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[Application Number –WP/19/01016/FUL](#)

Site address: St Nicholas Church, Buxton Road, Weymouth DT4 9PJ

Proposal: Demolition of the existing church and erection of 18 affordable flats with associated external amenity space and parking spaces

Applicant name: Hector Benjamin Ltd

Case Officer: Bob Burden

Ward Member(s) Cllr B Heatley, Cllr C Sutton, Cllr K Wheller

2.0

Summary of Recommendation:

Recommendation A: Delegate authority to grant to Head of Planning subject to completion of a S106 agreement to secure provision of 100% affordable housing, and subject to planning conditions.

Recommendation 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.

3.0

Reason for the recommendation:

- Contribution towards 5 year housing land supply.
- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- The location is considered to be sustainable 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.
- There are no material considerations which would warrant refusal of this application.

4.0

Table of key planning issues

Issue	Conclusion
Principle of development	Whilst there is a general presumption to retain such sites in community use, Policy COM3 allows for the context of this to be reviewed in appropriate circumstances; the objective to enhance a community hub nearby, coupled with the opportunity to secure 18 all-affordable flats means that in this particular case the scheme has support in principle.

Affordable Housing	This is an all-affordable housing scheme for social rent or affordable rent, with the opportunity to secure 18 two bedroom flats in a sustainable location which has the support of the Housing Enabling Team Leader .
Visual Impact on Locality and Conservation area.	The existing church building is a visually discordant building in the street scene; the siting, design and materials of the proposed building- with its contemporary approach- would enhance the character of the conservation area.
Effect on residential amenity	The relationship with adjacent and near-by dwellings is not considered to result in unacceptable over-looking, nor would it have an overbearing effect .
Flood-risk	An acceptable surface water drainage strategy has been submitted.
Ecology	An acceptable bio-diversity plan has been submitted, and this has been verified by the Natural Environment Team.
Highways	The site has been inspected and assessed by the Highways Officer; the proposed use is considered acceptable subject to parking, access crossing and surface water drainage details.

5.0 Description of Site

- 5.1 The site lies on the north side of the Buxton Road (A354) on the west side of Weymouth. The site rises significantly from the road and is currently occupied by a 5.6m high barrel-roofed church of pebble dash render/metal cladding under a dark felted roof with a flat roofed side extension. It is positioned close to the rear and east edge of the site. To the west is a grassed area and an extensive tarmac forecourt area for car parking. A small electricity substation is present which would be removed. There is an existing vehicular access to the site flanked by

low frontage walls, with a low wall running along the east boundary and a circa 2.5m high retaining wall at the rear (as the levels rise beyond the site rear).

5.1 The frontage to Buxton Road includes a bus stop and bus shelter to the west side. There are several shops in the vicinity and two/two and a half storey older brick/slate roofed housing on the opposite side of Buxton Road. To the west of the site is a driveway to the rear bungalow. Beyond the drive is a block of architecturally impressive Victorian villas, commencing with No 18 (the nearest having a flat-roofed two-storey extension). The majority of this villa block is in a pale brick. To the rear of the site is a bungalow with a frontage/side garden at an elevated level, of natural stone/dark concrete tiles.

5.2 The eastern boundary includes intermittent planting including laurel shrubs with well-established large trees within the grounds of 1 Verne Road, but close to the application site. No 1 Verne Road is a large imposing and attractive building currently used as a nursing home, featuring alternate light/dark brick banding. The frontage area is a largely open area with car parking under the trees near the site boundary.

6.0 Description of Development

6.1 The scheme proposes removing the church and replacing it with a four storey block of 18 all-affordable flats based on a contemporary design. This would be set back 9m from the pavement and would be off-set 3.8 m from the east boundary and at least 4.3m off the north boundary. On the western side of the site 267m² of communal amenity space would be provided, wrapping around the west side of the building. A refuse and recycling area would be provided behind a landscaped front boundary area. The existing vehicular access would be modified but remain to the east side of the frontage. A new frontage wall would be erected to the east. A pedestrian access would be added to the west. There would be 2 parking spaces to the frontage with the majority (16 spaces) within an under-croft parking area.

6.2 The building would have a mainly rendered ground floor with buff brick above. Standing seam metal cladding would be used on the top floor, the lift/stair section and on the “pop-out” windows. Powder coated aluminium windows and doors would be used. An ornate railing design would be used on the balconies. The top floor recessing allows for an area of rooftop balcony space on the south and east facing elevations.

