

APPLICATION NUMBER: WP/20/00150/OBL

APPLICATION SITE: Field South of Nottingham Lane, Nottingham Lane, Weymouth

PROPOSAL: Modification of planning obligations on Section 106 Agreement dated 26th June 2017 of planning application WP/17/00271/OUT.

DECISION: Delegate authority to the Head of Planning to modify the S106 agreement dated 26th June 2017 of planning application WP/17/00271/OUT to:

- Modify the public open space provision to a total of 4.70ha

Reason for Decision

It is considered that the proposed modification to the S106 would have an acceptable impact. The modification would involve the overall reduction in the provision of public open space from 4.75ha to 4.70ha resulting in an overall loss of 0.05ha. How the open space is provided would also change, the 4 play outposts (smaller defined play spaces) would be reduced in size individually from 400sqm to 250sqm but the number of play spots (incidental play spaces) would be increased from 4 to 12. The proposed provision as part of the outline application was in excess of that required. The proposed reduction in provision of 0.05ha to an overall provision of 4.70ha is still in excess of that required and therefore in this case the reduction in the public open space provision is considered acceptable.

APPLICATION NUMBER: WD/D/20/000228

APPLICATION SITE: Land at Jesmond Farm, Monmouth Gardens, Beaminster

PROPOSAL: Erect dwelling.

DECISION: Grant subject to 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:

Location Plan - Drawing Number 2726-03 - Rev A received on 29/01/2020

New House Ground Lines - Drawing Number 2726 -05 Rev A received on 29/01/2020

Proposed Floor plans and Elevations - Drawing Number 2726-01 received on 29/01/2020

Proposed Floor plans and Elevations - Drawing Number 2726-01 Rev A received on 29/01/2020

Site Plan - Drawing Number 2726-02 Rev C received on 29/01/2020

Site Plan - Drawing Number 2726-04 received on 29/01/2020

Proposed Landscape Strategy - Drawing Number 1107.02 A received on 22/06/2020

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

3) Prior to the commencement of development above damp course level, a landscaping and tree planting scheme in accordance with the Proposed Landscape Strategy plan 1107.02 A, shall have been submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March inclusive, immediately following commencement of the development. The scheme shall include details of species, provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years and thereafter the maintenance and replacement shall be carried out on accordance with the approved scheme.

REASON: In the interest of visual amenity.

4) No development above Damp Proof Course (DPC) level shall be commenced until details and samples of all external facing materials for the walls and roofs 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.

5) Prior to first occupation of the dwelling a Flood Warning and Evacuation Plan shall be submitted and agreed in writing with the Local Planning Authority. Thereafter, the Flood Warning and Evacuation Plan shall be retained on site in accordance with the agreed details.

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

6) Before the development hereby approved is occupied 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.

7) No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction and a timetable for the implementation of the scheme, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be fully implemented in accordance with the submitted details and timetable for implementation.

Reason: To prevent the increased risk of flooding.

8) In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion to the Local Planning Authority.

REASON: To ensure the risks from contamination are minimised.

Informatives:

Right 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.

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>

Waste Management -

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>

Reason for Decision

- Absence of 5 year housing land supply.
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- It is not considered to result in any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application.

APPLICATION NUMBER: WD/D/20/000583

APPLICATION SITE: 82 East Street, Beaminster, DT8 3DT

PROPOSAL: Demolition of existing bungalow and erection of 5.no dwellings.

DECISION: Refuse for the following reasons:

1. The application site is outside of the defined development boundary for Beaminster and the proposal is not for affordable housing and as such it does not form an exception site. As such the proposed development is contrary to Policy SUS2 of the West Dorset, Weymouth and Portland Local Plan (2015) which seeks to strictly control development outside defined development boundaries. The benefits of the proposal (the addition of a net increase in 4 dwellings to the housing supply) would not outweigh the harm in permitting a development outside the defined development boundary in the planning balance.
2. The proposed development will generate further traffic and pedestrian movements along East Street, a County highway with variable and limited carriageway and footway widths. Furthermore the vehicular access to the site is narrow and lacking any visibility splays. In the absence of the construction of, or programme for, a detailed improvement scheme designed to provide suitable and appropriate traffic management and safety enhancements for this street or to improve the width and visibility splays of the access, this development would be likely to cause danger and inconvenience to all highway users resulting in a severe impact on highway safety. Hence the scheme would be contrary to policy COM7 of the West Dorset, Weymouth and Portland Local Plan (2015) and Para 109 of the National Planning Policy Framework (2019).
3. In the absence of a S106 agreement to secure a financial contribution to off-site ecological mitigation it is considered that the proposed development would result in the unacceptable loss of semi-improved grassland in which are present Dorset Notable species and as such the development would adversely impact on biodiversity contrary to Policy ENV2 of the West Dorset, Weymouth and Portland Local Plan (2015), Dorset Biodiversity Compensation Framework and paragraph 170 of the National Planning Policy Framework (2019) (NPPF) and as such the refusal of the planning application accords with paragraph 175 of the NPPF.

