

1.0 Application Number – [WP/20/00136/FUL](#)

Site address – **375 Dorchester Road, Weymouth**

Proposal - **Demolition of existing dwelling & erection of 6no. dwellings with associated landscaping & parking**

Applicant name – Mr Eiles Clark

Case Officer – Jo Riley

Ward Member(s) - Cllr Legg

This application has been called in to the committee as a result of the Scheme of Delegation process due to the comments received from the Town Council who objected to the proposal, which is contrary to the Officer's recommendation of approval.

2.0 Summary of Recommendation: Grant subject to conditions.

3.0 Reason for the recommendation:

- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- The development would have no undue impact on the wider landscape being in an urban area and would not impact on the LLLI or green infrastructure network.
- There would not be any significant harm to neighbouring residential amenity.
- The development would not harmfully impact upon local highway safety, ecology or flood risk
- The proposal would not affect any conservation area or designated heritage assets.
- There are no material considerations which would warrant refusal of this application

4.0 Table of key planning issues

Issue	Conclusion
Principle of development	The proposal is for the demolition of an existing dwelling and to erect 6 dwellings within the DDB of Weymouth.
Design, appearance and impact on the character of the area.	Design, scale and siting would be considered appropriate for the site and reflects the urban form of surrounding development.
Impact on amenity	The proposal would not result in a significant adverse effect on living conditions of either neighbouring properties or future occupiers of the proposed development.
Access and Parking	The proposed development would have an acceptable impact in terms of access and parking. No objection

	from Highways officers.
Biodiversity/Trees	Following the submission of a Biodiversity, Mitigation and Enhancement Plan (BMEP) and its subsequent approval by the natural environment team it is considered that the proposed development would have an acceptable impact on biodiversity. No protected species were found on site. However mitigation/improvement measures are provided. A landscape condition is included to ensure some soft planting and 5 fruit trees as mitigation for trees lost prior to the submission of the application.
Affordable Housing	National planning policy as is now set out in the NPPF 2019 establishes thresholds below which affordable housing contributions should not be sought. As this site falls below these thresholds an affordable housing contribution is not required.
Climate Change	Policy ENV13 advises that new buildings are expected to achieve high standards of environmental performance. The scheme would have low energy and low water usage design.

5.0 Relevant Planning History - There is no recent planning history.

6.0 List of Constraints

- Within the DDB of Weymouth
- Not Conservation Area
- Not AONB
- Not Listed Building
- Not Flood Zone 2/3.

7.0 Consultations

Weymouth Town Council – Objects on the grounds of density and loss of habitat as compared to existing. However the proposal is in keeping with adjacent development and it is noted that currently there is not a five year land supply.

Transport Development - No objection subject to conditions relating to access closure, turning and parking, and access construction. Add informative re section 184.

8.0 Representations

Weymouth Civic Society - Object. It is overdevelopment, crammed into space available and does not respect character or the setting. Poor access, traffic

generation. No reference in the application to the historic significance of North Lodge or Corfe Hill House dating from 1837. This should be treated as a non-designated heritage asset.

There is also a representation from Cllr Northam. He does not object on planning grounds but concerned with trees being cut down in November 2019. Lack of replacement trees and there should be more permeability to the footpath. Also that there is a lack of affordable housing.

Another 6 representations have been received from neighbouring properties. These raise the following concerns:

- The siting of the refuse and recycling store
- Loss of trees
- Traffic turning right into property would conflict with those turning right to the petrol station.
- Loss of privacy being overlooked in 18 Westmacott Road (one of the flats on the corner of the access to No's 20 and 22).