6.3 The existing wide “bell-mouth” vehicular access would be reduced in width to 4.3m and would be positioned roughly equidistant between the bus stop and the pelican crossing.

7.0 Relevant Planning History

None relevant.

8.0 List of Constraints

Within defined development boundary

Within the Connaught Road Conservation Area (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*)

9.0 Consultations

9.1 **Wessex Water** - Public sewer in Buxton road, connection can be agreed to this. Surface water - a viable surface water strategy must be demonstrated together with management/maintenance requirements.

9.2 **Flood-Risk Officer** - Site lies in Flood Risk Zone1. Initial holding objection addressed; acceptable surface water drainage strategy received.

9.3 **Highway Officer** - This proposal is located on a frequent bus route, close to the Rodwell Trail which offer walking and cycling to town and Wyke and Portland, is near to schools, doctors and shops and is providing 1 off-street parking space per unit and secure and sheltered cycle parking spaces. EV charging points can be accommodated. The Highway Authority considers that the revised proposals do not present a material harm to the transport network or to highway safety and consequently has NO OBJECTION subject conditions addressing access crossing, parking/turning, and surface water drainage, plus highways informative.

9.4 **Conservation Officer** - Original comments - More integration with the Victorian buildings needed; given more restrained glazing use in these the design should evoke a more "solid" appearance; an amended design of railings, with a more craft/innovative approach would help. At present the scheme lacks innovative design. The scheme would cause less than substantial harm to the conservation area. The development would improve the overall site condition (removal of the church building).

Revised plans later submitted showing shadow-line/revised railings design- Conservation Officer confirmed now supports scheme.

9.5 **Senior Tree Officer Comments** – I have gone through the arboricultural report. There's nothing controversial and, regardless of the condition of the trees on the adjacent site (the Arb Consultant recommends removal of the Willow – but of course none of us can require that) the proposal is unaffected. Don't really see a need for conditioning root protection zones since, whilst there is some minor intrusion into the site, the retaining walls etc. have almost certainly dissuaded roots from entering the site – and the BS allows for up to 20% of the root zone to be affected. Would suggest conditioning the landscape scheme though; it would be good to be able to actually require whatever they 'indicate' on their proposals.

9.6 **Housing Enabling Team Leader-**

Currently 1800 households on housing register requiring accommodation in the Weymouth and Portland area; a high level of need across the area. Policy requires 35% affordable housing normally on-site, with 70% social/affordable rent and 30% intermediate affordable housing (on open market sites).

The Councils Strategic Housing Market Assessment 2014 suggests in the region of 104 new affordable dwellings need to be developed annually. This is a proposal for 18 affordable 2-bed flats. The applicant's intention is to provide 100% affordable housing and to secure the flats with a section 106 agreement. It provides a lift to the upper floor to enable disabled access. The development would be owned by a Registered Social Landlord.

Summary –This scheme would help meet housing needs in an appropriate way.

9.7 Weymouth Town 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.

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

10.0 Representations

30 letters of objection/comment have been received. The main planning-related points include:

- Scale and proportion out of character with the conservation area.
- Does not reflect architecture of adjacent Victorian houses.
- Lacks design features of existing characterful development.
- Weymouth Civic Society: excessive density and coverage of limited site. Design would harm character/appearance of conservation area/not in keeping with the Victorian villas.
- Increased traffic near a pedestrian crossing.
- Too high and too dense.
- Reduce number of units.
- 12 flats would be more acceptable.
- Loss of privacy/light to properties to north.
- Proximity to road will overwhelm properties opposite.
- Traffic would be unable to turn right from site, especially at rush hour/school
- bus stop would inhibit driver vision.
- Vehicular access onto busy road to Wyke/Portland, and cars already park in road-traffic problems; too close to pedestrian crossing and bus stop with associated highway dangers.
- Overdevelopment.
- Too far forward of building line.
- Conflict with school children and elderly in area due to traffic.

