



Western and Southern Area Planning Committee

Date: Thursday, 7 May 2020
Time: 2.00 pm
Venue: MS Teams Live Event MS Teams Live Event (please see link below)

Membership: (Quorum 6)

Simon Christopher (Chairman), David Gray (Vice-Chairman), Pete Barrow, Kelvin Clayton, Susan Cocking, Jean Dunseith, Nick Ireland, Louie O'Leary, David Shortell, Sarah Williams and Kate Wheller

Chief Executive: Matt Prosser, South Walks House, South Walks Road, Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

For more information about this agenda please contact Denise Hunt 01305 224878 - denise.hunt@dorsetcouncil.gov.uk



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Members of the public are invited to access this meeting with the exception of any items listed in the exempt part of this agenda.

MS Teams Live Event (please see link below)

https://teams.microsoft.com/l/meetup-join/19%3ameeting_NjZkZTJhN2EtNDQyYS00YjRILTg1NjEtZDQ0ZGZmMzA0YmEw%40thread.v2/0?context=%7b%22Tid%22%3a%220a4edf35-f0d2-4e23-98f6-b0900b4ea1e6%22%2c%22Oid%22%3a%2238918ae4-81f9-4383-8cec-d092ecb77f47%22%2c%22IsBroadcastMeeting%22%3a%22true%7d

Members of the public are invited to make written representations provided that they are submitted to the Democratic Services Officer no later than **8.30am on Tuesday 5 May 2020**. This must include your name, together with a summary of your comments and contain no more than 450 words.

If a councillor who is not on the Planning Committee wishes to address the committee, they will be allowed 3 minutes to do so and will be invited to speak before the applicant or their representative provided that they have notified the Democratic Services Officer by **8.30am on Tuesday 5 May 2020**.

Please note that if you submit a representation to be read out on your behalf at the committee meeting, your name, together with a summary of your comments will be recorded in the minutes of the meeting.

Please refer to the guide to public participation at committee meetings for general information about speaking at meetings [Guidance to Public Speaking at a Planning Committee](#) and specifically the "***Covid-19 Pandemic – Addendum to the Guide to Public Speaking Protocol for Planning Committee meetings***" included as part of this agenda (see agenda item 4 - Public Participation).

Using social media at virtual meetings

Anyone can use social media such as tweeting and blogging to report the meeting when it is open to the public.

AGENDA

Page No.

1 APOLOGIES

To receive any apologies for absence.

2 DECLARATIONS OF INTEREST

To receive any declarations of interest.

3 MINUTES

5 - 52

To confirm the minutes of the meeting held on 20 February 2020.

4 PUBLIC PARTICIPATION

53 - 54

Members of the public wishing to submit a written representation to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting.

Please note that the deadline for written submissions to the Area Planning Committee is at 8.30am on Tuesday 5 May 2020.

Please refer to the [Guide to Public Speaking at Planning Committee](#) and specifically the "***Covid-19 Pandemic – Addendum to the Guide to Public Speaking Protocol for Planning Committee meetings***" included with this agenda.

5 PLANNING APPLICATIONS

To consider the applications listed below for planning permission

a Application No: WD/D/20/000109 - Woodroffe School, Uplyme Road, Lyme Regis, DT7 3LX

55 - 66

Erect new school building with associated landscaping.

b Application No: WD/D/19/003024 - Winsham Bridge, Winsham

67 - 72

Repairs to stonework of bridge & replacement of stone rip-rap

river bed through arch with stone filled gabion.

6 URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972

The reason for the urgency shall be recorded in the minutes.

7 EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.



DORSET COUNCIL - WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 20 FEBRUARY 2020

Present: Cllrs Simon Christopher (Chairman), Pete Barrow, Kelvin Clayton, Susan Cocking, Jean Dunseith, Nick Ireland, Louie O'Leary, David Shortell, Sarah Williams and Kate Wheller

Apologies: Cllr David Gray

Officers present (for all or part of the meeting):

Lara Altree (Legal Services Manager), Steven Banks (Planning Officer), Ann Collins (Area Lead – Major Applications Western Team), Colin Graham (Engineer (Development Liaison) Highways), Hamish Laird (Senior Planning Officer), Anna Lee (Service Manager for Development Management and Enforcement), Jo Riley (Senior Planning Officer), Jennie Roberts (Senior Planning Officer), Darren Rogers (Area Planning Manager (Western)), Emma Telford (Senior Planning Officer) and Denise Hunt (Democratic Services Officer)

79. Apologies

An apology for absence was received from Cllr David Gray.

80. Declarations of Interest

Cllr Louie O'Leary declared a non-pecuniary interest in minute 85 as a member of the Big 4 Littlemoor.

Cllr Jean Dunseith declared that she had pre-determined applications in minutes 86, 87 and 88. She would speak as a ward member during public participation and leave the room during the vote.

Cllr Susan Cocking declared a non-pecuniary interest in minute 91 as she was the refurbishment project manager working in conjunction with the applicants on another project as a member of Portland Town Council. She withdrew from the meeting during consideration of this item.

Cllr Simon Christopher declared an interest in minute 94 as he knew the applicants. He withdrew from the meeting during consideration of this item.

81. Minutes

The minutes of the meeting held on 16 January 2020 were confirmed and signed.

82. Public Participation

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

83. Planning Applications

Members considered written reports submitted on planning applications as set out below.

84. WD/D/19/002723 (OBL) - Land Adjacent Oaklands Park, Warmwell Road, Crossways

The Committee considered a report concerning the modification of the Section 106 Agreement dated 8 June 2015 to substitute the current affordable housing tenure mix of 17 units (rent and intermediate ownership) for 17 discounted market units.

The Senior Planning Officer presented the application including the approved site plan showing the affordable housing units consisting of 12 affordable rent and 5 shared ownership. The proposal was for all 17 to become discounted market homes, which was a form of affordable housing under the National Planning Policy Framework (NPPF) definition. This followed no expressions of interest having been received following approaches made to a range of Registered Social Landlords (RSLs), the reasons for which were outlined in the report.

Members commented that "rent to buy" should also be considered as an additional option in future.

Proposed by Cllr Louie O'Leary, seconded by David Shortell.

Decision: That delegated authority be given to the Head of Planning to modify the S106 agreement dated 8th June 2015 on planning approval WD/D/14/002768 to:

Substitute the current affordable housing tenure mix of 17 units (rent and intermediate shared ownership) for 17 discounted market units.

85. WP/16/00253/OUT and WD/D/16/000739 - Land to the North of Littlemoor Road, Weymouth

The Committee considered a report that addressed a discrepancy in the wording relating to employment land between the Section 106 Agreement and Parameter Plan.

The Senior Planning Officer explained that the area of employment land identified in the Section 106 Agreement of up to 8 ha did not concur with the parameter plan proposal of 7.92 ha. In addition there were variations to

Conditions 11, 14 and 20 to add words in order to secure compliance and enforceability.

Mr Richard Nicholls, of the Campaign to Protect Rural England, addressed the Committee and outlined his concerns around changing of conditions and the weight given by the Local Plan 2015 and the NPPF in conserving the Area of Outstanding Natural Beauty (AONB).

Cllr Roland Tarr, Dorset Council Ward Member - Winterbourne and Broadmayne, highlighted the lack of consultation with Bincombe Parish Council and aspects of the development in the context of a rural area in the AONB.

Cllr Graham Brant, of Bincombe Parish Council, stated that the application did not comply with paragraph 172 of the NPPF in relation to conserving and enhancing the landscape in the AONB where planning should be refused for major development unless there were exceptional circumstances. He referred to problems with the road system in that area including Dorchester and other large developments being built in Weymouth and Chickerell.

In response to matters raised during public participation, the Senior Planning Officer advised that both applications had been agreed by Committee on 4 July 2019 and were in accordance with Policy LITT1. Concerns in relation to the AONB had been considered by the Planning Inspector as part of the Local Plan process and, although paragraph 172 of the NPPF provided protection to the AONB, it did not preclude development. He confirmed that there were no fundamental changes to the applications arising from the report. In response to a question by a member, he confirmed that the applications would be refused if the Section 106 Agreement was not agreed within 6 months and that the applicants were looking to conclude the Agreement by the end of February 2020.

Members drew attention to Dorset Council's Statement of Community Involvement in light of the lack of consultation with Bincombe Parish Council and Weymouth Town Council.

The Senior Planning Officer advised that consultation did not take place in relation to this particular report as it concerned clarification of conditions and wording of the Section 106 Agreement and that the fundamental basis of the applications had not changed.

Cllr Louie O'Leary highlighted his continuing concern regarding the lack of Section 106 contributions in Littlemoor, which was in the immediate vicinity of the proposed development. He stated that money for the estate had been overlooked and that the development would affect Littlemoor schools and health facilities.

Proposed by Cllr Susan Cocking, seconded by Cllr Peter Barrow.

WP/16/00253/OUT

Decision:

1. That a new resolution to amend the amount of land secured by the S106 agreement to 7.92 ha to accord with the 7.92 ha 'Employment' legend on the Parameter Plan titled 'Land Use Plan' Drawing No. 0379-0060-011 be approved;
2. That the revised wording of conditions 11, 14 and 20 be approved.

Proposed by Cllr Susan Cocking, seconded by Cllr Peter Barrow.

WD/D/16/000739

Decision:

1. That a new resolution to amend the amount of land secured by the S106 agreement to 7.92 ha to accord with the 7.92 ha 'Employment' legend on the Parameter Plan titled 'Land Use Plan' Drawing No. 0379-0060-011 be approved;
2. That the revised wording of conditions 11, 14 and 20 be approved.

86. **WP/17/00836/FUL - Land NW Side of Wessex Roundabout, Radipole Lane, Weymouth**

Cllr Jean Dunseith moved to the public seating area of the room and did not take part in the debate. She left the room during the vote on this application.

The Committee considered an application for the construction of a new vehicular and pedestrian access, surface water management ponds, open space and landscaping associated with the adjacent Wessex Grounds residential development.

The application was introduced by the Area Lead - Major Applications Western Team who advised that an update sheet circulated to members at the meeting included an amendment to the description of the development to omit the words "associated with the adjacent Wessex Grounds Residential Development", amendments to conditions 5, 6, 7, 8 and 9 and a further representation on behalf of the owner of land to either side of the road to the north.

Members were shown a location plan, softworks plan, plans showing the existing and relocated access, aerial photo of Wessex Stadium and photos showing views of the stadium in relation to the surrounding area.

Cllr John Worth - Dorset Council Ward Member - Chickerell, addressed the Committee to say that the access would be an improvement.

Cllr Jean Dunseith, speaking as Dorset Council Ward Member for Chickerell, considered that the position of the new access was too close to the Wessex roundabout and would result in cars queuing to get onto the roundabout from the proposed development at peak times due to a single entrance / exit road.

Emma Barnett, the Agent, spoke in support of the application, stating that it was principally the same as that approved in 2014.

Members asked why the application was being considered when Weymouth Football Club had no plans to have the site developed.

Officers confirmed that a condition requiring a replacement stadium was included when outline planning permission for a residential scheme was granted in 2014 and it also formed part of a Section 106 Agreement. Therefore a developer could not implement the scheme until such time as a replacement stadium was built and ready for use elsewhere. There was a period of 2 years to implement the residential scheme and provide a replacement stadium if the reserved matters application was granted.

Despite the lack of objection on highways grounds, members who knew the area well considered the new access to be too close to the roundabout, given the volume of traffic at peak times, traffic speeds onto the roundabout, school routes and additional parking on match days. Concern was also expressed regarding access for cyclists and pedestrians given the narrow footpath. They considered the application to be precipitous in that it relied on other applications that had not yet been considered.

The Committee was informed that the Highways Authority owned a limited section of the verge and therefore the proposed access would provide improved visibility splays within land owned by the Highways Authority.

Cllr Nick Ireland proposed refusal of the application as it was against paragraph 91(a) of the NPPF. He further stated that a condition to ensure that the cycle path continued into the site should be considered. The proposal was seconded by Cllr David Shortell.

The Highways Officer advised that alterations to the roundabout to reduce the number of lanes onto the roundabout from 3 to 2 lanes had been implemented in 2019 and there would be funding to provide a Toucan crossing off of Wessex roundabout to connect Radipole Lane to the site.

The Chairman proposed that the application be deferred to allow better understanding of the proposed crossing, cycleways and pavements and wider issues of safety. This was seconded by Cllr Peter Barrow. Cllr Nick Ireland and Cllr David Shortell agreed to withdraw the proposal to refuse the application. Cllr O'Leary and Cllr Barrow were concerned about wider safety issues of access and parking and sought for them to be addressed not just cycle paths.

