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WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 3 DECEMBER 2020

A recording of the meeting can be found on the committee page by using the following link:- [Link to committee page](#)

Present: Cllrs Dave Bolwell, Kelvin Clayton, Susan Cocking, Jean Dunseith, Nick Ireland, Louie O'Leary, Bill Pipe (Vice-Chairman), David Shortell (Chairman), Sarah Williams, Kate Wheller and John Worth.

Also present: Cllr David Walsh (Portfolio Holder - Planning)
Cllr Brian Heatley (Dorset Council – Rodwell and Wyke)

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

Ann Collins (Area Manager – Western and Southern Team), Bob Burden (Senior Planning Officer), Philip Crowther (Legal Business Partner - Regulatory), Anna Lee (Service Manager for Development Management and Enforcement), Allison Sharpe (Business Support Officer), Anita Skelson (Technical Support Officer), Huw Williams (Lead Project Officer - Corporate Projects) and Denise Hunt (Democratic Services Officer)

39. Apologies

An apology for absence was received from Councillor Mike Barron.

40. Declarations of Interest

The following declarations were made:-

Councillor Kate Wheller declared an interest in Application WP/20/00477/FUL - Adult Education Centre, 45 Dorchester Road, Weymouth, DT4 7JT as Chairman of the Corporate Parenting Board and confirmed that she had not been involved in discussions in relation to this application.

Councillor Sarah Williams declared an interest in WD/D/20/001420 - Lyme Regis Harbour, The Cobb, Lyme Regis as a member of the Harbours Committee. She confirmed that the application had not been considered by the Harbours Committee and that she had not pre-determined the application.

Councillor Louie O'Leary also declared an interest in WD/D/20/001420 - Lyme Regis Harbour, The Cobb, Lyme Regis as a member of the Harbours Committee and confirmed that he had not pre-determined the application.

41. **Minutes**

The minutes of the meeting held on 5 November were confirmed and would be signed at a future date.

42. **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.

43. **Planning Applications**

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

44. **WP/19/01016/FUL - St Nicholas Church, Buxton Road, Weymouth, DT4 9PJ**

The Committee considered an application to demolish an existing church and the erection of 18 flats (including at least 6 affordable units) with associated external amenity space and parking spaces. The application had been previously considered in July 2020 and had been brought back before the Committee due to a change to the terms of the Section 106 Agreement.

The Senior Planning Officer gave a presentation of the proposed site within the Defined Development Boundary and the Connaught Road Conservation Area. The church was a 1960s structure in a poor state of repair.

Members were shown the site of the existing church in relation to other dwellings in the immediate area. A block plan indicated the footprint of the proposed development and existing wide bell mouth access that would be reduced to 5m. The proposal included a new pedestrian access, amenity space, recycling store, cycle racks (1 per flat) and 18 parking spaces, the majority of which were undercroft parking.

The relationship with the bungalow at No 16 Buxton Road which was at a higher level to the rear of the proposed development had been explored and a plan and associated photographs demonstrated that the outlook across Portland Harbour and Portland from the bungalow would be maintained as a result of the proposed development.

A particular feature of the floor plans included pop out windows on the rear and east elevations which would be obscure glazed to mitigate overlooking of nearby properties. A plan of the proposed street scene showed the development would be 0.7m lower than the Victorian Villas, 5.6m higher than the existing church and a distance of 22m from the front of the bungalow at No 16 Buxton Road.

The main planning issues were highlighted including:-

- principle
- residential development within the DDB
- minimum 35% affordable housing provision
- contribution towards the 5 year housing land supply
- effect on the Conservation Area and residential amenity
- highway safety

The Senior Planning Officer explained that it had been necessary to amend the draft S106 Agreement due to a change in the way affordable housing schemes were funded by Homes England. This meant that 35% could be funded via the S106 Agreement and although it remained the intention of Sovereign Housing to develop an 100% affordable housing scheme, this could not be guaranteed.

Public written representations received were read out at the meeting and are attached to these minutes.

Cllr Brian Heatley, Dorset Council Ward Member for Rodwell & Wyke, highlighted that the provision of 18 affordable housing units had been a balancing factor that outweighed objections by residents when the application was considered in July 2020 and that he hoped that this could still be the case.

Responding to comments made during public participation, the Senior Planning Officer advised that he had met with the occupants of No 16 Buxton Road to discuss the impact on residential amenity due to overlooking and shading and that this had been mitigated by the use of obscure glazing and the 22m distance between the bungalow and the development.

