



Report to Dorset Council

Inquiry and site visit made on 9 September 2025

by **J P Longmuir BA(Hons) DipUD MRTPI**

an Inspector appointed by the Secretary of State

Date: 8 December 2025

Reference: DP1 D1265 24 21

- The Inquiry was held in connection with the Road Traffic Regulation Act 1984.
 - The site is Mampitts Road, Shaftesbury.
 - The Inspectorate Reference is 3365961.
 - The proposal is described in the Purpose below.
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Decision

1. I recommend that the Order is made.

Preliminary Matters

2. The Council publicised the intended Order and the resulting responses were reported to the Strategic and Technical Planning Committee meeting, 18 November 2024, for their Members consideration together with the case officers report. That report recommended the making of the Order without modification to which the Committee agreed.
3. Due to the objections received to the draft Order, inquiry proceedings were instigated. This Inquiry report makes a recommendation as the making of the Order is in the exercise of the powers of the Council¹.
4. The proposal was further publicised in the context of the forthcoming Inquiry², which resulted in written responses for and against as well as considerable participation in the Inquiry itself. I have considered both the written responses submitted before the Inquiry as well as those presented in person.
5. After the close of the Inquiry, I conducted a site visit accompanied by the Council's Officer, their barrister as well as Mr Yeo who represented the objectors. In addition, I visited the site during the afternoon and morning prior to the Inquiry as well as at the time of the morning walk to school on the day after the Inquiry.

Purpose

6. The proposal is for a Vehicle Restriction Facility involving the physical and localised narrowing of Mampitts Road to 3.6m width, along with speed cushions and associated regulatory signage as detailed within drawing ref. PSC/E3913/126 Rev N.

¹ As confirmed on Page 2 of the Officer report to 18 November 2024 Committee

² Western Gazette between 12 September and 4 October 2024 as well as site notices.

7. The Order would prohibit the use of a 13m section of Mampitts Road by any classes of traffic other than buses, pedestrians and cyclists³.

The legal basis

8. Traffic Regulation Orders are made under the provisions of the Road Traffic Regulation Act 1984 (the Act) schedule 9 and the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 (the Regulations).
9. Section 1(1) of the Act allows a Traffic Authority, if it considers expediently to do so, to make an order in respect of a road for one or more of the purposes specified. This includes preventing the use of a road by vehicular traffic, or its use by a specified type of vehicular traffic, in a manner which is unsuitable having regard to the character of the road or joining property.
10. Section 2 of the Act states that such an order can make provision prohibiting, restricting or regulating the use of a particular road or any part of the width of a road by vehicular traffic or by vehicular traffic within a particular class specified in the order.
11. Section 122(1) of the Act provides the duty of every strategic highways authority or local authority upon whose functions are conferred by or under this Act to exercise the functions conferred on them by this act so as far as practical having regard to the matters specified below to secure the expeditious convenient and safe movement of vehicular and other traffic, including pedestrians.
12. The Council are obliged to consult the police authority and publicise the potential order. An inquiry may be warranted to consider the responses arising.

The site, its surroundings and planning history

13. The bus gate is proposed on the eastern side of Shaftesbury, at a point where Mampitts Lane changes its name to Mampitts Road. This is a connecting route linking residential areas to Christys Lane, which is the A350 north- south through route. Pound Lane is another connecting route, through a residential area, leading to Christys Lane and joins Mampitts Road in the vicinity of the proposed bus gate.
14. There are allotments to one side of the site, residential areas to the other, both of which restrict the width of the carriageway close to the location of the proposal. Additionally, nearby, the road is also constrained by an adjacent cemetery, where it narrows to single vehicular width without a pedestrian pavement.
15. Mampitts Lane was originally a single vehicular width lane leading to several farms within the countryside fringe of Shaftesbury. This is distinctly shown in a 2006 aerial photograph in the submitted evidence⁴.
16. In April 2002 an outline planning application was submitted for residential development (670 dwellings) on land north of the A30 Salisbury Road and south of Mampitts Lane. The application was called in by the Secretary of State for Communities and Local Government. Following an Inquiry, outline planning permission was granted for the residential development in February 2007.

³ The Draft Oder is in Appendix G of the above report.