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

9.0 Relevant Policies

West Dorset, Weymouth and Portland Local Plan (2015):

- INT1 Presumption in favour of sustainable development
- ENV1 Landscape and seascape and sites of geological interest
- ENV2 Wildlife and habitats
- ENV3 Green Infrastructure Networks
- ENV4 Heritage assets
- ENV10 Landscape And Townscape Setting
- ENV12 Design And Positioning Of Buildings
- ENV13 Achieving high levels of environmental performance
- ENV15 Efficient And Appropriate Use Of Land
- ENV16 Amenity
- SUS2 Distribution Of Development
- HOUS1 Affordable Housing
- HOUS3 Open Market Housing Mix
- COM7 Safe and Efficient Transport Network
- COM9 Parking Standards in New Development

NPPF:

- Section 2 – Sustainable Development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic 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

- Urban Design (SPG3)
- English Heritage Listed Buildings
Corfe Hill House

SY68SE RADIPOLE LANE, Radipole 873-1/2/500 (North side (off)) 14/06/74 Corfe Hill House (Formerly Listed as: DORCHESTER ROAD, Radipole Corfe Hill House) Grade II

Country house in own grounds. 1821. For Edward Balston. Yellow brickwork or rendered, slate roofs. PLAN: a substantial square principal range with large service range to the W. The corps de logis has a square entrance lobby opening to a fine open-well staircase, flanked by 2 rooms each side. EXTERIOR: 2 storeys, 3 windows; at first floor wide 12-pane sashes, above deeper 12-pane to ground floor, with central square flat-roofed portico on Portland stone Roman Doric columns and 5 nosed steps, over a panelled door with side-lights, to a flat elliptical arch containing a semicircular fanlight. The Portland stone plinth rises to ground-floor level; a mid band, moulded cornice with blocking-course, and parapet. This range has a large central stack in yellow brick. The S front, to the left, is rendered, with 2 large 12-pane sashes and a smaller central light at each floor, and a projecting lean-to conservatory, and the N front has 12-paned sashes, with an extra painted-in sash at the first floor. The large service range is on 3 floors, with hipped roof to plain eaves, 16-pane sashes at first and second floors, and 20-pane to the ground floor. A low wall links to an outbuilding beyond a service yard on the W side. INTERIOR: formerly divided into several apartments, now in single ownership and use; the ground floor only was inspected. The entrance lobby has a moulded ceiling cornice and central rosette, and opens to the staircase hall through glazed doors with side panels and large elliptical fanlight corresponding with the porch doorway. The stone-floored hall has a grand stone stair with flush soffit, wrought-iron balustrade and polished hardwood handrail, and moulded cornice. The panelled doors are in reeded doorcases with paterae. The principal reception rooms have moulded cornices, and the marble fireplaces are imported. Original or repaired panelled shutters remain to the ground-floor windows. A very elegant house, in splendid cream brickwork, and organised in the main building to bring all flues to the central stack. The building occupies a commanding position on a hill-top above the village.

10.0 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.

11.0 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.

12.0 Financial benefits

12.1 The additional population would help generate spending in the local community, provision of infrastructure and services. The proposed development would also result in the creation of construction jobs during the build period. It is therefore considered the proposal would contribute albeit to a small degree to economic development and job creation.

13.0 Climate Implications

13.1 Energy would be used as a result of the production of the building materials and during the construction process, however that is inevitable when building new homes and a balance has to be struck between providing housing to meet needs versus conserving natural resources and minimising energy use.

13.2 The development is also considered to be in a sustainable location on a bus route. The site would be within walking and cycling distance of all the Town Centre and local facilities.

13.3 Policy ENV13 advises that new buildings are expected to achieve high standards of environmental performance. The scheme would have low energy and low water usage design. The Design and Access statement advises that the houses would have low energy lighting, low water usage facilities, double glazed energy efficient (timber) windows, modern insulation and uses natural light and ventilation.

14.0 Planning Assessment

Principle of Development

14.1 In terms of the principle of the development the site lies within the defined development boundary for Weymouth. Policy SUS2 of the adopted local plan seeks to direct development to the main settlements and to “strictly control” development outside DDBs, “having particular regard to the need for the protection of the countryside and environmental constraints”. Given the location of the site inside the DDB with good access to amenities the principle of the application is acceptable. The

development will also further assist in the lack of five year housing supply, subject to compliance with other policies in the local plan.