The intention remained to provide social rented units as indicated in the report and although 6 affordable units could be guaranteed within the S106 Agreement, it was not possible to confirm the remaining 12 units. However, the objective to provide an 100% affordable housing scheme was apparent in a short letter from Sovereign Housing included in the update sheet advising that it would *"be utilising grant funding to make all 18 units affordable housing. To use grant funding the scheme requires a standard planning approval as discussed. We look forward to providing these units."*

The Housing Enabling Team Leader added that it was unfortunate that funding had been impacted by a recent decision taken by Homes England not to fund anything controlled by a S106 Agreement. However, he recognised the need to work with the new funding model if the Council was going to increase the amount of affordable housing in future. He was therefore keen to progress this development and had worked with the developer and Sovereign Housing for some time on this proposal.

It was also confirmed that the application included the provision of an electric vehicle charging scheme which had been included in the conditions.

On balance the committee was mindful that the development complied with the policy requirement for 35% affordable housing and supported the intention to provide an 100% affordable housing scheme.

Prior to voting on the application the Area Manager - Western and Southern Team highlighted that the recommendation included amendments to conditions in respect of windows and flat numbers (that were incorrectly recorded in the July 2020 report) in addition to clarifying that members considered that the S106 agreement should specify affordable rented units. Proposed by Councillor Bill Pipe, seconded by Cllr Susan Cocking.

Decision

A: That authority be delegated to the Head of Planning to grant subject to the completion of a Section 106 Agreement to secure provision of 35% affordable housing (6 flats and a financial contribution to off-site affordable housing provision – the latter not being required if more than 6 affordable units are provided on site) and subject to the planning conditions outlined in the appendix to these minutes.

B: Refuse permission for the reasons set out if the legal agreement under Section 106 of the town and country Planning Act 1990 (as amended) is not completed within 6 months of the date of the committee resolution or such extended time as is 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 units as affordable housing and 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 adopted West Dorset Weymouth and Portland Local Plan. Furthermore, the community-related benefits inherent in the scheme would not be achieved. Hence the scheme would be contrary to the objectives of paragraph 92 of the National Planning Policy Framework (2019).

45. WD/D/20/002313 - Land at Whites Meadow, Mosterton

The Committee considered a proposal for the modification/discharge of planning obligations on section 106 dated 5th April 2016 (linked to planning application WD/D/14/002887).

Members were shown a location plan of the site to the western side of Mosterton in a sustainable village location and block plan showing 5 pairs of semi-detached cottages. Ground works had commenced on site in respect of the foundations and sewerage.

The Senior Planning Officer explained that the existing Section 106 Agreement allowed for 4 affordable housing units or an off-site contribution to be made. As a Registered Social Landlord, it was the intention of the

applicant, LiveWest Homes Ltd, to provide 10 affordable housing units, (4 shared ownership and 6 social rent).

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

Decision: That authority be delegated to the nominated officer to modify the S106 agreement dated 5th April 2016 requiring the disposal of the 10 houses to LiveWest Homes Ltd.

46. **WD/D/20/001420 - Lyme Regis Harbour, The Cobb, Lyme Regis**

The Committee considered an application concerning the extension and repairs to the existing slipway and extension of existing boat storage. The application was being considered by the Committee as the applicant was Dorset Council.

The Senior Planning Officer referred to an additional plan included in the update sheet circulated to members concerning boundary fencing that had been included in the plans list.

Members were given a presentation that included a site location plan and aerial view of the existing boat storage area; the proposed location of a 20m by 20m new raised platform to extend the area for marine craft to be stored and a 5m extension of the slipway. A post and chain fence would be installed on 3 sides of the structure that allowed increased capacity of the slipway storage area. This was a sensitive site with the Conservation Area with a number of Listed Buildings in the area.

The key planning points were also highlighted.

Members asked about the impact of the Committee's decision should an objection be received by the Ministry of Defence and were advised that although an objection would be unlikely, if this were to be the case the matter would be referred back to the Committee.

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

Decision: That authority be delegated to the head of planning to approve the planning application subject to receipt of no objection from the Ministry of Defence or no comment is received by 8th December 2020.

47. **WD/D/20/001014 - Creek Caravan Park, Fishers Place, Ringstead, Dorchester, DT2 8NG**

Following publication of the agenda, the application was withdrawn by the applicant.

48. **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.

Decision: That the meeting be extended to allow the business of the meeting to continue at 2.00pm.

49. **Update Report - Enforcement Action - Homestead Farm, Main Street, Bothenhampton, Bridport, DT6 4BJ**

Prior to the committee meeting the application was deferred to the Area Planning Committee meeting on 7 January 2021.

50. **WP/20/00477/FUL - Adult Education Centre, 45 Dorchester Road, Weymouth, DT4 7JT**

The Committee considered an application for the demolition of an existing single storey modular building, glazed link corridor and privacy wall and change of use of the existing property from office use to residential use on first and second floors, to erect a two storey residential children's home, installation of boundary fencing and railings and alterations to vehicle access and gates. The application was being considered by the Committee as the applicant was Dorset Council.