⁴ Page 13 | Transport Report

17. The resulting 670 houses have now been built and occupied (and named The Maltings) with Mampitts Lane forming part of the access to these houses. The Maltings has a Spar store and additionally planning permission has been recently granted for a new two storey community centre with parking.
18. The Inspector in 2007 also noted that Local Plan Policy SB9 required a new access onto the A30⁵.
19. As part of the above planning permission⁶, conditions 33-36 require a new access road and highway measures.
20. Condition 33 states 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: include details for the provision (including location, design, means of construction and layout) of the Bus Route; Accord with any details approved as part of the Phasing Programme; and Include details 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 Vehicle Restriction Facilities); and Include provision for the on-going maintenance of the Vehicle Restriction Facilities after their completion (The Bus Route Scheme).
21. Condition 34 states 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.
22. Condition 35 states 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.
23. Now named Allen Road, the new road has been built to the specified requirements of the highway authority and includes a new traffic light junction with the A30 Salisbury Road.
24. The bus gate was required by the Inspector in 2007 on the basis of Mampitts Road being unduly narrow and inappropriate to serve a large residential development.
25. That Inspector also noted the potential to encourage cycling and walking to facilities which supported his conclusion in favour of the residential development⁷.
26. Several elements of the bus gate have already been provided: the surface of the carriageway has been changed to block work rather than tarmac, a pedestrian footway has been provided on one side, and the provision of a new street light. However currently there are no traffic restrictions.
27. A tall sycamore tree canopy extends over much of the bus gate area.

⁵ Paragraph 21

⁶ APP/N1215/1191202

⁷ Paragraph 152

The case for the Council

28. The Council at the Inquiry confirmed that speeding was not a concern or reason for requiring the bus gate.
29. The implementation of the bus gate has been a long standing requirement for the building of The Maltings. The houses have now been completed and occupied, and the bus gate is overdue.
30. 'Mampitts Road does not comply with current design standards for safely accommodating this level of traffic'⁸. The road network is unsuitable for the traffic generated by the recent development, which was foreseen when it was granted planning permission and the planning conditions were imposed to address the situation.
31. 'The carriageway locally narrows at numerous points to approximately 4.5m which is not sufficient for two-way traffic'. This narrowing creates additional hazards at those points.
32. 'In addition there are no safety margins or footways on parts of Mampitts Road'. This causes a hazard for pedestrians, particularly bearing in mind the Pound Lane junction. Allen Road has been purposely designed and built to accommodate the traffic arising from The Maltings.
33. There have been four recorded injury collisions in the vicinity of the proposed bus gate within the last 5 years.
34. Whilst the proposal would result in a slight delay as it would entail a longer route to the town centre and northern and western through traffic, this is not considered significant in the context of typical trip lengths.
35. The proposal would not hinder the safe and expedient passage of buses, cyclists and emergency vehicles⁹.

The case for the Supporters

36. The narrowness of Pound Lane makes it unsuitable for the volume of through traffic. The necessity of on street parking exacerbates the situation. There are frequent minor incidents and conflicts.
37. There are everyday difficulties for Pound Lane residents trying to access their homes due to the through traffic as their drives and garages are often blocked.
38. The congestion around the intended bus gate is a hazard for pedestrians.
39. Speeding is perceived as a problem by residents. Whilst the average speed is respectful of the limit, there are nonetheless some occasions when it is overly fast.

The case for the Objectors

40. Many of the objectors state that the majority of the public don't want the bus gate: it is suggested that 75% of respondents to the consultation were against.