- A lot of pedestrian activity; children, footfall to general store, chip shop and pharmacy; pupils of Holy Trinity and All Saints; patients/elderly at doctors surgery; route to Portland.
- Access/egress busy between bus stop and pedestrian crossing.
- Busy and congested road with several drop-off/pick up times due to schools etc. in area; vehicles mount kerbs to get past.
- Inadequate car parking, lack of manoeuvring space and more pressure on side roads for parking.
- No provision for visitor parking.
- Should reduce scale of development.
- Should not allow loss of community facility- contrary to COM3 of Local Plan; buyer wishes to use as place of worship.
- Public should be able to view the final external materials for approval.
- Loss of outlook for dwellings to north.
- Unacceptable overlooking/overshadowing of Dwellings to rear.
- Loss of privacy and sunlight to bungalow at rear.
- Loss of privacy from overlooking and over shadowing.
- Will exacerbate surface water drainage problems.
- No local facilities in area e.g. parks.
- Bus service does not go to local employment site-Granby industrial Estate.
- No cycle storage (*case officer note: there is on-site cycle storage*).
- Will exacerbate existing pollution from traffic.
- Noise pollution.
- Could cause land slippage/subsidence for existing properties.
- Windows would be over-looked by first floor bus passengers.
- Balconies are a vulnerable feature.
- Asbestos maybe present.
- Support social housing in principle.
- Ensure refuse vehicle turning is adequate.

1 letter included support comments. The main-planning related points include:

- Welcome 100% affordable housing.
- Nice modern development comparable to Bath Store.

Full copies of all letters of representation can be viewed at dorsetforyou.com

11.0

Relevant Policies

West Dorset, Weymouth and Portland Local Plan 2015

INT1 Presumption in favour of sustainable development

ENV2 Wildlife and habitats

ENV4 Heritage assets

ENV10 landscape and townscape setting

ENV11 pattern of streets and spaces

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
HOUS4 development of flats, hostels and houses in multiple occupation
COM3 retention of local community buildings and structures
COM7 safe and efficient transport network
COM9 parking standards in new development

National Planning Policy Framework 2019

2 Achieving sustainable development
5 Delivering a sufficient supply of homes
11 Making effective use of land
12 Achieving well designed places
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

Weymouth and Portland Landscape Character Assessment 2013
Connaught Road Conservation Area (2001)
Listed Buildings and Conservation Areas (SPG2)
Urban Design (SPG3)

12.0 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.

13.0 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. The scheme includes lifts to all floors and is therefore particularly helpful to disabled and less able persons.

14.0 **Financial benefits**

Material considerations

18 affordable housing flats,
 Spending by occupiers in local shops and facilities
 Employment created during construction phase

Non material considerations

Not applicable

15.0 **Climate Implications**

Works to demolish, remove and then construct the new building will involve environmental emissions. The applicant has however submitted an Energy and Resource Statement; the new building will incorporate features such as elevations benefitting from solar heat gain; all light fittings will be for low energy lamps; the large glazed areas will reduce need for artificial lighting. Materials used in the construction will have low embodied energy and be recyclable where possible. It is considered that these measures would outweigh the carbon and other emissions caused by the construction of the scheme.

16.0 **Planning Assessment**

Principle of development

16.1 The site lies within the defined development boundary where the principle of residential development is generally acceptable - subject to other material considerations - one such being the recent community use of the site. Although currently vacant the existing site has in the past been used as a church. Policy COM3 of the Local Plan seeks to retain community buildings in community use unless it can be demonstrated that there is no local need for the facility or that such a facility is no longer likely to be viable, and an appropriate alternative community use to meet local needs is not needed or likely to be viable. In the case of this particular church it supported only between 6 and 12 worshippers (a marked trend over recent years has been falling congregation numbers generally in many ecclesiastical contexts). This proposal also needs to be assessed in the context of the building as one with higher costs of upkeep due

to its age, type and condition. These factors have raised questions over the sustainability of this particular facility.

16.2 Para 6.3.5 of the pre-amble to the COM3 policy indicates:
In considering proposals that would result in the loss of local community facilities, the council will take into account what other facilities and services are available locally, and whether there are proposals to consolidate that service into a community facility hub.

16.3 The Parochial Church Council took the decision in the light of the earlier paragraphs above to aim towards consolidating the role of the Holy Trinity Church as a hub nearby, using monies from the sale of the St Nicholas Church site. The Churchwarden has stated that:
“Proceeds of sale will be used solely for the repair, re-ordering and development of Holy Trinity Church to make it a suitable building for use by our local community. The re-ordering would involve the installation of a new kitchen and toilet facilities in the main building of the Church with meeting rooms and exhibition space accessible from the main entrance of the church.”

