

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

**MINUTES OF MEETING HELD ON THURSDAY 3 DECEMBER 2020**

**Present:** Cllrs Dave Bolwell, Kelvin Clayton, Susan Cocking, Jean Dunseith, Nick Ireland, Louie O'Leary, Bill Pipe (Vice-Chairman), David Shortell (Chairman), Sarah Williams, Kate Wheller and John Worth

**Also present:** Cllr David Walsh (Portfolio Holder - Planning) and Cllr Brian Heatley

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

Ann Collins (Area Manager – Western and Southern Team), Bob Burden (Senior Planning Officer), Philip Crowther (Legal Business Partner - Regulatory), Paul Derrien (Housing Enabling Team Leader), Anna Lee (Service Manager for Development Management and Enforcement), Allison Sharpe (Business Support Officer), Anita Skelson (Technical Support Officer), Huw Williams (Lead Project Officer - Corporate Projects) and Denise Hunt (Democratic Services Officer)

**39. Apologies**

An apology for absence was received from Councillor Mike Barron.

**40. Declarations of Interest**

The following declarations were made:-

Councillor Kate Wheller declared an interest in Application WP/20/00477/FUL - Adult Education Centre, 45 Dorchester Road, Weymouth, DT4 7JT as Chairman of the Corporate Parenting Board and confirmed that she had not been involved in discussions in relation to this application.

Councillor Sarah Williams declared an interest in WD/D/20/001420 - Lyme Regis Harbour, The Cobb, Lyme Regis as a member of the Harbours Committee. She confirmed that the application had not been considered by the Harbours Committee and that she had not pre-determined the application.

Councillor Louie O'Leary also declared an interest in WD/D/20/001420 - Lyme Regis Harbour, The Cobb, Lyme Regis as a member of the Harbours Committee and confirmed that he had not pre-determined the application.

**41. Minutes**

The minutes of the meeting held on 5 November were confirmed and would be signed at a future date.

#### 42. **Public Participation**

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

#### 43. **Planning Applications**

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

#### 44. **WP/19/01016/FUL - St Nicholas Church, Buxton Road, Weymouth, DT4 9PJ**

The Committee considered an application to demolish an existing church and the erection of 18 flats (including at least 6 affordable units) with associated external amenity space and parking spaces. The application had been previously considered in July 2020 and had been brought back before the Committee due to a change to the terms of the Section 106 Agreement.

The Senior Planning Officer gave a presentation of the proposed site within the Defined Development Boundary and the Connaught Road Conservation Area. The church was a 1960s structure in a poor state of repair.

Members were shown the site of the existing church in relation to other dwellings in the immediate area. A block plan indicated the footprint of the proposed development and existing wide bell mouth access that would be reduced to 5m. The proposal included a new pedestrian access, amenity space, recycling store, cycle racks (1 per flat) and 18 parking spaces, the majority of which were undercroft parking.

The relationship with the bungalow at No 16 Buxton Road which was at a higher level to the rear of the proposed development had been explored and a plan and associated photographs demonstrated that the outlook across Portland Harbour and Portland from the bungalow would be maintained as a result of the proposed development.

A particular feature of the floor plans included pop out windows on the rear and east elevations which would be obscure glazed to mitigate overlooking of nearby properties. A plan of the proposed street scene showed the development would be 0.7m lower than the Victorian Villas, 5.6m higher than the existing church and a distance of 22m from the front of the bungalow at No 16 Buxton Road.

The main planning issues were highlighted including:-

- principle
- residential development within the DDB
- minimum 35% affordable housing provision
- contribution towards the 5 year housing land supply
- effect on the Conservation Area and residential amenity
- highway safety

The Senior Planning Officer explained that it had been necessary to amend the draft S106 Agreement due to a change in the way affordable housing schemes were funded by Homes England. This meant that 35% could be funded via the S106 Agreement and although it remained the intention of Sovereign Housing to develop an 100% affordable housing scheme, this could not be guaranteed.

Public written representations received were read out at the meeting and are attached to these minutes.

Cllr Brian Heatley, Dorset Council Ward Member for Rodwell & Wyke, highlighted that the provision of 18 affordable housing units had been a balancing factor that outweighed objections by residents when the application was considered in July 2020 and that he hoped that this could still be the case.

Responding to comments made during public participation, the Senior Planning Officer advised that he had met with the occupants of No 16 Buxton Road to discuss the impact on residential amenity due to overlooking and shading and that this had been mitigated by the use of obscure glazing and the 22m distance between the bungalow and the development.

The intention remained to provide social rented units as indicated in the report and although 6 affordable units could be guaranteed within the S106 Agreement, it was not possible to confirm the remaining 12 units. However, the objective to provide an 100% affordable housing scheme was apparent in a short letter from Sovereign Housing included in the update sheet advising that it would *"be utilising grant funding to make all 18 units affordable housing. To use grant funding the scheme requires a standard planning approval as discussed. We look forward to providing these units."*

The Housing Enabling Team Leader added that it was unfortunate that funding had been impacted by a recent decision taken by Homes England not to fund anything controlled by a S106 Agreement. However, he recognised the need to work with the new funding model if the Council was going to increase the amount of affordable housing in future. He was therefore keen to progress this development and had worked with the developer and Sovereign Housing for some time on this proposal.

It was also confirmed that the application included the provision of an electric vehicle charging scheme which had been included in the conditions.

On balance the committee was mindful that the development complied with the policy requirement for 35% affordable housing and supported the intention to provide an 100% affordable housing scheme.

