

**DORSET COUNCIL - WESTERN AND SOUTHERN AREA PLANNING  
COMMITTEE**

**MINUTES OF MEETING HELD ON THURSDAY 16 JANUARY 2020**

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

**Apologies:** Cllrs Pete Barrow

**Also present:** Cllr David Walsh

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

Ann Collins (Area Lead – Major Applications Western Team), Philip Crowther (Senior Solicitor - Planning), Hamish Laird (Senior Planning Officer), Emma Telford (Senior Planning Officer), Mike Garrity (Head of Planning) and Denise Hunt (Democratic Services Officer)

**70. Apologies**

An apology for absence was received from Cllr Peter Barrow.

**71. Declarations of Interest**

Cllr Louie O'Leary declared a non-pecuniary interest in WP/19/00415/OUT - Land East of 61 Bowleaze Coveaway, as he had spoken against the application at a meeting of the Weymouth Town Council Planning Committee. He advised that he would speak for 3 minutes as the ward councillor and thereafter withdraw from the meeting during consideration of this application.

Cllr Simon Christopher declared a non-pecuniary interest in WD/D/19/001020/FUL and WD/D/19/001021/LBC - Sort, Powerstock, due to suggestions made in the public domain that he had predetermined these applications. Although he did not believe that to be the case and had also received legal advice to that effect, due to the particular circumstances he would withdraw from the meeting during consideration of these applications.

**72. Minutes**

The minutes of the meeting held on 17 December 2019 were confirmed and signed.

**73. 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.

#### 74. **Planning Applications**

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

#### 75. **WD/D/19/001020/FUL - Sort, Powerstock, Bridport, DT6 3TQ**

*Cllr Simon Christopher left the room during consideration of this application and the Vice-Chairman was in the Chair.*

The Senior Planning Officer introduced the application for the restoration and alteration of a farmstead, comprising of 5 small buildings and including the addition of a small bedroom extension.

The Committee was shown a site location and curtilage plan; aerial view of Powerstock showing public bridleways; a site constraints plan and existing site plan of the farmhouse cottage, studios, cart shed / office, stables, kennels / tractor shed; a proposed site plan and floor areas for the existing and proposed site plans and a proposed demolition plan. The farmhouse and barn were grade 2 listed along with a number of curtilage listed outbuildings.

For each element of the application slides were shown of the floor plans and elevations alongside photographs and visual representations of each element of the application including:-

- Sort Farmhouse
- Sort Farm Studios
- Sort Farm Stables (grade 2 listed and previously used as accommodation)
- Cart Shed
- Kennels

The floorplan of Sort Farmhouse included the new build bedroom extension and slides were shown of the various elevations of the dwelling and extension and their relationship.

The Conservation Officer had raised an objection based on the heritage implications, however, the Committee was advised that the harm to the buildings through their alteration needed to be balanced against the material benefits of bringing the buildings back into use. The heritage Implications and public benefits of the scheme were outlined and are listed below:-

#### Heritage Implications

- Statutory duty to have special regard to the desirability of preserving a listed building and/or its setting
- Reflected by the adopted Local Plan Policy ENV4 and NPPF 2019 Section 16

- Conservation Officer provided advice to Case Officer and Committee as Decision Maker
- The Case Officer and the CO agreed that the proposals represent less than substantial harm to the listed buildings' fabric and character and their setting
- This harm has considerable importance and weight and creates a presumption against planning permission
- That presumption can be outweighed by other material considerations/public benefits if powerful enough

#### Public Benefits

- In this case the significant public benefits were:
  - Preservation of the buildings from their ruinous state and securing a viable use
  - Re-instatement of the use of historic buildings as residential living accommodation
  - The proposals are modern additions that stand apart from the historic structures assisting in preserving the identity of the listed buildings
  - The proposals will make a positive contribution being transformed from ruin to beneficial use – which can be experienced by walkers/riders using the public bridleway/footpath that run through the site
  - The historic bridges on site will be repaired
- These significant public benefits are considered to outweigh the less than Significant Harm to the listed buildings

In conclusion, the Senior Planning Officer stated that the existing buildings were poorly constructed and had not been maintained for decades. The applicant sought to preserve the buildings and keep them weather tight and had employed an architect who appreciated the site. The modern additions to the existing structures would offer continuity and reflect the evolution of the site and how it went forward in the future. The potential public benefits had been expressed in 10 letters of support from neighbours which were outlined in the report. Although it was necessary to give some weight to the harm to the heritage asset, he considered this to be less than significant, with the public benefits outweighing any harm that would be caused through renovation of the buildings.

Andrew Whittle, a designer and craftsman who lived in Nettlecombe, addressed the Committee and said that he had been sad to witness the deterioration of the site and delighted that it had been bought by a local family who intended to restore the buildings. The proposals maintained the surviving fabric of the buildings with sensitive additions. In the past, these were practical buildings that had been reconfigured according to need. This had led to a mixture of styles and the plans were in keeping with this.

