for implementing the housing requirement handed down from the SP. Housing supply in most of North Dorset has been running ahead of the planned provision [39-41, 84]. This is not the case in Shaftesbury, where the supply of new market housing has fallen significantly below the planned provision, with some 630 dwellings remaining to be provided in the remainder of the LP period [40].
143. Whilst these circumstances might be seen as fully justifying the early release of the application sites (and the Hopkins land to the north of Site A) for housing, the flow of housing development would if uncontrolled have the effect of exacerbating the current oversupply position in the District as a whole. However, the proposed phasing of the development if permitted, involving the construction of no more than 200 dwellings in the period up to 2011, would not breach the accepted tolerances relating to bringing on-stream the housing supply during the LP period [38].
144. Such a controlled release of the housing would enable the NDDC to manage its ongoing supply of housing land in circumstances in which PPS3 *Housing*, which the main parties agree is already an important material consideration, requires that local authorities should identify and maintain a rolling five-year supply of deliverable land [41]. The PPS also advocates the identification of a further supply of developable sites for years 6-10 and, where possible, for years 11-15 of a 15 year cycle. Notwithstanding the issue of historic oversupply elsewhere in the District which the NDDC has declared itself committed to address in ongoing development control decisions, the controlled release of housing on the application sites would address the shortfall in general market housing in Shaftesbury, which arises from needs already identified in the current development plan [38, 83].

Effect on RSS10 draft provisions

145. The provision for North Dorset proposed in the submitted draft of the RSS would be lower than recent historical rates throughout the District, although the NDDC and DCC are advocating a higher level [81]. However, the final levels for the Region and for North Dorset in particular will be determined later and are unlikely to influence the outcome of the subject applications. In any event it is difficult to see how the RSS settlement could in numerical housing supply terms reasonably weigh against the proposals, which are promoted on the basis of an existing development plan allocation to satisfy settlement-related needs identified in both the existing Development Plan and the emerging RSS.
146. So far as the need to maintain a 5 year supply of housing land and the ongoing demands of ensuing years are concerned, the applicants argue on the basis of their calculation of supply

on an 'annual average' basis that a 5 year supply cannot be achieved against the SP requirement, even if the NDDC do not hold back on granting planning permissions on other allocated sites in the District [40-42]. The NDDC prefers the residual method of calculation, and is able to show a 5 year supply in all circumstances, providing the whole of the East Shaftesbury housing allocation is included [86].

147. There is an issue as to whether allocated land at Blandford Brewery, which is the subject of a planning application that has been the subject to a 'minded to' resolution, should be included in the committed supply [44, 86]. However, it is perhaps not necessary to take sides on that issue, because it is possible in any event to conclude that the application sites are needed to ensure the maintenance of a 5 years' supply. The conclusions about the general need for housing in Shaftesbury and the role of the application sites in maintaining a continuous supply of housing are important in their own right, although they should be weighed against the other material considerations raised by the Secretary of State or otherwise arising from evidence at the inquiry.

Affordable housing supply position

148. When the need for affordable housing is considered, the housing case for the subject applications becomes even more compelling. The significant shortage of affordable housing in Shaftesbury, and the poor prospects of that situation being remedied to any significant extent if the subject applications are not approved, is well drawn out and documented in the evidence, although one inquiry participant considered that the applications were not essential to the future provision of affordable housing in Shaftesbury [46-47, 64, 79, 83, 110, 111, 114].
149. Not only would the proposed level of provision at 35% of the total number of proposed dwellings be significantly above the LP target of 24%, but the planned emphasis on provision within the social rented sector would significantly address the characteristics of the need, and effect a step change from the past focus, which has not been successful in the NDDC's experience, on low cost market housing [47, 79]. The proposed provision would even exceed the projected general target of 30% set out in draft RSS10 [25].
150. The AONB Partnership advocates either a higher proportion of affordable housing than 35% to be required by any planning permission granted or the 'frontloading' of the development to provide a high proportion of affordable dwellings in the first phase of development [107]. However the applicants' and NDDC evidence confirms that what has been negotiated would be deliverable and of significance in its content.
151. From the evidence at the inquiry it is doubtful whether the Partnership suggestion could have been realised through negotiation or would have been reasonable in planning and other respects, given the overall composition of the proposals, the market-based background of the housebuilders involved in the project and the need to create a balanced community and satisfy general as well as affordable housing needs in Shaftesbury. Whilst the draft RSS proposes that a 60% or even higher proportion of affordable housing development should be sought in the areas of greatest need, that proposition has yet to be examined, and it does not necessarily follow that such a proportion would be appropriate or attainable in circumstances such as those of the subject applications [25].

Accessibility of proposed development to jobs and services by sustainable travel modes

Walking and cycling

152. Shaftesbury residents have the lowest propensity in the District to commute by car, and the highest to walk and cycle [53]. There is a high degree of accordance in the evidence that the subject development would due to its location be accessible to the services and facilities in Shaftesbury Town Centre and to other employment zones in the town on foot and by cycle, and these circumstances are supported by the high existing level, in relative terms, of commuting by these modes [30(viii), 53, 66, 121]. Links with the town centre would be improved by enhanced pedestrian and cycle crossing facilities in Christy's Lane [21]. The general proximity of the development to the town centre, employment zones, a convenience store and schools would encourage travel on foot and by cycle [53].

Public transport

153. The witness for Applicant B describes Shaftesbury's public transport services as excellent, although his view is not shared by all inquiry participants [60, 117, 121]. My conclusion is that whilst there is a reasonable choice of bus routes and destinations, some services are infrequent. Shaftesbury itself has no rail service. The extension of bus routes facilitated by the section 106 agreements' public transport contributions and including a half hour frequency daytime service to Gillingham railway station would nevertheless provide a useful service for residents of the proposed developments, and also significantly improve the service for many existing residents of Shaftesbury, particularly in links to the town centre from the east and to the railway service at Gillingham for trips to Salisbury and beyond [53, 63, 134].

Impacts on roads; on drainage and water supply; on social infrastructure

Site access arrangements

154. The access arrangements to both application sites from the A30 are acceptable to the highway authority DCC and generally accord with the provisions of LP Policy SB9 [21]. However, there is still a local issue so far as residents are concerned in relation to access to 75 dwellings north of Mampitts Lane [Footnote 1 (page 6), 122, 123]. The proposed access to the 75 dwellings accords with LP Policies SB9 and SB10, with one important difference. Policy SB10 sanctioned the 75 dwellings being built in Phase 1 with *initial* access from Pounds Lane, but envisaged those dwellings later but still in Phase 1 being able to link into a main access way in the development leading from the A30, although there is no requirement in the policy to discontinue the access to Pounds Lane when that occurred.
155. What is now proposed is a *permanent* access for 75 dwellings to Pound Lane via Gower Road. Draft Condition 37(ii) would prevent any of those dwellings being linked in terms of vehicular access with any other part of the development such as to allow 'rat running' through Gower Road from the wider development [128]. The concern of residents in relation to Gower Road has to do with the specifications and geometry of that road. However, the arrangements for 75 dwellings are acceptable to the highway authority [Footnote 1]. Although it is clear that Gower Road residents would experience an increase in local traffic, in the absence of any technical objection to this element of the access, it would be difficult to justify resisting the Application A proposals for this reason.

Effect on A30 and related road system, and on the A350/C19 corridor

156. The proposed development if permitted would, however sustainable it might be in terms of encouraging trips by non-car modes and benefiting from existing or projected local employment opportunities, result in some increase in traffic on the A30 [101, Footnote 3]. Communities or individuals on or near the A30 to the east of the application sites have expressed concern about the impact of that increase [113, 115, 118, 119, 122, 124, 125]. However neither DCC nor Wiltshire County Council as the highway authorities responsible have objected to the applications [101]. There is no decisive evidence in road capacity or road safety terms that would justify the refusal of planning permission. This is not to say that there are no legitimate concerns to be addressed so far as the general safety and amenity of communities in the A30 corridor is concerned.
157. Similar considerations and expressions of concern apply to the A350/C19 corridor to the south of Shaftesbury [111, 114, 117, 122]. It appears that their alignment and width in places make them difficult for the passage of heavy vehicles, although there has been debate in recent years as to whether the A350 should function as a strategic link between the Bournemouth/Poole conurbation and the M4 [114, 117]. However the general traffic that it is estimated could arise from the Application A and B developments has not led to any objection by the DCC as highway authority to the proposals.

Effect on Shaftesbury town centre

158. Shaftesbury is a relatively small town, and some report problems of congestion and lack of car parking there [111, 125]. The compact layout of the town, the 'wrap-around' shape of the application sites and their proximity to the built-up area, measures to be adopted to promote pedestrian and cycle routes towards the town centre and attention to be given in the proposed conditions and the provisions of the completed section 106 obligations in relation to the community open space and other facilities, 'live-work' units, local convenience shops and an extended bus service are intended to minimise pressure on the town centre from motor vehicles [30(viii) & (xii), 50, 53, 60, 63, 66, 72, 89, 90, 95]. An active Town Council is working with the community to ensure that the town as a whole has suitable facilities and links to support its residents [108-109].

Foul and surface water drainage

159. The drainage arrangements are described in the Addendum ES Volume 1 [29]. There is no convincing evidence that the means of disposal of foul sewage and surface water run-off would be inadequate for the purposes for which they are intended. The ethos of the proposed SUDS corridor is to maintain the status quo so far as groundwater conditions are concerned [55].
160. Concern has been expressed by some living in the rural area directly to the east of the application sites about the impact of the proposed development on groundwater conditions in that area [116, 117, 119, 124]. However, the continuing responsibilities of the developers for designing and maintaining systems that would accommodate and manage drainage impacts, by means of conditions and the section 106 agreements [126, 127, 129] should ensure, so far as can be ascertained before final details are approved, that the proposed development would be acceptable in these terms. Any scheme should have regard to refinements to SUDS techniques that come to the fore [55, 106]. There is no fundamental objection to the proposed arrangements by the relevant statutory bodies [55].

Educational, health, recreational and cultural provision

161. Educational requirements arising from the proposals have been discussed over a period of time with the local education authority (LEA), Dorset County Council [94]. The DCC has declared itself satisfied that there is sufficient capacity at Shaftesbury School (Secondary) to accommodate pupils from the proposed development. Although the evidence of a governor of that school suggests that the Headteacher may not entirely share that view so far as the medium term is concerned [113], it is the LEA with which the applicants have to deal and from which an official response has been given [94]. Primary school needs arising from the development would require investment at Shaftesbury Primary School, and is covered in the section 106 agreements by an education contribution [80, 132].
162. The evidence also indicates adequacy of general medical provision [89]. Whilst I consider that there is more doubt about whether dental services in Shaftesbury or in Sturminster Newton are sufficient to cater for the population that would arise from implementation of the application proposals [94, 124], that should not be cause to refuse planning permission for the development, given all the other material considerations discussed.
163. The proposals for Application A include the allocation of land for a community hall [133]. The section 106 agreements detail how the provision of such a hall would be managed with a developer contribution [133]. There is also provision in the agreements for local areas for play including one equipped area, with appropriate developer contributions [133].

Impact on Cranborne Chase & West Wiltshire Downs AONB

164. The AONB landscape in the vicinity of Shaftesbury is characterised by the intimate valleys of the Donheads and Coombes and the rising chalk uplands south and south east of the town [6, 7]. There is no high ground to the east from where views of the application sites might easily be obtained. Yet a series of clear but distant views are available of the town and application sites from locations on high ground to the south and south east [7]. As the existing built-up area is discernable from these locations, so would the proposed development be visible as an entity. However visibility does not necessarily equate to visual harm. I am satisfied in these circumstances that the proposed development whilst resulting in a noticeable extension to Shaftesbury, would be closely identified with the existing built-up area and would have no material effect on the natural beauty of the AONB, its general sense of remoteness, or on views into or out of the designated area.
165. The ecological regime in the area east of the application sites is acknowledged to be sensitive [30(xi), 57, 70, 99, 105-107, 114, 116, 118, 119, 124]. It is therefore important that in particular the detailed drainage, wildlife corridor and landscape planting proposals take such circumstances fully into account. I have concluded above [160] that the terms of agreed planning conditions and the section 106 agreements would, in the event of planning permission being granted, be capable of being suitable means by which satisfactory safeguards could be introduced and maintained. The application sites are about 10 kilometres from the River Avon Special Area of Conservation [56]. On the application sites, there would be provision for a corridor to accommodate badgers and other wildlife, leading to the SUDS corridor and AONB countryside beyond. The additional incidence of badgers mentioned by a resident [123] could be taken into account in the open space layout which allows for their habitat near Gower Road housing to be safeguarded.
166. The A30 which runs eastwards through the AONB from Shaftesbury is considered to be one of the more tranquil roads in the AONB [100]. Although it is highly likely that the

proposed development would lead to an increase in vehicular traffic on the A30, the effect of such an increase on the existing noise regime is calculated to represent no more than a 1 dB increase, imperceptible in acoustic terms [100].

167. As for the potential light pollution, no professional lighting evidence was submitted to the inquiry. Insofar as the development would extend the built-up area of Shaftesbury, it is reasonable to conclude that the settlement extension could result in a greater spread of artificial light, particularly from street lighting. However, modern lighting technology is more sensitive to light pollution issues and greater use is now made of cowled and directed lighting, and other techniques. Draft conditions 13 (in the case of both applications, see Annex) requires details of street and other public lighting, formulation according to the agreed Design Code, to be submitted for approval and thereafter implemented. By this process, the lighting impact of the proposed development within the AONB and elsewhere, can be minimised through the implementation of a light-efficient system.

Efficiency of land use

Density and layout

168. The density of development would be between 30 and 60 dwellings per hectare (dph) [92], according with guidance in paragraph 47 of PPS3 that 30 dph should be used as a national indicative minimum. The greater densities would be located nearest to the main access way though the site and other corridors such as the wildlife corridor where the space of the corridor allows for built development of increased scale, with lower densities where there are interfaces with existing residential development to the west and open land to the east [49]. The draft Urban Design Strategy Masterplan envisages a series of neighbourhoods, with strong pedestrian and cycle links to reflect the permeability principle [28]. There is no reason why the development layout should not provide for parking facilities in accordance with national planning policy in PPG13 and with LP Policy 5.15.

Energy efficiency

169. The section 106 agreements provide that 70% of the proposed dwellings should conform with the Building Research Establishment Environmental Assessment Method Standards (BREEMS) 'good' eco-homes standard, and the remaining 30% with the BREEMS 'very good' standard [133]. Although some inquiry participants suggest that the development should incorporate dwellings using energy from renewable sources [115, 121], no such proposal has been formally included in either application, although no indication was given by the applicants that it was too late to consider such a matter.

Overall conclusions

170. In the light of the foregoing, I reach the following conclusions:

- The proposed development would be consistent with Shaftesbury's development plan status as a market town, and in general compliance with RPG10 Policies SS2 and SS6 and SP Settlement Policies B, C and D.
- The proposed development is also in accord with the draft RSS10 status of Shaftesbury as a Policy B settlement, would support the objectives of Policy SD4 in helping to create a sustainable community and in terms of the managed release of housing land would accord with Policy HO1.

- The proposed development is in general accord with the Local Plan allocation for East Shaftesbury and crucially would help address a general housing shortfall in Shaftesbury and a serious shortage of affordable housing in the town.
- The proposed phased release of housing in the application proposals with 200 units in the first phase would not conflict with the housing supply provisions in the development plan nor exacerbate the historic oversupply of housing elsewhere in the District. The land is available and suitable for the development, and the provision of the 200 units achievable in the first 5 years.
- The affordable housing to be provided would be substantial and effective because of its provision significantly above that expected in the Local Plan and its emphasis on the social rented sector.
- The development would be sustainable, particularly in its encouragement of non-car travel modes in accordance with PPG13 *Transport*, its spatial relationship to the existing built-up area, its proximity to existing and proposed employment areas, its accessibility to the town centre, the commitment to 'eco-home' construction standards, the provision of SUDS, and by its scale enabling community, open space, local retail and other benefits to be secured.
- The development would if designed and managed in accordance with agreed principles designed to ensure the maintenance of existing conditions, cause no material harm to the ecology or hydrology of the area, including that of the AONB.
- The development would if designed to the high standards sought in accordance with an agreed urban Design Strategy, cause no visual harm either in general terms or in relation to the AONB.
- The development would be built to an overall density consistent with policy guidance in PPS3 *Housing*, and to a layout intended to support the development of community living.
- The impact of motorised traffic generated by the development would operate within the technical capacity of the surrounding road system including the A30 and A350/C19, recognising that there are elements of that system which are acknowledged to cause difficulties for communities who live in the area.

RECOMMENDATIONS

171.I recommend in respect of the development proposed in Application A, that planning permission be granted subject to the conditions set out in the Annex to this report amended in accordance with the last sentence of paragraph 131 above.

172.I recommend in respect of the development proposed in Application B, that planning permission be granted subject to the conditions set out in the Annex to this report.

Richard Ogier

RICHARD OGIER

APPEARANCES

FOR THE APPLICATION A APPLICANTS:

Mr Christopher Lockhart-Mummery QC Instructed by the Pegasus Planning Group of 6-20
Spitalgate Lane, Cirencester, Gloucestershire GL7
2DE.

He called:

Mr Stephen H Bawtree DipTP MRTPI Founding partner of the Pegasus Planning Group.

Mr Peter Atfield BTp MRTPI An Executive Director of Goadsby Town Planning,
99 Holdenhurst Road, Bournemouth BH8 8DY

Mr Andrew Cook
BA(Hons) MLD MIEMA CENV Partner in the Pegasus Planning Group.

Mr Stephen Boyle
BSc(Hons) CEng MICE FIHT Director of Transport & Development Services,
Mouchel Parkman, Engineering Consultants of
Parkman House, Lime Kiln Close, Stoke Gifford,
Bristol BS34 8SQ.

FOR THE APPLICATION B APPLICANTS:

Mr Anthony F G Brimble Partner in Brimble, Lea & Partners, Planning
Consultants of Wessex House, High Street,
Gillingham, Dorset SP8 4AG, agents for the
applicants.

FOR THE NORTH DORSET DISTRICT COUNCIL:

Mr Gary Grant Of Counsel, instructed by the Solicitor to North
Dorset District Council.

He called:

Mr Mark C Wood Principal of MWA Planning & Development
BA(Hons) BTp MSc MRTPI MCIT Consultancy, of Langhurst, 64 Elmbridge Road,
MILT Gloucester GL2 0PB

Mr Trevor Warrick Policy Manager (Planning), North Dorset District
BSc(Hons) DipUP MRTPI Council.

Mr Stephen P Hardy Principal Planner (Transport Planning & local Plan
IEng FIHIE MICE MIHT Liaison), Dorset County Council).
[Mr Hardy's evidence was based on an original proof
prepared by Mr R C Dodson MA MRTPI IEng FIHIE,
Principal Planner (Transport Planning & Development
Liaison Group), Dorset County Council].

[Mr John Hammond, Development Control Team Leader, North Dorset District Council took
part in the discussion on conditions.]

APPEARANCES (CONTINUED)

FOR THE CRANBORNE CHASE & WEST WILTSHIRE DOWNS AONB PARTNERSHIP:

Ms Linda Nunn
BA(Hons) MSc
Manager, Cranborne Chase & West Wiltshire Downs AONB Partnership.

Mr Richard Burden
BSc DipCons MSc FLI
MCIPD MCMi PPLI
Landscape & Planning Advisor to the AONB Partnership.

FOR THE SHAFTESBURY TOWN COUNCIL:

Mr Robert Turrall-Clarke
Of Counsel, instructed by Philip Procter Associates, Architects and Town Planners of Grosvenor House, Bleke Street, Shaftesbury SP7 8AW

Mr Turrall-Clarke called no witnesses, but made submissions.

APPEARANCES (CONTINUED)

INTERESTED PERSONS:

Mr E J L Griffith
FRICS FRTPI (Rtd.)
5 Bimport, Shaftesbury SP7 8AT, representing the Shaftesbury Civic Society.

Mr R Paley MRTPI (Rtd.)
Hawkcombe, Hawkcombe Lane, Compton Abbas, Shaftesbury SP7 8EU, representing the Campaign for the Protection of Rural England, West Dorset Branch.