Decision: That the application be deferred for the reasons outlined in the appendix to these minutes.

87. **WD/D/17/002597 - Wessex Stadium, Radipole Lane, Chickerell, Weymouth, DT4 9XJ**

Cllr Jean Dunseith moved to the public seating area of the room and did not take part in the debate. She left the room during the vote on this application.

The Committee considered an application for approval of reserved matters for access, appearance, landscaping, layout and scale in relation to outline approval WD/D/14/001938.

The Area Lead - Major Applications Western Team advised members that it was a condition of the application that it could not be implemented until an access was provided.

Members were shown the site layout, softworks plan, floor plans, elevations, materials, cross section and street elevation, materials palette, aerial photo and photos of the application site in relation to the surrounding area.

An update sheet circulated to the Committee at the meeting included an additional plan to be added to the condition 1 plans list and a summary of 2 additional representations which were read out at the meeting.

Cllr John Worth, Dorset Council Ward Member - Chickerell stated that a shop should be considered for this isolated site as well as improvements to public transport.

Cllr Jean Dunseith, speaking as Dorset Council Ward Member - Chickerell, stated that Chickerell Town Council and the Civic Society were against the proposal. She had spoken against it in 2014 when outline permission for 150 - 170 homes was granted and this scheme was at the top end of that number. Condition 16 specified that development should not commence until a facility to replace Wessex Stadium was constructed and made available for use and yet no application for a stadium had been forthcoming. She was also concerned that there would be no affordable housing and no Section 106 funding other than £200k for the access road and footpath.

Emma Barnett, the Agent, stated that the principle of development had already been established and either met or exceeded space standards. There had been no objections expressed by the Urban Design or Highways officers and £200k would be made available for cycle and pedestrian improvements.

Members debated the lack of progress in building a new stadium, the lack of affordable housing, the positive prospect of a new bus route incorporating Southill and the confusing nature of 3 different applications in respect of the same site.

Legal advice was given that the planning authority could not compel an applicant to make one application and that the 3 applications were closely linked.

After some discussion the Committee agreed to defer the decision on this application until such time as the report on viability had been considered.

Note: the debate and decision below was taken after conclusion of the debate and vote on the viability report had concluded.

Following consideration of the report regarding viability of the Section 106 Agreement associated with outline planning permission WD/D/14/001938, members noted the lack of reference to a cycleway or number of charging points for electric vehicles, poor design and appearance, lack of affordable housing, overdevelopment of the site and concerns regarding the access.

The Committee was adjourned for 5 minutes for officers to discuss the reasons for refusal, following which the Legal Officer asked members to provide specific reasons for refusal.

Members advised that refusal should be on the grounds of design and appearance and access.

A further short adjournment took place for officers to form the reasons for refusal based on the comments made by members. The Committee reconvened at 12:50pm

Proposed by Cllr Kate Wheller, seconded by Cllr Louie O'Leary.

Decision: That the application be refused for the reasons outlined below and in the appendix to these minutes.

1. The proposed development by reason of its design and materials is not in keeping with nearby development. It is considered to be poor quality design with an urban character in a rural setting and is bland and lacking in distinctive character. Hence the proposed development is contrary to Policies ENV10 and ENV12 of the West Dorset, Weymouth and Portland Local Plan (2015) and paragraphs 127 and 130 of the National Planning Policy Framework (2019).
2. The proposed development having only one access point lacks permeability and constitutes poor urban design with a lack of choice of routes into, out of and through the site contrary to Policy ENV11 of the West Dorset, Weymouth and Portland Local Plan (2015) and paragraph 127 of the National Planning Policy Framework (2019).

88. **Report regarding viability in respect of the S106 agreement dated 27 October 2014 associated with outline planning permission WD/D/14/001938 - Weymouth Football Club, Wessex Stadium, Radipole Lane, Chickerell, Weymouth, DT4 9XJ**

Cllr Jean Dunseith moved to the public seating area of the room and did not take part in the debate. She left the room during the vote on this application.

The Committee considered a report in respect of the Section 106 Agreement dated 27 October 2014 for outline planning permission WD/D/14/001938.

Following presentation of the report, Cllr Kate Wheller conveyed comments made by Cllr Lucy Hamilton, Chairman of the Weymouth Town Council Planning Committee, stating that residents had strong concerns about large developments that did not include affordable housing and did not allow for additional burden to GP surgeries and schools.

Cllr Jean Dunseith addressed the Committee as Dorset Council Ward Member - Chickerell, stating that the developers knew about the provision of an alternative sports stadium and affordable housing when the scheme was approved in 2014 and the proposal was detrimental to Chickerell and disrespectful.

Cllr John Worth, Dorset Council Ward Member - Chickerell, stated that the proposal represented the loss of 60 affordable dwellings in an town which had areas of deprivation with a need for more social housing, including residents of Chickerell. The developer knew what was required in 2014, including the need for contributions for facilities such as schools and health services in the area and the arguments regarding viability should have been heard at that time.

Emma Barnett, the Agent, stated that the Section 106 Agreement allowed viability to be reviewed. A viability study to assess whether the development could support affordable housing alongside a replacement sports facility was prohibitive, a view that had been supported by the DVS. There remained a £200k pedestrian and cycle contribution. She further explained that the applications had not been joined together due to boundary changes and differing local authorities prior to the formation of Dorset Council.

Some Members were sceptical regarding the provision of a new stadium and the viability arguments. They were mindful that no meaningful discussions had taken place with Weymouth Football Club and concluded that an alternative stadium may never be realised meaning that the scheme may not be implemented. It was questioned whether the scheme would have been approved in 2014 if the Section 106 Agreement accurately reflected the current position.

Cllr Nick Ireland stated that affordable housing should be the primary focus and proposed that re-provision of the stadium be deleted from the Section 106 Agreement in favour of retaining 35% affordable housing.

Legal advice was given that the Section 106 Agreement allowed the applicant to come back to committee to make a representation in respect of viability and the DVS was in agreement with this assessment. It was not possible to change any other aspect of the Section 106 Agreement, including the provision of a stadium.

Cllr Louie O'Leary proposed that the application be refused on the basis that the Committee did not accept that the development was unviable. This was seconded by Cllr Nick Ireland.

Decision: That the application be refused for the reason outlined in the appendix to these minutes.

89. Duration of Meeting - Time Limit

A vote to continue the meeting was taken in accordance with Part 2, Paragraph 8.1 of the Council's Constitution as the meeting had been ongoing for a period of 3 hours.

Proposed by Cllr Peter Barrow, seconded by Cllr Nick Ireland.

Decision: That the meeting be extended for a further period commencing at 2.00pm, following a lunch break, to allow the business of the meeting to be concluded.

90. Election of Vice-Chairman

Decision: That Cllr David Shortell be elected as Vice-Chairman for the remainder of the meeting.

91. WP/18/00662/FUL - Land Off of Verne Common Road & Ventnor Road, Portland

Cllr Susan Cocking left the room and did not take part in the debate or vote on this application.

The Committee considered an application to develop vacant land by the demolition of a garage, formation of vehicular access, erection of 25 dwellings and associated landscaping.

The Senior Planning Officer referred to the update sheet circulated to the Committee at the meeting that included a correction to the applicant's name and a response received from Historic England. She advised that the Portland Neighbourhood Plan could not be given full weight in considering this application as it had not yet gone to a referendum.

Members were shown a location plan, aerial photo, elevations and photos taken from Verne Common Road, showing that the site was currently used to graze horses.

Simon Gledhill addressed the Committee in objection to the application as it was outside the DDB and would impact on trees in the northern part of his garden which were subject to Tree Preservation Orders and in a Conservation Area. He stated that plot 18 would be a metre from his fence line and dominate his property. There was an active badger sett opposite plots 19 and 20 that had previously been reported by a consultant in an earlier application

but was absent in this application. He also drew attention to the Biodiversity Plan published in January 2020.

Cllr Paul Kimber, Dorset Council Ward Member - Portland, expressed concern about the increasing density and loss of small green spaces on Portland. He considered the scheme was over development in an area outside the DDB that was precious to the life of the area and used as a play area for children on the estate. It was clear that the nearby badger sett would be disturbed as a result of this development. There were also difficulties in parking during the evening and problems with access experienced by the fire service which were not mentioned in the report.

In response to the comments made during public participation, officers advised that the Biodiversity Plan had been agreed by the Natural Environment Team and was concerned with the relationship with existing neighbouring properties which had long gardens. The site was in private ownership and not designated as a recreation area. The Highways Officer stated that the road system was constantly being checked for accessibility due to the presence of a large prison at the top of Verne Common Road and that obstruction was covered by highways law.

Members' debated overdevelopment in the context of Portland being the 4th highest area of deprivation in the country, the site being outside the DDB, the absence of badger sett exclusion areas in the report, no allocation for electric vehicle charging points and the need to protect green spaces in densely populated areas. Some members considered the development to be acceptable given that the site was adjacent to a densely populated area, despite being outside the DDB.

Cllr Nick Ireland proposed approval of the application subject to a condition requiring charging points for electric vehicles. This was seconded by Cllr Kelvin Clayton.

Advice was given that the applicant had the right to appeal against the additional condition.

Decision:

(A) That authority be delegated to the Head of Planning to grant, subject to the completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Legal Services Manager to secure the elements outlined in the appendix to these minutes.

(B) Refuse permission for the reasons outlined in the appendix to these minutes if the agreement is not completed within 6 months of the committee resolution or such extended time as agreed by the Head of Planning.

92. **WP/19/00699/FUL- 53 Rodwell, Weymouth, DT4 8QX - Demolition of existing dwelling and erect 6no. apartments with associated landscaping works and parking**

The Committee considered an application for the demolition of an existing dwelling and the erection of 6 apartments with associated landscaping works and parking.

The Area Manager (Western) presented the application and the two appeal decisions appended to the report that were pertinent to the application.

Members were shown a location plan, aerial view, site location plan, existing and proposed elevations, proposed floor plans, roof floor plan and cross sections. The proposal included 1 car parking space per dwelling. Enclosed balconies of 1.4m and 1.6m at the rear protected the amenity of neighbouring properties.

A key issue was the 2 appeal decisions that had been dismissed, the most recent of which related only to the impact on the amenity of neighbours and not the design and external appearance of the scheme. The amenity concerns had now been satisfied and were considered to be acceptable.

The Democratic Services Officer read out comments from Cllr Lucy Hamilton, Chairman of the Weymouth Town Council Planning Committee which made reference to ENV12, the impact on nearby historic buildings and comments made by the Conservation Officer in the report.

Members were generally supportive of the scheme and noted that it would be an improvement as the existing building was deteriorating.

Cllr Kate Wheller proposed that the application be approved, subject to a condition in relation to electric charging points for vehicles. This was seconded by Cllr Nick Ireland.

Decision: That the application be approved subject to the conditions outlined in the appendix to these minutes.

93. **WP/19/00611/FU - Martleaves House, 41 South Road, Weymouth, DT4 9NR**

The Committee considered an application for the removal of stables and a redundant barn / store and the erection of 4 detached houses and two double car ports.

The Senior Planning Officer showed a site plan and location plan of the existing buildings. Outline permission had been established for a similar scheme, however, the homes were now divided into 4 detached houses that had previously been semi-detached. The site was outside of but close to the DDB and would add to housing supply. The design was considered acceptable with adequate parking and biodiversity mitigation.

The Democratic Services Officer read comments from Cllr Lucy Hamilton, Chairman of the Weymouth Town Council Planning Committee, who objected on the grounds that the site was outside the development boundary and adjoined the Heritage Coast. The Local Plan monitoring report for 2018-19 confirmed that the area had met the target to build 775 dwellings per annum and that new figures from the Local Government Association showed that the number of permissions in existence outstripped the numbers of homes built. It was a dangerous precedent to build outside the DBB on a sensitive site of national importance.

Malcolm Brown, the Agent, addressed the Committee, stating that the site was in a sustainable location with outline permission for 4 dwellings and was not within the AONB or Heritage Coast. The policy was out of date with regard to housing supply, however, this proposal would contribute to that supply. The car ports would contain swallows nests to replace those lost in the stables.

Cllr Kate Wheller described relevant planning history in that area that had altered the site from a farm to a tourist industry and former objection of tents as being detrimental to views of the Heritage Coast. She was concerned with traffic in that area, in particular serving Swallow's Rest with huge motor homes and caravans seen on a regular basis as well as people who were lost getting to the guest house.

The Area Manager (Western) advised that the principle of development had already been established as a result of the outline application.

Proposed by Cllr Nick Ireland, seconded by Kelvin Clayton.

Decision: That the application be approved subject to the conditions outlined in the appendix to these minutes.