Martin Leay, an environmental planning advisor, spoke on behalf of 2 objectors to the application due to the inappropriate style of the new buildings that did not maintain the character of the site. The proposals represented

significant growth in the residential curtilage due to extension of the listed building and failed to respect the historic building. The report did not set out the reasons why the comments made by the Conservation Officer had been ignored. He concluded that the application was contrary to policy, set a precedent to ignore the advice of the Conservation Officers and did not fulfil policy requirements and that a more sympathetic scheme should be encouraged.

Mr Bob Edwards, Director of a heritage consultancy, was commissioned to prepare a heritage statement in respect of this proposal. He stated that this was an example of a rare farmstead type group of buildings. All of the internal fixtures and fittings of the late 18th century farmhouse had been lost and he did not consider that the bedroom extension impinged on the heritage value of the site. He stated that the Listed Building Consent was about managing change and referred to paragraphs 189 and 190 of the NPPF. He advised that the Conservation Officer's pre-application comments made before the heritage statement had been prepared had not altered. However, the report recommendation was based on a balanced judgement having regard to paragraph 196 of the NPPF, that the public benefit outweighed the harm to the buildings.

Anthony Butler, Vice-Chairman of Powerstock Parish Council, addressed the Committee in support of the application. The proposal represented a modest, low impact approach that preserved the sense of scale of the site, combining old and new elements and using traditional materials to maintain a simple understated scheme. He welcomed the fact that this would become a sustainable family home rather than holiday cottages or a museum.

Cllr Tony Alford, Dorset Council Ward Member for Eggardon, addressed the Committee in support of the application, saying that the farmstead was original and unique in having an organic layout with no formal courtyard or garden area and there would be no question of setting a precedent in this case. It was clear that the buildings had changed style and shape and been repurposed over the years. This application represented further evolution of the site using materials in keeping with the existing buildings. No new dwellings were being created and use as a single dwelling was by way of condition. The method statement in the Listed Building Consent provided the Planning Authority with the control it needed to ensure that the correct materials were used in the restoration.

A statement in support of the application by Sophie Perkins was read aloud by the Vice-Chairman in which she described the area and aspects of the views of the objectors, referring to previous uses of the farm buildings.

Crispin Weston, addressed the Committee on behalf of the applicant, stating that the proposals had been developed in a slow and measured way. A Heritage Consultant specialising in farmsteads and an architect who worked on listed buildings had been commissioned to work on the proposals. The cottage was a late 19th century converted animal shelter as the original house had been destroyed in a fire leaving only the smaller buildings intact. The bedroom extension represented a modest 23% increase and the proposals

would secure Sort's long-term future. The concerns of the Conservation Officer had been mitigated by planning conditions and the only objection had been by a neighbour who lived 1/4 mile away out of view of the buildings. The desire was to turn the buildings into a family home and restore them as soon as possible.

Members asked about the Conservation Officer's comments in relation to the bedroom extension in paragraph 13.1.3 of the report.

The Senior Planning Officer stated that the buildings were poorly constructed and had not been maintained so were difficult to use as modern living accommodation. The bedroom extension therefore enabled the development by providing an adequate level of accommodation for the Sort Cottage that would bring the building back to life, whilst retaining as much of the historic fabric as was reasonable and ensuring that reinstatement of the buildings became a worthwhile investment.

Members highlighted the evolving nature of the farmstead and noted that the existing buildings did not conform to a particular pattern as they had been altered to fit different uses in the past. They asked about the bridges on the site, one of which had collapsed, and were reassured that these would be preserved and rebuilt in a sympathetic manner by way of condition on the Listed Building Consent.

Proposed by Cllr Nick Ireland, seconded by Cllr Louie O'Leary.

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

76. **WD/D/19/001021/LBC - Sort, Powerstock, Bridport, DT6 3TQ**

*Cllr Simon Christopher, left the room during consideration of this application and the Vice-Chairman was in the Chair.*

The Senior Planning Officer introduced the application for Listed Building Consent for the restoration and alteration of a farmstead, comprising of 5 small buildings, including the addition of a small bedroom extension.

Proposed by Cllr Louie O'Leary, seconded by Cllr Nick Ireland.

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

77. **WP/19/00415/OUT - Land East of 61 Bowleaze Coveaway, Weymouth**

*Cllr Simon Christopher rejoined the meeting and was in the Chair.*

*Cllr Louie O'Leary moved to the public seating area. Following public participation he left the room during consideration of this application.*

The Senior Planning Officer introduced the outline application for the erection of up to 6 holiday units with associated landscaping.

Members were shown a location plan with the site adjacent to the Defined Development Boundary (DDB); an aerial photo with outline of the site and neighbouring properties at Bowleaze Cove way and Waterside Holiday Park; an indicative site plan showing how 6 holiday units could be accommodated on the site and indicative elevations showing what the units could look like. Retention of an ecological corridor to the east of the site was protected by way of condition.

A number of photos were shown from the field gate into the site, further towards the holiday park, looking back at the site and No 61 Bowleaze Cove way, looking down the road in the other direction with the Riviera Hotel in the background, the other existing field gate and relationship of the site to No 61 Bowleaze.