Members were shown a location plan of the land and buildings in the area including Grade II listed Cranford House. The site was within the Defined Development Boundary for Weymouth and the Lodmoor Hill Conservation Area.

An aerial photo identified trees on the site, the vast majority of which would be retained as they were protected by Tree Preservation Orders (TPOs). Two trees were to be removed in line with the Tree Officer's recommendations, one from the rear boundary with Park Lane and one adjacent to the access.

A number of photographs were shown of the site, the surrounding area and its relationship with Kildare Court which had a number of side facing windows potentially impacted by this development. The existing access had been previously widened to accommodate mini buses and would now be narrowed as part of this proposal. A considerable amount of tarmac would be removed in order to reinstate garden and amenity space with parking to the south of the site.

A shadow analysis presented as part of the design & access statement revealed only a slight change relative to the existing situation. A shadowing photo presented by the Weymouth Civic Society who had objected to the scheme, showed a degree of overshadowing of the ground floor window at Kildare Court. The Lead Project Officer had visited the occupants of the ground and first floors and was satisfied that the impact of the development was acceptable.

A representation on behalf of Dorset Council was read out and is attached to these minutes.

Members asked questions regarding the railings dividing the site, the width of the proposed access and how many bedrooms were to be provided.

The Lead Project Officer advised that although both buildings would be used by Children's services, the railings provided a degree of separation between the uses within the site. Seven children could be accommodated in the children's home and the conversion to residential accommodation of No 45 would allow accommodation for young people such as care leavers and associated office use by Children's Services. There would be a total of 12 rooms across the 2 buildings with communal lounge and kitchen areas. He confirmed that the width of the proposed access of 3.5m would be satisfactory for access by emergency vehicles.

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

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

51. **Appeals Summary**

The report was presented by the Area Manager - Western & Southern Team and was noted by the committee.

52. **Urgent items**

There were no urgent items.

53. **Update Sheet**

Appendix - Decision List

Duration of meeting: 10.00 - 10.37 am

Chairman

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Western & Southern Area Planning Committee - 3 December 2020

Written Submissions

WP/19/01016/FUL - St Nicholas Church, Buxton Road,

Peter and Elizabeth Hillary

We live adjacent to the church site to the rear and our objections concern the shade created by the proposed flats on our property. The lack of privacy due to the flats close proximity. the loss of our views, and the loss of property value. At the outset of the proposed site, the flats were listed as affordable now the majority are going to be the usual second home or holiday lets and a small minority are affordable these facts alone defeat the original shortage of affordable housing argument.

Mark Packer

The planning meeting in July for development of the St Nicholas site was approved on the basis that these would be 18 affordable units. The planning committee all spoke of the dire need for affordable housing, and this over-rode the opposition of local residents on the scale and lack of any architectural merit of the building in a conservation area.

The main problems of the building - it's character, size, increased traffic, access issues and the overlooking of neighbouring gardens were dismissed by the committee because of the pressing need for social housing.

I emailed Councillor Wheatley about this and he stated that the planning permission was dependent on the developer obtaining a sufficient contribution from the developer to provide the subsidy, but that this was now only possible for 6 units, and Homes England would provide the the subsidy for the remaining 12 units.

I have to say it strikes me as odd that the developer can submit the plans for a massive block of flats and not have plans in place to provide the subsidy for it, leaving Homes England to pick up the tab, essentially subsidising the profits of the developer. If not, these will become luxury private flats.

My original objection contained the remarkably prescient paragraph;

It seems that the magical words ' affordable housing' are used to shoehorn development approval. These flats will not remain affordable for long. They will be sold at a premium as soon as it is feasible as they are highly desirable with their commanding views of Portland Harbour and close proximity to Castle Cove and Sandsfoot Beach They will be second homes in next to no time.

Why on earth are they unable to provide the subsidy? Surely they must have budgeted for this from the outset? They must already be making a healthy profit from some rabbit

hutch sized flats with minimal amenity space - and should provide a subsidy for a far greater proportion than 35%.

If the plans had been amended to remove the top floor and only build 15 flats then the developer would be in an even more parlous state. I have no objections to the site being built on, but serious questions must be asked about the financial viability of Sovereign Homes, particularly as the development should have started within 6 months of the planning permission being granted and no development has started, when Thornlow School just 500 metres away has ongoing construction despite covid.

Weymouth Town Council - Lucy Hamilton, Chairman of Planning & Licensing Committee

This matter was considered by Weymouth Town Council Planning and Licensing at our meetings on 14 January and 19 May 2020.

At our January meeting, we noted :

The Council warmly welcomes the affordable housing component of the development. The scale of the development is in keeping with the area and the design is modern. Therefore, the Council has no objections.

I'm concerned to note that the number of affordable units has reduced from 18 to 6. I understand that this is on a technicality, and that Sovereign aims to deliver all affordable units.