Councillor J Hooper
Representing the Tisbury & Fovant Ward, Salisbury District Council, and member of the AONB Partnership Board.

Mr J Ryan
Member of West Tisbury Parish Council, and member of the AONB Partnership Board

County Councillor A Deane
Representing Chalke & Nadder Valley Ward, Wiltshire County Council.

Mr P A Crane
FCMI AIAgricMgt DipAgric
1 Greenhill, Norton Road, Sutton Veny, Warminster, Wiltshire BA12 7BR

Mr J G Litchfield
15 Well Lane, Shaftesbury SP7 8LP

Mr R Thomas
Chairman, Shaftesbury & District Chamber of Commerce.

Mr P Zieleniewski
Swan Lake Cottage, Higher Coombe, Shaftesbury SP7 9LR.

Mr M R Thorpe
BeEd HCIMFA RSH CFA
Mampitts Farm, Mampitts Lane, Shaftesbury SP7 8QG

Councillor J Cole-Morgan
Representing Donhead Ward, Salisbury District Council.

Mr J G Wright
Coombe Cottage, Middle Coombe, Shaftesbury SP7 9LX

Councillor M Jeffery
Representing Christys Ward, North Dorsey District Council.

APPEARANCES (CONTINUED)

INTERESTED PERSONS:

Mrs N Warburton	Blackmore House, 12 Gower Road, Shaftesbury SP7 8RU
Mr L M Dibben	The Wykings, Church Hill, Enmore Green, Shaftesbury SP7 8QR, member of Shaftesbury Town Council and Shaftesbury Task Force.
Councillor Mrs C Bone	Representing Marnhull Ward, North Dorset District Council.
Mr P Lucas	Lillies Green Cottage, Lillies Green, Donhead St. Mary, Shaftesbury SP7

DOCUMENTS

General documents:

- 1 Council's letter notifying interested persons of the inquiry, and lists of persons notified.
- 2 Bundle of letters of representation.
- 3 Letter 9.05.06 from CPRE North Dorset Branch to North Dorset District Council.
- 4 Letter 8.01.07 from South West Regional Assembly, withdrawing objections previously expressed.
- 5 Letter 14.01.07 from Mr M R Thorpe, Mampitts Farm, Mampitts Lane, Shaftesbury.
- 6 Dorset (excluding South East Dorset) Local Transport Plan, with Summary Document (March & June 2006).
- 7 Cranborne Chase & West Wiltshire Downs Area of Outstanding Natural Beauty Management Plan 2004-2009
- 8 Suggested list of conditions in relation to Application A (also on disc).
- 8a Note on draft condition 41 – the highway works.
- 9 Suggested list of conditions in relation to Application B (also on disc).

Statements of Common Ground (SCGs):

- 10 SCG1 between Applicants A & B, North Dorset District Council and Dorset County Council.
- 11 Appendices 1 to 8 and 10 to 17 to SCG1.
- 12 Appendix 9 to SCG1.
- 13 SCG2 between Applicants A & B, North Dorset District Council, Dorset County Council and the South West Regional Assembly.
- 14 SCG3 between Applicants A & B and Dorset County Council.
- 15 SCG4 between consultants for Applicants A & B, North Dorset District Council and Cranborne Chase & West Wiltshire Downs AONB Partnership.
- 16 SCG5 between the Applicants A & B and Shaftesbury Town Council.
- 17 SCG Plans 1-4.

Applicants' documents:

- 18 Mr Lockhart-Mummery's opening submissions.
- 19 Mr Bawtree's proof.
- 19A Appendices 1 to 3 to Mr Bawtree's proof.
- 20 Mr Atfield's proof.
- 20A Appendices PA1 to PA10 to Mr Atfield's proof.
- 21 Mr Brimble's proof.
- 21A Appendices 1 to 63 to Mr Brimble's proof.

- 22 Mr Boyle's proof.
- 22A Section 4 of and Figures 1 to 4 and Appendix A to Mr Boyle's proof.
- 23 Mr Cook's proof.
- 23A Appendices 1 to 20 to Mr Cook's proof.
- 24 Addendum to Environmental Statement, Volume 1 (September 2006).
- 25 Addendum to Environmental Statement, Volume 2 (September 2006).
- 26 Addendum to Environmental Statement, Volume 3 (September 2006).
- 27 Addendum to Environmental Statement – Responses to Date
- 28 Urban Design Strategy (draft) – Tetlow King, 14 December 2006).
- 29 Note by Mr Boyle on public transport provision, with maps.
- 30 Extract from Interim Code of Practice for Sustainable Drainage Systems (National SUDS Working Group, July 2004).
- 31 Extract from North Dorset District Wide Local Plan Inspector's Report relating to the status of the A350/C13 corridor.
- 32 Letter 13.10.06 from South West of England Regional Development Agency to North Dorset District Council containing the Agency's views on the Application C proposals for employment development on land to the south of the A30 (ref. 2/2006/1022).
- 33 Note by Mr Boyle summarising accident data for the A30 between the Royal Chase Roundabout and Wilton.
- 34 Minutes of Development Control Committee of North Dorset District Council, 14 December 2006 containing reference to Application C.
- 35 Note by Mr Bawtree relating to housing land supply assessment for Application A.
- 36 Extract from adopted Salisbury District Local Plan, Rural Environment and Landscape Conservation policies.
- 37 Note on objection letter dated 18 December 2006 from Mr P Zieleniewski.
- 38 Extract from publication *Sustainable Urban Extensions: Planned though Design* (The Prince's Foundation, English Partnerships, Department of the Environment, Transport & the Regions, CPRE, September 2000).
- 39 North Dorset District Council Formal Representations on Draft RSS (24 August 2006).
- 40 Section 106 agreement relating to Application A site.
- 41 Section 106 agreement relating to Application B site.
- 42 Blackmore Vale Creamery – Agreed Statement on Noise.
- 43 Mr Lockhart-Mummery's closing submissions.
- North Dorset District Council documents:*
- 44 Mr Wood's proof.
- 44A Appendices MW1 to MW5 to Mr Wood's proof.
- 45 Mr Warrick's proof.
- 45A Appendices 1 to 17 to Mr Warrick's proof.
- 46 Mr Hardy's proof.
- 46A Appendices A to J to Mr Hardy's proof.
- 47 Land to the Eastern Side of Shaftesbury – Development Brief 2003 (NDDC January 2003).
- 48 Letter 04.01.07 from the Environment Agency to the North Dorset District Council.
- 49 Note by Mr Warrick on housing land supply assessment.
- 50 *Implications of the 2003 Revised Housing Projections* – section 4(4) Advice from Bournemouth Borough Council, Poole Borough Council and Dorset County Council, December 2006.

- 51 Note by Mr Hammond on highway matters relating to the allocation of residential and employment land east of Shaftesbury, and the the determination of Applications A and B, with associated documentation.
- 52 Letter 24.06.98 from the Countryside Commission to the North Dorset District Council in relation to the Revised Deposit draft of the Local Plan.
- 53 Letter 09.06.03 from the Countryside Agency to the North Dorset District Council in relation to the proposals for development of land east of Shaftesbury.
- 54 Supplementary note from Mr Dodson (Dorset County Council) regarding traffic flow figures contained within the table at Appendix A to Mr Hardy's proof (page 38).
- 55 Table of main obligations appearing in section 106 agreements for East Shaftesbury.
- 56 Planning Obligations for the provision of Community Infrastructure (NDDC Planning Guidance Note, Edition 6 June 2003).
- 57 Mr Grant's closing submissions.
- Cranborne Chase & West Wiltshire Downs AONB Partnership documents:*
- 58 Ms Nunn's proof.
- 58A Map showing the extent of the AONB (appended to Ms Nunn's proof).
- 59 Mr Burden's proof (amended).
- 59A Appendices 1 to 3 to Mr Burden's proof.
- Shaftesbury Town Council documents:*
- 60 Skeleton submissions of Mr Robert Turrall-Clarke.
- 61 Appeal decision ref. T/APP/N1215/A/98/1011288/P4 relating to supermarket and other development at Post Office, Angel Square, Granville Gardens, Coppice Street car park and football and cricket clubs off Coppice Street, Shaftesbury.
- 62 Letter 20.3.06 from New Horizons Consultants to the Shaftesbury District Task Force regarding Barton Hill Sports Project.
- 63 Shaftesbury Community Centre: Feasibility Study, Schedule of Accommodation, etc.
- 64 Copy of email from Dorset County Council regarding new street lighting contract for Shaftesbury.
- Other documents:*
- 65 Statement from Shaftesbury Civic Society.
- 66 Statement from Mr J G Lichfield.
- 67 Statement from Mr J G Wright.
- 68 Statement from Councillor M Jeffery.
- 69 Statement from Mr L Dibben.
- 70 Copy of email from Mr David Booth, Headteacher of Shaftesbury School to County Councillor Deane (Wiltshire) about the school's capacity (put in by County Councillor Deane).
- 71 Minutes of Development Control Committee, North Dorset District Council on 03.01.07 regarding proposed redevelopment of Barnes Close Medical Centre, Sturminster Newton (put in by Councillor Mrs Bone).
- 72 Documents put in by Mr Thorpe.

PLANS

Application A plans:

- A 21289/OA/20 Version C – planning application boundaries.
- B 21289/OA/5 Version E – proposed signalised junction access.
- C Fig.10A – access to site from Pound Lane/Gower Road

Application B plans:

- D 9686-1 Revision B – site boundary (housing layout indicative).
- E WX20993-001 Issue B – proposed junction, Salisbury Road, Shaftesbury – junction

layout.

Applicants' plans:

- F WX20993-002 Issue B – low loader swept paths.
- G 9686-1 – site boundary (housing layout indicative) – superseded.
- H 9686-2 – outline sketch proposals (site layout).

North Dorset District Council plans:

- I Plan showing parts of the southern end of the application sites.

Other plans:

- J Map of the Chalke & Nadder Electoral Division in the County of Wiltshire (put in by County Councillor Deane).
- K Map of viewing points visited by the Inspector.

PHOTOGRAPHS

- 1-4 4 photographs put in by Mr Zieleniewski.

ANNEX TO REPORT – AGREED LISTS OF PLANNING CONDITIONS

APPLICATION A (2/2002/0415)

Reserved Matters

1. Approval of the details of appearance, layout, scale, access (other than the means of access to the Site) and landscaping of the Site ("Reserved Matters") shall be obtained from the local planning authority in writing before any development is commenced, provided that the access to the site shall be accordance with the details shown on plans number 21289/0A/5E and Fig.10A.
2. Plans and particulars of the Reserved Matters referred to above, relating to the appearance, layout and scale of any buildings to be erected, the access thereto and the landscaping of the Site shall be submitted in writing to the local planning authority and shall be carried out as approved.
3. Application for approval of the Reserved Matters shall be made to the local planning authority before the expiration of ten years from the date of the permission.
4. The development hereby permitted shall be begun either before 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.
5. The development hereby permitted shall be laid out only in accordance with the Parameters Assessment Plan contained in Volume 3 – Addendum (September 2006) to Environment Statement, Land East of Shaftesbury, drawing reference P.0139_87-2B, unless the Local Planning Authority gives written consent to any variation thereto.

Design Code

6. Prior to the submission of any application in relation to any of the Reserved Matters in respect of, any part of the development there shall be submitted to and approved in writing by the local planning authority a design code including a comprehensive master plan for the whole of the development which sets out:
 - a) block layouts;
 - b) movement linkages;
 - c) disposition and hierarchy of public spaces and the "total Open Space Provision";
 - d) principles of sustainable design to be applied to development;
 - e) architectural treatment of all structures; including the range of external materials;

- f) the interrelationship between built forms and landscape to include an assessment of views into and out of the Site;
 - g) highway treatment;
 - h) principles for the design and general location of furniture for streets and all other public areas including seats, shelters, refuse receptacles and cycle parking shelters;
 - i) principles for the provision of and locating of all external storage facilities to serve the buildings permitted by the development;
 - j) lighting; and
 - k) public art,
("the Design Code").
7. The development shall only be implemented in accordance with the Design Code, provided that the Design Code may be amended in accordance with a detailed design justification for any changes that may be expressly submitted to and approved in writing by the local planning authority for such a purpose.
8. No Reserved Matters application shall be submitted to the local planning authority unless it is accompanied by a statement identifying how any design proposals contained within that Reserved Matters application accords with the Design Code.

Phasing Programme

9. Prior to the commencement of any part of the development a phasing programme shall be submitted to and approved in writing by the local planning authority which shall in particular:
- a) divide the development into parcels of land (each such parcel being a "Development Parcel");
 - b) identify the phased order by which the development will be undertaken, both in respect of all the Development Parcels and on each Development Parcel;
 - c) identify within each Development Parcel the amount of hard and soft open and, where relevant, play spaces (including allotments) to be provided within that Development Parcel, such details to secure that the amount of such space over all Development Parcels is not less than the Total Open Space Provision;
 - d) include details for the timing of the delivery of the whole of a bus route linking the A30 to Mampitts Lane ("the Bus Route") such details to secure that the provision of the Bus Route will at the latest be implemented prior to the occupation of more than 150 dwellings forming part of the development;
 - e) the phasing programme shall allow for the development of 75 dwellings only to be accessed off Gower Road before the new access to the A30 is implemented.
("the Phasing Programme").
10. The development shall only be implemented in accordance with the Phasing Programme, provided that the Phasing Programme may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Levels

11. Prior to any part of the development within a Development Parcel being commenced within that Development Parcel, plan(s) and section(s) of a scale not less than 1:200 showing the level of the finished floor slab of every building within that Development Parcel in relation to Ordnance Datum shall be submitted to and approved in writing by the local planning authority ("the Floor Level Details").
12. Development within a Development Parcel shall only be implemented in accordance with the Floor Level Details that have been approved by the local planning authority in respect of that Development Parcel, provided that the Floor Level Details approved in relation to a Development Parcel may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Lighting

13. Prior to any part of the development within a Development Parcel being commenced within that Development Parcel, details of all lighting proposals in respect of that Development Parcel shall be submitted to and approved in writing by the local planning authority which shall in particular include:
- a) street lighting including lighting for all carriageways, roads, cycleways, footways, footpaths and turning spaces;
 - b) lighting of communal parking areas and all other publicly accessible areas;
 - c) the proposed intensity of the lighting;
 - d) the design of light columns;
 - e) a lighting contour plan; and
 - f) the proposed phased provision of lighting within that Development Parcel, ("the Lighting Parcel Details").

The proposals contained within the Lighting Parcel Details shall accord with the principles for lighting contained within the Design Code unless in relation to any particular Development Parcel the local planning authority has previously in writing expressly agreed otherwise.

14. Development within a Development Parcel shall only be implemented in accordance with the Lighting Parcel Details that have been approved by the local planning authority in respect of that Development Parcel, provided that the Lighting Parcel Details approved in relation to a Development Parcel may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Open Space / landscaping including hedges and trees

15. Prior to the submission of any application in relation to any of the Reserved Matters in respect of, any part of the development there shall have been submitted to and approved in writing by the local planning authority a plan, of a scale previously approved in writing by the local planning authority for such purposes, showing:
- a) the location of all existing trees and hedgerows; and
 - b) any existing trees and hedgerows that will be retained as part of the development, ("the Existing Tree and Hedgerow Plan").
16. In relation to all trees and hedges identified as being retained in the Existing Tree and Hedgerow Plan, prior to the commencement of any development there shall be submitted to and approved in writing by the local planning authority details:
- a) of the specification and position of fencing incorporating the proposed alignment of the fencing and any other measures to be taken that will be provided for the protection of all such trees and hedges from damage during the carrying out of any work in respect of the development;
 - b) of the time periods for the provision and retention of the fencing and other measures identified for the purposes of sub-paragraph (a); and
 - c) for the laying of such hedges or parts thereof in relation to a Development Parcel in advance of any part of the development being commenced on that Development Parcel, ("the Tree and Hedge Protection Details").
17. All trees and hedges which are identified as being retained in the Existing Tree and Hedgerow Plan shall at all times during the implementation of the development be protected, and in the case of hedges laid, in accordance with the Tree and Hedge Protection Details, provided that the Tree and Hedge Protection Details may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
18. Prior the submission of any application in relation to any of the Reserved Matters in respect of, any part of the development details of the principles to be adopted in relation to all structural landscaping (both hard and soft) shall have been submitted to and approved in writing by the local planning authority which shall in particular include principles to be used in relation to:
- a) all means of enclosure of public space;
 - b) pedestrian accesses and all circulation areas;
 - c) refuse and any other storage areas;
 - d) play areas;

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- e) the sustainable drainage corridor;
 - f) surfaces; and
 - g) open spaces,
("the Landscaping Principles").
19. All landscaping provided in relation to the development shall be in accordance with the Landscaping Principles, provided that the Landscaping Principles may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
20. Prior to both the commencement of, and the submission of any application in relation to any of the Reserved Matters in respect of, any part of the development a landscape management plan in respect of all hard and soft open, play and other spaces (including allotments) shall be submitted to and approved in writing by the local planning authority which shall in particular:
- a) include long term design objectives (i.e. for a period covering at least ten years from completion of the development);
 - b) include management responsibilities;
 - c) include maintenance provisions;
 - d) include details identifying the phased implementation and establishment of the landscaping as part of the development;
 - e) include details for the replacement of any tree, hedge and any other planting in the event of the same being removed, dying or becoming seriously diseased or damaged, within the period of five years following the completion of the Development Parcel within which the tree, hedge or other planting (as the case may be) requiring replacement is situated;
 - f) include details of the time period(s) within which any tree, hedge or other planting (as the case may be) to which sub-paragraph (e) above relates will be replaced;
 - g) accord with the Landscaping Principles, and
 - h) only include site layout drawings which are of a scale that has previously been approved by the local planning authority in writing in advance of such details being submitted,
("the Landscape Management Plan").
21. The development shall only be implemented in accordance with the Landscape Management Plan; and landscaping once provided shall at all times thereafter be managed and maintained (and where relevant replaced) in accordance with the Landscape Management Plan, provided that the Landscape Management Plan may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
22. No part of the development within a Development Parcel that includes a Local Area of Play ("LAP") or a Locally Equipped Area of Play ("LEAP") as identified in the Parameters Assessment Plan P.0139_87-2B shall be commenced unless there has been submitted to and approved in writing by the local planning authority details setting out:
- a) the actual play facilities that will be provided on the LAP and/or LEAP (as the case may be);
 - b) the proposals to lay out the LAP and/or LEAP (as the case may be) including all surfaces, fences and protective measures;
 - c) a timetable for the provision and laying out of the LAP and/or LEAP (as specified in sub-paragraphs (a) and (b) above) as part of the work for implementing the development in relation to that Development Parcel;
 - d) proposals for the replacement (including the time scale) of any play facilities identified in sub-paragraph (a) above; and
 - e) provision for the future management and maintenance of the LAP and/or LEAP (as the case may be),
("the Play Facilities Details").
23. Development within a Development Parcel shall only be implemented in accordance with the Play Facilities Details that have been approved by the local planning authority in respect of that Development Parcel, provided that the Play Facilities Details approved in relation to a Development Parcel may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

24. Once a LAP and / or LEAP (as the case may be) has been provided and laid out in accordance with the Play Facilities Details it shall at all times thereafter be managed and maintained (and where relevant replaced) in accordance with the Play Facilities Details.