⁸ Paragraph 1.9 Statement of Case

⁹ Paragraph 8.10 Statement of Case

41. When the residents bought their houses, they were assured that there would be access northwards. Additionally planning policy documents also indicate access northwards.
42. The removal of the access through Mampitts would increase the distance and time taken to travel to Shaftesbury town centre or any route beyond to the north or west. Relatedly the detour would not be a logical route to the Tesco supermarket, which is the far side of Christys Lane.
43. A suggested northern bypass/spine road around the town was promoted by an Enquiry by Design process looking at the impact of development. This has not been built but would alleviate the pressures on Christys Lane. The Lane has been blocked on three occasions by incidents. There is also often grid lock around the town.
44. Some residents on Allen Road expressed concern that the bus gate would increase movements along their road, and it was suggested that it was preferable to spread traffic around the road network.
45. Some residents also expressed concern about the appropriateness and safety of Allen Road due to the on street parking, which is a necessity due to the limitations of parking within their curtilages. There has been a recent collision on Allen Road involving a parked car.
46. Concern was also expressed at the Inquiry that there are two play areas adjacent to Allen Road, which lead to children and balls going on to the road.
47. Also, concern was expressed about the possibility of Christys Lane being blocked by an incident and in such a situation it was suggested that Mampitts would be needed as a through route. A second access is needed for such a large development. HGVs also use the route for access.
48. The traffic surveys show Pound Lane can accommodate buses. Whilst it is busy at rush hour, it is acceptable.
49. Some local residents mention the prospect of further development along the eastern edge of Shaftesbury, which would add to the congestion and pressures on Christys Lane.
50. The vehicles are not going at high speeds along this part of the road network.
51. Whilst it is acknowledged that this is a crossing point for children, some of the allotment land could be used for road improvements.
52. The validity of the Town Council study is disputed as residents were not consulted.
53. The bus gate needs to be part of a wider discussion. The residential development was only approved as part of an integrated traffic package, and the development has not progressed properly. Open spaces have not been provided, and management fees have been charged to residents.
54. The bus gate needs to be considered in relation to permeability of the area. Problems have arisen from the High Street pedestrianisation.
55. A compromise would be for Mampitts to be exit only.

56. The Mampitts route provides access to Langdale Farm and Shaftesbury Equestrian Centre stables. Farm vehicles would have to use Allen Road as well as 4-5 horse boxes every 90 minutes, which would be unpleasant and risk children's safety. This would also lead to an unnecessary delay impacting on the business.

The case for the Fire Service

57. The Service notes that in an emergency situation blue light vehicles would be exempted, which is welcomed.
58. Shaftesbury is served by on call firefighters, several of which live to the east of the bus gate. The Shaftesbury crews serve a wide area, which is not fixed, being variable with the particular circumstances of the incident. There was concern at the Inquiry that the proposal could delay these firefighters, as they would have to take a longer route to the station which is to the north of Shaftesbury.

The issues

59. Shaftesbury Town Council commissioned 'i Transport', independent consultants, to 'provide highways and transport advice in relation to the implementation of the bus gate'¹⁰. They duly reported on 5 March 2024.
60. The validity of this Town Council study is disputed as residents were not consulted. Nonetheless, this was a technical study involving measured data and its interpretation by specialists, which would not be expected to warrant consultation in the same way for example as a policy document. In any event, Shaftesbury Town Council would have been expected to brief the consultants on local perspectives to set the context at the commencement of the study.
61. The study investigated speeds around the local highway network. Taking the 85th percentile into account, the speeds are generally lower than the 30mph limit in the vicinity of the Inquiry site¹¹. The Council at the Inquiry confirmed that speeding was not a concern or reason for requiring the bus gate.
62. Conversely the traffic flow through the bus gate location is described by the i Transport consultants as 'significant with a vehicle every 15 seconds at peak time'.¹²
63. The Council at this Inquiry confirmed the Inspector's conclusion in 2007 that Mampitts is too narrow for two vehicles to pass. The result is that inevitably traffic backs up at peak time, which may well require a reversing manoeuvre to allow space for a vehicle to access Pound Lane. Notably Mampitts is on the CR2 bus route which travels around the town and connects to the wider area and there is no restriction for lorries.
64. The backing up of traffic can extend along Pound Lane, being close to this narrow point. On street parking here is permitted and is common as I observed on the four occasions I visited the site. Indeed some of the local residents remarked on the inadequacy of the off road parking provision.
65. The Pound Lane junction is on a desire line of two pedestrian routes towards the town centre, Tesco superstore and local schools, using both Pound Lane itself and