14.2 The Council cannot currently demonstrate a five-year supply of deliverable housing sites. The Council has 4.83 years of supply across the local plan area as they have now made publicly available on its website. This means that para 11d, of the NPPF is 'engaged' and relevant policies for the supply of housing, including Policy SUS 2, may no longer be considered to be up-to-date. Where a 'relevant policy' such as SUS 2 is considered to be 'out-of-date', Para 11d of the NPPF, indicates that in such cases planning permission should be granted unless:

- i) The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

14.3 The lack of a 5 year supply, means that less weight has to be given to policies such as Policy SUS 2 in decision-making. This application site is located within the defined development boundary (DDB) of Weymouth in the adopted local plan and would be seen in the wider context of the surrounding buildings. Based on the requirement to assist in the lack of five year housing supply, and subject to compliance with other policies in the local plan, the proposal in principle is considered acceptable because of its sustainable location. As such, the principle policy support for this scheme is policy INT1 (Presumption in favour of sustainable development) of the adopted local plan which is still afforded full weight in decision making.

Design and impact on the street scene:

14.4 It is considered that the layout of Plots 1 and 2 at the front of the site which can be read as one large dwelling and which are in line with the frontage of the existing house and neighbouring property to the south would not be out of character in the street scene. There are a mix of styles of detached properties in the area along Dorchester Road. The loss of some of the boundary wall is regrettable but not overly harmful. The siting of four houses to the back of the front 2 plots in pairs of semis and accessed from the driveway along with substantial amounts of parking is not considered out of character, in fact, No. 875 appears almost undeveloped being surrounded to the rear and south by housing in Westmacott Road and four additional houses at the rear is not considered to be anymore dense than the flat and terraced housing to the south.

14.5 It is unfortunate that the verdant character of the site has altered with the loss of the trees which were removed before the application being submitted. However the site is not conservation area, not listed and not protected with any TPOs so consent was not required to remove the trees. In terms of space for replacement trees, it appears that parking has taken priority over landscaping. There is a modest amount of space left for minimal tree planting. There is space to the front of the site for some planting which would help the new houses sit better in the street scene and a landscape condition is attached for a landscaping scheme to be agreed.

14.6 The density of the overall scheme is heavy with parking and hard surfaces but the overall ratio of site to built dwellings is not considered any more developed than the

development to the south. The density works out as 26 dph which is quite low density within the DDB.

14.7 Each of the dwellings would have some form of private amenity and usable outdoor space. The properties at three bedrooms each are considered to be family homes and the space whilst not huge is adequate and acceptable in terms of Policy ENV10. It should also be noted that there is no set sizes in the local plan or NPPF for garden sizes, it is relative to the character of the area. Having regard to development to the south where some properties and flats have no outdoor usable space the proposal is acceptable.

Impact on neighbouring amenity

14.8 It is considered that the proposal would not be contrary Policy ENV16 of the adopted Local Plan and the NPPF (para 17) which seeks a good standard of amenity to all existing occupiers. There is a comment about loss of privacy but the majority of windows from the rear properties would be to the north to their own rear gardens. There is adequate distance between windows and properties in Westmacott Road and Dorchester Road to prevent direct overlooking between windows. It is noted that the outlook from window of properties in Westmacott Road would alter from sylvan treed garden but this would have been the same situation when Westmacott was built. Side windows on the terraces are limited at first floor level to en-suites and there would be small living room windows. This is not considered to be overly harmful. The rear bedroom windows from the semis would allow overlooking to gardens but this is a characteristic of semis or terraces and not out of character with the area. All plots are separated by 1.8m panel fencing.

Heritage Assets

14.9 The Civic Society have asked that the existing dwelling be considered as a non-designated heritage asset given its association as the North Lodge to Corfe Hill House and the age of the building dating from 1837. Whilst the original gatehouse structure is of merit, this is completely compromised by the inappropriate later house extension on its southern side. As such, in its current form, the entire building cannot be considered of merit and whilst the original gatehouse loss is regrettable, it forms a small proportion of the overall property. In addition, the building is not within the Conservation Area so is not locally listed. It is a significant distance from Corfe Hill House that the two are not relative to each other any more (with intervening development in between) and there is no mention of the lodge within listing details.