Drainage, SUDS and biodiversity

25. No development approved by this permission shall be commenced until the satisfactory arrangements for dealing with the provision of water mains connection, together with improvements to secure the appropriate disposal of all foul sewage from the site have been submitted to and approved in writing by the local planning authority and the scheme shall be implemented in accordance with the approved details.
26. Prior to the submission of any application in relation to any of the Reserved Matters in respect of, any part of the development there shall be submitted to and approved in writing by the local planning authority details of the principles for the dispersion, infiltration, reception, storage and disposal of all surface water from the Site ("the Surface Water Principles"). No part of the development shall thereafter be constructed other than in accordance with the Surface Water Principles, provided that the Surface Water Principles may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
27. Prior to any part of the development within a Development Parcel being commenced within that Development Parcel, a scheme shall be submitted to and approved in writing by the local planning authority that:
- a) provides details for the infiltration, collection, discharge and attenuation of surface water from all structures, carriageways, roads, cycleways, footways, footpaths and any other surface (permeable or impermeable) forming part of that Development Parcel;
 - b) identifies any pollution interception and / or mitigation measures in relation to discharges from that Development Parcel;
 - c) identifies all hard and soft landscaping and any other structural work to be provided in relation to the matters identified in sub-paragraphs (a) and (b) above;
 - d) sets out how the provision of those matters identified in sub-paragraphs (a), (b) and (c) above shall be phased and the time periods for their delivery, and
 - e) is in accordance with the Surface Water Principles,
- (the "SUDS Scheme").
28. Development within a Development Parcel shall only be implemented in accordance with the SUDS Scheme that has been approved by the local planning authority in respect of that Development Parcel, provided that the SUDS Scheme approved in relation to a Development Parcel may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
29. Prior to the submission of any application in relation to any of the Reserved Matters in respect of, any part of the development there shall be submitted to and approved in writing by the local planning authority a scheme setting out all principles for the enhancement of biodiversity in connection with the development ("the Biodiversity Enhancement Principles").
30. The development shall only be implemented in accordance with the Biodiversity Enhancement Principles, provided that the Biodiversity Enhancement Principles may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
31. Prior to the submission of any application in relation to any of the Reserved Matters in respect of, any part of the development there shall be submitted to and approved in writing by the local planning authority a scheme setting out all principles for the inclusion of water efficiency management measures to serve all buildings in connection with the development ("the Water Efficiency Principles"). The development shall only be implemented in accordance with the Water Efficiency Principles, provided that the Water Efficiency Principles may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Phasing

32. No more than 115 dwellings forming part of the development shall be occupied prior to 31st March 2011.
- No more than 215 dwellings forming part of this development shall be occupied prior to 31st March 2012.
- No more than 315 dwellings forming part of this development shall be occupied prior to 31st March 2013.
- No more than 415 dwellings forming part of this development shall be occupied prior to 31st March 2014.
- No more than 515 dwellings forming part of this development shall be occupied prior to 31st March 2015.
- No more than 530 dwellings forming part of this development shall be occupied prior to 31st March 2016.

Bus Route

33. Prior to the commencement of the development, a scheme shall be submitted to and approved in writing by the local planning authority for the provision of the Bus Route which shall in particular:
 - a) include details for the provision (including location, design, means of construction and layout) of the Bus Route;
 - b) accord with any details approved as part of the Phasing Programme;
 - c) include details to secure that at all times the Bus Route at the junction with Mampitts Lane can only be used by buses, coaches, bicycles and pedestrians ("the Vehicular Restriction Facilities"); and
 - d) include provision for the on-going maintenance of the Vehicular Restriction Facilities after their completion,("the Bus Route Scheme").
34. The development will only be implemented in accordance with the Bus Route Scheme provided that the Bus Route Scheme may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
35. Once provided in accordance with the Bus Route Scheme the Vehicular Restriction Facilities shall thereafter at all times be maintained in accordance with the Bus Route Scheme, provided that the Vehicular Restriction Facilities may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Access / highways

36. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification):
 - a) no more than 75 dwellings shall be served by a vehicular access from Gower Road; and
 - b) there shall be no means of vehicular access from any dwelling served by a vehicular access from Gower Road to any other part of the development.
37. Prior to the commencement of the development details of the initial highway access works required at Gower Road and Mampitts Lane and for the provision of traffic signal controls for the A30 junction shall be submitted to and approved in writing by the local planning authority.
38. The initial works at Gower Road and Mampitts Lane shall be implemented and be available for use before any dwelling or building is occupied which will use Gower Road for vehicular access, and the traffic signals installed at the new A30 junction prior to its use, provided that initial works may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
39. The means of access from the A30 shall be implemented and be available for use before any dwelling or building is occupied which will use the A30 for vehicular access provided that the details shown on Plan 21289/0A/5E may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
40. Prior to the submission of any application in relation to any of the Reserved Matters submitted in accordance with approved master plan in respect of, any part of the development there shall be submitted to and approved in writing by the local planning authority a scheme showing the precise routes of all carriageways, roads, cycleways, footpaths, and footways that:
 - a) will cross one or more Development Parcels; and /or

- b) will or may create a connection to any land adjoining the Site, ("the Primary and Secondary Route Scheme").
41. The development shall only be implemented in accordance with the Primary and Secondary Route Scheme, provided that the Primary and Secondary Route Scheme may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
42. Prior to any part of the development within a Development Parcel being commenced within that Development Parcel, there shall be submitted to and approved by the local planning authority details:
- a) of the layout and width of all carriageways, roads, cycleways, footways, footpaths and turning spaces on the Site;
 - b) of the construction and form of any junction between any carriageways, roads, cycleways, footways and footpaths on the Site,
 - c) of the location and all other details of all visibility splays whether on the Site or otherwise to be provided in respect of the development;
 - d) of the construction of all carriageways, roads, cycleways, footways, footpaths, visibility splays and turning spaces on the Site including horizontal cross sections and longitudinal sections showing the existing and proposed levels, and all kerbing;
 - e) of a programme for the making up of the carriageways, roads, cycleways, footpaths, footways, visibility splays and turning spaces whether on the Site or otherwise to be provided in respect of the development; and
 - f) of all traffic calming measures on the Site,
- ("the Highway Details").
43. Development within a Development Parcel shall only be implemented in accordance with the Highway Details that have been approved by the local planning authority in respect of that Development Parcel, provided that the Highway Details approved in relation to a Development Parcel may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
44. Prior to the commencement of more than 85% of the dwellings to be constructed on a Development Parcel:
- a) all works identified in the Highway Details relating to that Development Parcel shall be implemented;
 - b) written notice of such completion shall have been submitted to the local planning authority ("the Completion Notice"); and
 - c) the local planning authority has confirmed in writing that no work for the making good of any work identified in the Highway Details that has previously been undertaken is required; or
 - d) the local planning authority has identified in writing that work for making good of work identified in the Highway Details that has previously been undertaken is required, that work has been undertaken, and the local planning authority has subsequently further confirmed in writing that no additional work is required.
45. Construction shall not commence on any part of a building forming part of the development unless prior to such construction an estate road has been completed to a Minimum Standard from the carriageway of existing highway to provide access to serve that building, where the term "Minimum Standard" shall mean a standard that has previously been submitted to and approved in writing by the local planning authority, which in particular shall include:
- a) the provision of concrete foundations to kerb,
 - b) hardcore laid level to the top of the kerb foundations and blinded; and
 - c) soil and surface water drainage land complete with road gullies and grating,
- ("the Minimum Standard"), provided that the Minimum Standard may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
46. No building forming part of the development shall be occupied unless the carriageway and footway / footpath (as the case may be) providing access to serve that building from existing adopted highway has been constructed up to and including base course surfacing complete with kerbing and street lighting.

47. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no structure shall at any time be erected on any visibility splay identified in any of the Highway Details and, every such visibility splay shall at all times be kept free from any obstruction.

Archaeological Investigation

48. Prior to the submission of any application in relation to any of the Reserved Matters in respect of, any part of the development a scheme shall be submitted to and approved in writing by the local planning authority that provides for:
- a) notification of any excavation or ground works on the Site before such excavation or grounds works takes place; and
 - b) archaeological observation and recording to take place during any excavation or ground works, ("the Archaeological Details").
49. The development shall only be implemented in accordance with the Archaeological Details, provided that the Archaeological Details may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Operational Controls

50. No vehicle used in relation to the construction of any part of development (which for the purposes of this condition shall mean either a construction vehicle or delivery vehicle) shall leave the Site unless it is in a condition such that it will not deposit mud or any other debris or materials on the public highway.
51. No work for the construction of any part of the development (other than the internal fitting of any building) shall be carried on outside the hours of 0700 to 1800 hours Monday to Friday (inclusive), 0730 to 1300 on Saturday, or at any time on a Sunday or a Bank Holiday unless previously agreed in writing by the local planning authority.
52. Prior to the commencement of any part of the development a scheme for the storage of all plant, machinery and materials to be used in connection with the construction of the development and for controlling any escape of noise and/or fumes during the construction of the development (including clearance of the Site) shall have been submitted to and approved in writing by the local planning authority, such a scheme shall in particular include:
- a) the locations for the storage of all plant, machinery and materials including oils and chemicals to be used in connection with the construction of the development;
 - b) details of all bunds, fences and other physical protective measures to be placed on the Site in connection with such storage including the time periods for placing and retaining such bunds, fences and measures (as the case may be);
 - c) provision for the on going maintenance of any such bunds, fences and other measures (as the case may be) to which sub-paragraph (b) relates;
 - d) the control and removal of spoil and wastes;
 - e) measures to prevent the pollution of surface and ground water arising from the storage as identified in sub-paragraph (a) above, and
 - f) details of all acoustic barriers and other measures to be used to protect the escape of noise and/or fumes to Sensitive Receptors during construction work, ("the Construction Environmental Management Plan").
53. The development shall only be implemented in accordance with the Construction Management Plan, provided that the Construction Management Plan may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
54. At no time on the Site during the implementation of the development shall:
- a) any fire be lit within 15 metres; or
 - b) any concrete mixing take place within 10 metres; or
 - c) any oil, cement, bitumen or chemicals be stored within 10 metres,
- of any tree or hedge identified as being retained in the Existing Tree and Hedgerow Plan.

55. Prior to the commencement of development, details of a temporary junction to facilitate access, for all construction traffic, from the A30 shall be submitted to and approved in writing by the local planning authority. The temporary junction shall only be implemented in accordance with the approved details [and all construction traffic shall only enter and exit the site via the approved access to the A30]. The temporary access shall be closed to all traffic not later than the day on which the permanent traffic signal junction to the A30 hereby permitted is brought into operation.

Badgers and other Protected Species

56. Prior to the commencement of any part of the development details shall be submitted to and approved in writing by the local planning authority:
- a) for the fencing and any other protective measures of the badger habitat (as shown on plans EC01 and EC02 of Volume 3 Addendum (September 2006) to Environment Statement – Land at East Shaftesbury (“the Badger Habitat”));
 - b) of the design, position and route of all tunnels serving the Badger Habitat;
 - c) of landscaping (including reinstatement) of the Badger Habitat resulting from any works associated with sub paragraphs (a) and /or (b) above;
 - d) of the timetable for the provision of such fencing, protective measures tunnels and landscaping (including reinstatement), provided that in the case of the initial provision of the fencing, protective measures, tunnels and landscaping the timetable shall secure such provision to take place prior to the commencement of any other part of the development; and
 - e) for the ongoing management and maintenance of the Badger Habitat, fencing, measures and tunnels (including reinstatement) to which this condition relates, (“the Badger Details”).
57. The development shall only be carried out in accordance with the Badger Details and, once implemented, the fencing, protective measures, tunnels and Badger Habitat shall thereafter at all time be managed, maintained and reinstated (as the case may be) in accordance with the Badger Details, provided that the Badger Details may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
58. Prior to the commencement of development of any parcel, a scheme to provide for new bat habitat shall be submitted to, and approved in writing by the local planning authority, and the development shall thereafter accord with the approved details:

Height of dwellings

59. No building within shall exceed two storeys in height on the western boundary other than in the areas indicated for 2.0 to 2.5 storeys on Plan P0137 87-2B without the prior written consent of the local planning authority.

Noise

60. Prior to both the commencement of, and the submission of any application in relation to any of the Reserved Matters in respect of any part of the development details for protecting every building to be constructed on the Site within 80 metres of any part of the A30 from noise from the A30 shall have been submitted to and approved in writing by the local planning authority (“the A30 Noise Attenuation Proposals”).
61. The development shall only be implemented in accordance with the A30 Noise Attenuation Proposals provided that the A30 Noise Attenuation Proposals may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
62. Construction work on any residential building shall not begin in that part of the application site within 250 metres of the Blackmore Vale Creamery as defined on the Inset Map 2006 1960 NC1 until a noise control scheme for protecting the proposed noise sensitive development has been submitted to, and approved in writing by the local planning authority. The scheme shall ensure that bedrooms which have windows facing between north and east shall be fitted with an attenuated alternative means of ventilation. The ventilation scheme shall be designed to ensure that, with windows closed and an alternative means of

ventilation provided, (such that provides a ventilation rate to be a minimum of four air changes per hour in each instance) noise from the Blackmore Vale Creamery shall not exceed 30 dB LAeq, 8hour between 23:00 and 07:00 within bedrooms.

Number of dwellings

63. The total number of dwellings hereby permitted shall not exceed 530 [unless pursuant to any revision which may be submitted pursuant to Condition 7, the local planning authority approves in writing any variation to this number].

APPLICATION B (2/2002/0880)

Reserved Matters

1. Approval of the details of appearance, layout, scale, access (other than the means of access to the Site) and landscaping of the Site ("Reserved Matters") shall be obtained from the local planning authority in writing before any development is commenced, provided that the access junction to the site shall be accordance with the details shown on plan number drawing 001B received on 4th September 2002.
2. Plans and particulars of the Reserved Matters referred to above, relating to the appearance, layout and scale of any buildings to be erected, the access thereto and the landscaping of the Site shall be submitted in writing to the local planning authority and shall be carried out as approved.
3. Application for approval of the Reserved Matters shall be made to the local planning authority before the expiration of three years from the date of the permission.
4. The development hereby permitted shall be begun either before 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.
5. The development hereby permitted shall be laid out only in accordance with the Parameters Assessment Plan contained in Volume 3 - Addendum (September 2006) to Environment Statement, Land East of Shaftesbury, drawing reference P.0139_87-2B.

Design Code

6. Prior to both the commencement of, and the submission of any application in relation to any of the Reserved Matters in respect of, any part of the development there shall be submitted to and approved in writing by the local planning authority a design code including a comprehensive masterplan for the whole of the development which sets out:
 - a) block layouts;
 - b) movement linkages;
 - c) disposition and hierarchy of public spaces and the "total Open Space Provision";
 - d) principles of sustainable design to be applied to development;
 - e) architectural treatment of all structures including the range of external materials.
 - f) the interrelationship between built forms and landscape to include an assessment of views into and out of the Site;
 - g) highway treatment
 - h) principles for the design and general location of furniture for streets and all other public areas including seats, shelters, refuse receptacles and cycle parking shelters;
 - i) principles for the provision of and locating of all external storage facilities to serve the buildings permitted by the development;
 - j) lighting; and
 - k) public art,("the Design Code").
7. The development shall only be implemented in accordance with the Design Code, provided that the Design Code may be amended in accordance with a detailed design justification for any changes that may be expressly submitted to and approved in writing by the local planning authority for such a purpose.

8. No Reserved Matters application shall be submitted to the local planning authority unless it is accompanied by a statement identifying how any design proposals contained within that Reserved Matters application accords with the Design Code.

Phasing Programme

9. Prior to the commencement of any part of the development a phasing programme shall be submitted to and approved in writing by the local planning authority which shall include details for the timing of the delivery of a bus route linking the A30 to an agreed point comprising the common eastern boundary with the site comprising application reference 2/2002/0415.
10. The development shall only be implemented in accordance with the Phasing Programme, provided that the Phasing Programme may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
11. Prior to any part of the development within a Development Parcel being commenced within that Development Parcel, plan(s) and section(s) of a scale not less than 1:200 showing the level of the finished floor slab of every building within that Development Parcel in relation to Ordnance Datum shall be submitted to and approved in writing by the local planning authority ("the Floor Level Details").
12. Development within a Development Parcel shall only be implemented in accordance with the Floor Level Details that have been approved by the local planning authority in respect of that Development Parcel, provided that the approved Floor Level Details approved in relation to a Development Parcel may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Lighting

13. Prior to any part of the development being commenced, details of all lighting proposals shall be submitted to and approved in writing by the local planning authority which shall in particular include:
 - a) street lighting including lighting for all carriageways, roads, cycleways, footways, footpaths and turning spaces;
 - b) lighting of communal parking areas and all other publicly accessible areas;
 - c) the proposed intensity of the lighting;
 - d) the design of light columns;
 - e) a lighting contour plan; and
 - f) the proposed phased provision of lighting within the development,("the Lighting Details").

The proposals contained within the Lighting Parcel Details shall accord with the principles for lighting contained within the Design Code unless in relation to any part of the development the local planning authority has previously in writing expressly agreed otherwise.
14. Development shall only be implemented in accordance with the Lighting Parcel Details that have been approved by the local planning authority, provided that the Lighting Parcel Details approved in relation to the development may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Open Space / landscaping including hedges and trees

15. Prior to the submission of any application in relation to any of the Reserved Matters in respect of, any part of the development there shall have been submitted to and approved in writing by the local planning authority a plan, of a scale previously approved in writing by the local planning authority for such purposes, showing:
 - a) the location of all existing trees and hedgerows; and
 - b) any existing trees and hedgerows that will be retained as part of the development,("the Existing Tree and Hedgerow Plan").

16. In relation to all trees and hedges identified as being retained in the Existing Tree and Hedgerow Plan, prior to the commencement of any development there shall be submitted to and approved in writing by the local planning authority details:
 - a) of the specification and position of fencing incorporating the proposed alignment of the fencing and any other measures to be taken that will be provided for the protection of all such trees and hedges from damage during the carrying out of any work in respect of the development;
 - b) of the time periods for the provision and retention of the fencing and other measures identified for the purposes of sub-paragraph (a); and
 - c) for the laying of such hedges or parts thereof in relation to the development in advance of any part of the development being commenced,
("the Tree and Hedge Protection Details").
17. All trees and hedges which are identified as being retained in the Existing Tree and Hedgerow Plan shall at all times during the implementation of the development be protected, and in the case of hedges laid, in accordance with the Tree and Hedge Protection Details, provided that the Tree and Hedge Protection Details may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
18. Prior to the submission of any application in relation to any of the Reserved Matters in respect of, any part of the development details of the principles to be adopted in relation to all structural landscaping (both hard and soft) shall have been submitted to and approved in writing by the local planning authority which shall in particular include principles to be used in relation to:
 - a) all means of enclosure of public space;
 - b) pedestrian accesses and all circulation areas;
 - c) refuse and any other storage areas;
 - d) play areas;
 - e) surfaces; and
 - f) open spaces,
("the Landscaping Principles").
19. All landscaping provided in relation to the development shall be in accordance with the Landscaping Principles, provided that the Landscaping Principles may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
20. Prior to both the commencement of, and the submission of any application in relation to any of the Reserved Matters in respect of, any part of the development a landscape management plan in respect of all hard and soft open, play and other spaces shall be submitted to and approved in writing by the local planning authority which shall in particular:
 - a) include long term design objectives (i.e. for a period covering at least ten years from completion of the development);
 - b) include management responsibilities;
 - c) include maintenance provisions;
 - d) include details identifying the phased implementation and establishment of the landscaping as part of the development;
 - e) include details for the replacement of any tree, hedge and any other planting in the event of the same being removed, dying or becoming seriously diseased or damaged, within the period of five years following the completion of the development within which the tree, hedge or other planting (as the case may be) requiring replacement is situated,
 - f) include details of the time period(s) within which any tree, hedge or other planting (as the case may be) to which sub-paragraph (e) above relates will be replaced,
 - g) accord with the Landscaping Principles, and
 - h) only include site layout drawings which are of a scale that has previously been approved by the local planning authority in writing in advance of such details being submitted,
("the Landscape Management Plan").
21. The development shall only be implemented in accordance with the Landscape Management Plan; and landscaping once provided shall at all times thereafter be managed and maintained (and where relevant replaced) in accordance with the Landscape Management Plan, provided that the Landscape Management

Plan may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

22. No part of the development that includes a Local Area of Play ("LAP") as identified in the Parameters Assessment Plan P0139_87-2B shall be commenced unless there has been submitted to and approved in writing by the local planning authority details setting out:
 - a) the actual play facilities that will be provided on the LAP;
 - b) the proposals to lay out the LAP including all surfaces, fences and protective measures;
 - c) a timetable for the provision and laying out of the LAP (as specified in sub-paragraphs (a) and (b) above) as part of the work for implementing the development;
 - d) proposals for the replacement (including the time scale) of any play facilities identified in sub-paragraph (a) above; and
 - e) provision for the future management and maintenance of the LAP, ("the Play Facilities Details").
23. Development shall only be implemented in accordance with the Play Facilities Details that have been approved by the local planning authority, provided that the Play Facilities Details approved may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
24. Once a LAP has been provided and laid out in accordance with the Play Facilities Details it shall at all times thereafter be managed and maintained (and where relevant replaced) in accordance with the Play Facilities Details.
25. Once any work forming part of the development has commenced, construction shall not commence on more than 50% of the buildings, unless all the landscaping (including provision of the LAPs) that is required to be undertaken has been implemented, unless the applicant submits written justification to support specific reasons to amend the approved timing such that the local planning authority is able to give written approval to any variation.