¹⁰ Paragraph 1.1.1

¹¹ Table 2.2 and paragraph 2.27 of the i Transport Report

¹² Paragraph 2.2.4

- Mampitts. As I noted on my site visits there are large numbers of children walking to school, although there is no pedestrian refuge at this point.
66. Furthermore, at the other side of the suggested bus gate (in The Maltings), Mampitts Lane is joined by a dedicated tarmac footway, and pedestrians have to cross the road here as the only connecting footpath is on the far side. This footpath has considerable footfall as it serves an extensive residential area.
 67. Due to the narrowness of Mampitts, its through traffic, the close junction with Pound Lane and the footpath crossing, there are inevitably conflicts between the range of vehicular and pedestrian movements. This results in potentially hazardous situations particularly for pedestrians. There have been 4 recorded injury collisions in the vicinity of the site on Mampitts and Pound Lane in the last five years¹³, but none on Allen Road.
 68. Additionally, Mampitts narrows to a single vehicular width at the cemetery entrance with no footpath. As I observed on site visits it is used by significant numbers of pedestrians, although there is a footway within the confines of a residential area, this involves a detour. The pedestrians walking along this narrow road are unsafe as drivers have to be fully aware and tolerant of the pedestrian, with no margin for any error. Whilst the lack of a direct segregated way may be acceptable for a short cul-de-sac, it is a hazard on such a through route.
 69. I find that the proposal would improve pedestrian safety, by the reduction in conflicts and congestion around narrow points. This help would extend to all pedestrians including those with various challenges to their mobility or road awareness.
 70. The proposal would promote the movement of cyclists as they would be on a quieter through road.
 71. I find that the passage of the buses would be less impeded by the narrow points in the network and this would help the flow and timing of the service.
 72. The removal of the access through Mampitts would add approximately 1.5 miles to a journey to Shaftesbury town centre or any route beyond to the north or west. The journey times to the south or east would be unaffected. This additional distance has been quantified as resulting in a delay of approximately 2.5 minutes.
 73. Inevitably the bus gate would increase movements along Allen Road as it would have to accommodate the displaced vehicles. I note the comments that it would be preferable to spread the traffic around a broader highway network. However, the additional movements have been quantified as 107 movements per hour in the a.m. peak and 99 movements in the p.m. peak¹⁴. This would not be significant when considered over the duration of an hour and the nature of the road.
 74. Indeed, Allen Road has been purposely designed and built to serve the 670 houses. It is 7.6m wide whereas Mampitts is 4.5m and Pound Lane 5.0m¹⁵. In addition, Allen Road has pavements on both sides and street lighting.
 75. I note the concern about the two play areas adjacent to Allen Road, whereby potentially children can venture on to the road to retrieve balls. However, I noted

¹³ Appendix F of Officer report to 18 November 2024 Committee

¹⁴ Paragraph 4.6.4 of the I Transport Report

¹⁵ Page 4 Officer Report

that they are fenced off, which forces any child to pause before reaching the road. Pedestrian pavements also provide further distancing from traffic, which helps the visibility and awareness of drivers. Additionally the older children's play area has a thick impenetrable boundary hedge which would be a barrier to balls going onto the road.

76. Some residents also express concern about parking on Allen Road which is a necessity due to the limitations of off street parking. However, on street parking has been purposely designed into the road layout, particularly in terms of its width and alignment which was confirmed by the Council at the Inquiry. From my observations on site, I find that the road appears well designed.
77. The additional journey times would generate additional carbon and nitrogen based emissions. However this would not be expected to be significant in relation to the traffic passing along the A350, so is a limited factor against the Order.
78. Also, concern was expressed about the possibility of Christys Lane being blocked by an incident and in such a situation it was suggested that Mampitts would be needed as a through route. However, any such diversion would result in all through traffic going along Allen Road into the single width of Mampitts, which would be wholly unsuitable.
79. Some local residents mention the prospect of further development along the eastern edge of Shaftesbury. The Council advised that the Local Plan is being reviewed and is at the Regulation 18 stage. Each proposed site would need to provide suitable access arrangements and that may well involve accesses off the A30. I find that any large residential development would be expected to have its own particular highway assessment and would have to make its own safe access. In any event there is no evidence to show that further development could not be realised irrespective of the bus gate.
80. The Spar shop would continue to have an access onto Allen Road which is conducive to such lorry movements. In addition, the new community centre has been assessed by the highway authority and found to be within the capacity of Allen Road and consequently was supported by the highway authority.
81. The Order would allow for the passage of emergency vehicles in a 'flashing blue light' situation. In this particular respect there is no objection from the fire service.
82. Shaftesbury is served by on call firefighters, several of which live to the east of the bus gate. They serve a wide area, which is not fixed being variable with the particular circumstances of the incident. There was concern at the Inquiry that the proposal could delay these firefighters, as they would have to take a longer route to the station which is to the north of Shaftesbury. The Council advised that it would not be possible to include these firefighters in the Order due to the problems of enforcement.
83. However, the delay would be likely to be only a maximum of 2 minutes 27 seconds¹⁶, at peak times. In any event there are other firefighters, and some peak time call outs may be at working or leisure times when some of the fire fighters are located elsewhere. I therefore find that this is a limited factor against the Order.