16.4 Gracewell Care Home on Cross Road- enabling local worshipers to continue. Similarly, other community meetings have transferred to other venues such as Holy Trinity School and All Saints School.

16.5 Also of relevance here (and relevant in the context of the above-mentioned policy pre-amble) is the presence of a significant number of other church/community facilities in the locality. These are as follows:
All Saints Church (Wyke), Wyke Regis Methodist Church and the Convent of Our Lady St Mary- all less than 1 mile away. Furthermore there is the Weymouth Independent Evangelical Church, and a Spiritualist Church on Chickerell road to the north. Moreover Holy Trinity, Hope United and Hope URC Churches are all less than 1 mile to the north-east.

16.6 The policy pre-amble also makes reference to marketing of the site to help assess the case for retention of the facility or otherwise. The site has been marketed by local agent Goadsbys including exposure via website, site “for sale” board and in the Dorset Evening Echo. This resulted in 6 expressions of interest, only one of which was from a religious organisation. Whilst this is a consideration it is considered that the following points need to be considered;
given the context of the significant number of community/church facilities already in the area, coupled with the opportunity to enable the improvement and enhancement of Holy Trinity Church to consolidate as a hub (and therefore reflecting part of the COM3 policy), together with the fact that the proposed development would be an all-affordable housing scheme (therefore with a community benefit) there is a strong case for accepting the principle of allowing this church site to be redeveloped for this particular residential use.
The full Policy COM3 Supporting Statement is available on the planning website.

Affordable Housing-

16.7 This scheme is proposed as an *entirely* affordable housing scheme comprising 18 two bedroomed flats. This would include a level threshold and installation of a lift to aid access for any less able persons. Each flat would be 67m² in area, with the tenure being either social rented or affordable rented. The Councils Housing Enabling Officer has been consulted and advises that there is a high level of need across the Weymouth/Portland area, and that the Strategic Housing Market Assessment 2014 suggests in the region of 104 affordable dwellings need to be developed annually. He concludes that the proposal would help meet needs in an appropriate way.

16.8 The Weymouth and Portland area is one where securing affordable housing can be challenging due to viability issues on a number of sites, resulting in accepting a financial contribution instead or even no contribution at all. This scheme offers an opportunity to secure a significant number of affordable homes on-site, bringing a community benefit in a sustainable location. The affordable homes would be secured as such using a section 106 agreement.

Visual Impact on Locality and on Conservation Area-

16.9 This is a prominent site in the street scene lying within the Connaught Road Conservation Area. It is also close to characterful historic buildings being flanked by large distinctive Victorian houses; No 18 Buxton Road to the west and Elsadene to the east. As such it is a significant site in visual terms. An extract from the Conservation Area document reads:

The semi-detached villas along Buxton Rd are 2½ storeys. Original dormer windows being small with segmental roofs. An important feature of the street frontages are the ground floor verandahs with cast iron columns, originally with lead or zinc roofs. Windows would have been vertical, sliding sashes. On the ground floor, original windows and doors are still evident. The buildings individually and as a group retain many of their Victorian characteristics and architecturally and historically are a link between Blackdown House and Connaught Rd.

16.10 The site currently comprises a “one and a half storey” height barrel-roofed pebble-dash building with bitumen felt roof Church dating from the early 1960’s, together with an extensive tarmac car park to the west. It is proposed to replace this with a four storey building aligned parallel to the road, and positioned closer to the frontage.

16.11 It would be about 5.5m higher than the existing building to the top of the main extensive roof expanse. The higher lift shaft element would be about 1.6m higher than the ridgeline of the bungalow to the rear.

16.12 Some comments have been received which consider this building is too far forward of the building line. However, the main substantive building front (the main balcony projection and the similar building projection on the eastern part of the building) are only about 1m forward of the verandah on 18 Buxton Road to the west. It is set back about 8.5m from the road. Furthermore, there is marked variation near-by on building alignments; the building fronting Buxton Road to the east (the Bath Store) is positioned markedly closer to the road (about 4m away). In these circumstances it is considered the building is appropriately positioned in the street-scene.

16.13 It is fair to say the proposed building is a lot larger and higher than the existing church. However, it is broadly similar in massing terms to the semi-detached Victorian Villa block to the west. In fact it is about 0.7m lower than those.

16.14 The design follows contemporary design principles, with clean lines, and a modern materials palette. Whilst this appearance is clearly different to the Victorian villas, the overall front elevation picks up on the repeated rhythm of window arrangements present in the villas (wider alternating with narrower window areas).