Drainage, SUDS and biodiversity

26. No development approved by this permission shall be commenced until the satisfactory arrangements for dealing with the provision of water mains connection, together with improvements to secure the appropriate disposal of all foul sewage from the site have been submitted to and approved in writing by the local planning authority and the scheme shall be implemented in accordance with the approved details.
27. Prior to the submission of any application in relation to any of the Reserved Matters in respect of any part of the development there shall be submitted to and approved in writing by the local planning authority details of the principles for the dispersion, infiltration, reception, storage and disposal of all surface water from the Site ("the Surface Water Principles"). No part of the development shall thereafter be constructed other than in accordance with the Surface Water Principles, provided that the Surface Water Principles may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
28. Prior to any part of the development being commenced, a scheme shall be submitted to and approved in writing by the local planning authority that:
 - a) provides details for the infiltration, collection, discharge and attenuation of surface water from all structures, carriageways, roads, cycleways, footways, footpaths and any other surface (permeable or impermeable);
 - b) identifies any pollution interception and / or mitigation measures in relation to discharges from the development;
 - c) identifies all hard and soft landscaping and any other structural work to be provided in relation to the matters identified in sub-paragraphs (a) and (b) above;
 - d) sets out how the provision of those matters identified in sub-paragraphs (a), (b) and (c) above shall be phased and the time periods for their delivery, and
 - e) is in accordance with the Surface Water Principles, (the "SUDS Scheme").

29. Development shall only be implemented in accordance with the SUDS Scheme that has been approved by the local planning authority, provided that the SUDS Scheme approved may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
30. Prior to the submission of any application in relation to any of the Reserved Matters in respect of, any part of the development there shall be submitted to and approved in writing by the local planning authority a scheme setting out all principles for the enhancement of biodiversity in connection with the development ("the Biodiversity Enhancement Principles").
31. The development shall only be implemented in accordance with the Biodiversity Enhancement Principles, provided that the Biodiversity Enhancement Principles may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
32. Prior to the submission of any application in relation to any of the Reserved Matters in respect of, any part of the development there shall be submitted to and approved in writing by the local planning authority a scheme setting out all principles for the inclusion of water efficiency management measures to serve all buildings in connection with the development ("the Water Efficiency Principles").
33. The development shall only be implemented in accordance with the Water Efficiency Principles, provided that the Water Efficiency Principles may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Phasing

34. No more than 85 dwellings forming part of the development shall be occupied prior to 31st March 2011.

Access / highways

35. Prior to the commencement of the development details of the initial means of access from the A30 to serve the application site, shall be submitted to and approved in writing by the local planning authority.
36. The means of access from the A30 shall be implemented and be available for use before any new dwelling or building is occupied provided that the details shown on Plan 001B may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
37. Prior to the submission of any application in relation to any of the Reserved Matters submitted in accordance with the approved masterplan in respect of the development, there shall be submitted to and approved in writing by the local planning authority a scheme showing the precise routes of all carriageways, roads, cycleways, footpaths, and footways that will or may create a connection to any land adjoining the Site, ("the Primary and Secondary Route Scheme").
38. The development shall only be implemented in accordance with the Primary and Secondary Route Scheme, provided that the Primary and Secondary Route Scheme may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
39. Prior to any part of the development being commenced, there shall be submitted to and approved by the local planning authority details:
 - a) of the layout and width of all carriageways, roads, cycleways, footways, footpaths and turning spaces on the Site;
 - b) of the construction and form of any junction between any carriageways, roads, cycleways, footways and footpaths on the Site,
 - c) of the location and all other details of all visibility splays whether on the Site or otherwise to be provided in respect of the development;
 - d) of the construction of all carriageways, roads, cycleways, footways, footpaths, visibility splays and turning spaces on the Site including horizontal cross sections and longitudinal sections showing the existing and proposed levels, and all kerbing;

- e) of a programme for the making up of the carriageways, roads, cycleways, footpaths, footways, visibility splays and turning spaces whether on the Site or otherwise to be provided in respect of the development; and
 - f) of all traffic calming measures on the Site,
("the Highway Details").
40. Development shall only be implemented in accordance with the Highway Details that have been approved by the local planning authority provided that the Highway Details approved may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
41. Prior to the commencement of more than 85% of the dwellings to be constructed:
- a) all works identified in the Highway Details shall be implemented;
 - b) written notice of such completion shall have been submitted to the local planning authority ("the Completion Notice"); and
 - c) in response to the Completion Notice:
 - d) the local planning authority has confirmed in writing that no work for the making good of any work identified in the Highway Details that has previously been undertaken is required; or
 - e) the local planning authority has identified in writing that work for making good of work identified in the Highway Details that has previously been undertaken is required, that work has been undertaken, and the local planning authority has subsequently further confirmed in writing that no additional work is required.
42. Construction shall not commence on any part of a building forming part of the development unless prior to such construction an estate road has been completed to a Minimum Standard from the carriageway of existing highway to provide access to serve that building, where the term "Minimum Standard" shall mean a standard that has previously been submitted to and approved in writing by the local planning authority, which in particular shall include:
- a) the provision of concrete foundations to kerb,
 - b) hardcore laid level to the top of the kerb foundations and blinded; and
 - c) soil and surface water drainage land complete with road gullies and grating,
- ("the Minimum Standard"), provided that the Minimum Standard may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose .
43. No building forming part of the development shall be occupied unless the carriageway and footway / footpath (as the case may be) providing access to serve that building from existing adopted highway has been constructed up to and including base course surfacing complete with kerbing and street lighting.
44. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no structure shall at any time be erected on any visibility splay identified in any of the Highway Details and, every such visibility splay shall at all times be kept free from any obstruction.

Archaeological Investigation

45. Prior to the submission of any application in relation to any of the Reserved Matters in respect of, any part of the development a scheme shall be submitted to and approved in writing by the local planning authority that provides for:
- a) notification of any excavation or ground works on the Site before such excavation or grounds works (as the case may be) takes place; and
 - b) archaeological observation and recording to take place during any excavation or ground works (as the case may be),
- ("the Archaeological Details").
46. The development shall only be implemented in accordance with the Archaeological Details, provided that the Archaeological Details may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

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Operational Controls

47. No vehicle used in relation to the construction of any part of development (which for the purposes of this condition shall mean either a construction vehicle or delivery vehicle) shall leave the Site unless it is in a condition such that it will not deposit mud or any other debris or materials on the public highway.
48. No work for the construction of any part of the development (other than the internal fitting of any building) shall be carried on outside the hours of 0700 to 1800 hours Monday to Friday (inclusive), 0730 to 1300 on Saturday, or at any time on a Sunday or a Bank Holiday unless previously agreed in writing by the local planning authority.
49. Prior to the commencement of any part of the development a scheme for the storage of all plant, machinery and materials to be used in connection with the construction of the development and for controlling any escape of noise and/or fumes during the construction of the development (including clearance of the Site) shall have been submitted to and approved in writing by the local planning authority, such a scheme shall in particular include:
 - a) the locations for the storage of all plant, machinery and materials including oils and chemicals to be used in connection with the construction of the development;
 - b) details of all bunds, fences and other physical protective measures to be placed on the Site in connection with such storage including the time periods for placing and retaining such bunds, fences and measures (as the case may be);
 - c) provision for the on going maintenance of any such bunds, fences and other measures (as the case may be) to which sub-paragraph (b) relates;
 - d) the control and removal of spoil and wastes;
 - e) measures to prevent the pollution of surface and ground water arising from the storage as identified in sub-paragraph (a) above, and
 - f) details of all acoustic barriers and other measures to be used to protect the escape of noise and/or fumes to Sensitive Receptors during construction work, ("the Construction Environmental Management Plan").
50. The development shall only be implemented in accordance with the Construction Management Plan, provided that the Construction Management Plan may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
51. At no time on the Site during the implementation of the development shall:
 - a) any fire be lit within 15 metres; or
 - b) any concrete mixing take place within 10 metres; or
 - c) any oil, cement, bitumen or chemicals be stored within 10 metres of any tree or hedge identified as being retained in the Existing Tree and Hedgerow Plan.

Badgers and other Protected Species

52. Prior to the commencement of any part of the development details shall be submitted to and approved in writing by the local planning authority:
 - a) for the fencing and any other protective measures of the badger habitat (as shown on plans EC01 and EC02 of Volume 3 Addendum (September 2006) to Environment Statement - Land at East Shaftesbury ("the Badger Habitat"));
 - b) of the design, position and route of all tunnels serving the Badger Habitat;
 - c) of landscaping (including reinstatement) of the Badger Habitat resulting from any works associated with sub paragraphs (a) and/or (b) above;
 - d) of the timetable for the provision of such fencing, protective measures tunnels and landscaping (including reinstatement), provided that in the case of the initial provision of the fencing, protective measures, tunnels and landscaping the timetable shall secure such provision to take place prior to the commencement of any other part of the development; and
 - e) for the ongoing management and maintenance of the Badger Habitat, fencing, measures and tunnels (including reinstatement) to which this condition relates, ("the Badger Details").

53. The development shall only be carried out in accordance with the Badger Details and, once implemented, the fencing, protective measures, tunnels and Badger Habitat shall thereafter at all time be managed, maintained and reinstated (as the case may be) in accordance with the Badger Details, provided that the Badger Details may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.
54. Prior to the commencement of development of any parcel, a scheme to provide for new bat habitat shall be submitted to, and approved in writing by the local planning authority and the development shall thereafter accord with the approved details.
55. Prior to the commencement of any work on a building within the Site (including in particular work for the whole or partial demolition of that building) a survey to identify whether that building is used by any protected species shall have been submitted to and approved in writing by the local planning authority, such a survey incorporating details of the methodology used in carrying out the survey (the "Protected Species Survey").
56. In the event that a Protected Species Survey identifies the use of a building by one or more protected species, then prior to the commencement of any work to that building (including for its whole or partial demolition) there shall be submitted to and approved in writing by the local planning authority details of all mitigation measures proposed in relation to the identified protected species ("Protected Species Mitigation Measures Report")
57. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) no work to a building (including for its whole or partial demolition) to which a Protected Species Mitigation Measures Report relates shall be carried out in accordance with the Protected Species Mitigation Measures Report approved in relation to that building provided that the Protected Species Mitigation Measures Report may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Height of dwellings

58. No building within shall exceed two storeys in height on the western boundary other than in the areas indicated for 2.0 to 2.5 storeys on Plan P0139 87-2B without the prior written consent of the local planning authority.

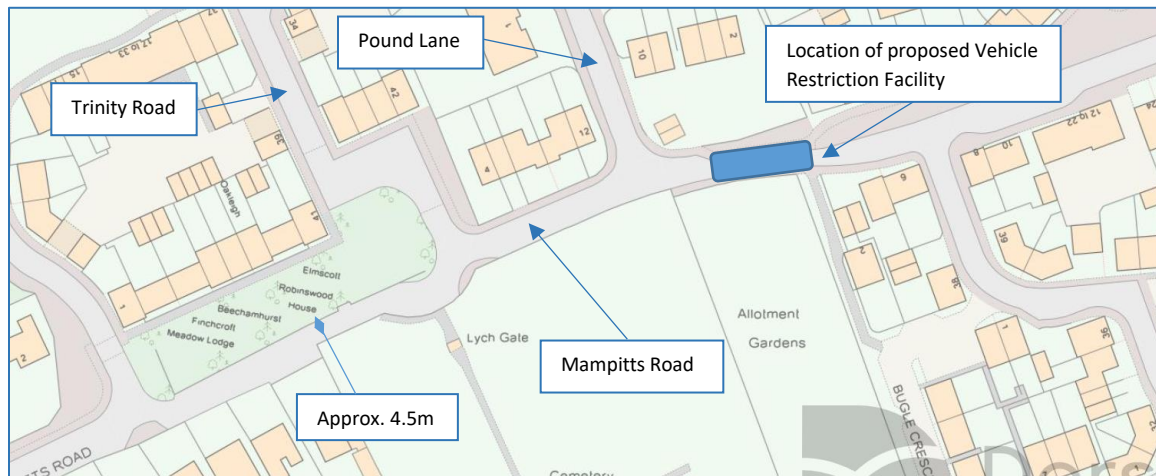
Noise

59. Prior to both the commencement of, and the submission of any application in relation to any of the Reserved Matters in respect of any part of the development details for protecting every building to be constructed on the Site within 80 metres of any part of the A30 from noise from the A30 shall have been submitted to and approved in writing by the local planning authority ("the A30 Noise Attenuation Proposals").
60. The development shall only be implemented in accordance with the A30 Noise Attenuation Proposals provided that the A30 Noise Attenuation Proposals may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Number of dwellings

61. The total number of dwellings hereby permitted shall not exceed 140 unless pursuant to any revision which may be submitted pursuant to Condition 7, the local planning authority approves in writing any variation to this number.

APPENDIX C: Plan and Photographs of Mampitts Road:



APPENDIX D: Plan of Trinity Road:

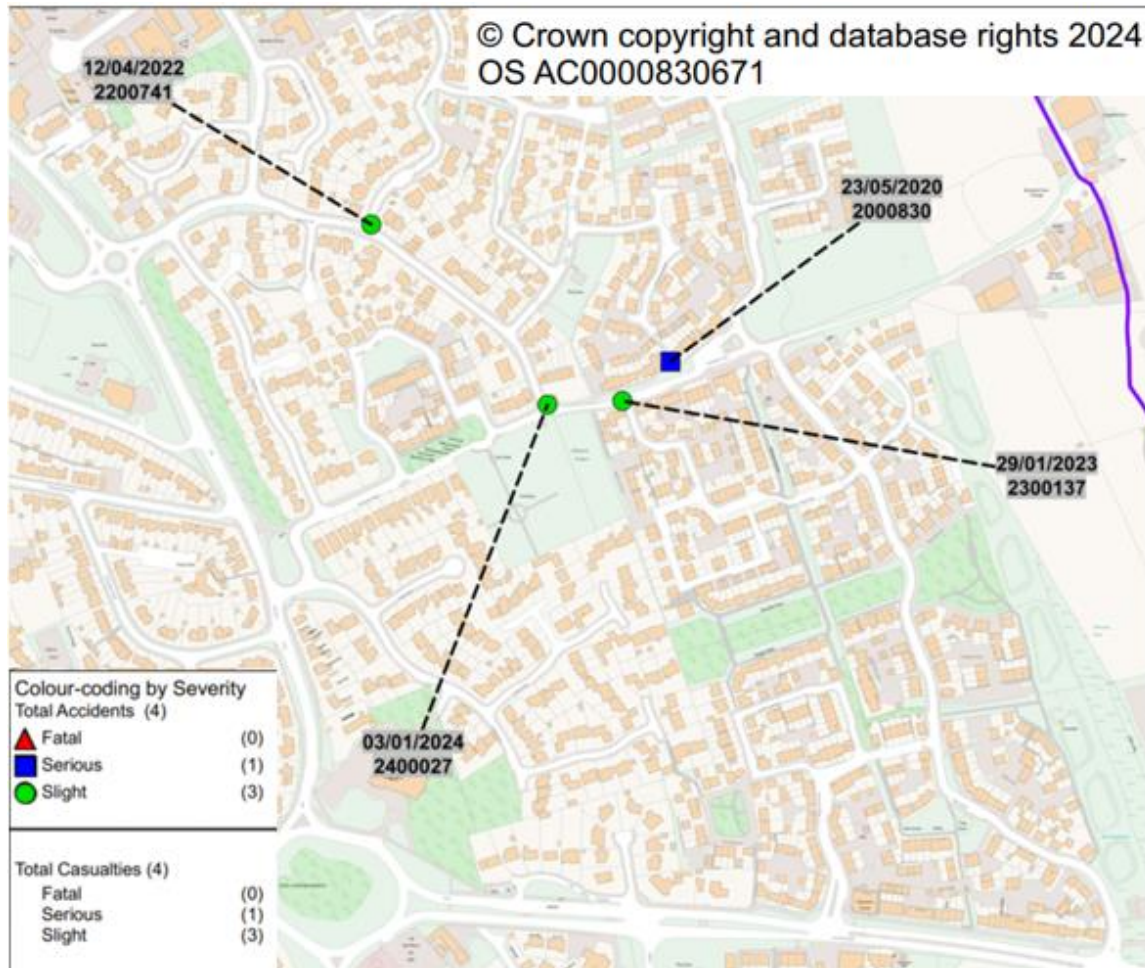


—— Inspected Highway Network

APPENDIX E: Plan and Photographs of Pound Road:



APPENDIX F: Pound Lane and Allen Road Collision Data:



The Reported Personal Injury Collision Record for the most recent five year period available shows four collisions, comprised one serious injury collision and three slight injury collisions. All the collisions were caused by driver or highway user error, and none are as a direct result of the design of the road.

The serious collision was caused by a child cycling on the footway colliding with an elderly lady walking on the same footway. The slight collisions were caused by vehicles failing to look properly and pulling out into the path of other vehicles or a pedestrian stepping out in front of a moving vehicle.

There are no reported personal injury collisions on Allen Road.

APPENDIX G: Draft Traffic Regulation Order

DRAFT ORDER (2180/1/38)

The County of Dorset (Various Roads, Shaftesbury) (Traffic Management) Order No. , 202'

Dorset Council in exercise of powers under Sections 1, 2, 3 and 4 of the Road Traffic Regulation Act 1984 ('the Act of 1984') and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Paragraph 20 of Schedule 9 of the Act of 1984, hereby proposes to make the following Order:

1. In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:

"local bus" means a public service vehicle used for the provision of a local service not being an excursion or tour;

"local service" has the meaning given in Section 2 of the Transport Act 1985;

"pedal cycle" has the meaning given in the Traffic Signs Regulations and General Directions 2016;

"public service vehicle" has the meaning given in Section 1 of the Public Passenger Vehicles Act 1981;

2. No person shall cause or permit any vehicle other than a local bus, pedal cycle to enter or proceed on the length of road specified in Schedule 1 to this Order.
3. No person shall cause or permit any vehicle except for local buses and pedal cyclists to make a left turn on the length of road specified in Schedule 2 to this Order.
4. Nothing in Article 2 and 3 shall render it unlawful to cause or permit any vehicle to enter, proceed or be in the length of road specified in this Order if the vehicle is being used:
 - (a) for the maintenance, improvement or reconstruction of the said road;
 - (b) for the laying, erection, alteration or repair in or inland adjacent to the said road of any sewer, main pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in paragraph 1(1) of the Communications Code contained in Schedule 2 to the Communications Act 1984;
 - (c) in the service of a local authority or water undertaker or sewerage undertaker or the Environment Agency in pursuance of statutory powers or duties;
 - (d) for police, fire brigade or ambulance purposes;

5. This Order may be cited as 'The County of Dorset (Various Roads, Shaftesbury) (Traffic Management) Order No. , 202' and comes into operation of the day of 202'.

Dated this day of 202'

The Common Seal
Of the Dorset Council
Was affixed hereto in the presents of:

Schedule 1

Shaftesbury, Mampitts Road (both directions)	East of its junction with Pound Lane for a distance of approximately 13 metres. As detailed on the plan accompanying this Order.
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Schedule 2

Shaftesbury, Pound Lane	In an eastbound direction from its junction with Mampitts Road. As detailed on the plan accompanying this Order.
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APPENDIX H: Notice of Traffic Regulation Order



Public Notice

dorsetcouncil.gov.uk/trafficregulationorders •  @TravelDorset

The County of Dorset Traffic Management Scheme (Various Roads, Shaftesbury) (No.)* Order 202*

NOTICE IS HEREBY GIVEN that the Council of Dorset proposes to make the above-mentioned Order under the Road Traffic Regulation Act 1984 as amended.

