

APPLICATION NUMBER: [WP/19/00480/OUT](#)

APPLICATION SITE: Marsh Road Garage, Marsh Road, Weymouth DT4 8JD

PROPOSAL: Demolish existing buildings and erect 20no. flats with parking and associated works (Outline);

DECISION:

A: Delegate authority to the Head of Planning to grant, subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the legal services manager to secure the following:

The provision of an off-site affordable housing contribution of £5,772 together with the following conditions (and their reasons):

1. Before any development is commenced details of 'reserved matters' (that is any matters in respect of which details have not been given in the application and which concern the layout, scale, appearance, access or landscaping) shall be submitted to the Local Planning Authority for its approval.

REASON: This condition is required to be imposed by the provisions of Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2010.

2. Application for approval of any 'reserved matter' must be made 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 92 of the Town and Country Planning Act 1990 (as amended).

3. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

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

Location Plan - Drawing Number received on 08/01/2020

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

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

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

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

- Hours of demolition
- Hours of operation
- Start up and movement of vehicles / equipment etc will be limited to 30 minutes prior to the hours of demolition or construction only.
- Location for loading/unloading and storage of plant, waste or debris and construction materials;
- Activities which may give rise to dust shall be controlled, as far as practicable, to minimise dust emissions. This must include controlling dust from regularly trafficked road areas. Dust suppression may be achieved using water and locating equipment and machinery, away from residential areas.
- At all times, a contact telephone number shall be displayed on site for members of the public to use to raise issues. A named person will also be provided to Environmental Health in order for contact to be made should complaints be received.
- Any waste arising at the site shall be appropriately segregated and controlled prior to its removal by an appropriately licensed contractor. Any waste arising from the activity which could potentially be contaminated in any way shall also be segregated again, and removed appropriately. Environmental Protection must be informed if this occurs.
- Any future sub-contractors to the site shall be made aware of, and comply with any guidelines/conditions relating to site management of emissions of noise, dust, smoke, fumes etc, made in as part of the determination of this application.
- Letter drops to adjacent residents in close proximity should be considered as part of the Demolition / Construction phase to give a minimum of 48 hours' notice of any exceptional activities proposed.
- Parking of vehicle of site operative and visitors (including measures taken to ensure satisfactory access and movement of existing occupiers of neighbouring properties during construction);
- Routes of construction traffic;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles.

REASON: In the interest of neighbouring amenity.

7. Prior to the installation of any plant or machinery, a noise assessment of the plant or machinery shall be submitted to and agreed in writing by the Local Planning Authority. The assessment shall indicate noise levels from the plant or machinery, existing background noise levels and any attenuation that may be required. The assessment shall also include details of any proposed mitigation required. Thereafter, the development shall proceed in accordance with the agreed details.

REASON: In the interest of neighbouring amenity.

8. 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 providing clarification of how drainage is to be managed during construction and a timetable for implementation, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the approved details including the timetable for implementation.

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

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

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

10. The development hereby approved shall be carried out in accordance with the mitigation measures, including the finished floor levels, of the Flood Risk Assessment and Drainage Strategy, dated 30 January 2020, unless a subsequent variation is first agreed in writing by the Local Planning Authority.

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

11. The units shall not be first occupied until flood warning and emergency evacuation procedure notices shall have been erected in accordance with numbers, positions and with wording which shall have first been agreed in writing with the Local Planning Authority. Thereafter, the notices shall be retained on site in accordance with the agreed details and shall be kept legible and clear of obstruction.

REASON: To ensure that residents of the site are aware that the area is at risk of flooding, and the emergency evacuation procedure and route(s) to be used during flood events.

12. Prior to the commencement of development hereby approved the following information shall be submitted to and agreed in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources pathways and receptors and potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected including those off site.
3. The site investigation results and the detailed risk assessment (2) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development hereby approved first comes in to use or is occupied. Within 4 weeks of the completion of the remediation strategy a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON: To ensure potential land contamination is addressed.

13. 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, shall be submitted to and approved by the Local Planning Authority. Remediation work shall then be carried out in accordance with the remediation scheme. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

REASON: To ensure risks from contamination are minimised.

Informatives:

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

Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to 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>

Community Infrastructure Levy

This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.

B: Refuse permission for the reasons set out below if the legal agreement is not completed within 6 months of the committee resolution or such extended time as agreed by the head of planning:

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

APPLICATION NUMBER: [WD/D/20/000597](#)

APPLICATION SITE: Land West of, 5 Chapel Lane, Maiden Newton

PROPOSAL: Demolish existing outbuildings and erect 2 no 3 bedroom detached houses with parking.

DECISION: Grant subject to the following conditions:

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

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

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

Plot 2 Floor plans and Elevations - Drawing Number 9294/102 B received on 06/03/2020

Plot 1 Floor plans and Elevations - Drawing Number 9294/101 C received on 27/04/2020

Location, Block & Site Plans - Drawing Number 9294/100 F received on 15/09/2020

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

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

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

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no alteration(s) of the dwellings hereby approved, permitted by Class C of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

REASON: In the interest of residential amenity.

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

REASON: In the interest of residential amenity.

6) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), the roof light serving the east elevation of both dwellings hereby approved shall be permanently glazed and maintained thereafter with obscured glass of a minimum obscuration of level 3 before the dwellings are first brought into use.

REASON: To protect amenity and privacy.

7) Before the development hereby approved is occupied or utilised the turning and parking shown on the submitted plans, drawing number 9294/100 F 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.

8) 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 approved details and timetable for implementation.

Reason: To prevent the increased risk of flooding.

Informatives:

1) NPPF

2) All species of bat in the UK are protected by both domestic and European legislation, making it illegal to harm, injure, kill or disturb them, or to destroy, obstruct or otherwise damage places where they roost or seek shelter. As such, should any bat species or evidence of bat species be found prior to or during the development, all works must stop immediately and an ecological consultant or John Stobart at Natural England (Tel: 07825844475) must be contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.

APPLICATION NUMBER: [WD/D/19/001514](#)

APPLICATION SITE: West Coombe, Smishops Lane, Loders, Bridport, DT6 3SA.

PROPOSAL: Demolish agricultural barn and erect detached dwelling and garage.

DECISION: Grant subject to the following conditions

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

Proposed Garage Floor plans and Elevations - Drawing Number 19 039 05A received on 12/06/2019

Proposed Ground Floor plans and Elevations - 19 039 03C received on 15/06/2020

First Floor plans and Elevations - 19 039 04D received on 15/06/2020

Site Location and Block Plan - 19 039 01C received on 15/06/2020

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 Prior to development above damp proof course level, details and samples of all external facing materials for the walls, including the mix, colour, finish and extent of the pointing to be used, and roofs shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

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

4 The development hereby approved shall be carried out in full accordance with the approved Hellis Tree Consultancy Tree Plan (dated December 2019).

Reason: To ensure that trees which contribute to the character and appearance of the area, and are to be retained, are not adversely affected by the development proposals

5 No occupation shall commence until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

- (a) size, species and positions for new trees and plants,
- (b) boundary treatments,
- (c) surfacing materials (including roadways, drives, patios and paths) and
- (d) any retained planting.
- (e) a detailed programme of implementation

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season either with the same tree/plant as has previously been approved, or with other trees or plants of a species and size that have first been approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the provision of an appropriate landscape setting to the development

6 The Biodiversity Mitigation Plan (BMP) signed by the Natural Environment Team on 12/02/2020 shall be implemented in full in accordance with the specified timetables in the BMP. The dwelling shall not come into first occupation until all mitigation measures have been carried out and thereafter shall be retained in perpetuity.

Reason: To minimise impacts on biodiversity.

7 No new external lighting, other than that shown on the approved plans, shall be installed within the boundary of the application site unless in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. Such details shall include the location, number, luminance, angle of illumination and type of each luminaire or light source and a lux diagram showing the light spill from the scheme. The lighting shall thereafter be installed, operated and maintained operated in accordance with the approved details.

Reason: To avoid adverse impacts to the dark night skies special quality of the AONB.

NOTES TO APPLICANT

1. National Planning Policy Framework Statement

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

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

In this case:

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

2. Septic tanks should only be considered if it can be clearly demonstrated that discharging into a public sewer to be treated at a public sewage treatment works or a package sewage treatment plant is not feasible (taking into account cost and/or practicability). Details regarding the Environment Agency's formal requirements in respect of package sewage treatment plants and septic tanks can be found at: <https://www.gov.uk/permits-you-need-for-septic-tanks>
3. The proposed use of soakaways at the site for surface water drainage must be in accordance with Building Regulations Part H (H3 - Section 3).

APPLICATION NUMBER: [WP/20/00361/OBL](#)

APPLICATION SITE: Land South of Louviers Road, Weymouth

PROPOSAL: Modification of planning obligations on Section 106 Agreement dated 20 December 2018 (original planning approval WP/17/00832/FUL)

DECISION:

Delegate authority to the nominated officer to modify the S106 agreement dated 20 December 2018, to

- modify mortgagee in possession clauses by changing the definition of charge and paras 10.1 to 10.3 of schedule 3 in line with the Securitisation Working Groups standard mortgage in possession clause,
- and seek deletion of para 12 of Schedule 3 indicating they cannot be bound to reinvest in the same local authority area.

Report to Committee to Modify a Planning Permission under Section 97 of the Town and Country Planning Act 1990 for the planning consent WP/14/00330/OUT, WP/16/00388/VOC and WP/19/00184/VOC

DECISION:

That Members agree to the modifying of the outline planning permission WP/14/00330/OUT and WP/16/00388/VOC and to include the condition in respect of WP/19/00184/VOC, if planning permission is subsequently granted, by imposing the following new condition on such permissions:

No groundworks shall take place at a depth more than 1.0m below ground level of all buildings of the development or at a depth more than 0.60m below ground level for all private gardens, all privately owned external areas and all other areas of soft landscaping and groundworks shall not compromise the high visibility membrane present 1.0m below ground level of all buildings and 0.60m below ground level for all private garden areas, all privately owned external areas and all other areas of soft landscaping. For the avoidance of doubt this restriction shall apply to any works permitted pursuant to Article 3 of the Town and Country Planning (General Permitted Development Order) (England) Order 2015 as amended or any Order which replaces the same.

REASON: To protect the health of the persons living at the properties.