Given the inflation in the house prices by 6.5% in the past 12 months, can Dorset Council provide any guarantee that viability will put these 18 affordable units at risk?

As noted, there are currently around 1900 households on the Weymouth and Portland Housing Register, of these 408 have a need for two bedroom properties.

**WP/20/00477/FUL - Adult Education Centre, 45 Dorchester Road,
Weymouth, DT4 7JT**

Clive Gray - Dorset Council Architect & Project Manager

Dorset Council need to take steps to meet its statutory duty to ensure that there is sufficient accommodation for children in care and to increase the availability of accommodation for “Looked After Children” within Dorset.

Providing this residential home in Weymouth will improve the quality of service and outcome for young people within the area by adding to the required residential provision for local children.

At present, local children who need the use of such a provision, may be offered accommodation outside of the county away from family, friends and the reassurance of their surroundings. This can have a detrimental effect on development and well-being.

With the proposed development in place, children will be able to stay in their local area with minimal travel to meet friends and family. It will also provide the additional comfort of being able to continue their education at their existing schools, which will improve their prospects.

To achieve this, Dorset Council has identified the grounds of 45 Dorchester Road to locate an offsite constructed building for use as a Residential Children’s home. The adjacent existing house will also be used by Children’s Services for other services to support “Looked After Children” and “Care Leavers”.

The new Residential Children’s home will accommodate five children with the appropriate bedroom provision including en-suite, living, dining and kitchen facilities together with associated live-in staff facilities. Accommodation in 45 Dorchester Road will include five bedrooms.

Following the report regarding Residential Sufficiency for Dorset 2020, presented by the Portfolio Holder for Children, Education and Skills, Cabinet considered this project and approved it on the 03rd March 2020.

The proposal is for an appropriate, conforming residential use in a sustainable location that is well served by public transport and within comfortable walking distance of a range of local amenities.

The proposal has been assessed Dorset Council’s Planning Officer to be acceptable in design terms, would have a beneficial impact on biodiversity and would not adversely impact on either the safety or the efficiency of the local highway network.

There would not be any significant harm to neighbouring residential amenity and the character and appearance of the Lodmoor Conservation Area would be enhanced.

The proposal is therefore in accordance with the development plan and planning permission should be granted.

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Planning Committee – Update Sheet

Planning Applications

Application Ref.	Address	Agenda ref.	Page no.
WP/19/01016/FUL	St Nicholas Church, Buxton Road, Weymouth	5a	
<p>Update(s): Email from Sovereign Housing:</p> <p>We can confirm we will be utilising grant funding to make all 18 units affordable housing. To use grant funding the scheme requires a standard planning approval as discussed. We look forward to providing these units. Kind regards Paul Damen Area Development Manager, Sovereign</p> <p>4 letters of objection: Letter 1 – Cllr Michael Frost- As one of the Weymouth Town Councillors for the ward, I have a number of concerns about the development. The original application submitted was for 18 affordable units but now is a minimum of six. When did the application change? The entrance is immediately between a bus stop and a busy pelican crossing used by children for Holy Trinity School and elderly people for the doctors surgery in Cross Road. What provisions for road safety issues will be made? I feel 18 units for the site is too many considering the number of parking spaces required and the increasing number of delivery vehicles which will visit, not forgetting the emergency services which may occasionally be required.</p> <p>Letter 2- Paul Gardner- It would seem that the developers hidden plan has now been revealed. After hoodwinking the planning committee into thinking they would get 18 social housing flats it would appear that only six will be built. No doubt the upper floors will now be sold as weekend apartments with views across Portland harbour. The planning committee appear to have been expertly manipulated by the prospect of social housing in appealing to their social conscience. Now is the time to ensure the developers adhere to their planning consent. If they can't or won't do that the site development should be completely re-evaluated and a more fitting development allowed.</p>			

Letter 3-

Kay and Ken Packer

We have read the Agenda together with the Appendix for the meeting on 3 December 2020 and it would appear that the original proposal is being completely changed to have only 6 affordable homes for rent. It was on the basis of 18 affordable flats for rental that the original plans were passed with great reluctance, we understand, by many councillors who were swayed by the opportunity to increase the “stock” of affordable rental homes in the area. This was in spite of the objections by many local residents and the Civic Society that it was a gross overdevelopment of the site and a building totally out of keeping out of place in a Conservation Area.

How is it possible for a developer to put in a planning application without having in place the funding for it? What is being put in front of the Planning Committee is, in effect, a totally new planning application and should be treated as such. If this is passed with only six affordable flats we will end up with yet another block of mainly holiday accommodation.

Letter 4-

Mr & Mrs C Peploe.

We live in a bungalow in Down Road which is directly behind the proposed site. We have had our house on the market now for 4 months and have been unable to sell it due to this looming planning application and uncertainty of it.