16.15 The materials are mainly render at ground level with buff brick above (picking up the tone of the main villa brick adjacent). The lift element and upper sections include standing seam metal cladding with the flat roof finished with single ply roofing membrane. Windows would be of powder coated aluminium. The Conservation Officers rationale is that the sensitive use of crisp/quality detailing and simple geometric form are themes that can be transferred to the proposal site.

16.16 The Conservation Officers comments on the application are:
Original submission: More integration with the Victorian buildings needed; given more restrained glazing use in these the design should evoke a more "solid" appearance; an amended design of railings, with a more craft/innovative approach would help. At present the scheme lacks innovative design. The scheme would cause less than substantial harm to the conservation area. The development would improve the overall site condition (removal of the church building).

16.17 Consequently further drawings were submitted clarifying shadow lines and a revised railing design- the Conservation Officer now supports the scheme. The railing issue has been addressed: Most balconies are finished with galvanised steel involving a swooping curvilinear design expressed in both side and front views - adding a bespoke element to the overall look.

16.18 There are several mature trees on the adjacent site to the east but close to the site boundary including yew, willow and ginkgo trees. The applicant has

submitted a Tree Constraints and Impact Assessment which has been assessed by the Senior Tree and Landscape Officer. From this report he is satisfied that the impact on the trees of the development is acceptable. He does however recommend that a landscaping condition is added.

16.19 Both the Conservation Officer and the Case Officer consider that in visual terms the church constitutes a non-conforming element in the street-scene in terms of positioning, design and materials, with an extensive visible car park; the replacement scheme would “repair” the general rhythm/continuity of built development along this section of Buxton Road.

16.20 It is considered the siting, massing, detailed design and materials would be appropriate for this site; the proposal would enhance the character of this part of the conservation area. This conclusion has been reached having regard to: (section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Effect on residential amenity-

16.21 The site lies in a primarily residential area with several shops to the south-east, on the south side of Buxton Road. Opposite the site to the south are two and single storey/split level dwellings. The front elevation of the building would include various balconies up to third floor level looking southward. However, these would be about 25m from the front elevations of the houses opposite. As such, no unacceptable looking would occur.

16.22 To the west is the Victorian villa: 18 Buxton Road, 16m away from principal windows in the west elevation of the proposed building. This is considered a reasonable distance and would not result in unacceptable overlooking. There are windows in the east elevation of No 18 which face the site but as mentioned, the distance is acceptable in residential amenity terms.

16.23 To the east is Elsadene, 1 Verne Road, a nursing home facility. The east elevation of the proposed building has windows about 3m from the boundary with this property. However, the area east of the building is an extensive frontage area including a sweeping driveway, with car parking occurring beneath several mature trees which exist along parallel with but within the curtilage of 1 Verne Road.

16.24 The scheme has “pop out” projecting windows designed such that the outlook view is to the south (rather than over the frontage grounds of 1 Verne Road). These projections are about 3m from the boundary with this neighbouring site. The windows show that obscure glazing would be used on the area of the window facing the neighbour’s site.

16.25 To the rear (north) of the site are residential dwellings rising up the progressively higher land, with the closest being a bungalow (16 Buxton Road). This is accessed via a concrete access-way running along the western boundary of the application site. The bungalow is set back within the plot at the rear north-west corner, such that its garden area lies to the south and east, backing on to the application site. The ground level rises to the rear such that the floor level of the bungalow is about just over half way up the first floor level of the proposed building.

16.26 The applicant has sought to ensure the neighbours existing view southwards at the west end from the large living room window over Portland Harbour and Island is retained by siting the building to the east of this.

16.27 There are principal windows proposed on the rear elevation which would look out over the bungalow and garden. To the east of the large living room window the bungalow has a bedroom window and an integral double garage. There are 2 roof-lights serving an office to the east and a storeroom/bedroom.

16.28 The western side of the proposed building has kitchen windows at first, second and third floors, and bedroom windows at first and second floor on the rear. These windows would be 5.6m from the boundary with the garden of the bungalow - and a further 16.9m (22.5m total) from the front of the bungalow which is set back at the north-west corner of the site. These windows would look out over a mainly open part of the garden with lawn and a vehicle turning area. Whilst the proposed building would be markedly higher than the bungalow, the elevated positioning of the bungalow does reduce the extent of this height difference. It is considered that the 24m distance between the existing proposed windows would not result in unacceptable overlooking.