The general effect of the Order will be to introduce the following restrictions:

- Prohibit any vehicle (except local buses and pedal cycles) to enter or proceed on a section along Mampitts Road, Shaftesbury.
- Prohibit any vehicle to turn left (except local buses and pedal cycles) from Pound Lane onto Mampitts Road, Shaftesbury.

Under Section 90A of the Highways Act 1980 Dorset Council hereby gives notice that it proposes to introduce two road humps in Mampitts Road, Shaftesbury (3.5m long and 75mm high). The road humps will be constructed to the Department for Transport specification.

Relevant exemptions will apply where appropriate and as necessary in accordance with the provisions of the Order.

Full details of this Order can be found online at <https://www.dorsetcouncil.gov.uk/tros>, paper copies may be viewed at:- Dorset Council, County Hall, Colliton Park, Dorchester, Dorset, DT1 1XJ by appointment only. Contact regulation-tro@dorsetcouncil.gov.uk or telephone 01305 221000 and ask for the Traffic Regulation Team for booking details or if you require more information.

Comments on the proposals for or against, together with the reasons for which they are made should be sent through the website as detailed above, or in writing to the Traffic Regulation Team, Dorset Council, Colliton Park, Dorchester, Dorset DT1 1XJ by no later than 4 October 2024.

Date: 12 September 2024

Jan Britton, Executive Lead for Place

Appendix I: Accessible Impact Assessment & Table of Recommendations

ACCESSIBLE TABLE SHOWING IMPACTS

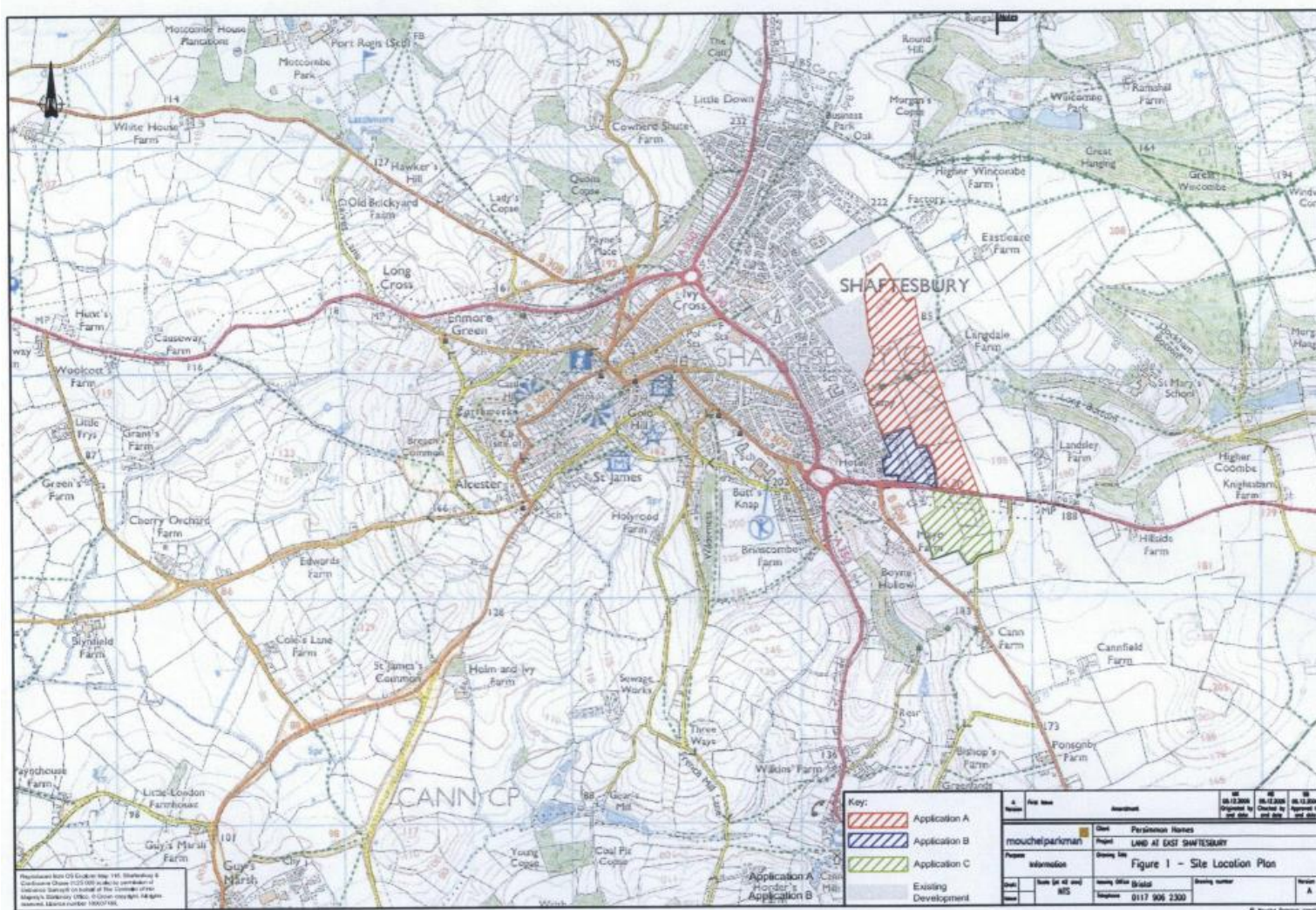
Natural Environment, Climate & Ecology Strategy Commitments	Impact
Energy	major negative impact
Buildings & Assets	No known impact
Transport	minor positive impact
Green Economy	No known impact
Food & Drink	No known impact
Waste	No known impact
Natural Assets & Ecology	No known impact
Water	No known impact
Resilience and Adaptation	No known impact

Corporate Plan Aims	Impact
Prosperity	neutral
Stronger healthier communities	neutral
Sustainable Development & Housing	neutral
Responsive & Customer Focused	neutral

TABLE OF RECOMMENDATIONS

Recommendations	Responses -will this be incorporated into your proposal? How? And if not, why not?
Energy	
Reduce emissions from vehicle fuels (e.g. using alternate fuels, ULEVs, electric, reduced vehicle congestion etc, EV charging points)	Residents will be able to walk, cycle, scoot, horse ride and use public transport through the proposal, but will not be able to drive any other vehicle through the closure. This is designed to promote sustainable transport, but residents may choose to drive, which will be a longer route.
Buildings & Assets	
No recommendations found for this category	
Transport	
No recommendations found for this category	
Green Economy	
No recommendations found for this category	
Food & Drink	
No recommendations found for this category	
Waste	
No recommendations found for this category	
Natural Assets & Ecology	
No recommendations found for this category	
Water	
No recommendations found for this category	
Resilience & Adaptation	
No recommendations found for this category	

APPENDIX J: Site Location Plan



APPENDIX K: Respondents Comments

Support

Pound Lane and Fairlane residents are experiencing excessive road traffic since the eastern estates have been built. These roads are narrow with vehicles parked on both sides making through traffic difficult. The eastern estate(s) residents should use Allen Road that is wider and access onto the A.30 traffic light controlled. The Pound Lane and Fairlane route to the Tesco roundabout on Christys Lane however seems to be the preferred option. Accessing Christys Lane from the bottom of Mampitts Road (Linden Park) is difficult during normal times, but at peak times even more so. This, I believe, is why most traffic uses the other easier options to Tesco roundabout. Whilst I support the Bus Gate idea, placing speed ramps and signage designating no access to the Bus Gate except for buses and cyclists and no left turn from Pound lane into Mampitts Lane, I believe this will be abused unless there is a physical barrier.

I think the bus gate is absolutely necessary as currently both Pound Lane and Fair Lane are both used as rat runs, vehicles regularly speed up and down both these lanes. The right and proper way for vehicles to travel from the development to the town is via the A30, royal chase roundabout and Christies Lane so to that end I fully support the proposal as it stands.

I am not convinced that the bus gate and left turn restrictions are in themselves an appropriate solution at the present time whilst the northern access road from the Maltings Estate remains unconstructed. This additional access route is part of the estate development conditions, as I understand it, and should also be followed through to completion to ensure those living on the estate are not disadvantaged by having their access restricted by the bus gate. Once the additional access road is implemented, I support the bus gate proposal. I think additional measures are required as much if not more, that are not mentioned in the proposal, to improve local road safety such as reducing the speed limit on Pound Lane, Mampitts Lane and Road, Allen Road, and surrounding estate roads to 20mph, and introduction of traffic calming measures such as narrowing further sections of road to single lane traffic only.

As a long time resident of Fairlane I have noticed a steady increase in traffic along our, residential, road due, I'd say and in the main, to congestion on Christy's Lane. I support the application of a bus gate. It will return Mampitts Lane, Pound Lane & Fairlane to their, safe, residential, nature. There is, regulated, access for the east end of Mampitts Lane & the roads running off it onto the A30 and into Shaftesbury without the need to use Mampitts Lane, Pound Lane & Fairlane as a high speed shortcut. The only need for, motorised, access should be for buses and emergency vehicles.

It will cut down the vast amount of traffic using Pound Lane at stupid speed levels. I think this is a good idea if it restricts traffic using Pound Lane as a rat run. Cars speed down the road and it won't be long before some one is injured or god forbid is killed.

I have been in correspondence with Shaftesbury Town Council for some years regarding the volume and speed of traffic in Pound Lane and the promised restricted access, now referred to as a “busgate”. I have attended at spoken at Town Council meetings, was part of a working party formed to try to resolve the issue, have written to the Town Clerks and Cllr Tim Cook on several occasions and the Highways Department at DCC. On the original plans traffic from the Maltings did not have access into Pound Lane. If this had been put in place from the start it would have been the norm and accepted. People on the Maltings now feel something is being taken away from them. All residents on the Maltings should have seen this before buying/renting their property. Even with its delay or if they had overlooked the detail, it should be an accepted fact that its placement would happen. It was included for the safety of those now so badly affected by its absence. It is shocking that it has created such a “them v us” situation and I frequently fear for my vehicles and my home as residents on “this side” are clearly seen as “the bad guys”. As background, I have had family associations with Shaftesbury since 1975 and moved into my current home in July 1989 from new. When I moved in this estate was tiny although I was aware of future plans. Building beyond 13 Pound Lane was put on hold for a while and was just fields for some time. I have seen the area develop, along with Beaufoy Close, Jeanneau Close, Imber and Gower Roads, King Alfred’s Way and the Little Shilling Estate. Traffic obviously increased during this time, but not to the detriment of the neighbourhood. However adding the Maltings traffic and others who “cut through” into the equation has caused a definite increase in and unacceptable level of traffic, dangerous driving, some at ridiculous speeds, and pollution. Little Shilling, Gower and Imber Roads etc only have Pound Lane as an access route, The Maltings estate has two safe, traffic light controlled access points onto the A30 which they should make use of. As a comparison exercise at a busy time on 15 August 2019, I did a timed drive from the Tesco roundabout to Allen Road via the A30 which took me 2 minutes and included waiting at the roundabout, and the addition of a few seconds to reach 26 Allen Road (which I considered to be half way up that road). The return journey via Allen Road, Mampitts Lane and Pound Lane took 3 minutes, a hazardous route with parked cars on both sides of the road everywhere. I kept to 20/30mph or less through the parked cars. Pound Lane has had cats killed on it (since the Maltings was built) and cars hit resulting in my neighbours no longer parking vehicles on the road and we dissuade any visitors from doing so too. Access in and out of my driveway is now really dangerous as cars approach so fast despite checking before manoeuvring, they appear when I am half way out. They rarely let me out but choose to drive around (often with unpleasant looks or gestures) my car is then marooned half in and half out. When visitors with children visit I am particularly concerned as the children are so vulnerable sitting in the back. Equally I fear for my (and their) dogs who are in the boot and would be very vulnerable on impact. Crossing the road as a pedestrian is tricky and dangerous especially with dogs and/or children.

However long it takes one driver to take the Pound Lane route, say that driver does that journey twice a day, the objectors should realise that the residents have to cope with a number of cars doing that on a daily basis on a road, aptly named a lane, totally unfit for that volume of traffic, let alone at speed. From the corner of Imber Road drivers put their foot down and many screech either to the Tesco roundabout or round the corner into King Alfred’s Way where collisions have occurred. I can sometimes hear the screeches as they continue along the A350 Grosvenor Road. It is frightening. Back in August 2018, I asked if speed checkers could cover Pound Lane when in Shaftesbury. I understand they came, but in a very quiet period so

didn't capture a true picture at all. Reference Number: CT218845. I was a member of our Community Speed Watch but unfortunately, for various reasons including fear of repercussions, our very small group had been unable to do any monitoring for some time prior to the Pandemic. When we did, we had to be clearly visible to traffic in high viz jackets, were restricted in where we could stand and could only record speeds in excess of 36mph. Drivers saw us, slowed down, dramatically sometimes, and then the "racer" types took great delight in putting their foot down and roaring off with a grin, sneer or other gesticulation. I have heard of cars mounting the pavement at the Mampitts Road end of Pound Lane on several occasions and residents being nearly knocked over when tending their gardens as well as being subjected to abuse for being on the pavement. As a pedestrian it is a very difficult place to cross the road.

There are several areas locally with access restricted by bollards, some of which have been in place for years, eg:

Wincombe Lane by Baan Thai

At the end of Gower Road where it meets Mampitts Road

Burton Close and The Maltings

Between Melbury Way and Gower Road

There may well be others. These seem to be very effective, require little or no maintenance and no administration would be involved as improper use would be difficult. They allow cyclists and pedestrians safe access and there is no way motorists can ignore them. These bollards, of course, have been accepted as they were put in place when the building took place. It is such a shame that the "busgate" issue has become so contentious. The objectors have argued that all traffic taking Pound Lane are bound for Tesco. I know for a fact that traffic turns both left and right at the Tesco roundabout, some turn left into Fairlane and a great many head up King Alfred's Way to access the primary school, industrial estates, A30 or A350. It is my understanding that the busgate was never dependant on the construction of the spine road. The lack of the latter now seems to be used as an argument against the busgate and safety of those of us on this side of it. I have been horrified to hear that some people on The Maltings (including a Town Councillor) feel that the proposed signage for no right/left turns at Mampitts Road/Pound Lane could and should be ignored. If this was to happen, the problem will not be resolved, indeed it could be exacerbated as law abiding motorists and pedestrians would not be expecting traffic users to behave in such a way. It seems to me that the residents on The Maltings have a louder voice than those on the Pound Lane side and are constantly "stirred up" by two particular town councillors (as at 2021) and now by other "ring leaders". The Maltings estate houses many more people than Pound Lane and the rest of The Sycamores and Little Shilling estates who are also adversely affected by the traffic. This should not mean that, due to the quantity, The Maltings residents opinions are more valuable. Bearing in mind the size of The Maltings estate, with every house potentially having at least one car, maybe more, the situation has become intolerable. The "cut through" route is now used for through traffic as well as deliveries to the Spar supermarket. I have seen many huge lorries and even a car transporter. I believe the priority for this situation is safety for all, for people to be able to safely live and enjoy their home and not to allow a race track or cut through which endangers life and quality of life. I urge you in the strongest possible terms to, please, do something to address this issue.

The volume of traffic along Pound Lane has increased dramatically in the last few years and so has the speeding, making it very unpleasant for those of us who live on the road I live on Pound Lane. It is now often used as a 'rat run' since the Mampitts estate was developed and as a consequence, traffic volume along the road has increased hugely and some people definitely go above the 30 mile an hour speed limit. I believe it is essential that the bus gate is put in as this was apparently agreed to in the original contract with the developer.

The speed and volume of the traffic make it difficult to park and dangerous to cross the road when visiting my son in Pound Lane.

The volume of traffic and erratic driving is getting to be dangerous with impatient drivers even going up pavements to get pass. I have lived here for 20 years and this road was not built to cover the usage it has now.

The Bus Gate MUST be installed. As part of the original planning permission for the new housing estate there was NO vehicle access from Mampitts Lane into the estate, it was just a cycleway/pedestrian access, so Persimmon would have factored that all vehicle traffic would have to enter/leave the estate via the junction onto the Salisbury road. There was also the link road from the Warminster Road to the Salisbury Road shown on the plans with feeder roads into the housing estate which further confirmed the fact that Mampitts Road and those off of that road would NOT be used for vehicular access.

Numerous changes to the housing layout etc. were submitted by Persimmon over the years and during that they subtly amended the access from Mampitts Road due to the link road being made 'future', but they (Persimmon) have never backed away for the need restrict the Mampitts Road access and have set aside funds to construct what is agreed.

In addition the 'Bus Gate' as design will not restrict traffic and the signage will be a waste of time as the design will still allow 90% of traffic to drive over it which locals living on the estate will do.

As it's now to only used for 'Buses' and 'Emergency Vehicles', noting that these also would have originally entered via the link road or Salisbury Road, a physical barrier that can be lowered/opened to allow ONLY Buses and Emergency Vehicles' is what should be installed.

As the 'Bus Gate' is not intended to be monitored then it's a waste of time and the residents of Mampitts Lane and Pound Lane will still be subject the the huge number of cars using and at time clogging up the roads.

The recently funded survey of the traffic to and from the estate along Mampitts Lane CONFIRMED the need for the 'Bus Gate' so why is there another debate, it's 17 years and counting since planning was approved with NO vehicular access from Mampitts Lane, so why are we still waiting ?

Once it's built there will be no possibility of it being amended so get it installed so that ONLY 'Buses' and 'Emergency Vehicles' have access.

The bus 'gate' was a legal covenant that was signed to give permission for the Maltings estate to be built. From this stage onwards, Pound Lane was never meant or intended to be used (or even able to manage structurally) as an access road from the Maltings estate to other parts of Shaftesbury. Since the covenant was signed, it has been the legal expectation of everyone living on Pound Lane, Gower Road, Imber Road, Thomas Hardy Way, Rutter Close etc that the road access would be closed and that Pound Lane could go back to being a decent, quiet, safe road. The residents of the

Maltings estate have no legal expectation of using Pound Lane as an access route, despite the promises of some Shaftesbury Town cllrs who are fomenting unrealistic expectations (all for personal convenience).

The above two positions should be the base starting point of any conversation, but is something that certain pressure groups are conveniently omitting from the debate. The fact that we are still having consultations and debates is a concern. The delay is allowing certain cllrs (who live on the estate) to whip up a storm of controversy over the plans, which have no legal basis. Phrases on the Maltings estate Facebook page that crop up include 'building a Berlin Wall', 'cutting us off', and much worse. Residents believe it is a 'right' to use Pound Lane as they wish, rather an overly extended exemption that should have been dealt with years ago. The longer it goes on, the more residents will be whipped into a frenzy, and the more residents on the west side of the gate are seen as the enemy, or as one FB poster implied, 'imposing apartheid'. Obviously, in this storm, the feelings and concerns of the residents on Pound Lane and its tributaries are drowned out. My family have lived here for more than seven years, when moving in we were told the road would be closed, this was our expectation, a promise borne out by the covenant. One that we've waited more than seven years to see fulfilled. In that time, cars have been pranged, family pets run over, and I certainly wouldn't let my children ride a bike down the road. The recent survey that was conducted to measure traffic flow and speeds etc, was welcome but placed in entirely the wrong position. Had it been moved 20-30 yards further west, the traffic speeds would have shot up exponentially. Try getting out of our drive at times! Some of the times banded around in terms of shaving minutes off journeys is also ridiculous. Again, whipped up by certain local cllrs. One infamous cllr actually complained that he didn't want the bus gate because it would be inconvenient for his drive to Tesco. In all the communications about local roads, you can read numerous objections to the use of Allen Road - not safe, cars drive too fast, not safe for children, not built for the traffic (except, of course, it was) - there was also a call for the speed limit to be reduced on the estate to stop speeding - and these people are very vocal, but seem oblivious to the fact that all these issues have been affecting Pound Lane and its tributaries and the families that live along it for so many years. Strangely, they don't seem to care about safety when it comes to Pound Lane and the people living on and off it, I wonder why? Their convenience over our safety, living standards... Then there is the thorny point of precedent. I don't know how things work, although the planning process doesn't have the best reputation among the wider public, but if a covenant can be signed to move ahead with the building of an estate, and then forgotten about, and conveniently removed from the record, what does that tell Persimmon and other developers? Sign what you want, regardless, because you won't be forced to go through with anything, happy days indeed. I look forward to hearing about the meetings in other parts of Dorset where local residents suddenly find covenants are meaningless bits of paper. Although, legally, would that open up councils and developers to legal action? Would we, as residents of Pound Lane, be entitled to compensation for loss of living standards, for loss of safe roads, for the enmity being fostered on Facebook groups (remember the starting points of this issue)? Would the lack of bus gate have suppressed house prices? Just thoughts, really, but ones that people may wish to explore? And imagine if the same were to happen to the residents of the Maltings estate, where would they stand?