94. **WD/D/19/002295 & WD/D/19/002296 - The Barn House, Main Street, Loders, Bridport, DT6 3SA**

Cllr Simon Christopher left the room and did not take part in the debate or vote on this application. The Vice-Chairman was in the Chair for this item.

The Committee considered dual applications for the demolition of an outbuilding and the conversion and extension of an outbuilding to create a dwelling.

The Senior Planning Officer presented the applications and members were shown an aerial view of Loders, the application site being in the garden area of the Barn House; a map of the site in the context of other backland developments alongside the river; the Loders Neighbourhood Plan DDB and various site, block, elevation and floor plans. Photographs were also shown of the Barn House and surrounding area.

The key planning points were outlined including the principle of development, scale and design, impact on character and appearance, impact on amenity, impact on landscape and heritage assets, access and parking.

Diane May, a resident of Loders, addressed the Committee, commenting on the status of the Loders Neighbourhood Plan alongside the Local Plan, Policy SUS3 in relation to the adaptation and reuse of existing buildings and the 5 year housing supply.

KevinButler addressed the Committee in support of the application and drew attention to the potential to reuse the building offered by the Neighbourhood Plan, reduction in scale of the proposal and no concerns arising following the commission of an ecology report.

Mrs Michelle Warrington, Chairman of Loders Parish Council, spoke in objection of the application that was outside the DDB and against Local Plan Policy SUS 3. The proposal involved a substantial rebuild and extension of the existing building and she provided measurements to support this view. She acknowledged that this application had a smaller footprint, however, the proposed roof height was only 6 cm lower and would be a substantial rebuild.

Simon Ludgate, the Agent, addressed the Committee in support of the application, saying that the scheme was in line with policy and that the principle of residential use had been established. The design of the pitch roof would not impact on the amenity of neighbouring properties and the site was not in a flood zone. The scheme was much smaller and would provide an additional dwelling and contribute to the 5 year housing land supply.

The Senior Planning Officer advised that Local Plan Policy SUS 3 did not hold as much weight due to the lack of a 5 year housing land supply and that the Loders Neighbourhood Plan was out of date with regard to housing. The application was for a modest extension very close to the DDB and therefore considered a sustainable location. The benefits of the scheme outweighed the very small amount of harm due to the site being outside the DDB.

Members considered the new scheme to be acceptable.

Proposed by Cllr Louie O'Leary, seconded by Cllr Susan Cocking.

WD/D/19/00295

Decision: That the application be approved subject to the conditions outlined in the appendix to these minutes.

Proposed by Cllr Louie O'Leary, seconded by Cllr Susan Cocking.

WD/D/19/002296/LBC

Decision: That the application be approved subject to the conditions outlined in the appendix to these minutes.

95. **WP/19/00501/FUL - 73-75 Portland Road, Weymouth, DT4 9BE**

The Committee considered an application for the conversion of a shop and residential accommodation into 2 dwellings and the construction of 3 dwellings to the rear fronting Williams Avenue.

Members were shown a site plan, aerial view, existing and proposed elevations and floor plans and photos of the site and surrounding area.

Following closure of the shop which included a Post Office, the Planning Officer advised of the nearest post offices in St Thomas Street, Abbotsbury Road and Charlestown in Weymouth.

The Democratic Services Officer read out comments from Cllr Lucy Hamilton, Chairman of the Weymouth Town Council Planning Committee, stating that the committee welcomed the provision of new housing on a brownfield site, however, concerns had been raised regarding the size of the accommodation. Councillors were also unaware of the intention to remove the post box and telephone box which represented a loss of amenity to residents and she was in contact with Royal Mail about the replacement of the post box.

David Nightingale, the applicant, advised that McColls had initiated a break clause in the 10 year lease and vacated the property. The application sought to maintain the existing character of the building. He advised that the post box and telephone box were on the forecourt of the property rather than the pavement.

The Highways Officer explained that there was no objection on highways grounds and that the site was along a sustainable bus route that operated every 10 minutes and was also within walking distance of a doctor's surgery and nearby schools.

Members raised concerns in relation to overdevelopment, lack of amenity space for the new dwellings, parking difficulty, fire safety access and traffic safety in the extended area given the proximity of 3 local schools and the Tesco Express. They noted that highways officers were currently considering reconfiguration of the road system on road safety grounds.

The Committee was informed that the design continued the general terraced theme of Williams Avenue, albeit that these were 3 storey homes. However, members considered that the gardens of other homes in Williams Avenue were a reasonable size and that the living experience in the proposed homes would be significantly different.

Cllr Kate Wheller proposed that the application be refused due to overdevelopment and lack of amenity on the site. The Area Manager (Western) suggested a reason for refusal that was agreed by Cllr Kate Wheller. This was seconded by Cllr Louie O'Leary.

Decision: That the application be refused subject for the reason outlined in the appendix to these minutes.

96. **Urgent items**

There were no urgent items.

Appendix

Duration of meeting: 10.00 am - 4.15 pm

Chairman

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APPLICATION NUMBER: WD/D/19/002723 (OBL)

APPLICATION SITE: Land Adjacent Oaklands Park, Warmwell Road, Crossways

PROPOSAL: Modification of planning obligations on Section 106 Agreement dated 8th June 2015 on planning approval WD/D/14/002768

Decision: Authority delegated to the Head of Planning to modify the S106 agreement dated 8th June 2015 on planning approval WD/D/14/002768 to:

Substitute the current affordable housing tenure mix of 17 units (rent and intermediate shared ownership) for 17 discounted market units.

APPLICATION NUMBER: WP/16/00253/OUT and WD/D/16/000739

APPLICATION SITE: Land to the North of Littlemoor Road, Weymouth

PROPOSAL: Outline application for a mixed use development comprising: up to 500 dwellings, including affordable housing; up to 8 ha of employment land (to include a new hotel, residential care home, car show rooms and other employment land); land for a new primary school; a new local centre; public open spaces, new accesses and roads, and associated infrastructure.

Decision:

A. That delegated authority be given to the Head of Planning to grant outline planning permission subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Head of Planning to secure the following (index linked if financial contributions):

- Phasing and triggers for contributions;
- 35% Affordable Housing;
- Highway Matters including footpath links and pedestrian links across Littlemoor Road (A353);
- Structural landscaping and Landscape Environmental Management Plan (LEMP)
- Comprehensive drainage strategy for all phases
- Financial Contributions towards healthcare provision of £40,000
- Provision of an on site Local Centre;
- Provision of 7.92 of serviced employment land;
- Allocation of land within the site for provision of a Hotel, Care Home and Car showrooms to ensure employment provision;
- Provision of on site school site and Education Contribution of £6169 per eligible unit;
- Contributions towards existing and proposed community facilities including community hall of £309,950
- Redland Sports Centre towards re-surfacing Hockey Pitch of £112,069
- Contribution to Weymouth Swimming Pool of £127,095
- Contribution to Library facilities of £64,860
- On site provision of Children's Play and Open Space Facilities and financial contribution of up to £478,162; the sum to be off-set against the value of the on-site provision.
- Lorton Nature Reserve contribution of £95,760

And the following conditions and their reasons:-

Plans

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

0379-0085-03 - SITE LOCATION PLAN (REVISED) - received 28 November, 2017;

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

Phasing

2. No application for Reserved Matters shall be approved until a phasing plan for the development has been submitted to, and approved in writing by, the local planning authority. The development of the site shall be carried out in accordance with the phasing plan as approved.

REASON: To allow the development to proceed on a phased basis.

Reserved Matters

3. For any individual phase of development identified in the details approved in accordance with condition 2 above, no development within that phase shall commence until details of: (i) all accesses to the site; (ii) the layout of the site (iii) the scale; (iv) appearance of the building(s) within that phase; and (v) the landscaping of that phase shall have been submitted to, and approved in writing by, the Local Planning Authority. The approved Landscaping for each phase of the development shall be implemented and maintained in accordance with the agreed details. Any application for the approval of Reserved Matters on any phase of the development, hereby approved, shall be informed by the following Masterplan and Parameter Plans submitted as part of the outline planning application:

0379-0037-19 ES – FIGURE R(I) 2.8 ILLUSTRATIVE MASTERPLAN

(REVISED) - received 3 May, 2018;

0379-0063-05 - DENSITY PARAMETER PLAN (REVISED) - received 28 November, 2017;

0379-0065-08 - ACCESS & MOVEMENT PARAMETER PLAN (REVISED) - received 28 November, 2017;

0379-0064-07 - BUILDING HEIGHT PARAMETER PLAN (REVISED) - received 28 November, 2017;

0379-0066-06 - ECOLOGY & LANDSCAPING PARAMETER PLAN (REVISED) - received 28 November, 2017;

379-0060-11 - LAND USE PLAN (REVISED) - received 28 November, 2017;

REASON: To ensure the satisfactory development of the site; to reflect the sites position within the Dorset AONB; and, to assist in preserving the character and openness of the AONB adjoining the site.

Timescales

4. Application for approval of any Reserved Matter must be made not later than the expiration of ten years beginning with the date of this permission.

REASON: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of any Reserved Matter.

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

Design Framework

6. No application for Reserved Matters for any buildings shall be approved until a Design Framework including a design code, for the development has been submitted to, and approved in writing by, the local planning authority. The Design Framework will develop the principles established in the approved parameter plans. All subsequent Reserved Matters applications shall follow the agreed Design Framework and design code unless justification is provided and an alternative is agreed in writing by the local planning authority.

REASON: To ensure the provision of a high quality mixed use development given the lack of detail for a major development on an allocated in the AONB.

Materials

7. No development shall be commenced until details and samples of all external facing materials for the wall(s) and roof(s) of the built structures on any part of the site shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with such materials as have been agreed.

REASON: To ensure a satisfactory visual appearance of the development.

LEMP – (Landscape Environment Management Plan)

8. No application for any Reserved Matters shall be approved until a Landscape Environment Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The LEMP shall include the following:

- A detailed agreed strategic planting plan for both red line area, along with a time table for implementation. In line with Local Plan policy LITT1 strategic landscape planting is required to be completed in advance of first occupation and preferably as a prerequisite to initiating the first phase of the development. So as to prevent its future removal the strategic landscape planting should also be legally safeguarded.

Detailed onsite biodiversity mitigation and enhancement measures to include:

- I. The mitigation and enhancement measures outlined in the biodiversity chapter of the submitted Environmental Statement.
- II. Extensive native tree and hedgerow planting within the areas of public open space.
- III. Use of native tree planting within the developed area designed to further ameliorate landscape impacts on the surrounding countryside as recommended by the local plan inspector's report.
- IV. Creation and long term management of areas species rich grassland.
- V. Creation of habitat features such as wildlife ponds, habitat piles etc.
- VI. Provision of new bat roosting and bird nesting opportunities within new builds on the edge of the development, including the provision of nesting opportunities for swift.
- VII. Provision of a range of bird boxes, including provision for barn owl and kestrel.

VIII. Appropriate compensation of any residual biodiversity impacts as set out by the Dorset Biodiversity Compensation Framework, or similar mechanism. Natural England notes that given the area of green infrastructure to be provided it is likely that there will be sufficient scope to deliver the necessary level of biodiversity compensation directly on site.

Except where addressed in other documents the LEMP shall also include management proposals for each of these features for the lifetime of the development. Unless approved otherwise in writing by the local planning authority, development of the site shall proceed in accordance with the approved LEMP.

REASON: To ensure that the development conserves and enhances biodiversity in accordance with the objectives of the National Planning Policy Framework and policy ENV2 (Wildlife and Habitats) in the West Dorset, Weymouth & Portland Local Plan (adopted October, 2015).

Landscaping

9. No development within any Phase shall take place until all existing trees, shrubs and other natural features not scheduled for removal have been fully safeguarded and fenced for that Phase in accordance with a scheme to be first approved in writing by the Local Planning Authority. Such fencing shall be maintained during the course of the works on site. No unauthorised access or placement of goods, fuels and chemicals, soil or other materials shall take place inside this fenced area. The soil levels within the fenced area shall not be raised or lowered and no trenching or excavation shall take place. In the event that protected trees (or their roots) become damaged, are lost or become otherwise defective in any way during such period, the local planning authority shall be notified immediately and a programme of remedial action as directed by the Local Planning Authority shall be carried out within a timescale to be specified by the Local Planning Authority.

REASON: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability.

10. No development shall commence until a landscaping plan has been submitted for each particular phase of the development. The Landscaping shall include (i) planting plans; (ii) written specifications and schedules of proposed plants noting species, planting sizes and proposed numbers/densities; (iii) full details of the positions, materials and proposed construction methods for all paths and other hard surfaces; (iv) an implementation timetable; and (v) a schedule of landscape maintenance proposals for a period of not less than five years.