16.29 Moving to the eastern half of the rear of the building it is 4.3m from the garden with the garden depth beyond being a further 16m. Two bedroom windows at first and second floor would look out over this. This side of the garden has a more secluded feel with a summerhouse, planting, two outdoor seating areas together with modest sized fruit trees. Two bedroom windows are proposed at first and second floor near this area. The applicant has amended these to the "pop-out" type such that the north facing window is obscure glazed and the east-west side elements are transparent. This modification prevents unacceptable over-looking of the more private areas of the garden whilst allowing occupiers views out.

16.30 The central lift section has a rear access door, window and external stairway to the amenity space. Appropriate means of enclosure would ensure there is no overlooking from the stairway or rear/side amenity spaces of the neighbouring garden. The third (top) floor has balconies to the south and east; the eastern one has an obscure glazed 1.5m high section to prevent views over

the frontage area of 1 Verne Road. External amenity space at this level on the north/west sides is avoided to prevent overlooking.

16.31 Regarding massing, the building positioning and levels differences means it would not have an unacceptable overbearing effect on the bungalow or its garden.

16.32 Turning to amenity space for the proposed flats, the scheme seeks to provide this as a split level communal area wrapping around the western end of the building. A total of 267m² would be provided which satisfies the policy requirement under Policy HOUS4 of the local plan.

Flood-risk-

16.33 The site lies in Flood Risk Zone 1. An initial holding objection was overcome with additional information being submitted. Accordingly the Lead Local Flood Authority now recommend approval to the submitted surface water drainage strategy subject to conditions.

Ecology-

16.34 The applicant has submitted a biodiversity mitigation and enhancement plan which has been confirmed as acceptable by the Natural Environment Team. This includes details such as native species planting, bat and bird boxes.

Highways-

16.35 The site fronts onto the A354 Buxton Road (a main route between Weymouth and Portland). This route carries significant traffic with shops, schools and residential areas in the locality. Various representations have been received which express concern over the traffic increase and various highway safety-related issues such as car parking, crossing the busy road, proximity to the bus stop and pelican crossing, and safety of school children in the area for example. The traffic generated by 18 flats must be balanced against the existing use of the site as a church (Class D1 Non-residential institutions) and the potential traffic this Use Class could potentially generate; the site has a "traffic credit". The existing wide "bell-mouth" vehicular access would be reduced in width to 4.3m and positioned roughly equidistant between the bus stop and the pelican crossing.

16.36 The Highways Officer has inspected the site and the context in relation to the adjacent highway and pedestrian crossing/bus stop in that area. He comments as follows:

This proposal is located on a frequent bus route, close to the Rodwell Trail which offer walking and cycling to town and Wyke and Portland, is near to schools, doctors and shops and is providing 1 off-street parking space per unit and secure and sheltered cycle parking spaces. EV charging points can be accommodated. The Highway Authority considers that the revised proposals do not present a material harm to the transport network or to highway safety and

consequently has NO OBJECTION (subject to conditions addressing access crossing, parking/turning and surface water drainage).

17.0 Conclusion

17.1 The application provides an opportunity to provide 18 all-affordable flats in a sustainable location with access to close-by local shops and facilities, and a convenient bus stop giving access to extensive facilities in Weymouth. This would also be a useful contribution towards addressing the shortfall in the 5 year housing land supply (currently 4.83 years).

17.2 In terms of the economic role the site would provide employment during the construction phase, and subsequent occupiers would be likely to spend in close-by shops and in Weymouth town helping to sustain local employment and businesses. Regarding social aspects, the scheme represents a meaningful contribution to the affordable housing stock helping to assist those in housing need. In environmental terms the development is considered to enhance this part of the Connaught Road Conservation Area. Trees adjacent to the east would not be threatened and implementation of the biodiversity mitigation plan would encourage wildlife. The proposals are considered to be in accordance with the Development Plan.

18.0 RECOMMENDATION

Recommendation A: Delegate authority to grant to Head of Planning subject to completion of a S106 agreement to secure provision of 100% affordable housing, and subject to planning conditions.

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 block plan 38 received 20/12/19

Proposed plan/ground floor plan 30F received 16/6/20

Proposed site plan/first floor plan 7 amenity 31F received 16/6/20

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

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 19 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.

Recommendation 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).

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.