I have tried to point out to cllrs that an action to prevent the bus gate would also provide a false victory, for two reasons:

- 1) Residents on the west side would be more likely to use the estate and Allen Road to access the A30 heading towards Salisbury (I would think most don't at the moment; personally, I've used the estate once in seven years to access the A30); and,
- 2) When an estate is built on the opposite side of the A30 to the Allen Road junction (the crossroads is already there), and there is no primary school,

many of the residents will send their children to Shaftesbury Primary School. The quickest route from that junction is straight up Allen Road and through the Maltings. Hey presto, extra traffic. Then there will be the residents who don't fancy the lengthy queues along the A30 from the Royal Chase Roundabout, up Little Content Lane to Ivy Cross as they make their way to the A350 heading north. Once again, they'll head straight up Allen Road (though I presume the Maltings-based cllrs will soon whip up a petition to close access to Allen Road from the A30, I believe without any sense of irony, only entitlement). There is also a sense of double standards at play by those whipping the residents of the Maltings into a storm. A certain cllr has opposed the bus gate along the lines of 'to hell with a covenant, it means nothing compared to what we want', but then lambasted the council for delaying the construction of a community centre on the estate, where he quoted Dorset Council, 'the persimmon estate...was given planning permission by Dorset [sic] Council and NDDC on the agreement that there would be planning obligations of a community hall and play park...' Hypocrisy or double-standards, or both. I've been in written communication with both Dorset Council and Shaftesbury Council for many years over this issue, back in 2022 I wrote to DC: "Traffic continues to increase, cars continue to speed, the road continues to be used as a rat run and the bus gate that was meant to have been built has still not been built. I wish the council could provide me with a £1 rebate from our council tax every time a car accelerates around our car as we try to get out of our drive each day, or slams on the brakes because they have decided to accelerate heading towards the Tesco roundabout. Very few stop, most swerve." I could append all my correspondence to the council as it is all still relevant. Then there is the question of what people on the Maltings estate knew about the bus gate when they moved in? As I believe this is a major issue. Some will have bought from the developers, others from estate agents, others renting from landlords or housing associations. Surveys would have been undertaken. Each should have been made aware that the bus gate was being built and moved with the knowledge. If they didn't then there are serious questions to be asked by those residents, and even between council and developers, because failure to do so is negligence. And that brings the question whether the information was withheld willingly and knowingly, or because the delay between covenant and where we are now has led to false expectations. The problem now is, if the gate gets built, the residents of Pound Lane will be seen as the enemy, and believe me, we already are. If the bus gate doesn't get built, covenants become useless bits of paper that can be ignored at will, and the residents of Pound Lane have to put up with the road being used as a rat-run it was never intended to be, and our standards of living suffer. There is also a concern that the proposed watered down bus gate, will have little effect and will non-enforcable, essentially becoming nothing more than 'we've tried to please everyone, but please keep using Pound Lane' - a sign isn't going to stop people. I completely understand that it's a thorny and difficult issue, but it's one that has been allowed to develop by inaction, delay, and indifference, and that is not the fault of residents of Pound Lane.

I wish to support the installation of the BUSGATE which is to be placed on the Mampitts area of Shaftesbury.

My reasons :-

1. The roads, as stated in the original development of the Mampitts Estate, are NOT suitable for the type & number of vehicles using it as a short cut from the A350 to the A30 Salisbury Rd. Pound Lane is an estate Rd not a main traffic road.
2. The number of cars, motorbikes container wagons & Car Transports and many other large vehicles including 17 Buses a day – with nobody in them – which use Pound Lane cause blockages, as the cars from Greatstone Road area at the end of Gower Road all try to get through.
3. The atmosphere is putrid due to all this traffic. Why should we have to breathe this in all the days of the week!

4. Cars, Vans etc use the footpath to pass one another, regularly, on the Cemetery Rd end of Pound Lane, People which live at 10 Pound lane have been almost knocked down as they come out for their house!!

5. Pound Lane is being treated as a race track every weekend as bikes & boy racers use it to see how fast they go along it.

6. The Bus Gate was designed to STOP all vehicles except for emergency ones bikes & buses.

It was supposed to encourage walkers and push bikes to be used to exit this estate – being Climate Change Friendly I believe. You have to watch where you walk in the area because cars think they own our roads & footpaths.

We have been waiting for this to happen for over 17 years now. The final survey done earlier this year cost a lot of money, which said it had to be implemented, why was it stopped, again? We are all sick & tired of the delays & we have a right to a reasonable life without all the traffic – maybe one day we will all be able to sit out in our gardens without all the agro & clean air to breath.

The bus gate is needed to stop speeding traffic down Pound Lane. The volume of traffic increases weekly.

Pound Lane has become a rat run due to a massive increase in volume of traffic which comes from the Maltings development using Mampitts Lane as a 'shortcut' to avoid using the exit on the A30. During peak times, school and work, traffic is continuous and is also being used by commercial vehicles to access the Maltings of which there are 700+ homes. There have been a number of incidents on Pound Lane of road rage, increased noise, vehicles driving on pavements (dangerous), speeding/poor driving as well as a number of vehicles have been damaged/crashed into resulting in few cars being written off. The busgate is a condition of the original planning permission for the Maltings development. Why are we still having discussions re the busgate? How much time and money are all these delays costing? Why does a change administration bring about further consultation? This has been going on for a number of years now and the longer it goes on the more frustrating it is for the existing residents. It was in the original planning permission at the start of the work.

Pound lane was never meant to be a major route. Unbelievable amount of traffic use it, it has become a rat run and a delivery lorry route. Somewhen there will be a bad accident. People drive on the pavement all the time and road rage is a common thing. Just get put in.

Lots of traffic driving very fast from the Maltings estate along Pound Lane, very dangerous

I strongly support this proposal to implement a condition of the planning permission for the Maltings development. The current situation means that Pound Lane is constantly subjected to excessive traffic, contrary to the original intention of the planning condition, particularly at times of the school run. Furthermore, a traffic survey previously conducted shows that journey times for Maltings residents heading for Christys Lane via the A30 rather than Pound Lane would not be longer than currently.

The traffic volume along Pound Lane has increased to a dangerous level. I have counted over 320 vehicles per hour. Some of these vehicles are travelling considerably over 30mph and often mount the pavement to avoid having to stop. Pound lane was not designed to take this volume of traffic

and the original planning was not to have the Maltings estate exit along Pound lane. Those planning rules should be upheld. As a resident of Pound Lane this bus gate is really needed! The level of traffic that pound lane gets is far too much for the size of the road! The bus gate should have been installed some time ago and this is unfair on residents of pound lane.

About time the council reduces the amount of traffic on Pound Lane that come from the Maltings estate. This bus gate couldn't come quick enough, before a death occurs.

The traffic along Pound lane has increased so much since this development was built and the speeding cars weaving in and out of parked cars is an accident waiting to happen!!

This section of road should not be as busy as it is in a residential area, vehicles speed, it's a rat run and very unsafe! The figures from the vehicle count should be enough evidence to proceed with the bus gate!

This restriction is long overdue and it is what was agreed originally when planning permission was granted to build the estate. Residents of pound lane were given assurances by Dorset Council that there would be restricted access on to the East Shaftesbury development before it was built, to prevent Pound Lane being used as a 'rat run'. I believe the restriction was also a condition of planning approval by Dorset Council. Given that there are more residents living on the East Shaftesbury development than on Pound Lane, I suspect that there will be more objections than supporters as a result of this consultation. However, I believe Dorset Council should remain true to their word, and go ahead with the restriction of traffic as this is what was promised to the residents of Pound Lane, and as required in the planning conditions. In addition, I think that Dorset Council should pursue a northern access road to the East Shaftesbury development as originally planned, via Wincombe Lane to allow two access routes to the East Shaftesbury development.

The planning inspector recognised that the area of the proposed bus gate was not suitable for large volumes of traffic movements and imposed the bus gate restriction as a planning condition. The delay in implementation has resulted in misery for people living in Mampitts Lane and Pound Lane as well as for residents in roads that feed on to them. I have to exit via Gower Road and have experienced near misses at the junction due to the volumes of cars using the road. Additionally the junction from Pound Lane into Mampitts Lane is wholly unsuitable for the number of traffic movements made through it. In my experience drivers exiting the Maltings regularly 'cut the corner' and end up entering Pound Lane on the wrong side of the road, adding to the risk of an accident. The roundabout at Tesco is very small and it can be difficult to exit due to cars approaching it from Ivy Cross failing to slow down. Shaftesbury is a small place and for able bodied residents the town centre is within walking distance for most able bodied people. The provision of a regular local bus service means people who can't or don't want to walk or drive into town have an alternative form of transport to access local amenities. As the traffic consultant commissioned by Shaftesbury Town Council highlighted, it is quicker to use the A30 exit from the Maltings rather than Pound Lane. The provision of traffic lights at both junctions from the Maltings development adds to their safety as exit routes. My

major concern about the proposed bus gate is the likelihood it will still be used by drivers willing to flout the law since there will be no monitoring. I am aware in other locations in the country cameras have been installed, which generate fines for anyone breaking the law. If Dorset Council does the right thing and at last implements a planning condition that has been outstanding for almost 20 years I hope any unlawful usage will be monitored and if necessary action such as installing cameras is taken.

I fully support the bus gate at Pound Lane, and firmly believe this will save many lives. My 11 year old son stood on the pavement outside our house, and due to another speeding driver had to mount the pavement and almost killed our son. Our son is now fearful of our road as a result. Almost every car in our neighborhood had been hit, including our neighbours all due to speeding drivers using the road as a cut through. My own car was smashed due to a speeding driver, and the buses are usually struggling to get down our road due to the sheer volume of traffic. The last speeding car hit was our neighbours across the road, and there is tyre marks on the floor due to the speed. Please for the sake of the children, and elderly walking on the pavements, bring in the bus gate and save lives. I am in full support of the bus gate on Pound Lane in Shaftesbury to be put in. I have lived on Pound Lane for a number of years now and since access from The Maltings estate has been opened up Pound Lane has become dangerous. There is a high volume of cars that now come through Pound Lane and use it as a cut through. That has been proved by a recent traffic survey that was undertaken and reported on. Traffic regularly speeds through and more often than not, at speeds above 30mph. Cars parked along Pound Lane have been regularly hit (including my own) by speeding cars. Trying to pull out of any of the driveways along the road is difficult and quite dangerous as cars are speeding so fast down the road they are unable (or unwilling) to slow down. I have had numerous occasions where I have been pulling out of my drive slowly and then had to reverse quickly as someone is speeding down the road at such a pace it would be impossible for them to brake in time before hitting me. The last time a parked car was smashed into on the road, black tyre marks were left in indicating the speed was high by the person driving the car who hit it. Cars regularly mount the pavements because they are driving so fast that they cannot stop in time for approaching vehicles. So to avoid oncoming traffic, they mount the pavement. There has been an incident where a car had to mount the pavement and smashed into some garages because they were driving so fast and couldn't stop in time when encountering another car turning into Pound Lane from The Maltings. There are a lot of children and young families who walk along Pound Lane especially during school term time and the speed the cars drive past them is frightening. My own son was standing in our front garden when a speeding car mounted the pavement due to them being unable to stop in time for on coming traffic and nearly hit him. There is a pavement between our front garden and the road so the car came quite far up into the pavement. At night time especially, Pound Lane becomes like a race track with traffic speeding up and down it. We have even had large vehicles (for example, a car transporter) using Pound Lane as a cut through to get to the A30. Pound Lane isn't suitable for that type of vehicle. There have also been several crashes between vehicles trying to pull out of side roads that join Pound Lane. These have been caused by speeding vehicles coming along Pound Lane.

I support the proposal It will stop people using this rd as a cut through to the A30 Pound Lane is like a race track all day every day we worry for our pets and young children and the noise pollution from vehicles with illegal exhaust is ridiculous. I've seen drivers revving engines to scare animals and older people. They have no respect for anybody other than themselves. Thank you I agree with the proposal to put a bus gate in at mampits lane

Essential for safety in the area especially Pound Lane

Living on Pound Lane has become a nightmare. It can take up to 5 minutes to actually get on & off my drive way (at any time of the day). The volume of traffic is too large for a residential road & It won't be long until someone is seriously hurt on this road. Pound Lane was never meant to be an access route for the new estate & the order put in place when planning was granted should be implemented.

Something has to be done to stop the ridiculous speeds of cars coming past the spar shop It will end in a death

When the new houses were built they knew a bus gate was due to be in place alongside a new road further up the estate. The council needs to authorise the bus route as per the original plans and get the new road installed too.

The bus gate formed part of the original planning conditions for the Maltings Estate. No objections would have been possible to the planning application for the estate as this was never the intended access. I made the decision to purchase my house having completed my due diligence and was aware that Pound Lane would not be an access point to the estate. There are regularly broken door mirrors along Pound Lane, speeding traffic due to the narrow road and drivers not wishing to give way to oncoming cars. In the last 3 months I have seen 2 cars with substantial damage caused by the narrow road and high traffic level. Also I witness on an almost daily basis cars using the pavement at speed to force their way through. We have also had a car through a garden wall. It is used as a rat run for vehicles trying to avoid Christys Lane and also as a race track for cars running too and from the estate. I am unable to let my children use the pavement on their own as I don't believe that it's safe. Shaftesbury Town Council has also commissioned a survey which strongly supports the bus gates implementation. This has gone on too long. This order was made clear at the time of the development of The Maltings. Anyone buying a house in the vicinity would have done so with the knowledge that the bus gate was part of the condition.

Cars parked outside properties along Pound Lane are regularly damaged and the speed and traffic coming through make it incredibly dangerous to turn out of neighbouring roads.

I have personally witnessed regular incidents where cars approach at speed and rather than slow, will mount the pavement to get through. This has made it very dangerous for pedestrians or cyclists to walk/cycle safely. It will only be a matter of time until a serious accident happens.

We are in agreement with the proposal: It will reduce the increasing level of traffic using Pound Lane / Mampitts Road, particularly those using it as a 'rat run' / short cut, when Chistey's Lane is congested. Reduce congestion at peak times. Reduce the level of near misses of both vehicles and pedestrians at the junction. There have been numerous instances of cars mounting the kerbs to avoid each other even when pedestrians are present. The proposal will also stop cars failing to observe the current road calming measures (road narrowing)

A way to slow down and reduce traffic is massive plus far too many cars using the road as a speedway track The amount of cars using Pound Lane and the speed has increased, also very dangerous coming around Mappits heading into Pound Lane, also, coming out of Imber Road Gower Road is a accident waiting to happen..

Pound Lane is used as a 'rat run'. Traffic speeds there without thought or consideration for residents and pedestrians.

I write to express my deep thanks that the plan to finally close this section of Mampitts Lane, Shaftesbury, except for Buses & Pedal cycles, is been acted upon. My name is , and my wife & I live on , Shaftesbury. We live approximately 50 yards from this single track piece of road. We frequently walk into the town centre using this route, and have observed so many near misses from all manner of vehicles & children, elderly folk, joggers etc. who walk across this poorly lit section underneath the large Sycamore tree. The corner of Pound Lane & Mampitts, is as your notice specifies, a serious regular hazard by virtue of careless driving, not stopping & speeding. The second point for us concerning the need to restrict this traffic route relates to Pound Lane, which has turned into the local "Rat Run", usually at motorway speeds! It must also be a nightmare for the bus drivers trying to manoeuvre their vehicles with both sides of Pound Lane seriously cluttered with parked cars. I have already made (approximately 15 years ago) a written opinion to Dorset & Shaftesbury Councils & the Dorset Traffic folk about this previously ignored street & traffic planning issue. I am distinctly pleased that Dorset is finally acting upon this major traffic risk problem.

I am for the bus gate in mampitts lane. It will stop vehicles racing down pound lane , treating it like a rat run.

Objections

Access to the Persimmon site from Mampitts Road has been available for over 10 years and provides a necessary alternative to the A30 access. Shutting this down will cause congestion within the site as all internal traffic will funnel down Allen Road and build up waiting for traffic light changes. This will cause problems for those residents closer to the outlets on to the A30 as both will receive a significant increase in traffic especially at peak times. Please reconsider! You do not provide a reason or any evidence to support for your proposal

I object based on the following - the bus gate should not be implemented due to the promised northern exit of the estate onto Wincombe Lane not being built. The idea of a 750 house estate using one road to enter and exit is ridiculous. I have personally witnessed Allen Road being completely blocked 5 times. 1st time there was a car crash outside my house Allen Road blocking the road. 2nd time there was a big fire at the bottom of Allen Road/A30. 3rd time, in the ice/snow a car spun out and was abandoned blocking Allen Road. 4th time a lorry blocked Allen Road, no driver in the cab to move the vehicle. 5th time a broken down car was blocking Allen Road and could not be moved. Without the current entry/exit of Mampitts Lane, no-one would have been able to enter or exit the estate, however during these 5 times I have mentioned we were all able to use Mampitts Lane as an alternative. Environmentally this plan is detrimental, asking everyone on this estate to drive further each day. I believe the congestion on Allen Road will be terrible. You will have not only the cars of every household using Allen Road but also the lorries which deliver to Spar shop, the bin lorry every Monday and Farm traffic (tractors, horse boxes, lorries). This will cause quite the incident no doubt! All of this traffic will also be passing 2 childrens very well used play areas, it is well known here that children run across Allen Road without looking. There are no safe crossing points in Allen Road which is heavily used by walkers, runners, dog walkers, cyclists, horse riders and playing children. Removing a perfectly good entry/exit point from such a large housing estate is unacceptable, it has worked well for 10 years with no incidents. Forcing all of the above mentioned traffic to use only one road, full of parked cars due to not enough residential parking on the estate is unacceptable. I believe residents who travel North each day are planning to park their vehicles on other Shaftesbury residential roads in order to make their daily travelling easier, this will ultimately cause congestion and parking problems on other local Shaftesbury roads. I am very concerned about Allen Road becoming blocked like it has previously and this housing estate coming to a standstill. I have a partner who I have had to rush to A&E numerous times. At these times the ambulance service has always asked me to drive straight to hospital and not to wait for an ambulance as they take too long. What would we do if we could not exit the estate to hospital due to Allen Road being blocked? I would not be able to use Mampitts in an emergency due to the large humps that are proposed, so we would be stuck and in a terrible panic. I really believe the bus gate needs to be reconsidered. If the northern exit onto Wincombe Lane was built, once built and finished, I would then happily support the bus gate, but until then I DO NOT think it should be implemented.

I would like to formally object to the proposed bus lane for the following reasons. As a resident and worker in the area, with horses located on Mampitts Lane, this proposal would significantly impact my daily routine. The suggested route would add several hours to my daily commute and further exacerbate congestion on roads that are already at or near capacity. For example, traveling north or west from Shaftesbury would add over a mile to my journey, increasing traffic on Christy's Lane, which is often heavily congested. Additionally, the increased traffic on Allen Road, where many homes are situated directly along the roadside, would create more safety concerns. In contrast, Pound Lane, designed as a distributor road, has houses set back from the road, making it more suitable for handling higher traffic volumes. I urge you to reconsider the negative effects this proposal will have on local traffic flow and residents' daily lives. As a horse owner who depends on this bus service, I would have no option to move my horse to a different stables due to the added time it would take me to reach my destination. This will increase congestion in Christy's Lane that is often at capacity. Increased traffic on Allen Road that is home to so many houses directly on the road whereas Pound Lane houses are all set back off access ways as it is a distributor road. I have horses at Mampitts farm and this will make it very difficult for me to get to them especially in an emergency.

If you wanted to head north or west from Shaftesbury it adds over a mile to your journey increasing congestion in Christy's Lane that is often at capacity. Increased traffic on Allen Road that is home to so many houses directly on the road whereas Pound Lane houses are all set back off access ways as it is a distributor road. As a local business this is going to affect people being able to attend my farm to tend to their animals, I may be at risk of losing valued customers.