When the application was passed on 9 July there was a condition stating the development must be started within six months. It has not been extended by the Head of Planning. This six-month period is up on 9 December. As it stands the company who applied for the planning consent still do not even own the land and it is clearly looking to profit by flipping the site onto another developer.

We always knew this would be uneconomic to be built as ‘affordable’ homes as it is a prime site with sea views and is a crude attempt to pass plans and then amend them under the radar.

The fact that it was supposed to be affordable housing trumped all the usual planning considerations and objections of residents due to the pressing need for housing. We believe this should now be carefully considered as a private development. Added to which a new supermarket is being developed on the old Bath Store site, meaning even more traffic and a bottleneck on Buxton Road where there will be an entrance with potentially 36 cars, traffic lights and a busy junction on the corner of the supermarket. Neither buses nor emergency vehicles will be able to pass freely along Buxton Road – a major route between Weymouth and Portland.

Your point 11 suggests no breach of the Human Rights Act. Under s.12 we are entitled to “peaceful enjoyment of our possessions including our home”. These plans are having a negative impact on our standard of living, mental health and wellbeing. As a Council you owe your constituents a duty of care and if the funding for the full 18 homes cannot be proven then in the light of the fact that several councillors apologised to local residents for their decision in passing the plans, these revised

proposals should be scrapped and a completely new application submitted which can be properly assessed for what it is.

This a clear overdevelopment of the site – there is no need to have 18 flats and to be that high to loom over our gardens and overlook our windows. If there are only to be 6 affordable flats (if that) then there is no need for the further 33%.

We hope that the councillors will now carefully consider this matter for what it is.

Applicants Climate Emergency Statement-

RE: Pollution Reduction.

In terms of reduction of pollution, the scheme includes dedicated covered cycle racks for at least 1 per flat. Also the development is in a highly sustainable location, being ideally situated for public transport as follows:-1. **Bus Routes.**

- a. Directly adjacent to the Southlands Road Bus Stop (E-bound), and W-bound is 75m. Bus
- b. i. 1 – Weymouth(Kings statue)
- c. ii. 501 – Weymouth – Portland Bill.

2. Weymouth Train station

- a. The distance to the train station is 1.79km

RE: NATURAL RESOURCES

With regards to Natural Resources, the following is extracted from the D&A Statement:-

1. SUDS

- a. All surface water from hard landscaped areas will be directed into soakaways on site to minimise the impact of surface water run-off.

2. Passive Solar Design

Orientation:

- The principal glazed elevations of the flats, face south, east and west to benefit from the effects of passive solar heat gain.

Thermal Mass:

- Concrete floors, dense concrete block work will be used for the construction house

internal walls to provide a high thermal mass, enabling the houses to absorb heat during the day and release it slowly at night. This also aids cooling in the summer.

Room Layout

- Principal rooms and glazed screens face South, East and West.

Window Sizing and Positions

- The South elevations are provided with large areas of glazing to increase the passive solar heat gain particularly in the winter when the sun is low. Pilkingtons 'suncool' glass will help prevent overheating in the summer.

Ventilation

- The flats are provided with openable windows to all principal rooms to allow good natural ventilation in warm weather.

3. Natural Lighting

- Large glazed areas help prevent the need for the reliance on internal artificial lighting. In addition, artificial lighting will utilise LED technology for its superior energy efficiency Landscaping.
- 20% of the site area is soft landscaping to improve sustainable urban drainage.

4. Energy Efficiency

- All light fittings will be suitable for low energy lamps.

5. Materials

- Locally sourced or natural materials will be used wherever possible.

6. Labour

- Local labour will be used where possible in order to reduce travelling costs.

7. Insulation

- There will be a high level of insulation, meeting or exceeding the requirements of building regulations requirements Part L1.

8. Embodied Energy

- Materials used in the construction will have low embodied energy and be recyclable where possible.