REASON: To ensure that the development provides sufficient hard and soft landscaping to successfully integrate with the character of the site and its surrounding area within the Dorset AONB.

11. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner: and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of

similar size and species. All the above approved landscape works and all works of landscape maintenance shall be carried out in accordance with these approved details and the guidance contained in British Standards.

REASON: To ensure proper implementation of the agreed landscape details in the interests of the amenity value of the development and to successfully integrate with the character of the site and its surrounding area within the Dorset AONB.

Housing

12. The number of dwellings permitted by this planning permission shall not exceed 500. The site shall be developed in phases as outlined in the requirements to be agreed by condition 2 of this permission. The design and housing mix of all dwellings shall be informed by the Design Framework as required to be agreed and approved by condition 6 of this permission.

REASON: To ensure provision of a high quality mixed housing development across the site.

Highways

13. As part of any reserved matters application relating to design, details shall be provided to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development. The development shall be carried out in accordance with such details as are approved by the local planning authority.

REASON: To ensure that adequate provision is made to enable occupiers of and visitors to the development to be able to charge their plug-in and ultra-low emission vehicles.

14. No development shall commence, on any phase, until details of the access, geometric highway layout, turning and parking areas for that phase have been submitted to and agreed in writing by the Local Planning Authority. The works for each phase shall subsequently be carried out strictly in accordance with the approved details.

REASON: To ensure the proper and appropriate development of the site.

15. Before the development hereby approved, on any phase or part thereof, is first occupied or utilised, the submitted Interim Residential Travel Plan Ref: NA/SG/sjs/JNY8075-04a received 19 April, 2016, as outlined must be implemented and made operational.

REASON: In order to reduce or mitigate the impacts of the development upon the local highway network and surrounding area.

16. Before the development hereby approved is commenced a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Local Planning Authority. The CTMP must include:

- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads
- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary

The development must be carried out strictly in accordance with the approved Construction Traffic Management Plan.

REASON: To minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

Local facilities

17. The Reserved Matters submissions shall include serviced employment land of no less than 8 hectares for the provision of Use Classes B1, B2 and B8 industrial uses including a residential Care Home (Use Class C2), a Hotel (Use Class C1) and car showrooms (sui generis); a mixed use local centre of Use Classes A1, A2, A3, A4, A5, B1, C3 and D1); a serviced site of 2.4 ha to provide a new primary school with associated grounds, playing fields and parking, with the school site sized to accommodate a 2-form entry school (Use Class D1). These elements of the development of the site shall be undertaken in phases as outlined in the requirements to be agreed by of condition 2 of this permission.

REASON: To ensure provision of the mixed use development (other than residential development) in accordance with the provisions of policies ECON1, SUS1, HOUS1, HOUS3, HOUS5, COM1, COM2, COM4, COM6 and LITT1 in the West Dorset, Weymouth and Portland Local plan (adopted October, 2015); and, the advice contained in the National Planning Policy Framework, July 2018 (as amended).

Care Home

18. The care home hereby permitted shall be used solely as a residential care home or nursing home, and for no other purpose including any other purpose in Use Class C2 of the Town and Country (Use Classes) Order 1987 (as amended).

REASON: To ensure that adequate residential care home provision is provided and retained as such on site in accordance with the provisions of policy LITT1 in the West Dorset, Weymouth and Portland Local Plan (adopted October, 2015).

Employment

19. Detailed Reserved Matters for the Employment Land, as identified on Parameters Plan - Drawing Number 0379-0060-11 - LAND USE PLAN (REVISED), shall include a disposition of buildings and approved uses (B1, B2 and B8) to ensure that the B2 and B8 uses are buffered from nearby residential development, and other development sensitive to disturbance by other buildings and uses.

REASON: To ensure that the amenity of residential development and development sensitive to disturbance is not significantly adversely affected in accordance with policy ENV16 (Amenity) in the West Dorset, Weymouth & Portland Local Plan (adopted October, 2015).

20. Prior to the first occupation of any of the industrial development units hereby permitted, details of plant to be installed at premises on the industrial area when construction of premises is nearly completed shall be detailed in a cumulative type BS1442 report for each establishment to ensure that the rated background noise levels recorded do not exceed (29dB(A)). Such a Report shall be submitted to and agreed in writing by the Local Planning Authority. Subsequently, the rated background noise levels recorded as advised in the Report shall not exceed (29dB(A)) at any time.

REASON: To protect the amenities of occupants of existing residential properties, as well as those to be built near to the industrial allocation in respect of additional noise levels that are likely to occur. Such a requirement accords with the provisions of Policy ENV16 (Amenity) in the West Dorset, Weymouth and Portland Local Plan (adopted October, 2015).

Broadband

21. No development shall commence until a scheme for facilitating infrastructure to support superfast broadband technology to serve the development has been submitted to, and approved in writing by, the local planning authority. The scheme shall include a timetable for implementation, including triggers for a phased implementation if appropriate. Thereafter, the development shall proceed in accordance with the agreed scheme.

REASON: To ensure that the utilities service infrastructure is sufficient to meet the extra demands imposed by this development, in accordance with West Dorset, Weymouth & Portland Local Plan policy COM10. (The Provision of Utilities Service Infrastructure); and, the advice contained in the National Planning Policy Framework, July 2018 (as amended).

Cycle Parking Facilities

22. The development hereby permitted must not be occupied in any phase until a scheme showing precise details of the proposed cycle parking facilities for that phase has been submitted to the Local Planning Authority. Any such scheme requires approval to be obtained in writing from the Local Planning Authority. The approved scheme must be constructed before the development of that phase is commenced and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

REASON: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

NEAP

23 No more than 300 dwellings shall be first occupied until a Neighbourhood Equipped Area for Play (NEAP) has been constructed and made available for use in accordance with a specification that shall first have been submitted to, and agreed in writing by, the local planning authority. The specification shall include details for the management and maintenance of the NEAP for the lifetime of the development. Thereafter, the NEAP shall be maintained and managed in accordance with the approved specification.

REASON: To meet the requirement of West Dorset, Weymouth and Portland Local Plan policy LITT1 (LITTLEMOOR URBAN EXTENSION) for the development to provide local community facilities commensurate with its scale and nature.

Land contamination

24. Before the commencement of development, the developer shall submit for the written approval of the Local Planning Authority: (a) a 'desk study' report documenting the site history; (b) a site investigation report documenting the ground conditions of the site, and incorporating a 'conceptual model' of all potential pollutant linkages, detailing the identified sources, pathways and receptors and basis of risk assessment; (c) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed; (d) a detailed phasing scheme for the development and remedial works. The remediation scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development is occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall provide written confirmation that all works were completed in accordance with the agreed details.

REASON: To ensure that risks from soil contamination to the future occupants of the development and neighbouring occupiers are minimised, having regard to the National Planning Policy Framework July 2018 (as amended).

25. Before the commencement of development, the approved remediation scheme shall be carried out unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, having regard to the National Planning Policy Framework March July 2018 (as amended).

26. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, having regard to the National Planning Policy Framework, July 2018 (as amended).

Finished floor levels – Flood Risk

27. Finished floor levels shall be set a minimum of 600mm above the design flood level as set out in paragraph 9.9 of the Flood Risk Assessment (RPS, April 2016, ref: RCEF31131-005 R).

REASON: To reduce the risk of flooding to the proposed development and future occupants.

Surface Water Management

28. No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological & hydrogeological context of the development, with appropriate consideration of existing drainage infrastructure and providing clarification of how surface water is to be managed during construction, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.

REASON - To prevent the increased risk of flooding and to protect water quality.

29. No development shall take place until details of maintenance and management of the surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body / statutory undertaker, shared ownership, any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

REASON - To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

Sewage

30. No development shall commence on each relevant phase (as referred to in Condition 2) until details of a foul drainage disposal scheme to serve the development within that phase has been submitted to and approved in writing by the Local Planning Authority. Such details will need to demonstrate that the system is adequately sized to accommodate and accept the flows that will be generated by this proposal. The drainage scheme shall be completed in accordance with the approved details and to a timetable for each phase agreed in writing by the local planning authority.

REASON: To ensure that the development is undertaken in an acceptable manner.

Foul Water

31. The development shall not be commenced until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker

- a drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing
- the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed in writing by the local planning authority.

REASON: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property.

32. As part of the reserved matters, the internal road layout shall make provision for means of vehicular access within the application site to the residual parts of the allocated site to the north (Land adjacent to Bincombe Lane) and to the west (Land adjacent to Goulds Garden Centre). The construction of these access roads to the site boundary shall be completed prior to the occupation of the buildings within that phase of the development.

REASON: In the interests of permeability and connectivity and appropriate movement through the allocated site to ensure comprehensive development of the site and the LITT1 land allocation.

INFORMATIVES

National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.

S106

This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated xxxxxxxx

DRAINAGE - INFORMATIVE (1)

All associated works that offer an obstruction to flow to a channel with the status of Ordinary Watercourse are likely to require prior Land Drainage Consent from Dorset Councils Flood Risk Management function, as relevant Lead Local Flood Authority, in accordance with s23 of the Land Drainage Act 1991. Such consent relates both to permanent (i.e. diversion, reprofiling or culverting) and temporary (i.e. coffer damming, over pumping or diversionary) works and is independent of planning permission.

DRAINAGE - INFORMATIVE (2)

The necessary detailed design is to make adequate provision for the future operation and maintenance of existing drainage infrastructure. As such Dorset Highways will require full clarification of all access routes, relevant landscaping /planting, and necessary upgrading / improvement works.

Notes to the LPA and applicant; Whilst we accept that the applicant has provided preliminary calculations, with which to support the conceptual drainage strategy that has been presented, we emphasise that a substantiated & detailed design is to be subsequently supplied to satisfy and discharge the requested planning conditions.

As such we highlight that the calculations provided thus far are regarded as preliminary estimations only, and that the discussion of storage volumes and discharge rate/s provided within supporting documents is to be treated as indicative, prior to the submission and approval of a detailed design. Equally, the discussion and illustration of exceedance routing provided thus far is regarded as preliminary, and will require substantiation within the detailed design.

INFORMATIVE:

Ordinary watercourses cross the site. If the applicant intends to obstruct the flow in the watercourse (permanently or temporarily, including culverting) you will require prior Land Drainage Consent from Dorset Council as the Lead Local Flood Authority. You are advised to contact the Flood Risk Management team at Dorset Council (floodriskmanagement@dorsetcouncil.gov.uk) to discuss their requirements.'

INFORMATIVE

The site must be drained by a separate system of foul and surface water drainage, with all clean roof and surface water being kept separate from foul water.

INFORMATIVE:

There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.

INFORMATIVE NOTE: Developer-Led Infrastructure

The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 or Section 278 of the Highways Act 1980, the applicant should contact Dorset Councils Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcouncil.gov.uk, or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset Council, County Hall, Dorchester, DT1 1XJ.

AND

B. REFUSE PERMISSION FOR THE REASONS SET OUT BELOW IF THE SECTION 106 AGREEMENT IS NOT COMPLETED WITHIN 6 MONTHS OF THE DATE OF THE COMMITTEE RESOLUTION OR SUCH EXTENDED TIME AS AGREED BY THE HEAD OF PLANNING

1. Policy HOUS1 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 requires a minimum on-site provision of 35% of the units as affordable housing. In the absence of a planning obligation to secure these affordable units the scheme would fail to meet the substantial unmet need for affordable housing in the district and the proposal would therefore be contrary to Policy HOUS1 of the Local Plan.

2. Policy COM1 of the of the adopted West Dorset, Weymouth and Portland Local Plan 2015 sets out that where new development will generate the need for new or improved community infrastructure and this need is not being met through the Community Infrastructure Levy, suitable provision should be made on site. Policy LITT1 of the Local Plan sets out the expected infrastructure provision commensurate with this proposal for an urban extension to Littlemoor. This is amplified in the Council's Adopted Supplementary Planning Document 'Planning Obligations Guidelines – 2010'. In the absence of a planning obligation to secure the required community benefits the scheme would fail to mitigate the increase in demand for the necessary infrastructure to support the development generated by the proposal; namely:

Highway improvements;
Drainage provision;
Structural Planting and Green Infrastructure;
Healthcare;
Education;
Community facilities
Sports and recreation provision; and,
Children's' play and open space.

In the absence of a planning obligation, the proposals therefore, fails to meet the provisions of policies INT1, ENV3, ENV5, SUS1, ECON1, COM1, COM2, COM4, COM6 and LITT1 in the West Dorset, Weymouth and Portland Local Plan – (Adopted October, 2015); and, the advice contained in the National Planning Policy Framework – July 2018 (as amended).