14.10 As such, when balancing the retention of the small proportion of original gatehouse with the benefits of 6 dwellings to housing land supply, it is considered that the benefits outweigh the harm in this particular case and had the gatehouse not been so inappropriately extended previously, the Council would have sought to retain it through the design.

Highway safety and parking

14.11 The Highway officer has not raised any concern. This is a sustainable location outside of the town centre but with frequent bus stops and footpaths around the site

with a sports centre and convenience store nearby. The car parking provision including visitor spaces is more than ample given that there are no parking restrictions along Dorchester Road. The loss of the boundary to the front to widen the driveway to improve visibility is acceptable as the majority of the boundary would remain.

Affordable Housing

14.12 The NPPF at paragraph 63 says provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). As this site is not in designated rural area and is not a major – no affordable housing required.

Community Infrastructure Levy

14.13 Having regard to Community Infrastructure Levy. The adopted charging schedule only applies a levy on proposals that create a dwelling and/or a dwelling with restricted holiday use. All other development types are therefore set a £0 per square metre CIL rate. The rate at which CIL is charged will be £93 per sqm. Confirmation of the final CIL charge will be included in a CIL liability notice issued prior to the commencement of the development.

15.0 Conclusion

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

16. **Recommendation:** Grant Permission 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:

- Location Plan, Block Plan
- Proposed site plan
- Plots 1 & 2 Floor Plans, Elevations
- Plots 3 & 4 Floor Plans, Elevations
- Plots 3 & 6 Floor Plans, Elevations

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

- 3) Before the commencement of development, full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The soft landscaping details to be submitted shall include planting plans, protection measures for existing features, planting maintenance

schedules. All hard landscaping works shall be carried out prior to first occupation of the dwellings hereby approved. Planting shall be carried out before the end of the first available planting season following substantial completion of the development. In the five year period following the substantial completion of the development any trees that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority. In the event of any disagreement the Local Planning Authority shall conclusively determine when the development has been completed, when site conditions permit, when planting shall be carried out and what specimens, size and species are appropriate for replacement purposes.

Reason: In the interests of continued visual public amenity.

- 4) Before the development hereby approved is occupied or utilised the turning and parking shown on the submitted plan must have been constructed. Thereafter these areas must be permanently maintained, kept free from obstruction and made 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.

- 5) Before the development is occupied or utilised the first 10m of the vehicle access measured from the rear edge of the highway excluding the vehicle crossing 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.

- 6) Before the development is occupied or utilised the existing access point must be permanently closed by extending the adjoining highway boundary and removing any gates. The existing highway vehicular crossing must be expunged and reinstated to a specification which must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proper and appropriate reinstatement of the adjacent highway.

- 7) Before the commencement of development, details and/or 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.

- 8) The development shall not be occupied until the mitigation measures detailed in the approved mitigation plan dated 11.3.20 have been completed in full, unless any modifications to the agreed mitigation plans as a result of the requirements of a European Protected Species Licence or the results of subsequent bat surveys, have first been submitted to and agreed in writing by the Local Planning Authority. Thereafter approved mitigation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: In the interests of a protected species.

- 9) Before the commencement of development, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be carried out in accordance with the approved details and shall be completed before the dwellings are occupied.

Reason: To safeguard the amenities of the locality and the privacy of the occupiers of adjoining premises.

- 10) Notwithstanding the provisions of Schedule 2, Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other Order revoking or re-enacting that Order with or without modification) no enlargements, alterations or modifications in the form of insertion of first floor windows on any elevation shall be carried out to the dwelling without a further application for planning permission being approved by the Local Planning Authority.

Reason: Enlargements and/or windows could potentially be detrimental to the amenity of the locality and neighbouring properties.

- 11) All windows on the proposed development shall be constructed in timber with the windows painted white, unless otherwise agreed and shall be retained in that condition unless a further application for planning permission is received.

Reason: To ensure that this aspect of the design is in keeping with the character and appearance of the building.

Informatives: NPPF, CIL, Section 184 Highways Act.