WD/D/20/002313	Whites Meadow, Mosterton	5b	
<p>Update(s): Letter from Live West Homes Ltd:</p> <p>Dear Mr Burden and Members of the Planning Committee Re: LiveWest's intention to deliver affordable housing at Whites Meadow, Mosterton</p> <p>I write in support of our application and to stress that LiveWest have no plans to dispose of any of the homes at Whites Meadow other than four homes by way of shared ownership leases.</p> <p>The cost of delivering the other six homes as social rent, and with LiveWest specification is substantial and appraised at more than 97% of the RICS open market value. It wouldn't therefore make any commercial sense to attempt to sell them as with the addition of any legal and marketing costs, we would almost certainly make a loss.</p> <p>It is our full intention that all ten homes at Whites Meadow are delivered with the support of Homes England grant as shared ownership (four homes) and social rent (six homes), and that they will be part of more than 37,000 homes LiveWest own and manage across the South West, from Cornwall to Gloucestershire. They will help to deliver our ambitious plans to provide 16,000 new homes in the region over the next ten years, through an investment of more than £2bn in the South West economy. These ambitious plans are in place because LiveWest believe in a home for everyone and playing our part in alleviating the region's housing shortage. We offer homes for social rent, affordable rent and shared ownership sale.</p> <p>For these homes to be delivered as social rent and shared ownership we need the investment of Homes England grant into all ten homes. Furthermore, we will add the homes to our long-term lending portfolio and any restriction to the title or planning will drastically reduce the value we can charge against them and our ability to secure grant.</p> <p>Our contractor is ready to go and the homes are programmed to be delivered during 2021, however the inability to secure grant or fully charge the homes will ultimately mean we will have to withdraw from delivering any affordable homes in this location. I hope the above gives you some comfort that LiveWest is committed to delivering these homes as affordable housing and that we have no intention to sell them other than as shared ownership as advised.</p> <p>With kind regards David Summerhill New Business Manager</p>			
WD/D/20/001420	Lyme Regis Harbour, The Cobb, Lyme Regis	5c	
Update(s):			

An amended block plan was submitted showing the location of the proposed chain fence therefore the first condition is now proposed to read;

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

Location Plan, Received 22nd July 2020

Block Plan, Received 02nd December 2020

Proposed slip platform, received 22nd July 2020

Proposed fencing, received 09th November 2020

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

Appendix

APPLICATION NUMBER: WP/19/01016/FUL

APPLICATION SITE: St Nicholas Church, Buxton Road, Weymouth, DT4 9PJ

PROPOSAL: Demolition of the existing church and erection of 18 flats (including at least 6 affordable units) with associated external amenity space and parking spaces.

DECISION:

A: Delegate authority to the Head of Planning to grant subject to the completion of a Section 106 Agreement to secure provision of 35% affordable housing (6 flats for rent and a financial contribution to off-site affordable housing provision – the latter not being required if more than 6 affordable units are provided on site) and subject to planning conditions as follows:

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

Site location plan 39 received 20/12/19
Proposed floor plans & street scene 32H received 16/6/20
Proposed floor plans/extended site section 33D received 18/6/20
Proposed elevations 34D received 16/6/20
Railing details 41A received 24/4/20
Proposed Block Plan 38A received 10th July 2020
Proposed Plan/ground floor plan 30G received 10th July 2020
Proposed Site Plan/First Floor Plan 31G received 10th July 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. No development shall take place above damp proof course level until samples of all facing and roofing materials, (and details of the design and materials of the new road frontage wall section) have been submitted to and approved in writing by the local planning authority and the development shall be completed in accordance with those details thereafter.

REASON: To ensure the external appearance of the completed development in the conservation area is sympathetic to the locality.

4. The windows shall be of powder coated aluminium in a colour which shall first have been submitted to and agreed in writing by the local planning authority. The windows including frames shall be retained in the agreed colour thereafter. The railing details applicable to the south elevation shall be carried out in accordance with the details shown on plan 41A and retained as such thereafter.

REASON: To ensure the external appearance of the completed development in the conservation area is sympathetic to the locality.

5. Prior to the commencement of any development a detailed surface water sustainable drainage scheme for the site, based on an assessment of the hydrological and hydrogeological context of the development including details of the maintenance and management of the surface water sustainable drainage scheme and any receiving system and shall be designed to include a plan for the lifetime of the development for its maintenance and management, 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, and a timetable for implementation shall have been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented in accordance with the submitted details and timetable for implementation. The scheme shall be managed and maintained thereafter in accordance with the approved details.

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

6. The finished floor levels shall be in accordance with the levels details shown on plan 33C.

REASON: In the interests of visual amenity.

7. No development above damp proof course level shall be carried out until a hard and soft landscaping scheme shall first have been submitted to, and approved in writing, by the local planning authority. The approved scheme shall be implemented and completed during the planting season November-March inclusive, immediately following commencement of the development, or as may be agreed otherwise in writing by the local planning authority. The scheme shall include provision for the maintenance or replacement as necessary of the trees and shrubs for a period of not less than 5 years from completion of the development and the soft landscaping shall be maintained and replaced as necessary in accordance with the approved scheme.

REASON: In the interests of visual amenity.

8. No flat shall be first occupied until all the following glazing measures shall have been installed: The "pop-out" windows on the east elevation shall have obscure glazing facing east (with transparent glazing facing south), and the two pop-out windows in the north elevation to bedroom 2 of both flats 15 and 9 shall have obscure glazing on the north (with transparent glazing to the east and west sides). There shall be no pedestrian access to the external top floor hatched areas as shown on plan 33D. The third floor east elevation balcony and the screening to the external stair and landing on the north elevation shall be obscure glazed. All obscure glazing shall be to Code 3 standard. Thereafter, all the foregoing measures shall be permanently retained.