APPLICATION NUMBER: WP/17/00836/FUL

APPLICATION SITE: Land NW Side of Wessex Roundabout, Radipole Lane, Weymouth

PROPOSAL: Construction of new vehicular and pedestrian access, surface water management ponds, open space and landscaping associated with the adjacent Wessex Grounds Residential Development.

Decision: Defer the consideration of the application for the applicant to consider the provision, width and location of pavements/cycleways as part of the access and to both sides of it and to give further consideration to the safety of the access and parking.

APPLICATION NUMBER: WP/17/002597/FUL

APPLICATION SITE: Wessex Stadium, Radipole Lane, Chickerell, Weymouth, DT4 9XJ

PROPOSAL: Application for approval of reserved matters for access, appearance, landscaping, layout and scale in relation to outline approval WD/D/14/001938.

Decision: Refuse for the following reasons:

1. The proposed development by reason of its design and materials is not in keeping with nearby development. It is considered to be poor quality design with an urban character in a rural setting and is bland and lacking in distinctive character. Hence the proposed development is contrary to Policies ENV10 and ENV12 of the West Dorset, Weymouth and Portland Local Plan (2015) and paragraphs 127 and 130 of the National Planning Policy Framework (2019).
2. The proposed development having only one access point lacks permeability and constitutes poor urban design with a lack of choice of routes into, out of and through the site contrary to Policy ENV11 of the West Dorset, Weymouth and Portland Local Plan (2015) and paragraph 127 of the National Planning Policy Framework (2019).

APPLICATION NUMBER: WD/D/14/001938

APPLICATION SITE: Weymouth Football Club, Wessex Stadium, Radipole Lane, Chickerell, Weymouth, DT4 9XJ

Report regarding viability in respect of the S106 agreement dated 27 October 2014 associated with outline planning permission WD/D/14/001938

Decision: The scheme is viable and should provide affordable housing and contributions in accordance with the requirements of the S106 agreement.

APPLICATION NUMBER: WP/18/00662/FUL

APPLICATION SITE: Land Off of Verne Common Road & Ventnor Road, Portland

PROPOSAL: Develop vacant land by the demolition of garage, formation of vehicular access, erection of 25 dwellings & associated landscaping

Decision:

A) DELEGATE AUTHORITY TO THE HEAD OF PLANNING TO GRANT, SUBJECT TO COMPLETION OF A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IN A FORM TO BE AGREED BY THE LEGAL SERVICES MANAGER TO SECURE THE FOLLOWING:

The provision of five affordable rented units on site and a financial affordable housing contribution of £59,254 index-linked and a financial contribution for grassland compensation and management for the Local Nature Reserve of £15,638 together with the following conditions (and their reasons):

1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Location Plan - Drawing Number P01 received on 20/08/2018

Lower Tier - 3 Bed Terrace - Ground Floor Plan - Drawing Number P19 Rev A received on 25/11/2019

Lower Tier - 3 Bed Terrace - First Floor Plan - Drawing Number P20 received on 25/11/2019

Lower Tier - 3 Bed Terrace – Front Elevation - Drawing Number P21 Rev A received on 25/11/2019

Lower Tier - 3 Bed Terrace - Rear Elevation - Drawing Number P22 Rev A received on 25/11/2019

Lower Tier - 3 Bed – Rear & Side Elevations - Drawing Number P18 Rev A received on 25/11/2019

Lower Tier - 3 Bed – Front & Side Elevations - Drawing Number P17 Rev A received on 25/11/2019

Upper Tier - 3 Bed - Floor Plans - Drawing Number P08 Rev A received on 25/11/2019
Upper Tier - 3 Bed – Front & Side Elevations - Drawing Number P09 Rev A received on 25/11/2019

Upper Tier - 3 Bed – Rear & Side Elevations - Drawing Number P10 Rev A received on 25/11/2019

Upper Tier - 4 Bed - Floor Plans - Drawing Number P11 Rev A received on 25/11/2019
Upper Tier - 4 Bed – Front & Side Elevations - Drawing Number P12 Rev A received on 25/11/2019

Upper Tier - 4 bed – Rear & Side Elevations - Drawing Number P13 Rev A received on 25/11/2019

Middle Tier - 3 bed – Rear & Side Elevations - Drawing Number P14 Rev A received on 25/11/2019

Middle Tier - 3 bed – Front and Side Elevations - Drawing Number P15 Rev A received on 25/11/2019

Parking layout - Drawing Number P07 Rev C received on 01/03/2019

Proposed Street Elevation 04 - Lower Tier [east elevation] - Drawing Number P31 Rev B received on 25/11/2019

Proposed Street Elevation 02 - Middle Tier [west elevation] - Drawing Number P30 Rev B received on 25/11/2019

Lower Tier – 2 Bed Semi - Front & Side Elevations - Drawing Number P25 Rev B received on 25/11/2019

Lower Tier – 2 Bed Semi - Rear & Side Elevations - Drawing Number P26 Rev B received on 25/11/2019

Lower Tier – 2 Bed Semi - Ground Floor Plan - Drawing Number P23 Rev B received on 25/11/2019

Lower Tier – 2 Bed Semi - First Floor Plan - Drawing Number P24 Rev A received on 25/11/2019

Proposed Street Elevation 01 -Top Tier [west elevation] - Drawing Number P29 Rev C received on 25/11/2019

Lower Tier & Middle Tier - 3 Bed - Floor Plans - Drawing Number P16 Rev A received on 25/11/2019

Bin Store Floor Plans and Elevations - Drawing Number P57 received on 25/11/2019

Site Levels - Drawing Number P59 received on 25/11/2019

Proposed Site Plan - Drawing Number P04 Rev G received on 25/11/2019

Proposed Boundary Treatment - Drawing Number P55 Rev A received on 25/11/2019

Proposed Section dd - Drawing Number P58 received on 25/11/2019

Proposed Street Elevation 05 – Lower Tier [west elevation] – Drawing Number P50 received on 25/11/2019

Proposed Street Elevation 03 – Middle Tier [east elevation] – Drawing Number P49 received on 25/11/2019

Proposed Verne Common Street Elevation – Drawing Number P46 Rev A received 25/11/2019

Proposed Section cc – Drawing Number P53 received 25/11/2019

Proposed Site Section aa – Drawing Number P47 Rev A received 25/11/2019

Proposed Section bb – Drawing Number P28 Rev B received 25/11/2019

Proposed Section aa – Drawing Number P27 Rev B received 25/11/2019

Housing Mix – Drawing Number P06 Rev D received 25/11/2019

Massing Context Plan – Drawing Number P05 Rev D received 25/11/2019

Lower Tier – 3 Bed Terrace – Elevation 04 – Drawing Number P52 received on 25/11/2019

Lower Tier – 3 Bed Terrace – Elevation 03 – Drawing Number P51 received on 25/11/2019

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

3) No development above Damp Proof Course (DPC) level shall be commenced until details and samples of all external facing materials for the wall(s) and roof(s) shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, unless otherwise agreed in writing by the Local Planning Authority the development shall proceed in strict accordance with such materials as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development.

4) No development above Damp Proof Course (DPC) level shall be commenced until a timetable for the implementation of the measures of the Biodiversity Mitigation Plan has been submitted and agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out and maintained in accordance with the agreed timetable and the approved Biodiversity Mitigation Plan signed by dated 23/05/2019 and agreed by Natural Environment Team on 23/05/2019, unless a subsequent variation is agreed in writing with the Council.

REASON: In the interests of biodiversity mitigation and enhancement.

5) No development shall take place until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be adhered to throughout the construction period. The management plan shall provide for:

- Location for loading/unloading and storage of plant, waste or debris and construction materials;
- Details of construction lighting;
- Hours of operation;
- Parking of vehicle of site operative and visitors (including measures taken to ensure satisfactory access and movement of existing occupiers of neighbouring properties during construction);
- Routes of construction traffic;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

REASON: In the interests of road safety, neighbouring amenity and the protection of the SSSI.

6) No development above Damp Proof Course (DPC) level shall be commenced until a landscaping and tree planting scheme shall have been submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented during the first planting season November – March inclusive, immediately following commencement of the development. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years.

REASON: In the interests of visual amenity.

7) No development shall take place until a detailed and finalised surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and with due consideration of the construction phase and including a timetable for the implementation of the scheme, has been submitted to, and approved in writing by the local planning authority. The necessary detailed design shall include all required clarification and substantiation of the proposed surface water management scheme and it shall thereafter be implemented in accordance with the submitted details and timetable.

REASON: To prevent the increased risk of flooding, and to improve & protect water quality.

8) No development shall take place until details of responsibility; maintenance and management of the surface water sustainable drainage scheme and associated infrastructure have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

REASON: To ensure future operation and maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

9) Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on the approved plans must be constructed, unless otherwise agreed in writing by the Local Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

REASON: To ensure the proper and appropriate development of the site.

10) Before the development hereby approved is occupied or utilised the turning and parking shown on the submitted plans must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

REASON: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

Added Condition by Cttee to say:

11) No development above damp proof course level shall take place until a detailed scheme to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development has been submitted and approved in writing with the local planning authority. The scheme shall include a timetable for implementation. Thereafter the development shall be carried out in accordance with such details as have been approved by the Local Planning Authority, including the timetable for implementation.

REASON: To ensure that adequate provision is made to enable occupiers of and visitors to the development to be able to charge their plug-in and ultra-low emission vehicles.

Informatives –

Highways

The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under **Section 38 of the Highways Act 1980**, the applicant should contact the Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Development team, Infrastructure Service, Dorset Council, Hall, Dorchester, DT1 1XJ.

Rights of Way

The applicant is advised that the granting of planning permission does not override the need for existing rights of way affected by the development to be kept open and unobstructed until the statutory procedures authorising closure or diversion have been completed. Developments, in so far as it affects a right of way should not be started until the necessary order for the diversion has come into effect.

Land Instability

The applicant should be satisfied that the proposals have been suitably designed and will not result in instability and approved construction practices should be followed in a responsible, safe manner. The applicant should seek appropriate technical advice and ensure the necessary geotechnical investigations are undertaken to confirm the construction methodology is sound. There should be continual monitoring of ground conditions during any construction work and particularly during any earthwork operations with particular attention to any ground movement or groundwater conditions.

B) REFUSE PERMISSION FOR THE REASONS SET OUT BELOW IF THE AGREEMENT IS NOT COMPLETED WITHIN 6 MONTHS OF THE COMMITTEE RESOLUTION OR SUCH EXTENDED TIME AS AGREED BY THE HEAD OF PLANNING:

Recommendation B: Refuse permission for the reason set out below if the agreement is not completed within 6 months of the committee resolution or such extended time as agreed by the Head of Planning.

1. In the absence of a satisfactory completed Section 106 agreement the scheme fails to ensure provision of the affordable housing on site and any necessary financial contribution for off-site provision. Hence the scheme is contrary to policy HOUS 1 of the West Dorset, Weymouth and Portland Local Plan 2015.

2. In the absence of a satisfactory completed Section 106 agreement the scheme fails to provide adequate compensatory biodiversity/nature conservation measures through the provision of a financial contribution for grassland compensation and management of the Local Nature Reserve. Hence the scheme is contrary to policy ENV 2 of the West Dorset, Weymouth and Portland Local Plan and Section 15 of the National Planning Policy Framework.

APPLICATION NUMBER: WP/19/00699/FUL

APPLICATION SITE: 53 Rodwell, Weymouth, DT4 8QX - Demolition of existing dwelling and erect 6no. apartments with associated landscaping works and parking

PROPOSAL: Demolition of existing dwelling and erect 6no. apartments with associated landscaping works and parking.