An update sheet circulated to the Committee at the meeting included proposed amendments to condition 5 (due to a typographical error) to change the date from 31/01/2023 to 31/01/2030 in the interests of ground stability.

A further 3 consultation responses had been received since the writing of the report, however, the issues raised had been covered in the report.

Derek Brown, of the neighbouring property, stated that at the time his home had been built the planning authority wanted to protect the buffer zone between his home and the holiday camp. Most of the windows in his home faced the application site and would lead to a lack of privacy. Further concerns included road safety, the lack of a reception area and parking, late night noise and closure during the winter months. Speed bumps and crossing points had been put in place at the holiday park due to traffic concerns and having units at the application site would detract from these measures.

Cllr Tony Ferrari, Dorset Council Ward Member for Littlemoor and Preston, stated that Weymouth Town Council Planning Committee had objected to this application. He highlighted significant erosion in that area; the creation of water run offs in unpredictable areas due to the development; the need to preserve the existing biodiversity corridor to ensure its effectiveness; and the impact of the development in moving pedestrian traffic further up the hill in between parked cars when there were traffic crossings at the holiday park.

Cllr Louie O'Leary, Dorset Council Ward Member for Littlemoor and Preston read a statement on behalf of neighbouring residents Mr & Mrs Sharp. They were concerned about surface water drainage, the lack of a reception to deal with issues such as late night noise disturbance, the inappropriateness of the development close to a Band G council tax area, the importance of the green space between the residential area and the holiday park and the viability of the 6 huts. Turning to his own comments, Cllr O'Leary advised that he had spoken against the application at the Weymouth Town Council Planning Committee when it was refused on the grounds of landslip and that No 61 Bowleaze Cove way would look down on the huts due to its height. This

proposal did not meet a housing demand and previous applications had been refused due to the unsuitability of that ground that existed as a buffer between the residential and commercial properties. He therefore urged the Committee to refuse the application.

Laura Ashworth, the Agent, stated that the original application had been submitted in May 2019 and that all issues had been addressed. Comments made by Natural England had been taken out of context and there would be no adverse impact on Portland. She explained that this was a sensitive low impact scheme that delivered high quality holiday accommodation close to tourist facilities that made use of this site and that the proposal would not result in significant harm to neighbours in terms of noise and amenity.

*Cllr Louie O'Leary withdrew from the meeting at this juncture.*

The Area Lead clarified that the site was not in the Area of Outstanding Natural Beauty (AONB), that the indicative drawings would not necessarily represent the end style of the units and that Weymouth Town Council had not objected to the proposal when first consulted on this application.

Members raised concerns in a number of areas, including

- the rationale for a time limited development of 10 years due to land stability;
- stability of the road due to cliff erosion and the impact of this proposal should an alternative route from Bowleaze be required;
- the Biodiversity Mitigation and Enhancement Plan in the context of the declaration of a climate and ecological emergency by the Council and comments made by Natural England;
- the impact of water run off on neighbouring properties;
- narrowing of the ecological corridor between residential houses and the holiday park; and
- parking arrangements in the context of limited parking on the road during the summer period.

Members were informed that the Highway Authority had not objected to the application. Comments had been received from the Technical Services Team in relation to land slippage, resulting in the advice to allow temporary consent. At the end of the 10 year period a further permission could be sought which would be considered on its own merits and not set a precedent for further development. Water run off would be subject to a planning condition.

The main concern of Natural England was to preserve the ecological corridor and they were content that the impact would be acceptable subject to the revised Biodiversity Mitigation and Enhancement Plan. Whilst appreciating that part of the green space would be lost, there remained an extensive area of green space in that location.

It was confirmed that the applicant had agreed to the conditions, including the 10 year timescale.

Members remained concerned about pedestrian safety due to the high level of traffic movements created by the turning point at the holiday park and were mindful that this proposal moved pedestrian traffic to a point further up the hill where traffic speeds were greatest. They were reminded that no objection had been raised by the Highway Officer and that only the most severe highway impacts could be given as a reason for refusal.

Following further debate, the Committee came to the view that the benefits of this application did not necessarily outweigh the concerns. Members considered that mixing residential with holiday lets outside the DBB to be inappropriate and that the holiday lets would not be in keeping with the neighbouring residential properties. Members were concerned about the reduction in the greenspace between no. 61 Bowleaze Coveaway and Waterside Holiday Park and the impact on views of the site and its surroundings.

A 5 minute adjournment was taken in order to formulate appropriate wording of a reason for refusal, following which, that reason was read aloud and supported by the Committee:-

"The proposed development would adversely erode the existing green space between no. 61 Bowleaze Coveaway and Waterside Holiday Park to the detriment of views of the site from Bowleaze Coveaway and Weymouth Bay and would adversely impact the visual amenity of the area contrary to policy ENV1 of the West Dorset, Weymouth & Portland Local Plan (2015)."

Proposed by Cllr David Shortell, seconded by Susan Cocking.

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

**78. Urgent items**

There were no urgent items.

**Duration of meeting:** 2.00 - 4.15 pm

**Chairman**

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