REASON: In the interests of residential amenity.

9. The development shall be carried out in accordance with the measures contained in the agreed Biodiversity Mitigation Plan (BMP) dated 31/3/20. All works within the BMP shall be carried out in accordance with the agreed timescale unless otherwise agreed in writing by the local planning authority. The completed works shall be retained thereafter.

REASON: To ensure nature conservation interests are fully addressed.

10. No development above damp-proof course level shall be carried out 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 to and approved in writing by the local planning authority. The submitted details shall include a timetable for the implementation of the scheme. Thereafter the development shall be carried out in accordance with such details and timetable as have been 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.

11. No flat shall be first occupied until details of the means of enclosure to the boundaries, including materials and height, shall have been submitted to and approved in writing by the local planning authority. Thereafter the means of enclosure as are agreed shall be erected prior to first occupation of any flat and permanently retained thereafter.

REASON: In the interests of privacy and visual amenity.

12. Before the development is occupied or utilised the first 10 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

13. Before the development hereby approved is occupied or utilised the parking and turning 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 to ensure that highway safety is not adversely impacted on.

14. 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 in accordance with details which shall have, prior to development above damp proof course level, been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved

details and the approved drainage works shall be retained and maintained for the lifetime of the development.

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

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 County 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@dorsetcc.gov.uk, or in writing at Dorset Highways, Dorset County Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway. (

B: Refuse permission for the reasons set out below if the legal agreement under Section 106 of the town and country Planning Act 1990 (as amended) is not completed within 6 months of the date of the committee resolution or such extended time as is 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 units as affordable housing and 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 adopted West Dorset Weymouth and Portland Local Plan. Furthermore the community-related benefits inherent in the scheme would not be achieved. Hence the scheme would be contrary to the objectives of paragraph 92 of the National Planning Policy Framework (2019).

APPLICATION NUMBER: WD/D/20/002313

APPLICATION SITE: Land at Whites Meadow, Mosterton

PROPOSAL: Modification/discharge of planning obligations on section 106 dated 5th April 2016 (linked to planning application WD/D/14/002887)..

DECISION: Delegate authority to the nominated officer to modify the S106 agreement dated 5th April 2016 requiring the disposal of the 10 houses to LiveWest Homes Ltd.

APPLICATION NUMBER: WD/D/20/001420

APPLICATION SITE: Lyme Regis Harbour, The Cobb, Lyme Regis

PROPOSAL: Extension and repairs to existing slipway and extension of existing boat storage.

DECISION: Delegate authority to the head of planning to approve the planning application subject to receipt of no objection from the Ministry of Defence or no comment is received by 8th December 2020.

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

Location Plan, Received 22nd July 2020
Block Plan, Received 2nd December 2020
Proposed slip platform, received 22nd July 2020
Proposed fencing, received 09th November 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 storage area hereby approved shall be used for marine storage only and for no other storage purpose (including any other use in Class B of the schedule to the Town and Country Planning (use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: The Council considers an unrestricted Class B use may not be compatible with the living conditions of surrounding residential properties and the visual impact on the sensitive location.

4. The proposed development shall subject to condition 5, be carried out in accordance with the Method Statement received 10th November 2020, unless otherwise first agreed in writing by the local planning authority.

Reason: in the interest of safeguarding the surrounding heritage assets.

5. The hours of construction shall be 08.00 until 17.00 Monday to Friday, 08.00 until 13.00 Saturdays and no construction on Sundays or any bank holidays.

Reason: In the interest of neighbouring amenity.

6. The posts of the proposed fence around the edge of the raised storage area shall be black in colour and retained and maintained as such thereafter.

Reason: In the interest of safeguarding the heritage assets and visual amenity.

Informatives

1. Marine Licensing

A proportion of the works appear to be proposed below the Mean High Water mark and so contact should be made with the Marine Management Organisation to ascertain whether a Marine Licence is also required for the works.

2. Pollution Prevention during Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site.

Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at:

<https://www.gov.uk/guidance/pollution-prevention-for-businesses>

3. Waste Management

In accordance with the waste hierarchy, the applicant should consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction.

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website <https://www.gov.uk/how-to-classify-different-types-of-waste>

4. Bio-security

Bio-security precautions should be undertaken when working on sites with water bodies. You can view some general advice through the following link: [Biosecurity](#)

APPLICATION NUMBER: WP/20/00477/FUL

APPLICATION SITE: Adult Education Centre, 45 Dorchester Road, Weymouth, DT4 7JT

PROPOSAL: Demolition of existing single storey modular building, glazed link corridor and privacy wall, change of use of existing property from office use to residential use on first and second floors, erect two storey residential children's home, installation of boundary fencing and railings and alterations to vehicle access and gates.