Decision:

Approval subject to the following conditions :

1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be carried out in accordance with the approved plans:

Location Plan - Drawing Number 366.P.001 P4 received on 25/09/2019 - Approved

Proposed Ground Floor Plan - Drawing Number 366.P.100 P6 received on 22/08/2019 - Approved

Proposed First Floor Plan - Drawing Number 366.P.101 P7 received on 22/08/2019 - Approved

Proposed Second Floor Plan - Drawing Number 366.P.102 P6 received on 22/08/2019 - Approved

Proposed Roof Plan - Drawing Number 366.P.103 P5 received on 22/08/2019 - Approved

Proposed Section AA - Drawing Number 366.P.200 P3 received on 22/08/2019 - Approved

Proposed Section BB - Drawing Number 366.P.201 P2 received on 22/08/2019 - Approved

Proposed Section AA - Drawing Number 366.P.202 P2 received on 22/08/2019 - Approved

Proposed Section BB - Drawing Number 366.P.203 P2 received on 22/08/2019 - Approved

Proposed West Elevation - Drawing Number 366.P.300 P5 received on 22/08/2019 - Approved

Proposed South Elevation - Drawing Number 366.P.301 P5 received on 22/08/2019 - Approved

Proposed East Elevation - Drawing Number 366.P.302 P6 received on 22/08/2019 - Approved

Proposed North Elevation - Drawing Number 366.P.305 P5 received on 22/08/2019 - Approved

View facing South as Proposed - Drawing Number 366.P.500 P3 received on 22/08/2019 - Submitted

View facing South as Proposed - Drawing Number 366.P.501 P3 received on 22/08/2019 - Submitted

View facing West as Proposed - Drawing Number 366.P.502 P3 received on 22/08/2019 - Submitted

View facing North as Proposed - Drawing Number 366.P.503 P3 received on 22/08/2019 - Submitted

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

3 Before any development is carried out above damp proof course level details and samples of all facing and roofing materials shall be submitted to, and approved in writing by, the Local Planning Authority and the development shall be completed in accordance with these details.

Reason: To ensure that the external appearance of the completed development is sympathetic to its locality.

4. Before any development is carried out above damp proof course level, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscaping shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality.

5 Before the development hereby approved is occupied or utilised the turning and parking shown on the submitted plans must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

6 Before the development hereby approved is occupied or utilised provision must be made to ensure that no surface water drains directly from the site onto the adjacent public highway.

Reason: To ensure that the site is properly drained and that surface water does not flow onto the highway.

7 Prior to any construction taking place a Construction Environmental Management Plan detailing hours of construction and parking for site operatives shall have been submitted to, and approved in writing by the Local Planning Authority. Thereafter, unless otherwise agreed in writing by the Local Planning Authority the development shall proceed in strict accordance with the plan as have been agreed.

Reason. To safeguard the amenity of neighbours from undue noise and disturbance

8 There shall be no use of the flat roof area above apartment 1 as an external amenity area and there shall be no direct access to that area from apartment 2. Prior to the occupation of apartment 2 the window proposed to be installed immediately next to the external balcony of apartment 2 as shown on the submitted plans on the east elevation shall be permanently fixed shut.

Reason. To safeguard the amenity of neighbours

9 No apartment hereby approved shall be brought into occupation unless and until the privacy/balcony screens as shown on the east elevation for proposed apartments 2-5 have been provided in accordance with the approved plans. When provided they shall be permanently retained as such.

Reason. To safeguard the amenity of neighbours

10 Added Condition by Cttee to say:

No development above damp proof course level shall take place until a detailed scheme to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development has been submitted and approved in writing with the local planning authority. The scheme shall include a timetable for implementation. Thereafter the development shall be carried out in accordance with such details as have been approved by the Local Planning Authority including the timetable for implementation.

REASON: To ensure that adequate provision is made to enable occupiers of and visitors to the development to be able to charge their plug-in and ultra-low emission vehicles.

INFORMATIVE NOTE: Dorset Highways

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at Dorset Direct (01305 221000), by email at dorsetdirect@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

APPLICATION NUMBER: WP/19/00611/FUL

APPLICATION SITE: Martleaves House, 41 South Road, Weymouth, DT4 9NR

PROPOSAL: Removal of stables and redundant barn/store. Erect 4.no detached houses and two double car ports.

Decision: approved subject to the following conditions.

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended)

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

Location & Site Plan - Drawing Number 2018 07 13 received on 25/07/2019 - Submitted

Proposed Elevations - Drawing Number 2018 07 14 received on 25/07/2019 - Submitted

Proposed Floor & Site Plan - Drawing Number 2018 07 12 received on 25/07/2019 - Submitted

Topographical Survey - Drawing Number 2018 07 07 A received on 25/07/2019 – Submitted

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

3. Before the development hereby approved is occupied or utilised the turning and parking shown on the submitted plans must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

4. The development shall be carried out in accordance with the report and recommendations of the submitted Biodiversity Mitigation & Enhancement Plan of Lowens Ecology Survey and Assessment dated 6.9.19 and further details as set out in the Dorset Natural Environment Team Biodiversity Mitigation and Enhancement Plan.

Reasons: In the interests of nature conservation

5. Prior to development above damp proof course level details and samples of all facing and roofing materials shall be submitted to, and approved in writing by, the Local Planning Authority and the development shall be completed in accordance with these details.

Reason: To ensure that the external appearance of the completed development is sympathetic to its locality.

6. Before the commencement of development, unless otherwise agreed by the Local Planning Authority, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscaping shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality.

Informatives:

NPPF

CIL

Right of way Footpath No. 73 to remain open at all time.

APPLICATION NUMBER: WD/D/19/002295 & WD/D/19/002296/LBC

APPLICATION SITE: The Barn House, Main Street, Loders, Bridport, DT6 3SA

PROPOSAL: Demolition of an outbuilding and Conversion and extension of an outbuilding to create a dwelling

Decision: approved

WD/D/19/002295/FUL

GRANT PLANNING CONSENT subject to the following conditions:

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

Location Plan - Drawing Number 39/115/1 received on 11/09/2019

Proposed Block Plan - Drawing Number 39/115/6 received on 11/09/2019

PLAN / ACCESS DETAILS - Drawing Number 39/115/12 received on 11/09/2019

Floor Plan - Drawing Number 39/115/8A (Amended) received on 20/12/2019

Proposed South & West Elevations - Drawing Number 39/115/10 Rev A (Amended) received on 20/12/2019

Proposed north & east Elevations - Drawing Number 39/115/9 Rev A (Amended) received on 20/12/2019

SECTION A A / WEST ELEVATION - Drawing Number 39/115/11 Rev A (Amended) received on 20/12/2019

Site Plan - Drawing Number 39/115/7 Rev A (Amended) received on 20/12/2019

Block Plan - Drawing Number 39/115/2 Rev A (Amended) received on 29/01/2020

Block Plan - Drawing Number Block Plan - Drawing Number 39/115/6 Rev C (Amended) received on 29/01/2020

Site Plan - Drawing Number 39/115/7 Rev A (Amended) received on

29/01/2020 REASON: For the avoidance of doubt and in the interests of proper planning.

2 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

3 The development hereby approved shall be carried out in accordance with the flood risk management measures as detailed in the Flood Risk Assessment dated September 2019 and shall be maintained as such thereafter.

REASON: In order to safeguard the accommodation from unnecessary flood risk.

4 The biodiversity mitigation measures set out in the approved Biodiversity Mitigation and Enhancement Plan dated December 2019 shall be implemented in full in accordance with the timetable set out, or in the absence of a specific timetable, prior to the development hereby approved being first brought into use and the site shall thereafter be maintained in accordance with the approved mitigation proposals.

REASON: In the interests of protected species and site biodiversity.

5 Prior to first occupation of the dwelling hereby approved, the barn to the south of the site shall be permanently removed, in accordance with the submitted plans.

REASON: In the interests of visual amenity.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargement(s) of the dwellinghouse hereby approved, permitted by Class A and Class B of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

Reason: To protect amenity and the character of the area.

7 The boundary hedgerow between the application site and Loders Primary School shall not be removed unless the written consent of the Local Planning Authority has first been received.

Reason: In the interests of privacy and amenity.

Informatives

National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and

as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case, the applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer

WD/D/19/002296/LBC

GRANT LISTED BUILDING CONSENT approved subject to the following conditions:

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

Location Plan - Drawing Number 39/115/1 received on 11/09/2019

Proposed Block Plan - Drawing Number 39/115/6 received on 11/09/2019

PLAN / ACCESS DETAILS - Drawing Number 39/115/12 received on 11/09/2019

Floor Plan - Drawing Number 39/115/8A (Amended) received on 20/12/2019

Proposed South & West Elevations - Drawing Number 39/115/10 Rev A (Amended) received on 20/12/2019

Proposed north & east Elevations - Drawing Number 39/115/9 Rev A (Amended) received on 20/12/2019

SECTION A A / WEST ELEVATION - Drawing Number 39/115/11 Rev A (Amended)
received on 20/12/2019

Site Plan - Drawing Number 39/115/7 Rev A (Amended) received on 20/12/2019

Block Plan - Drawing Number 39/115/2 Rev A (Amended) received on 29/01/2020

Block Plan - Drawing Number Block Plan - Drawing Number 39/115/6 Rev C
(Amended) received on 29/01/2020

Site Plan - Drawing Number 39/115/7 Rev A (Amended) received on 29/01/2020

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

2 The work to which it relates must be begun no later than the expiration of three years beginning with the date on which the consent is granted.

REASON: This condition is required to be imposed by reason of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

3 Prior to the commencement of the construction works, a sample of the natural slate shall be submitted to, and approved in writing by, the Local Planning Authority. The slates shall be nailed, not hooked, into place. Thereafter, the works shall be carried out in strict accordance with the approved details.

Reason: To preserve or enhance the character and appearance of the heritage asset.

4 All new guttering shall be black-painted cast metal.

Reason: To preserve or enhance the character and appearance of the heritage asset.

5 All external flues shall be painted black.

Reason: To preserve or enhance the character and appearance of the heritage asset.

6 All rooflights shall be flush fitting, metal conservation rooflights, with central, integral glazing bars.

Reason: To preserve or enhance the character and appearance of the heritage asset.

7 Prior to commencement of the construction works, details and plans of all new vent/extract/flue/boiler locations, together with their material and finish, shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with the approved details.

Reason: To preserve or enhance the character and appearance of the heritage asset.

8 Prior to commencement of the construction works, a sample wall panel measuring at least 1sqm, showing the proposed stone, coursing, mortar mix (which shall be lime based) and method of pointing for the new extension, shall be submitted to, and approved in writing by, the Local Planning Authority.

Thereafter, the development shall proceed in strict accordance with the approved details.

Reason: To preserve or enhance the character and appearance of the heritage asset.

9 Prior to the commencement of construction works, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include where relevant: (i) proposed finished levels or contours; (ii) means of enclosure; (iii) car parking layouts; (iv) other vehicle and pedestrian access and circulation areas; (v) hard surfacing materials; (vi) minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting, etc); (vii) proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines, etc indicating lines, manholes, supports, etc); (viii) retained historic landscape features and proposals for restoration. If within a period of 5 years from the date of the planting of any tree/plant, that tree/plant or any tree/plant planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) another tree/plant of the same species and size as that originally planted shall be replanted in the first available planting season unless the Local Planning Authority agrees in writing to any variation.

Reason: To preserve or enhance the character and appearance of the heritage asset.

10 Prior to commencement of construction works, detailed elevations (scale 1:10) and sections (scale 1:5) of all new windows and external doors, including details of their material and finish, shall be submitted to and approved in writing by the Local Planning Authority. Any double glazing shall be slimline with black spacers. The development shall proceed in strict accordance with the agreed details.

Reason: To preserve or enhance the character and appearance of the heritage asset.

APPLICATION NUMBER: WP/19/00501/FUL

APPLICATION SITE: 73-75 Portland Road, Weymouth, DT4 9BE

PROPOSAL: Conversion of shop and residential accommodation to 2no. dwellings and erect 3no. dwellings to the rear fronting Williams Avenue.

Decision: Refused for the following reason:

The proposed development of a total of 5 dwellings would have an unduly cramped form of development with small external amenity areas for future occupiers and would result in an overdevelopment of the site. As such it would be contrary to Policies ENV10 and ENV12 of the adopted West Dorset, Weymouth and Portland Local Plan, and contrary to good design as is set out in Section 12 of the National Planning Policy Framework and in particular para 127 which encourages a good standard of amenity for existing and future occupiers.

Dorset Council

Covid-10 Pandemic – Addendum to the Guide to Public Speaking Protocol for Planning Committee meetings

Due to the Covid-19 pandemic the council has had to put in place measures to enable the council's decision making processes to continue whilst keeping safe members of the public, councillors and council staff in accordance with the Government's guidance on social distancing by applying new regulations for holding committee meetings from remote locations.