¹⁶ Paragraph 3.2.5 of the i Transport Report

84. I note the concern about the delays to the accesses of the farm and stables. I acknowledge this would be a nuisance but as quantified above the maximum delay would be 2 minutes 27 seconds, which I find would not be particularly significant and would therefore be a very limited factor against the Order. I have also found above that Allen Road has been designed to allow for larger vehicles.
85. Some residents at the Inquiry expressed concern that a northern bypass/spine road around the town has not materialised which would alleviate the pressures on Christys Lane and thereby supporting the bus gate. The Council advised that there are no plans for such a road in the foreseeable future. Whilst this road was mentioned in the 2007 inquiry, the Inspector noted that 'this concept forms no part of the LP proposals for the development of the sites'¹⁷. Accordingly, it was not part of any requirement of the planning permission, and I do not find that such a bypass is necessary to support this Order.
86. I note that some residents expressed concern that they were not aware of the bus gate proposal when they bought their property. However, the promotion of the Order for the bus gate was clearly required by the planning condition and would therefore have been expected to be apparent in a thorough property search.
87. I also note the suggestion of Mampitts Lane being exit only but that would still leave some conflict around the pinch points.

Overall Balance

88. The Inspector was clear in 2007 that the road network was unsuitable for the amount of new dwellings and required the construction of their own access and the restriction of Mampitts Lane/ Road.
89. Since then the National Planning Policy Framework has been published in its various iterations. Paragraph 117 advocates priority to pedestrian and cycle movements and the enhancement of bus services. Safety is promoted by the avoidance of conflict between vehicles and non-vehicular users.
90. Also subsequently the i Transport Report researched the latest characteristics of the road network and concluded in March 2024 that the bus gate should be implemented¹⁸.
91. The Council advised at the Inquiry that traffic generation has generally dropped in recent years but only slightly. I find that the volume of traffic generated by The Maltings is significant as the i Transport Report found.
92. I therefore find that the reasons before the 2007 Inquiry and that resulting decision are still valid today.
93. I acknowledge that the additional journey times and distances would be unwelcome as well as more traffic on Allen Road. These aspects have been quantified in the submitted evidence, and I find that they would have limited impact. The additional emissions would undermine climate change principles and detract from health, but the impacts would be very limited. When taken as a whole, I find that the benefits of the Order would not be outweighed by the factors against.

¹⁷ Paragraph 53

¹⁸ Paragraph 5.3.1

94. The Public Sector Equality Duty¹⁹ places a duty on public authorities in exercise of their functions to have due regard to eliminate discrimination, advance the equality of opportunity between people who share and do not share a relevant protected characteristic and foster good relations between those who share and do not share a relevant protected characteristic. The proposal would help the safety of pedestrians, motorists and road users. It would also support walking and cycling to help an inclusive community. The measures would promote the efficiency of the bus service. It would also promote accessibility for non-private car users. I acknowledge that a slight delay would be caused to motorists but there is no clear evidence before the inquiry that this would cause particular problems in terms of the above Duty.
95. I find that the wording of the Order is clear, and its intent is capable of being enforced.
96. The Order is needed as the road is not suitable for through traffic and the benefits of the Order are not outweighed by the disbenefits. The measures are needed under section 122 of the Act, to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians).

Conclusion

97. I therefore recommend that the Order is made as in the wording of the published draft.

John Longmuir

INSPECTOR

¹⁹ Equality Act 2010