Not rights

I don't understand how you can cut off one of the streets to a very large housing estate. There are no road signs, speed limits, prohibitions and orders. Everyone drives like pirates, a danger to children and adults. Maybe you should take an interest in this problem. People who want to close this street can park on driveways by houses. Cars are parked on the street and the parking spaces are empty. Allen Road is such a busy street that you can't open a window because there is so much noise that you can't sleep at night. I can't imagine traffic being even bigger and an additional part of the housing estate driving under my windows.

Cutting off this road to vehicles means that all cars coming and going from the Maltings will have to go down Allen Road to exit. We were told that there would be another entrance/exit made at the top of the estate which has never happened. Exiting from Salisbury Road will not only create a lot of extra traffic but means you will need to get into Shaftesbury via the Royal Chase roundabout. Which already at certain times of the day the traffic is crazy busy with queues starting at the roundabout all the way up to the KFC roundabout.

Allen Road itself constantly has several cars parked along it 24/7. Increasing traffic flow is an accident waiting to happen. Until an additional exit is put in place closing Mampitts Road is just not feasible.

To have this road blocked off to cars would be a massive inconvenience to everyone living on the estate and any relatives and friends wishing to visit them. To expect people to drive right around onto the A30 is ridiculous. It would hugely increase the traffic on Allen Road, where my daughter lives with 3 children, not only with people going to the north of the estate but to the Spar shop, which is very popular, particularly now that it has a post office. My daughter has not complained to me of joyriders, who would anyway ignore a stop sign. It is ordinary people that this will inconvenience - taking children to school, going shopping and grannies, like myself, who live on the older estates to the north. It will also totally cut off the Maltings estate from the rest of Shaftesbury. I cannot see any advantage to this at all.

Think this idea a waste of money and a wrong one for where

The TP1 document forming part of the contract when I purchased my house in 2015 states under Rights Granted 'You are granted a right of way at all times for all lawful purposes on foot over the footpaths and with vehicles over the carriageways of the estate roads'. There is no exclusion of any part of the estate and specifically, Mampitts Lane. That is the first point I would make as it is at odds with the Secretary of State's letter in 2007 granting outline planning permission and mentioning the provision of vehicle restriction. Secondly, I would make the point that the number of houses fronting Pound Lane is a fraction of those on Mampitts Lane and especially Allen Road who would be affected by an increased traffic flow. Thirdly, Meles Mead Play area has evolved and is heavily used by unsupervised children on foot and on scooters who emerge onto Allen Road which presents a considerable risk from an increased traffic flow. Lastly, roadside parking at the pinch point opposite the entrance to Caldwell Close and Badger Walk is already a hazard. When driving out of the Close it is almost impossible to see traffic from either direction because the view is blocked by parked cars. With an increased traffic flow, this will become a particular hazard and if the plan goes ahead, now Allen Road is adopted, I would hope that parking restrictions could be put in place (perhaps in the form of yellow lines) to prevent what I fear could be a collision.

By installing the Bus Gate will only leave one entrance onto the Maltings estate and with parked cars down both sides of Allen Rd , a play park and the amount of children who live on the estate this will create an unsafe environment for pedestrians and cyclists and will result in a serious injury. Also a big concern is that emergency vehicles will struggle to get through Allen Road and this will cause a delay when someone needs urgent help. Surely common sense will prevail and this will be stopped. By all means install the gate but either put double yellow lines down the whole length of Allen Rd on both sides or create another entrance/exit at the top of the estate.

It will increase danger, as to putting in speed bumps, the road into snowdrop wynde can't even be maintained despite complaints it's damaging cars! With the new community centre development your proposed scheme obviously doesn't take into account additional traffic and the need to not change the road layouts and exits!

Increased traffic on allen road and greenacre way no passing places because of parking how will large vehicles such as bin lorries etc get through

As a resident living to the East of the proposed Bus Gate I object to the traffic regulation order. With approximately 800 households living in the residential area, to cut and limit access for nearly a mile of road to only the most Southern access points seems dangerous.

I object to the bus gate restriction for the following reasons. I feel that the sending of all the cars down through Allen road is not safe. When the estate was planned there should have been a second road exit which has not been formed. Also the very narrow junction from Allen road to Greenacre Way will become busier as cars exit the estate. This junction is not wide enough for two cars to pass at the same time. These reasons should be taken into account

Installing a bus gate on the Mampits estate will force all traffic on the estate to use one entrance/exit, and all traffic to use one road on which there are two childrens play areas. There are parking problems on this road causing reduced visibility and increasing the chances of an accident. Installing the bus gate, for me personally, will mean taking a longer route to drop my daughter to, and collect from school. This will mean an earlier finish time from work and a loss of earnings, as again all traffic will be forced to take the same route, which is already so busy at 3pm it comes to a standstill. The bus gate should only be implemented if an alternative link road is provided, as was included in the original estate plans. How do you propose residents of the estate enter/exit if the one route is closed due to an accident or road closure?

The bus gate is not required. The Planning Inspector signed off the road structure for the East of Shaftesbury with the design indicating a northern exit to Wincombe Lane. There is now no exit and Dorset Council do not have a plan for the Northern Exit. The original conditions for the Bus Gate are not relevant either, the original reason was to stop traffic driving down passed the cemetery, as it is a single lane - however, no traffic goes this way anyway. The traffic movement is via Pound Lane, which is a 30mph road. No not implement this TRO. It will be seen as a negative step by Dorset Council in attempting to segregate the estate from the rest of the Town. Dorset Council should be making moves to integrate new estates, not isolate.

With the climate emergency how can anyone propose to increase hundreds of car journeys with all the additional air pollution. The extra journeys are also going to go through a very built up estate area! Madness

To block access to one end of the mampitts estate is ridiculous....when there is an accident on the a30 it will leave no way for people to enter or exit the estate and will also cause further traffic chaos on allen road which is already horrendous with the lack of parking This will give the residents only one way in and out of The Maltings estate. A northern road was promised but no mention of that! This will be another Turlin Moor, no one will want to drive here and house prices will suffer

Creating a bus gate onto the manpits estate and cutting off to ways off accessing the estate ia crazy. For the safety of cars and pedestrians, this is very bad planning. Sending all cars in and out of such a large estate by only one entrance and exit route is going to make that road complete unsafe. This should only be being passed, if an access road was to be put in place at the top of the estate! I can't believe such bad planning and mindlessness is even being considered!!! Just not practical. All the traffic will be diverted down Allen Road through a big housing estate which will cause endless congestion. Children also play in that area which is dangerous.

Please do not be influenced by the company that measured the number of cars on Allen Road.. I will point out to you a few very important facts from my point of view ... salisbury road, the street leads to school and during the peak hours there are traffic jams and parents with children from primary school will be forced to go around on Allen Road which will cause further traffic jams and much greater disruption. Allen Road is a very specific street there are many social houses and many times out of ten there are children close to this street without parental supervision, greater traffic density there would cause a larger possibility of accidents even fatal ones. Another thing is there are a lot of cars parked on the street ... Please think about what the point is of putting up a bus gate if 90 percent of the time the buses are empty and as far as I know on Pound Lane and Mampits Lane there have been no accidents and I think the only possibility to make this bus gate is access to Winscombe Lane by another road but it has to be in the Maltings . I kindly ask you to foresee the consequences of this decision, if all cars drive on Allen Road, it is only a matter of time before a child dies or a serious accident happens. It will be a "death trap"

The amount of people I actually see taking a bus doesn't justify for this particular road to be close for all traffic. The traffic will take a place at Royal Chase roundabout due to the amount of people travelling from New estate to work, school runs etc. This will create horrendous conditions not just for the public but also in case of any emergencies!

I believe that a bus gate on mampits road will create even more danger on Allen road than there already is. Allen road is extremely dangerous as it stands with multiple parked cars dotted all the way along it either side, a kids park where children dart from one side of the road to the other, making Allen road the only entrance and exit to the estate will only increase the danger. With the amount of houses and cars on this estate it would be a major accident waiting to happen.

Double yellow lines ought to be enforced down the entire road so that the flow of traffic and visibility improved if this were to be the only road in and out!

I believe the issue is not with mampits road but with pound lane, the entire road has cars parked either side at all hours of the day making the road more of a slalom.

if double yellow lines or a red route was enforced on pound lane then there would be no issue with the traffic flow in and out of mampits road ensuring the estate would still have 2 exit points.

This would leave only one exit to the estate which would block us all in if there were an accident or road works. It would also create more pollution in the extra driving time for everyone to go all the way around. I would have to drive the long way around 2 times a day and on some day 4 to 5 times. If everyone in the estate does that it is so much extra pollution and added cost to families living on the estate. This was not something i knew about when i loved here that we would be blocked off to the rest of shaftesbury. Including the kids school!!

Pound lane-mampitts junction MUST NOT be made into bus access only. It will make Allen Road (Shaftesbury) and the bottom of the estate absolutely lethal. Access by car is bad enough now. It would be impossible to access with anything bigger. The whole estate will be gridlocked as too many cars park on Allen Road already. Pushing all of the estates traffic through it WILL NOT work. Let's hope no one needs a fire engine!!

Shall we look at the environmental impact too?

Or shall we direct all issues that people experience - late for work, late for appointments, late to pick up the kids as they are stuck in gridlock?!?!?

In view to the bus gate. I think it is not a good idea as there is only one other way out of the maltines estate as the new road has not been built as promised. Plus with the new estate hub being built there will and and extra influx of traffic I object to the proposal of the bus gate as the traffic from the maltings estate will be going down one road, Allen Road is already very congested with cars parked both sides and making this the only way in will cause a nightmare adding several hundred more cars, the route would also be taking you onto a busy road, sailsbury Road wich is already extremely busy.

I appose the bus gate. Its ridiculous as it works perfectly fine as it is.

Object

It is a terrible idea to implement a bus gate along mampits lane as it will leave a very large housing estate with only one entrance/exit. Initial plans of the maltings estate in Shaftesbury showed two exits , one north and one south of the development plus the pound lane exit. This would of sufficiently dispersed traffic enough to allow road users to enter and exit the estate with little congestion. To only have one exit to the estate would cause a bottle neck of traffic down Allen road which is so poorly designed that it can't handle the current measure of traffic as it is currently. The slight increase of vehicles that use pound lane since the estate was developed find it a more convenient way to enter and exit the maltings estate, saving time and reducing carbon emissions by the shorter journeys into Shaftesbury and beyond. Please carefully reconsider the implementation of a bus gate, it has been open for over 10 years to all traffic, to close it now would cause residents in the maltings to feel completely ostracised and not feel they are a welcome part of the wider Shaftesbury demographic.

I do not agree with the idea of closing the road to our estate from the Pound Lane side. It will make everyday life of the estate residents very difficult. It will bring more traffic to Allen rd. where it is already quite dangerous. The constant complaining of the Pound Lane residents is unfair because it is their cars parked on the street that block this street, creating a potential danger.

Creating this bus gate will only leave one way in/out of the main estate. This is dangerous as if that road was to be blocked, emergency vehicles could not access the remaining estate. The only way in/out will be via kids play parks which could lead to accidents, as well as this parking down Allen Road is awful meaning more traffic.

I think this is completely stupid as it's just going to cause a massive shift in traffic and move the problem to the a350 turning at the bottom of the estate. The road up from the a350 is already difficult to navigate and shutting the road at the top will make it worse.

No bus gate is required, leave it alone as well as the Sycamore tree, with thanks.

This will leave only 1 route into the estate. I agree pound lane gets busy, but maybe make it a 1 way for cars? And or put speed bumps in along pound lane to stop cars speeding diwn towards mampitts

It's will make local people problems I'm strongly object.

Closing this section of the road will block residents of Mampitts Lane off from the rest of the town, with the only way to central being via Allen Road.

This will condense all traffic into a single residential road that is not built for it.

Without providing an alternative road for traffic to flow into the rest of Shaftesbury, this is going to cause multitude of issues for the residents of Mampitts Lane, Allen Road and Maple Road.

I live on Mampitts lane. This will cause major disruption to my daily life and my business.

I have a dog walking business which I need to use that exit for numerous times a day. Allen road is a death trap as it is. With more traffic someone is going to

Get hurt. This is shocking beyond belief

If the bus gate is installed this will leave us with only one exit from the estate via Allen road, we were informed when we bought that there would be an exit out onto wincombe lane, how can you have only one exit for over 700 houses, that can't be safe

If all traffic has to use Allen road, that goes right past a children's play park, children will be at risk by the extra traffic

Why should the residents who live this side of the proposed bus gate be made to feel segregated from the rest of the town This has been part of the ongoing fiasco for a number of years now.

This bus gate will leave the top end of the estate with only one access & egress point. The original plan was to have an exit point at the top of Maple road into Wincombe lane. This has not appeared.

The access points at the bottom of the estate has to go past 2 children's play parks. The road isn't suitable for the amount of traffic that will occur. If the road is blocked for whatever reason then residents will not be able to access the top of the estate.

The proposed bus gate will cause an increase in both traffic around the Mampitts and Trinity Road areas where people have to drive all the way around the estate to access the shop, Mead Way area etc. additionally this will lead to an increase in vehicle emissions.

When the properties were being built, it was stated that maple road would join up with the wincombe estate. This hasnt been fulfilled so all traffic needs to go around. Stopping vehicle traffic from going through Mampits road will cut off the new estates from the town and force all traffic to exit through 1 road causing a large detour for a small journey. Having 1 exit on an estate this big will cause problems because if the exit road is blocked for any reason then everyone cant go anywhere. There needs to be at least 2 exits for the estates of this size for the number of people who live here.

This is the most outrageous plan. For the last x amount of years we moved in 2018 so at least 6 years thos is just the normal route for us. However you would now like to extend our journeys. I have a child with additional needs and whilst we live close to the school and is a short walk my daughter cannot manage this walk & due to her needs we are always late for school and drive. Now the drive will become longer. I feel it is completely unnecessary to make all traffic divert down allen road which as it stands is horrendous for parking on the street and near misses. This means traffic will then redirect past two play areas so potential more near misses involving children.

Youve not allowed delivery drivers or taxis but have allowed buses yet we all are providing services to the public.

Please before you actually authorise this consider the following - do a trail and allow someone to see what a catastrophic effect it will have on allen road .

I use the road every school day to get my son to Shaftesbury C of E Primary school as the most direct route. My Husband and I are worried that if the bus gate is imposed then more traffic will be using Allen Road to enter and exit the estate we live by the small play park on East Green next to Allen Road this road was never meant to be the only route when the estate was designed a top exit was promised! When a fire happened in the Coles auction yard the bottom of Allen Road was closed off what happens in the future if this happens again then the whole of the estate residents will be trapped! and Allen Road is terrible as it is with both sides being parked on leaving blind bends a accident waiting to happen

To close this road will mean that I will have to go down Allen road, turn right, go around the chase roundabout just to get to the supermarket, instead of going straight down pound lane. This is not only inconvenient but also using more fuel in my car. You will be adding to the higher levels of emissions from cars if this goes ahead

It would be grossly unfair for the people living on the Mampitts estate to have only the one exit from their home, which would be on to the A30. Until there is a road leading directly on to the A350, as was promised when they purchased their properties, it is quite a circuitous route to have to drive on to the A30 and along Christy's Lane to pick up the A350. This road is extremely busy during rush hours and there is often quite a tailback.

Speed humps would slow down traffic and plus we use it every day to go to work etc .it means we would have to go round all the time.

The Eastern (Persimmon) development in Shaftesbury, colloquially known as The Maltings was planned to have a Southern access onto the A30 and a Northern access linking the North of the estate to Wincombe Lane. All planning documents refer to this Northern access, not as a possibility but as an integral part of the estate. Only following our purchase of a property did it become known that the Northern access would not be built, but that also the planned 'Bus Gate' at Mampitts Road would still go ahead. I believe that Dorset Council had long planned the Barratt development along Wincombe Lane and knowing that the road would not support traffic from both estates abandoned the Persimmon Northern access. This TRO will reduce vehicular access to one traffic light controlled access at the far South of the estate, serving approximately 600(?) homes. The deceptive argument that the Rickyard also has an access point does not obviate the fact that anyone using it still has to drive the the far South of the estate, some 1.2km from the North of the estate. Driving from the North of the estate to exit onto the A30 requires drivers to pass 4 children's play areas, 4, as opposed to none along Pound Lane/Mampitts Road. The weight of traffic which will be forced to use the whole of this route will inevitably result in traffic accidents and a high possibility of children being injured or killed The increased mileage of vehicles being forced to make a detour to the bottom of the estate, along the A30, to the already congested Royal Chase roundabout and then up the A350 to the Tesco roundabout (Pound Lane) destroys any credibility of Green issues for Shaftesbury. In addition, Dorset Council have also, inconceivably, recently granted permission for an 'access road' from the farm to the East of the Persimmon Estate to Indus Road, an unadopted and highly unsuitable residential street, with no pavement for use by 'horseboxes'. This traffic will only serve to increase the amount of traffic using Allen Road, but will be highly dangerous, as must be obvious to anyone with knowledge of the estate. In conclusion I believe Dorset Council to be trapped by having an out of date agreement to install a bus gate and by their own failure to complete to Northern access road and do not have the courage to admit so to the the residents of Shaftesbury who will now be set against one another due to a complete failure of the planning authority and an utter betrayal of the residents of the Persimmon estate, which, and I do not use the phrase lightly, places the estate in danger of becoming a ghetto.

I live on the Maltings. The installation the bus gate will mean having to go via Salisbury Road, the Royal Chase roundabout and Christie's Lane every time I want to get to one of my relatives who live on the higher part of the estate, or to do shopping. The ROYAL Chase roundabout nearly always has a tail back of vehicles from Christie's Lane as the route is already taking a lot of traffic. Every vehicle that travels through Shaftesbury uses this route. To add local domestic traffic is over loading these already congested roads. There are many parked cars on the Maltings and this natural slows down traffic so I can see no issue with cars continuing to access Mampitts lane and travelling through the proposed bus gate. In addition a speed limit could be imposed.

I live on the stretch of road that is to be formed into a bus gate. I am concerned how I will get to and from my property, and this will now mean I have to exit through the southern entrance to the estate if I am not allowed to drive on the road outside of my front door. How will this affect me if I need to park in front of my property to load or take a delivery?

The bus gate was only going to be instated if another, northern exit, was provided for the estate. This plan has been shelved and will likely never materialise. Where the traffic will now funnel was not built with the intention of having to handle the traffic from the entirety of the estate. It is not fit for purpose. Installing the bus gate will increase traffic flow through an already congested and difficult to navigate area. I invite Councillors from Dorset Council to come and view the impact this would have on all residents in the estate, rather than making a decision on an estate that they have likely never visited or understand. A better use would be speed restrictions on Pound Lane and Mampitts rather than cutting it off completely, there is surely a compromise to be had rather than imposing planning that no longer complies or fits with the original and intended view for this estate. With putting a Bus gate in to here without an alternative means of exit from the estate will cause even more congestion and possible car collisions along an already busy Allen Road. As the estate grows, there is already more traffic flowing through here and even more will come if the plans for a town hall go in. Keeping the exit open will keep a stream line exit from the estate.

Also there is no need to keep this exit just for “buses” when we only really get the odd one through and that hardly has any passengers on it.

Either keep it as is or create more exits out of the estate.

I do not want to see a bus gate in this location!

most residents on Allen road have to park on both sides of the road ,All that extra traffic will make it a dangerous nightmare ,

I strongly object to the bus gate... closing the entry/exit to our estate through Mampitts Lane. Allen Road is very dangerous to pull out onto from Meadway because of poor vision. The road has cars parked either side, causing many narrow parts. Emergency vehicles or breakdowns would cause problems with only having the one road to travel. There is also a children's playground on Allen Road.

Closure would give only one exit/ entry to the estate. Dangerous.

There are currently many queues from the roundabout up through Christy's Lane. The increase in traffic would make this much worse, especially in the summer with all the holiday traffic driving through.

Again I strongly object to this proposal.

Our family live in the road and the traffic is constant, dangerous, and anti-social. Motorists drive at speed which is in a residential area, and young families with children, and school children, walk along this road. A bus gate was in the original planning for the Maltings to protect the residents of Pound Lane. There is no legitimate reason why the original planning should be altered. The distance from the Maltings to the town centre is hardly a major difference, cutting through Pound Lane makes very little difference time wise.