APPLICATION NUMBER: WD/D/19/000797

APPLICATION SITE: St Andrews House, St Andrews Trading Estate, Shoe Lane, Bridport, DT6 3EX

PROPOSAL: Formation of first floor walkway and seating area.

DECISION: Grant subject to the following conditions:-

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

Location Plan and Site Plan - Drawing Number 15/007/300 received on 15/03/2019
Proposed Floor plans and Elevations - Drawing Number 15/007/302 A received on 02/06/2020

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 materials to be used for the walkway, stair and first floor seating area hereby approved shall be of metal construction finished in a colour to match the existing building.

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

4. The walkway and seating areas hereby approved shall be used between 08:00 and 20:00 only, on any day.

REASON: To safeguard the amenity of residential neighbours.

5. The walkway and seating areas hereby approved shall be used in association with the existing uses of the building as Class D1 for a Creche/Day Nursery and Class D2 – Leisure (Indoor Sports and Recreation together with Ancillary Cafe Facility), as outlined in the Town and Country Planning (Use Classes Order) 1987 (as amended) or any Order revoking or re-enacting that Order, and for no other purposes.

REASON: To define the permission and to safeguard the character and appearance of the development and the surrounding area including the Dorset AONB and adjoining River Asker.

Informative:

The development should take account of standing advice from the Environment Agency regarding surface water management, access and evacuation, floor levels and flood resistance and resilience measures.

Reason for Decision

The proposal is for relatively small scale development on the existing Trading Estate within the DDB and the proposal is acceptable in its design and general visual impact.

There is not considered to be any significant harm to neighbouring residential amenity, flood risk the adjacent green open space or the wider AONB landscape.

There are no material considerations which would warrant refusal of this application.

APPLICATION NUMBER: WD/D/19/003186

APPLICATION SITE: Homestead Farm, Main Street, Bothenhampton, Bridport, DT6 4BJ

PROPOSAL: Demolition of original farmhouse in Conservation Area. Erection of 1.no. new 4 bed low carbon house (with variation of condition1 of planning approval WD/D/17/002888 to amend approved plans).

DECISION: Refuse for the following reasons:

1 The proposal is a visually dominating and prominent built form of development, out of character to the area. The site is located within the Conservation Area and where the wider setting of that area is affected such that the proposal does not 'preserve' or 'enhance' that area as is required and set out given the statutory Section 72 test of the Planning (Listed Buildings and Conservation Areas) Act 1990. On that basis it has an adverse impact on the existing Conservation Area character and harms the Conservation Area character and appearance. That harm would be less than substantial but there are no wider public benefits arising from the proposal that would outweigh that harm in the planning balance. As such the proposal would not be in accordance with Policies ENV4, ENV10 or ENV12 of the West Dorset, Weymouth & Portland Local Plan (2015) ; Policies HT2, D1 & D8 of the Bridport Neighbourhood Plan; nor paragraph 127 and section 16 of the National Planning Policy Framework (2019) and in particular para 192 which states:

In determining applications, local planning authorities should take account of:
c) the desirability of new development making a positive contribution to local character and distinctiveness.

2 The proposed development by reason of its mass, scale and bulk has an unduly dominating and overbearing impact when viewed from existing neighbouring properties in Main Street and Duck Street. As a result it sits uncomfortably in relation to those neighbouring occupiers and is detrimental to their amenity (outlook). Its mass, scale and bulk is also detrimental to the character and appearance of the area. As such the proposed development would be contrary to Policies ENV10; ENV12 & ENV16 of the West Dorset, Weymouth & Portland Local Plan (2015); Policies D1 & D8 of the Bridport Neighbourhood Plan; and Section 12 of the National Planning Policy Framework (2019) and in particular paragraph 127 which states amongst other things that decisions should ensure that developments provide a high standard of amenity for existing and future users.

APPLICATION NUMBER: WD/D/20/000253

APPLICATION SITE: Beach Chalet adjacent car park, Charmouth Beach, Lower Sea Lane, Charmouth

PROPOSAL: Make alterations to convert redundant toilets to beach chalet (with variation of Condition 1 of Planning Permission 1/D/13/000282 amending the occupancy condition).

DECISION:

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

Location Plan received on 30/01/2020

Existing and Proposed plans and elevations - Drawing Number 20/1340/01A received on 07/06/2002

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

2. The beach chalet hereby approved shall not be used as a permanent dwelling, nor for ancillary sales or serving of food and/or drink. Overnight holiday accommodation shall only take place between 1st March and 31st October each year and the owners shall keep a record of the overnight use which shall be made available to the Local Planning Authority on request.

REASON: To control the use of the Chalet in this location where residential and retail use would not be acceptable

Reason for Decision

The continued use of this building as a Beach Chalet is acceptable, but an increase of this use to a residential dwelling would be contrary to policy ENV7. Retail sales and serving food and drink is also considered to be inappropriate in this location. Therefore whilst the existing use is supported a revised, robust and updated condition is recommended to control the future use of the building.