The following procedures will apply to planning committee meetings until further notice, replacing where appropriate the relevant sections of the Guide to Public Speaking at Planning Committees:

1. While planning committee meetings are held remotely during the Coronavirus outbreak public participation will take the form of written statements (and not public speaking) to the committee.
2. If you wish to make a written statement it must be no more than 450 words with no attached documents and be sent to the Democratic Services Team by 8.30am two working days prior to the date of the committee – i.e. for a committee meeting on a Wednesday written statements must be received by 8.30am on the Monday. The deadline date and the email contact details of the relevant democratic services officer can be found on the front page of the committee agenda. The agendas for each meeting can be found on the Dorset Council website
<https://moderngov.dorsetcouncil.gov.uk/mgListCommittees.aspx?bcr=1>
3. During this period the council can only accept written statements via email and you should continue to bear in mind the guidance in the public speaking guide when preparing your representation.
4. The representations made by members of the public will be read out, in the order in which they were received, by the Chairman or an officer (but not the case officer), after the case officer has presented their report and before the application is debated by members of the Committee. It may be that not all of your representation will be read out if the same point has been made by another representation and already read to the Committee.' The time period for the receipt of the written representations will remain at 15 minutes, although the Chairman of the Committee will retain discretion over this time period as she/he sees fit.
5. This addendum applies to members of public (whether objecting or supporting an application, town and parish councils, planning agents and applicants).

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1.0 [WD/D/20/000109](#)

Site Address - WOODROFFE SCHOOL, UPLYME ROAD, LYME REGIS, DT7 3LX

Proposal - Erect new school building with associated landscaping.

Applicant name – Dorset Council

Case Officer – Darren Rogers

Ward Member(s) Cllr D Turner

This application is reported to Planning Committee as the applicant is Dorset Council in line with the Councils constitution.

2.0 **Summary of Recommendation:** Grant subject to conditions

2.0 **Reason for the recommendation:**

- The proposal is considered to acceptable in its design and general visual impact and as regards impact on the AONB and in the context of the wider school grounds.
- There is not considered to be any significant harm to neighbouring residential amenity.
- The proposal is not considered to adversely affect nature conservation considerations.
- The proposal is not considered to adversely affect land stability considerations.
- There are no other material considerations which would warrant refusal of this application.

3.0 **Key planning issues**

Issue	Conclusion
Principle of Development	Presumption in favour of sustainable development it being located within the defined development boundary for Lyme Regis.
Design	Design considered appropriate for the site.
Amenity	Not considered to result in a significant adverse effect on living conditions of either neighbouring properties.
AONB	Would be viewed in relation to neighbouring built form and within the

	school complex.
Highway Safety	Highways raise no objections.
Biodiversity/Nature Conservation	Considered acceptable subject to conditions.
Land Stability	Considered acceptable subject to conditions.

4.0 Description of Site

4.1 The site at present consists of the well established Woodroffe School located within the defined development boundary of Lyme Regis which along with the whole of the town is designated an Area of Outstanding Natural Beauty.

5.0 Description of Proposal

5.1 The existing school has had an increase since 2014 from 168-174 Pupils, and this has not been considered sufficient for expansion funding. However a Feasibility Study to address the condition need of the existing ROSLA Block (Raising of School Leavers Age) funded by the Education Skills and Funding Agency (ESFA) under the second phase of the Priority School Building Programme (PSBP2) Local Delivery Scheme has been completed.

5.2 The School has achieved funding to provide new facilities on the site defined within this planning application. This was the preferred solution identified by the feasibility study after demonstrating deliverability and value for money, with the outline business case being approved by the ESFA.

5.3 The proposal is for a new two-storey teaching block, proposed to replace the existing facilities currently provided within the ROSLA Block and has a gross internal floor area of 512m². The ground floor accommodation of 241.6m², comprises of a library resource centre, toilet, office, store and ancillary spaces. The first-floor accommodation of 270.5m², comprises of three general classrooms, a small group room, toilet, office and a store.

5.3 A Ground Investigation report; Preliminary Ecological Appraisal With Biodiversity Mitigation Enhancement Plan; Compliance Report – Performance Study; and Structural Report has been submitted along with Tree; Landscaping; and Lighting reports

6.0 Relevant Planning History - There have been various applications across this site none of which are essentially relevant to this determination.

7.0 Relevant Constraints

Within the defined development boundary for Lyme Regis
AONB designation
Instability Zone 1

8.0 Consultations

All consultee responses can be viewed in full on the website.

8.1 Highways - *As the proposal does not represent an intensification of use of the site with no alterations to onsite car parking or servicing and is clear of the public highway the Highway Authority has NO OBJECTION to the proposal.*

8.2 Lyme Regis Town Council - *Members recommended that the application be approved because there were no material listings that would warrant its refusal.*

8.3 Technical Services - *With regards to this application i have no objection. A site investigation has been undertaken to understand the geological implications of constructing the development at this location so that the ground stability is not affected. This has helped inform the design process particularly with regards the potential retaining elements for the site and the foundations. It appears that some further design work will be required in this regard. Building Control will have to be satisfied with the retaining structures and foundation arrangements if/when an application is made for Building Regs approval. I would also advise that all collected surface water is discharged to a piped drainage system (as appears to be the case) or harvested in some way and does not drain to soakaway.*

8.4 Environmental Health - *In view of the previous use of this site, the planning authority will have to satisfy itself that it is able to fully discharge its liabilities in respect of contaminated land. It is recommended that, should consent be granted, a suitable condition is applied which requires the applicant, in the event that ground contamination is encountered during construction, to cease operations and seek specialist advice; operations should not recommence without the written consent of the planning authority. The planning authority may wish to advise the applicants or their agents that the planning authority will in these circumstances be guided by:*

*BS 10175:2001 Investigation of potentially contaminated sites - Code of Practice
Guidance for the Safe Development of Housing on Land Affected by Contamination
(Environment Agency). NB – This can be covered by an informative note*

9.0 Representations

9.1 One representation with concerns about closeness to a neighbouring boundary and possible over-looking/shadowing concerns.

10.0 Relevant Policies

West Dorset, Weymouth and Portland Local Plan

INT1.	Presumption In Favour Of Sustainable Development
ENV1.	Landscape, Seascape And Sites Of Geological Interest
ENV2.	Wildlife And Habitats
ENV10.	The Landscape And Townscape Setting
ENV11.	The Pattern of Streets And Spaces
ENV12.	The Design And Positioning Of Buildings
ENV15.	Efficient And Appropriate Use Of Land
ENV16.	Amenity
SUS1.	The Level Of Economic And Housing Growth
SUS2.	Distribution Of Development
COM6.	The Provision Of Education And Training Facilities
COM7.	Creating A Safe And Efficient Transport Network
COM9.	Parking Standards In New Development
COM10.	The Provision Of Utilities Service Infrastructure

10.2 National Planning Policy Framework

Section 2 – Achieving sustainable development

Section 4 – Decision-making

Section 6 - Building a strong, competitive economy

Section 9 – Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well designed places

Section 15 - Conserving and enhancing the natural environment

Decision making:

Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Other material considerations

- Design and Sustainable Development Planning Guidelines (adopted 2009)
- West Dorset Landscape Character Assessment 2009
- DCC Parking standards guidance

11.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

12.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

13.0 Financial benefits

Material benefits of the proposed development	
None relevant	

14.0 Climate Implications

14.1 The development will comply fully with Building Regulations and is accompanied with a fully detailed “Compliance Report – Performance Study” as regards building construction and the energy performance of the building.

14.2 Energy would be used as a result of the production of the building materials and during the construction process but the development would be built to current building regulation standards at the time of construction.

15.0 Planning Assessment - The following issues are considered relevant to this proposal:

- Principle of development
- Design/Character of the Area/ Landscape AONB Impacts
- Amenity
- Highways/Access and Parking
- Biodiversity
- Land Instability

15.1 Principle of development - The site is within the development boundary and within the school complex. The principle of what is proposed is therefore clearly acceptable.

15.2 Policy COM6 The Provision of Education and Training Facilities of the adopted Local Plan states:

i) *Proposals for the provision of new/replacement facilities or the expansion of existing education and training facilities will be supported, provided that:*

- *The location is well linked in terms of accessibility to the local catchment (taking into account how this may change through the development of strategic housing sites); **(this criteria is met)** and*
- *Any loss of facilities consequential to the development is re-provided to the same or higher standard. **(this criteria is met)***

15.3 Given the above the proposal accords with Policy COM6.

15.4 Design/Impact on Character of the Area/AONB

The vernacular on the school site and surrounding context has been carefully considered in order to ensure that the new proposal is effectively integrated into the existing school campus. The prominent original school building is of Gothic Revival architectural style, common among school campus's in the early 20th Century. The existing school campus has a variety of teaching blocks being defined by different materials. The existing materials consist of red brick, stone, blockwork, metal cladding, clay tiles, and standing seam or metal roofs.

15.5 The proposed materials have been developed to reference the palette of materials found within the local area and the existing campus. The proposal draws on the character of the original 1930s Gothic Revival Grammar School building, with the use of matching red brick, black window frames and a tiled pitched roof form. This use of a natural, high quality material palette will begin to create a coherent style across the campus, enabling it to exhibit a sense of place. Careful contemporary detailing will reflect the pattern and use of the building as a modern teaching facility.

15.6 At pre-application stage officers advised that the design appeared to be well considered, with the massing of the building as a whole broken up, and the single storey elevation on the SW side sympathetic in relation to the residential properties nearby. The current proposal continues and improves on this by retaining the single storey elevation to the south-west side by lowering the building into the ground, and reflecting the form of the neighbouring residential properties with the use of a pitched roof form.

15.7 Although the proposal would likely appear to be quite large and by virtue of its height and proximity to the adjacent tennis courts 'loom' over this area, this is not an

objectionable issue in the context of the other school buildings. The building would likely be visible from the opposite hill slope across the Lyme valley (in and around Colway Lane/ Talbot Road for example to the east) and this possesses a potential landscape impact threat. However the proposed building will be largely screened by the existing mature vegetation and the ridge level of the proposal is approximately 2 metres lower than the existing sports hall and will be of a similar massing and form as the surrounding buildings. The use of a tiled pitched roof and red facing brick ensures that the proposal reflects the materials of the local context, allowing the building to blend in to the landscape and not become a prominent feature within the setting.

15.8 As such the design solution would not unacceptably harm the character and appearance of the local area designated an AONB and as such would not conflict with Policies ENV1, ENV10 and ENV12 of the adopted Local Plan nor the National Planning Policy Framework (Framework) and in particular Section 12, all of which seek a good quality of design which respects the local context.

15.9 Amenity

Policy ENV16 of the Local Plan and paragraph 127 of the Framework seek to ensure that new development provides a high standard of amenity for existing and future users. In this regard the main impact is on neighbour's amenity. At pre-application stage officers outlined that there does not appear to be any major issues with impact on neighbouring amenity as the site sits well below the level of the residential properties to the SW and there is a good degree of vegetated screening along the mutual boundary. The single storey element of the development would not be overbearing.

15.10 The submitted proposal further reduces the scale and massing of the single-storey element and will have no impact upon the existing boundary vegetation between the school and the neighbouring residential properties. The proposal is set back approximately 23m from the boundary with the neighbouring properties, with a ridge level around 2m lower than the existing sports hall. In order to reduce potential impact upon neighbouring amenity, construction activity on site will be limited to the times below. This can form part of a planning condition if required.

Monday to Friday 08:00 - 18:00

Saturday 08:00 - 13:00

Not at all on Sundays or Bank Holidays

15.11 As such it is considered that the proposal would be in accordance with Policy ENV16 of the local Plan which sets out that proposals for development should be designed to minimize their impact on the amenity and quiet enjoyment of existing properties and ensure amongst other things that it does not have a significant adverse effect on the living conditions of occupiers of residential properties through loss of privacy; or inadequate daylight or excessive overshadowing, overbearing impact.

15.12 Highway Safety

As the proposal does not represent an intensification of use of the site with no alterations to onsite car parking or servicing and is clear of the public highway the Council as Highway Authority has no objection to the proposal. As such in respect of highway safety, it is considered that the proposal meets the requirements of Policy COM7 & COM9 in the Adopted West Dorset and Weymouth & Portland Local Plan (2015), and the advice contained in the NPPF.

15.13 Biodiversity/Ecology Trees

The application is accompanied by an Ecological Survey and Biodiversity Mitigation Plan (BMP)

15.14 A tree survey has been included with the submission and highlights measures required to protect the existing mature vegetation. Careful consideration has been given to the placement of the proposal to ensure that it does not negatively impact upon the existing mature trees and roots to the south. The proposal will require the removal of six existing small trees, however a proposed landscape scheme designed by Indigo, has been developed and submitted as part of this application, demonstrating measures to mitigate this. This includes new areas of soft landscaping, the planting of eight new trees and the inclusion of biodiverse planting and habitat measures. Provided that this is conditioned to be carried out in accordance with the submitted reports it can therefore be concluded that there will be no adverse effect on ecology or trees

15.15 Ground Conditions/Land Stability

The campus sits on sloping, unstable ground and therefore requires careful and well-considered engineering. The land is in slope instability zone 1. The building has been positioned in an under utilised area of the site, that will not impact upon the amenity of other facilities on the school campus. The sloping site allows the proposal to be lowered into the site, therefore reducing the scale and impact of the massing within the landscape.