I don't think it's a good idea. The councils money could be spent on better things. Buses are hardly used anyway now and 8/10 they are totally empty..

In this day and age where we should be considering the towns carbon foot print and reducing emissions, the idea of sending traffic from the mampits lane side of the new estate on a huge detour to get to Christy's lane is crazy!! Not only that but it feels like residents on the new estate are being discriminated for living there, not very community friendly! No where else in Shaftesbury has a bonkers bus gate!

To have all traffic entering and leaving this large estate only via Allen Road would be both impractical and dangerous. There is currently parking on both sides of the road already creating difficulties for the existing flow. The residents of Allen Road are mostly young families and there are also 2 playgrounds on opposite sides of the road frequently used by unsupervised children. Delivery vehicles, dustbin lorries, emergency services etc are already, on occasion, forced to completely block Allen Road so it makes no sense at all, especially when there is a perfectly good alternative with Mampitts Lane, to make this the only access to the estate.

I feel the so called Bus gate would create congestion on the bottom of Allen road. The system would be environmentally detrimental as it would mean more fuel would be used to access the town main routes to the west and north of the town. It would also encourage increased parking on Pound lane and surrounding roads. There are a lot of homes on the top part of the Maltings and all of the homes at Chilmark Glade would have no choice but to use the Allen road.

Allen road is not suitable for the increased number of vehicles as it will be the only access road to both estates. Before any consideration to use the busgate system is put in place another entrance/exit road needs to be installed. Most of the above is surely commonsense. Allen Road is a road full young children and families with the houses main doors open directly to the Allen road as opposed to pound lane where at least there is a buffer of front gardens and/or drive ways

... maple road

I do not believe that a bus gate in the place specified is the right way forward. This would push traffic onto a single road in and out of the estate, which in turn would increase pollution levels and increase the risk of a collision in Allen Road. In addition, if Allen Road was to be closed, there would be no access to and from Maple Road onto surrounding roads, effectively trapping residents. At the present time, a bus gate in this particular area seems to be a waste of time. They are more suited to areas within a town center, where it would be more beneficial. Should the area become more opened up and additional access routes become available, then a bus gate in this part could be considered if there were increased levels of bus services accessing the estate and serving more areas.

As half of an elderly couple, myself disabled, it would mean a long detour to shops and if bus stops running can't even use that. It would feel completely cut off, one road in and out god forbid that road (allen road) gets blocked

This proposed bus gate is DANGEROUS. The proposed bus gate will restrict ALL traffic for over 200 household, most with 2 cars, down 1 narrow congested residential. All the traffic will have to pass 2 current children's play areas and 1 play area which will be built in the vicinity of Mampitts village square area. 4-5 years ago there was a serious fire at the bottom of Allen Road and the emergency services had to close the road to all traffic. Had the bus gate been installed then there would be zero access to any of the properties North of Caldwell Close. When the planning for the estate was permitted there was a proposed northern exit connecting the northern most section of Maple Road to the southern point of Great Ground. The work on this has never been started due to the owners of the field using this as a ransom strip. Without the northern access road the bus gate would create a bottle neck and create an already dangerous road even more dangerous. All you need to do is look at Google Maps during the day (with traffic view enabled) and you will see that Allen Road is ALWAYS red, showing heavy congestion. Please please don't just sit in your council offices. Come to the malting, drive through Allen Road on a weekend or after 4pm on a weekday and see for yourself just how dangerous it would be to cut access through the proposed bus gate area.

I feel the bus gate would create more problems on Allen Road which is already a road which is unsafe due to the speed of cars and traffic

Quantity of traffic. Speed of traffic. Amount of parking on corners down Allen rd. Closing the bus gate is putting childrens lives at risk. Sending it all down Allen road will result in an accident. It passes next to a play park were kids often run or cycle into the road. I dont go down there often or at speed, and it has happened to me twice in a couple of years. Its so scary. Also the lights onto the A30 you have to drive on a blind bend. With buses turning in as well as cars and vans going quickly into the estate. More accidents. It is NOT a suitable option for the traffic and safety of people on the estate to close the bus gate to normal traffic until there is more than one way out. It also adds to the pollution of the town.

One entrance and exit is not enough the only exit will be queued up as cars park all up that road. No fire or ambulance will get through etc. And the pound lane side of town moan about it. But they don't mind driving through it to get the the shop.

It's makes no sense to isolate the people on the Eastern Development. It will mean the only exits from the estate are via the traffic lights on A30. Allen Road residents will suffer. Introduce a 20 mph speed limit on Pound Lane

This is an awful idea! Obviously made by people who don't use the area! Residents will have to go right down to the Royal Chase roundabout to get anywhere in Shaftesbury and that's only going to get busier than it already is. Also would cause more traffic for the children crossing the roads for the upper school. Plus there are hardly any buses in Shaftesbury so this is completely pointless. I would be very surprised if you have anyone agree to this ridiculous idea.

When I bought the house near the proposed closure we weren't informed about any closures. We chose the house specifically there for quick access to older family members & closing it off will prevent this. The proposed road onto Wincombe hasn't happened so there isn't an alternative route out of the Maltings estate. Pushing everyone to go down Allen Road is dangerous as the only way out of the estate, if the bus gate happens, as there are cars parked haphazardly on the road, a playground, greenery & tree swing children play on so increasing car numbers down that road will increase accidents. Plus the:

- environmental impact of cars polluting with longer drives,
- mental health impact on those drivers having to do extra mileage down a stressful road,
- health impact on the Allen Road residents & the children playing along Allen Road in the afore mentioned areas being exposed to more pollution,
- mental health impact on those due to the extra noise.

Leave this section of road as it is as closing it will effectively cut the estate off from the rest of the town. I have lived in my house since 2011 & apart from 2 cars, everyone else who uses that entry/exit is a courteous driver & if speeding down Pound Lane has been marked as an "issue" it's impossible to speed down there due to the way the residents park their cars as they act as traffic calming measures. This will cut my house off from the rest of town, it will put my children in danger as they play on the green & tree swing along Allen Road, & it will put an extra 30mins travel time onto my day as Allen Road is terrible to drive down! We need to get out that way to see Nanny & Granpaw quickly if they need us and our friends live that way so need to see them. How will we get to Gillingham for gymnastics in time after getting home from school if that bit closes? We walk to school so don't use petrol to save the polar bears but we will be killing them with extra driving down the big road with the playground every time we leave .

Blocking Mampitts Road to traffic is unnecessary, divisive to the town, adds to journey times, adds to fuel usage. Pound Lane was designed as a link road so residents there have no justification to object to it being used in this way.

The bus gate requirement on the original planning consent was on the basis there would be a northern exit to the Persimmon development, therefore until there is another exit, the bus gate is premature. In summary... I object strongly, as an architect, and a resident of Shaftesbury for 46 years

This will have a huge negative impact on the estate. It's already difficult to navigate Allen road through parked cars, children playing and high levels of traffic. With closing the entrance at the top of the estate it will add more pressure on the estate and become a large safeguarding issue. Some children will undoubtedly get hurt but the increased numbers of cars racing through the estate.

I strongly object!!!!

Firstly, although this was part of the original plan it also states that an additional route was to be added at the north part of the estate upon completion. This has not happened & believe now that this has no plan to go ahead as initially promised. You will already be aware of the extra milage per journey this will create and the unnecessary impact this is going to have on the environment. The volume of traffic going up and down Allen Road with the current parking is bad enough, and im aware the fire brigade havecsaid many times there is not enough room between cars parked either side let alone two cars parked opposite one another. One final point, i regularly walk my dog past the bus stop morning, noon & evening and i never see more than 2 or 3 people getting on or off the bus at any one time outside Spar so im wondering whether you have figures of how many people are using the bus from this estate. At a guess I'd say less than 50 people are using the bus from that pick up point per day. Does that really warrant the inconvenience for the other hundreds of vehicles using this entrance to the estate each day along with the extra cost to the residents (many of which live in low cost social housing already) as well as the environmental dactors to consider??

I am worried as there will be only 1 exit off the estate.

I am absolutely 100% against the proposed bus gate in Mampitts Road. Little (no?) thought has been given to those of us who live on the other side of it from The Maltings estate. I am disabled and the Spar shop and post office is so incredibly useful for me. I cannot shop in large shops such as Tesco/Lidl and the parking at the small Co-op completely puts me off going there. The parking at Spar is ideal. The bus gate will really make my life considerably worse. I also have relative and friends living in Allen Road and it will be incredibly annoying to have to drive all the way round to visit them. I don't understand why speed deterrents cannot just be installed in Pound Lane such as pinch points and speed humps to solve the problem of excess speed there. This would also make it quicker for some cars to come off the Salisbury Road instead and thereby distribute the traffic in a much better way. The natural 'pinch point' by the cemetery is actually a good thing - effectively slowing down traffic and I never have any problems going through there. It just seems absolutely ridiculous to have only two entrances to the estate on the Salisbury Road, cutting it off from the town. What residents of Linden Park and those leaving the Maltings estate via Mampitts DO need is a roundabout or traffic lights at the junction with Christy's Lane. It is almost impossible to turn right out of the end of Linden Park and the majority of drivers have to drive down Fairlane and turn right at the Tesco roundabout. This must be very annoying for residents of Mampitts and Fairlane and is far more of a safety issue than what is being discussed with the bus gate. Turning right into Linden Park is almost entirely reliant on another kind driver stopping and allowing you across the road. Please abandon the proposed bus gate.

The bus gate on Mampitts lane doesn't need to happen as it will force the 'northern' side of the estate all down the other which is already over crowded with cars parked on both sides all the way down. Forcing more cars there will increase the likelihood of crashes and potentially all the kids that live down there more likely to get runover.

To keep everyone happy all we need is the link road finishing why cant the council make a compulsory purchase order and buy the land needed it only needs approx 95m by 50m to connect up with the other road.

and if speeding is such a problem on pound lane install traffic calming.

As I understand it, the original bus gate proposal was dependent upon an additional exit road being constructed to allow traffic in and out of the top of the Maltings estate. I think it was supposed to join up with Wincombe Lane. This additional road has not been built which contravenes the original planning conditions and so surely negates the bus gate. How can you even consider a bus gate when the additional access road has not been built?? If the bus gate goes ahead, the Maltings will effectively be segregated, with the only way in and out of the estate being via the bottom of Allen Road where it joins the A30. I live near the bottom of Allen Road. Cars park on both sides of Allen Road all the way up to the top and our houses are right on the pavement. To significantly increase the traffic on Allen Road by making ALL vehicles from the top of the Maltings and Chilmark estates having to enter and exit via Allen Road would be complete madness. There will be congestion with all vehicles on the estates having to enter and leave via Allen Road. There will be increased pollution with all the extra traffic on Allen Road, queuing and engines idling at the traffic lights. Plus people who would normally come and go at the top of the estate will have to make longer journeys increasing pollution, time and costs by having to travel to the bottom of the estate and taking longer detours from their usual routes. There will be increased road safety issues. Many cars already speed up and down Allen Road and this will only get worse with extra vehicles having to go that way and frustrations will no doubt boil over when impatient drivers can't easily get through. There is a children's play area on Allen Road too, so adding to potential road safety issues. Emergency vehicles will have problems getting through because of parked cars and inevitable congestion as a result of increased traffic. The buses going up and down Allen Road (which, incidentally, are almost always empty and pointless) and any other large vehicles such as delivery vehicles already struggle to negotiate Allen Road with cars parked on both sides. This will get worse if the bus gate is implemented. Allen Road should have been built wider in the first place. Persimmon also didn't provide sufficient parking spaces on the estate which is why so many cars and vans park on both sides of Allen Road. Persimmon also hasn't built the additional access road. The situation is bad enough now but it will be a nightmare if the bus gate goes ahead. Please do not do this, it makes no sense whatsoever.

This proposal will force all traffic off of the Maltings estate down Allen Road towards the A30. This road already gets congested during busy times. There are cars parked on both sides of the road that restricts traffic and the bus comes that way onto the estate which further increases congestion. There are also traffic lights at the A30 junction that will cause traffic to back up onto Allen Road when busy. This along with the already longer route, will cause significant delays to all journeys anywhere north of the royal chase roundabout.

The idea of having the Bus Gate was subject to there being an additional exit route from The Maltings onto Wimcombe lane. As this exit route has been quashed, an alternative needs to be available for health and safety reasons - in the event of an incident or blockage, it would mean two thirds of The Maltings residents would be unable to exit the area potentially placing them at risk. Furthermore it would direct all estate traffic, including buses and lorries, down a road that is already a slalom due to parking. There are 2 children's parks along the route making it completely inappropriate to be considered the main trunk route. I would suggest that the council need to consider the practicalities and risks rather than trying to please a select few local residents from the Pound Lane area. If the residents of Pound Lane feel the need for something to calm traffic, then perhaps speed bumps or narrow points could be considered. I am sure that if the local authority suggested the tesco roundabout was to be closed to Pound Lane and that they would have to go via Longmead or Mapitts Road, they would soon object. This needs to be considered from a health and safety/ risk perspective.

General Comments

The amount of traffic down pound lane is not fair on the whole road as it's connected to all the new estates and we get nonstop boy racers with loud exhausts early hours of the morning which will definitely wake up the whole street. I've had the wall knocked down by a drunk driver early hours of the morning and there's always so much road rage and it's not nice for family's like mine bringing up 2 children. They need more access in so I don't believe making it a bus gate until another proper access road has been completed.

I am directed to write to you to inform you that on Wednesday 3rd October 2024, Shaftesbury Town Council (STC) RESOLVED to write to Dorset Council in response to the consultation relating to the Traffic Management Scheme Order 202 under the Road Traffic Regulation Act 1984 as amended. STC resolved the following: 1. To offer no comment on the TRO because the issue is so divisive and problematic for our community and simply cannot come down on one side or another. 2. To request a delay in the TRO implementation. 3. The Bus Gate situation in Shaftesbury needs urgent attention and an assessment by Dorset Council therefore in the absence of the northern primary route, STC invites senior Dorset Council and Persimmon stakeholders to meet and explore viable options to implement an alternative primary route as a matter of urgency. 4. STC expects that Condition 41 (primary and secondary route scheme) to be implemented by the local planning authority (Dorset Council) and the developer (Persimmon) in accordance with the instruction from the Secretary of State. The 'Bus Gate' has been an issue of much interest for Shaftesbury for many residents over many years. The situation has caused much distress, discord and disunity in our town. STC is fully committed to working with all residents and in collaboration with DC and Persimmon to find an acceptable solution in the short and longer term. I look forward to hearing from you with a proposed date and time to convene a stakeholder meeting to include representatives from STC, DC (senior officers and councillors) and Persimmon.

I am appalled that Dorset Council are not acting to stop this unjustifiable and unethical TRO. As Dorset Council already know, 245 local residents objected to the implementation of this TRO when it was advertised by Dorset Council on lamp posts on 1st April 2021. Only 83 residents supported it. 75% of Residents who responded do not want it. This TRO is against Dorset Council's own declaration of there being a 'Climate Emergency' by making residents of East Shaftesbury drive thousands of illogical and environmentally damaging extra miles per year for ever more because of very poor and ill judged decision by a traffic inspector in 2007 when Dorset Council and the 'Eastern Development' did not even exist. The residents of the Persimmon Homes 'Eastern Development' estate are particularly affected by this unjust proposal as they never had a say in it, as the decision was made in 2007 before the estate was even built. Most residents had no idea of this plan to cut off their whole estate from the logical and safe route (Pound Lane) to drive to central Shaftesbury and to other routes. Implementing this illogical TRO will segregate East Shaftesbury and infuriate most residents on both sides of the 'No Entry' traffic restriction. It is a fact that this proposed TRO access restriction is not even being implemented at the correct location. The 2007 justification for this unwanted restriction is not that Pound Lane is unsuitable for the traffic to and from Mampitts Lane (Pound Lane and Mampitts Lane are both wide two lane distributor standard roads), but because of the narrowing of Mampitts Road by the cemetery! This legacy narrowness there of Mampitts Road is caused by a legacy hedge. STC, NDDC and DCC failed to sort out this legacy narrowing of Mampitts Road by the cemetery. Dorset Council should therefore now be acting to widen Mampitts Road there by liaising with the land owner of where the hedge is by the cemetery/start of Mampitts Road and solving the actual issue there, which is illogically being used as a justification to cut off the Eastern Development access to and from Pound Lane and Mampitts Lane. The existing flow of traffic to and from Pound Lane has now operated successfully for 10 years without any accidents and the traffic surveys conducted show normal traffic usage for a two lane distributor road such as Pound Lane. It is totally wrong to cut off the logical traffic flow route to and from within East Shaftesbury and to make residents take a ridiculously time wasting and fuel consuming detour in the totally wrong direction

for ever more. It is also unjustifiable because it means all estate traffic will be forced to go down Allen Road past two children's play parks which can only increase the chance of a tragic accident involving a child.

Residents both on and off the Persimmon Homes 'Eastern Development' estate are furious at the illogical and unjustifiable nature of this TRO and there will be legal action and public revolt if it is implemented. Dorset Council must act to stop this illogical TRO and to address the issue of Mampitts Road being too narrow by the cemetery. That is an almost totally unrelated issue which has no bearing on the residents who have the right to go about their business in an unhindered and logical manner, using good roads (Pound Lane and Mampitts Lane) for driving on. We residents pay a lot in Council Tax to Dorset Council to make our lives better, not to make them worse. Nowhere else in Shaftesbury has there been such an illogical detour forced upon other residents as the town has expanded. Even if the 'Northern Link' on the Eastern Development from Maple Road to Wincombe Lane ever occurs (very unlikely) through the 'Hopkins Land', this logical route for cars to and from Pound Lane and Mampitts Lane must never be cut off as the Maple Road / Wincombe Lane route through the industrial estate to Ivy Cross Roundabout is again totally illogical and goes past a primary school and is already very busy with HGV dairy and HGV food factory lorries. The suggested alternative route down Allen Road, along the A30, around The Royal Chase Roundabout and north up Christy's Lane is just totally unacceptable and ridiculous. Dorset Council officers need to go to the Eastern Development estate and start driving this route during rush hour times. When the the A30 or Allen Road is blocked with an accident or broken down bus or delivery lorry (as has happened) there will be no exit from the estate. You cannot have an estate of 650 house with only one exit! Will Dorset Council please see sense and do something to stop this totally unworkable and unjustifiable TRO please?

Road humps are universally objected to, as Pound Lane residents purchased their property, 'KNOWING', traffic would be prevented from entering the lane once the eastern Development was at a certain stage, may I suggest the promised bus gate, 'Not Road Hump', is located at the entrance of pound Lane, the roundabout on Little Content Lane, (Christys) is easily accessible via Fair Lane which is no further, as it is clear from the survey's done that it is mostly used for short visits to Tesco ETC . This sad situation has arisen because the authority did not act as and when it was supposed to. I spent three years leading the Princes Foundation process which created the overal scheme.

I have already commented in support of this proposal. Please be aware that Shaftesbury Town Council commissioned an independent report by I Transport which should be made available to Dorset Council. This confirmed that the Bus Gate was the best option.

The build up of traffic on to the small tescos round about will be even worse at peak times. There would not be a problem if people put their cars in allocated parking spaces and not on the road side, give way to on coming traffic signs on pound lane would stop it becoming a rat run. People will still use pound lane but will access from mampits lane. There are lots of houses around/ off pound lane that have no other option but to use it. If more roads had been built to offer alternative routes then this would not even be an issue.

When the new estate was built it was on the understanding that there would be a busgate, so I cannot understand why the debate now? If you bought a home on the new estate surely you should have been informed at the time of the busgate being installed.

The amount of traffic using Pound Lane and most driving far too fast is crazy, I can completely understand why people who live in Pound Lane would want the gate installed

Without the acquisition of the land to the end of Maple Road and connection to Great Ground, all the traffic will funnel through Allen Road towards the A30. Roadside parking, children playing and using Meles Mead and East Green play areas will contribute to a hazard to the residents. At the very least, the speed limit on Allen Road should be reduced to 20 mph and/or speed bumps reinstated (as they were in 2015 when I bought my property). This would mitigate against the huge risk of injury or loss of life with increased traffic flow and children moving within the area.