DECISION: Grant planning permission subject to the following conditions:-

Time Limit – Commencement of Development

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended).

Development in Accordance with Approved Plans and Drawings

2. Unless otherwise required by the conditions of this permission the development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

- (i) Dorset Property Drawing No. L101 Revision P1 dated 20.04.20 and titled Site Location Plan;
- (ii) Dorset Property Drawing No. L102 Revision P1 dated 20.04.20 and titled Tree Constraints and Demolition Plan Site as existing;
- (iii) Dorset Property Drawing No. L110 Revision P1 dated 07.07.2020 and titled Proposed Site Layout Landscape Strategy Plan;
- (iv) Dorset Property Drawing No. A300 Revision P3 dated 15.07.2020 and titled Proposed GA Plans;
- (v) Dorset Property Drawing No. A301 Revision P2 dated 15.07.2020 and titled Proposed Elevations and Site/Location Plan;
- (vi) Dorset Property Drawing No. A302 Revision P1 dated 15.07.2020 and titled Proposed External Elevation Finishes Plan; and
- (vii) Dorset Property Drawing No. 2 010 dated 16.07.2020 and titled Proposed Planning Plans.

Reason: To ensure appropriate control over the proposed development having regard to policies ENV2 (Wildlife and Habitats), ENV4 (Heritage Assets), ENV10 (The Landscape and Townscape Setting), ENV11 (The Pattern of Streets and Spaces), ENV12 (The Design and Positioning of Buildings), ENV13 (Achieving High Levels of Environmental Performance) and ENV16 (Amenity) of the adopted Weymouth and Portland Local Plan 2015.

Submission and Approval of External Materials

3. The erection on-site of the Residential Children's Home hereby permitted shall not commence unless and until details and samples of all external materials and finishes to be used in the construction of the building have been submitted to and approved in writing by the local planning authority. The Residential Children's Home shall be constructed using the materials and finishes as approved.

Reason: In the interest of the character and appearance of the locality having regard to policies ENV4 (Heritage Assets), ENV10 (The Landscape and Townscape Setting), ENV12 (The Design and Positioning of Buildings), and ENV16 (Amenity) of the adopted Weymouth and Portland Local Plan 2015.

Implementation and Maintenance of Landscape Proposals

4. Hard and soft landscaping shall be undertaken in accordance with the arrangements detailed on the approved plans and drawings listed in condition 2 of this permission. All planting and seeding comprised in the soft landscaping proposals shall be carried out before the end of the first planting season (October to March) following the substantial completion of any adjacent development hereby permitted. Any trees or plants that within a period of five years after planting are removed, die or become seriously damaged or defective shall be replaced as soon as practicable with others of species, size and number as originally approved.

Reason: In the interest of the character and appearance of the locality, amenity, biodiversity and climate change mitigation having regard to policies ENV2 (Wildlife and Habitats), ENV4 (Heritage Assets), ENV10 (The Landscape and Townscape Setting), and ENV11 (The Pattern of Streets and Spaces) of the adopted Weymouth and Portland Local Plan 2015.

Access and Parking Arrangements

5. Prior to the first occupation of the Residential Children's Home hereby permitted the access, turning and parking arrangements shown on Dorset Property Drawing No. L110 Revision P1 dated 07.07.2020 and titled Proposed Site Layout Landscape Strategy Plan shall be laid out and constructed in accordance the arrangements shown on that Plan. Thereafter these areas shall be kept free from obstruction and shall be made available and maintained for the purposes specified.

Reason: To ensure the proper and appropriate development of the site having regard to policies ENV4 (Heritage Assets), ENV10 (The Landscape and Townscape Setting), and ENV11 (The Pattern of Streets and Spaces) of the adopted Weymouth and Portland Local Plan 2015.

Tree Protection and Implementation of Biodiversity Plan

6. The development hereby permitted shall be carried out in accordance with the Arboricultural Impact Assessment and Arboricultural Method Statement dated 19th May 2020 prepared by Dorset Council's Arboricultural Officer submitted with the application the biodiversity mitigation and enhancement measures documented in the Biodiversity Plan dated 30.06.20 prepared by Dorset Council's Natural Environment Team and submitted with the planning application shall be implemented in accordance with that Plan.

Reason: In the interest of biodiversity having regard to policy ENV2 (Wildlife and Habitats) of the adopted Weymouth and Portland Local Plan 2015.

Informative Notes

Statement of Positive Involvement

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Dorset County Council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The Council worked with the applicant/agent in a positive and proactive manner by:

- (i) providing a pre-application advice service;
- (ii)
- (iii) updating the applicant's agent of issues as they arose in the processing of the application;
- (iv) discussing possible solutions to material concerns raised; and
- (v) providing the applicant with the opportunity to address issues of concern with a view to facilitating a recommendation to grant permission.