15.16 The position of the new teaching facility lowered into the ground in this part of the hillside offers an opportunity to improve the circulation around the campus, allowing the school to provide step-free access between the upper and lower levels of the site. A ground investigation survey was carried out in June 2019 and has been submitted as part of this application. This highlights that the site features medium-dense sand dominated soil at approximate 103.2m OD, allowing wall and column loads to be supported off of conventional shallow strip or pad foundations.

15.17 Nevertheless the foundations and building will be carefully detailed and engineered, with a robust retaining wall developed and constructed to ensure the ground stability is not compromised. Your Technical Services officers state that they have no objection. A site investigation has been undertaken to understand the geological implications of constructing the development at this location so that the

ground stability is not affected. This has helped inform the design process particularly with regards the potential retaining elements for the site and the foundations. It appears that some further design work will be required in this regard. Building Control will have to be satisfied with the retaining structures and foundation arrangements if/when an application is made for Building Regs approval. Your Technical Services officers advise that all collected surface water should be discharged to a piped drainage system (as appears to be the case) or harvested in some way and does not drain to soakaway. This can be conditioned

16.0 Conclusion

16.1 The school vernacular has been carefully considered in order to ensure that the new proposal is effectively integrated into the existing school campus. The new building has been designed to reflect the scale and massing of the existing teaching blocks, as well as the rhythm of the surrounding context. An appropriate landscaping scheme, with the introduction of trees around the new building will help to effectively integrate it into school surroundings. It is considered that the proposal creates no visual harm to the surrounding area and that the sympathetic design approach is a positive enhancement, forming a strong relationship with the site. The building responds to the school vernacular in its form, rhythm, massing and by using a palette of high quality materials.

16.2 The proposed development is acceptable and therefore recommended for approval.

17.0 Recommendation - Grant subject to the following conditions:

1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Existing Site Location Plan and Block Plan - Drawing Number P001 Rev D received on 14/01/2020

Proposed Lower Ground Floor Plan - Drawing Number P004 Rev D received on 14/01/2020

Proposed North West Elevation - Drawing Number P009 Rev D received on 14/01/2020

Proposed North East Elevation - Drawing Number P006 Rev D received on 14/01/2020

Drainage Layout - Drawing Number SK-02 Rev P1 received on 14/01/2020

Proposed Upper Ground Floor Plan - Drawing Number P005 Rev E received on 14/01/2020

Tree Removal Plan - Drawing Number 882-TR-01 received on 14/01/2020
Proposed Site Plan - Drawing Number P003 Rev E received on 14/01/2020
Proposed Section - Drawing Number P010 Rev I received on 14/01/2020
Landscape Plan - Drawing Number 882-MP-01 Rev A received on 14/01/2020
Proposed South East Elevation - Drawing Number P007 Rev D received on 14/01/2020
Proposed South West Elevation - Drawing Number P008 Rev D received on 14/01/2020

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

3) Before any development is carried out above damp proof course level details and samples of all facing and roofing materials shall be submitted to, and approved in writing by, the Local Planning Authority and the development shall be completed in accordance with these details.

Reason: To ensure that the external appearance of the completed development is sympathetic to its locality.

4). The development shall be carried out in accordance with the Tree Report and Tree Removal Plan 882-TR-01 received on 14th January 2020 and the recommendations of the Preliminary Ecological Appraisal of Nikki Taylor dated 9 August 2018 along with the accompanying Biodiversity Mitigation & Enhancement Plan received on 14th January 2020 unless agreed otherwise in writing with the local planning authority. The works shall be carried out prior to the occupation of any part of the development.

REASON: In the interests of nature conservation.

5) The development shall be carried out in accordance with the landscaping scheme received 14th January 2020 drawing number 882-MP-01 REV and the Proposed External Lighting Plan received 14th January 2020. The works shall be carried out in the first available planting season or prior to the occupation of any part of the development.

REASON: In the interests of enhance the visual amenities of the locality.

6) Hours of construction shall be limited to the following hours:

Monday to Friday 08:00 - 18:00

Saturday 08:00 - 13:00

Not at all on Sundays or Bank Holidays

Reason: In the interests of neighbouring amenity

7) All collected surface water shall be discharged to a piped drainage system or harvested in some way so that it does not drain to soakaway.

REASON: In the interests of land stability

INFORMATIVE NOTE TO APPLICANT

In view of the previous use of this site, the planning authority will have to satisfy itself that it is able to fully discharge its liabilities in respect of contaminated land. It is recommended that, should consent be granted, a suitable condition is applied which requires the applicant, in the event that ground contamination is encountered during construction, to cease operations and seek specialist advice; operations should not recommence without the written consent of the planning authority. The planning authority may wish to advise the applicants or their agents that the planning authority will in these circumstances be guided by:

BS 10175:2001 Investigation of potentially contaminated sites - Code of Practice Guidance for the Safe Development of Housing on Land Affected by Contamination (Environment Agency).

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1.0 [WD/D/19/003024](#)

Site Address - WINSHAM BRIDGE, WINSHAM

Proposal - Repairs to stone work of bridge & replacement of stone rip-rap river bed through arch with stone filled gabion.

Applicant name – Dorset Council

Case Officer – Darren Rogers

Ward Member(s) – Cllr Christopher

This application is reported to Planning Committee as the Council is the applicant as required by the Constitution.

1.1 Summary of Recommendation: Issue a Listed Building Lawful Development Certificate

2.0 Reason for the recommendation:

2.1 The proposed works would not affect the character of the listed building as a building of special architectural or historic interest and as such listed building consent is not required.

3.0 Key planning issues

Issue	Conclusion
<p>The main issue for consideration in determining applications for these type of applications in connection with a Listed Building are:</p> <ul style="list-style-type: none">• whether the works proposed are lawful for listed building control purposes under section 61 of the Enterprise and Regulatory Reform Act 2013 as not affecting the character of the listed building as a building of special architectural or historic interest.• Whether Listed Building Consent for the proposed works is a requirement.	<p>The proposed works would not affect the character of the listed building as a building of special architectural or historic interest and as such listed building consent is not required.</p>

4.0 Description of Site

4.1 The application site relates to a listed bridge that the Council maintains on the County border with Dorset and South Somerset just south of the village of Winsham in South Somerset. The bridge is known as Winsham Bridge.

4.2 This is a Grade II listed structure built by Sir Alexander Hood of single semi-circular arched design with triple key stone. The stone is roughly squared rubble with dressed stone dressings. Parapets slightly arched with chamfered ashlar copings winging out to dressed stone piers.

5.0 Description of Proposal

5.1 The proposal is for remedial works to the parapets and spandrel stonework and pointing, along with the reinforcement of the riverbed beneath the bridge to resist erosion.

6.0 Relevant Planning History

6.1 None relevant.

7.0 Relevant Constraints

7.1 N/A

8.0 Consultations

All consultee responses can be viewed in full on the website.

8.1 Parish Council - *This works need doing to protect the bridge and is therefore supported by Thorncombe Parish Council (NB - these comments are immaterial to this determination)*

8.2 Dorset Council Conservation Officer- *The works are related to repointing, some stone replacement and other stone re-bedding. A revised drawing DWG BS0060_601_1_A has now been supplied, confirming the extent of each type of works and the use of a pure lime mortar for repairs.*

In addition, the clearing out of silt etc. from under the bridge arch is also proposed but this does not involve any replacement of historic fabric or relate directly to the structure itself. Following this clearance, riverbed reinforcement is proposed to resist the ongoing scouring and two options are suggested:

the use of the gabion mattresses would be preferred as a reversible approach.

The scheme is considered to involve relatively minimum intervention in materials sympathetic to the historic structure's listed status, and is regarded as remedial repairs, not affecting its special character and historic interest.

Therefore, no formal LBC is required.

8.3 South Somerset District Council Conservation Officer – *notes that the bridge is subsiding and has already had stone gabions installed on South Somerset's side. I am happy to defer to you on this.*

9.0 Representations

9.1 None received

10.0 Relevant Policies

National Planning Policy Framework

N/A to this lawful development certificate

Adopted West Dorset and Weymouth & Portland Local Plan (2015)

N/A to this lawful development certificate determination

Other material planning considerations:

- Section 26H of the Planning (Listed Buildings and Conservation Areas) Act 1990 (introduced under section 61 of the Enterprise and Regulatory Reform Act 2013, regarding Certificates of Lawfulness for proposed works to listed buildings).

11.0 Human rights

N/A to this lawful development certificate determination

12.0 Public Sector Equalities Duty

N/A to this lawful development certificate determination

13.0 Financial benefits

N/A to this lawful development certificate determination

14.0 Climate Implications

N/A to this lawful development certificate determination

15.0 Planning Assessment

15.1 The main issue for consideration in determining applications for these type of applications in connection with a Listed Building are:

- whether the works proposed are lawful for listed building control purposes under section 61 of the Enterprise and Regulatory Reform Act 2013 as not affecting the character of the listed building as a building of special architectural or historic interest.
- Whether Listed Building Consent for the proposed works is a requirement.

15.2 If the Council determines that the proposals **DO** affect the character of the listed building as a building of special architectural or historic interest then we would have to explain why and refuse the Certificate of Lawfulness application as not being lawful under S61 of the above Act.

15.3 If the Council determines that the proposals **DO NOT** affect the character of the listed building as a building of special architectural or historic interest then we would approve the Certificate of Lawfulness application as being lawful under S61 of the above Act and no Listed Building Consent application would be required for the proposals.

15.4 As is set out above the Councils Conservation Officer has been consulted on the proposed works and comments that the works are related to repointing, some

stone replacement and other stone re-bedding. A revised drawing DWG BS0060_601_1_A has now been supplied, confirming the extent of each type of works and the use of a pure lime mortar for repairs.

15.5. In addition, the clearing out of silt etc. from under the bridge arch is also proposed but this does not involve any replacement of historic fabric or relate directly to the structure itself. Following this clearance, riverbed reinforcement is proposed to resist the ongoing scouring and two options are suggested but the use of the gabion mattresses would be preferred as a reversible approach. The applicant has confirmed this to be the case.

15.6 The scheme is considered to involve relatively minimum intervention in materials sympathetic to the historic structure's listed status, and is regarded as remedial repairs, not affecting its special character and historic interest. As such it is considered that no formal Listed Building Consent is required.

15.7 However there remains one minor complication. The County Boundary lies in the middle of the river between Dorset and South Somerset and as a result the bridge straddles the boundary. Dorset highways (bridges section) operate in such a way that where bridges cross local authority boundaries they have local arrangements in place and so in some cases Dorset Council highways look after the whole of a bridge that technically falls outside the Council's county boundary and vice versa.

15.7 While there is a local arrangement that Dorset Council maintains this bridge (even if half of it is in South Somerset) from a planning point of view we have no jurisdiction to deal with a Lawful Development Certificate application for a listed building that deals with land technically that is not in our area.

15.7 South Somerset's Conservation Officer has responded to a consultation on it and *"notes that the bridge is subsiding and has already had stone gabions installed on our side. I am happy to defer to you on this unless there is anything specific that needs my input"*.

15.8 While that deferral to us to deal with it is fine in principle we would still need formal authority from South Somerset District Council agreeing for Dorset Council to issue a Lawful Development Certificate for the works proposed e.g. over the location plan that spans all of the bridge. Your case officer has made that request to South Somerset and we are awaiting a reply and I will update Members verbally at Committee.

15.9 Should that authority from South Somerset not be forthcoming then the Council's highways section will need to make a separate application to South Somerset for the works related to the other half of the bridge that falls technically in their area. In the meantime I have received a location plan that shows the red edge

of the bridge boundary only for that part falling in Dorset Council's area for the time being.

16.0 Conclusion

16.1 16.1 The application for a Certificate of Proposed Lawful Development should be granted because the proposed works would not affect the character of the listed building as a building of special architectural or historic interest. Listed Building Consent is therefore not a requirement.

17.0 Recommendation –

- a) That Dorset Council issues a Lawful Development Certificate for the works proposed that fall within the Dorset Council area only because the works are considered to not affect the character of the listed building as a building of special architectural or historic interest and therefore the proposed works would be lawful; or
- b) That Dorset Council issues a Lawful Development Certificate for the works proposed in their entirety because the works are considered to not affect the character of the listed building as a building of special architectural or historic interest and therefore the proposed works would be lawful but only provided that we have first received formal authority from South Somerset District Council agreeing for Dorset Council to issue a Lawful Development Certificate for those whole works proposed e.g. over the location plan that spans all of the bridge.

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