Prior to voting on the application the Area Manager - Western and Southern Team highlighted that the recommendation included amendments to conditions in respect of windows and flat numbers (that were incorrectly recorded in the July 2020 report) in addition to clarifying that members considered that the S106 agreement should specify affordable rented units.

Proposed by Councillor Bill Pipe, seconded by Cllr Susan Cocking.

### **Decision**

**A:** That authority be delegated to the Head of Planning to grant subject to the completion of a Section 106 Agreement to secure provision of 35% affordable housing (6 flats and a financial contribution to off-site affordable housing provision – the latter not being required if more than 6 affordable units are provided on site) and subject to the planning conditions outlined in the appendix to these minutes.

**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.

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).

#### **45. WD/D/20/002313 - Land at Whites Meadow, Mosterton**

The Committee considered a proposal for the modification/discharge of planning obligations on section 106 dated 5th April 2016 (linked to planning application WD/D/14/002887).

Members were shown a location plan of the site to the western side of Mosterton in a sustainable village location and block plan showing 5 pairs of semi-detached cottages. Ground works had commenced on site in respect of the foundations and sewerage.

The Senior Planning Officer explained that the existing Section 106 Agreement allowed for 4 affordable housing units or an off-site contribution to be made. As a Registered Social Landlord, it was the intention of the applicant, LiveWest Homes Ltd, to provide 10 affordable housing units, (4 shared ownership and 6 social rent).

Proposed by Councillor Louie O'Leary, seconded by Councillor Kate Wheller.

**Decision:** That authority be delegated to the nominated officer to modify the S106 agreement dated 5th April 2016 requiring the disposal of the 10 houses to LiveWest Homes Ltd.

46. **WD/D/20/001420 - Lyme Regis Harbour, The Cobb, Lyme Regis**

The Committee considered an application concerning the extension and repairs to the existing slipway and extension of existing boat storage. The application was being considered by the Committee as the applicant was Dorset Council.

The Senior Planning Officer referred to an additional plan included in the update sheet circulated to members concerning boundary fencing that had been included in the plans list.

Members were given a presentation that included a site location plan and aerial view of the existing boat storage area; the proposed location of a 20m by 20m new raised platform to extend the area for marine craft to be stored and a 5m extension of the slipway. A post and chain fence would be installed on 3 sides of the structure that allowed increased capacity of the slipway storage area. This was a sensitive site with the Conservation Area with a number of Listed Buildings in the area.

The key planning points were also highlighted.

Members asked about the impact of the Committee's decision should an objection be received by the Ministry of Defence and were advised that although an objection would be unlikely, if this were to be the case the matter would be referred back to the Committee.

Proposed by Councillor Kate Wheller, seconded by Councillor Louie O'Leary.

**Decision:** That authority be delegated to the head of planning to approve the planning application subject to receipt of no objection from the Ministry of Defence or no comment is received by 8th December 2020.

47. **WD/D/20/001014 - Creek Caravan Park, Fishers Place, Ringstead, Dorchester, DT2 8NG**

Following publication of the agenda, the application was withdrawn by the applicant.

48. **Update Report - Enforcement Action - Homestead Farm, Main Street, Bothenhampton, Bridport, DT6 4BJ**

Prior to the committee meeting the application was deferred to the Area Planning Committee meeting on 7 January 2021.

49. **WP/20/00477/FUL - Adult Education Centre, 45 Dorchester Road, Weymouth, DT4 7JT**

The Committee considered an application for the demolition of an existing single storey modular building, glazed link corridor and privacy wall and change of use of the existing property from office use to residential use on first and second floors, to erect a two storey residential children's home,

installation of boundary fencing and railings and alterations to vehicle access and gates. The application was being considered by the Committee as the applicant was Dorset Council.

Members were shown a location plan of the land and buildings in the area including Grade II listed Cranford House. The site was within the Defined Development Boundary for Weymouth and the Lodmoor Hill Conservation Area.

An aerial photo identified trees on the site, the vast majority of which would be retained as they were protected by Tree Preservation Orders (TPOs). Two trees were to be removed in line with the Tree Officer's recommendations, one from the rear boundary with Park Lane and one adjacent to the access.

A number of photographs were shown of the site, the surrounding area and its relationship with Kildare Court which had a number of side facing windows potentially impacted by this development. The existing access had been previously widened to accommodate mini buses and would now be narrowed as part of this proposal. A considerable amount of tarmac would be removed in order to reinstate garden and amenity space with parking to the south of the site.

A shadow analysis presented as part of the design & access statement revealed only a slight change relative to the existing situation. A shadowing photo presented by the Weymouth Civic Society who had objected to the scheme, showed a degree of overshadowing of the ground floor window at Kildare Court. The Lead Project Officer had visited the occupants of the ground and first floors and was satisfied that the impact of the development was acceptable.

A representation on behalf of Dorset Council was read out and is attached to these minutes.

Members asked questions regarding the railings dividing the site, the width of the proposed access and how many bedrooms were to be provided.

The Lead Project Officer advised that although both buildings would be used by Children's services, the railings provided a degree of separation between the uses within the site. Seven children could be accommodated in the children's home and the conversion to residential accommodation of No 45 would allow accommodation for young people such as care leavers and associated office use by Children's Services. There would be a total of 12 rooms across the 2 buildings with communal lounge and kitchen areas. He confirmed that the width of the proposed access of 3.5m would be satisfactory for access by emergency vehicles.

Proposed by Councillor Louie O'Leary, seconded by Councillor Kate Wheller.

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

50. **Appeals Summary**

The report was presented by the Area Manager - Western & Southern Team and was noted by the committee.

51. **Urgent items**

There were no urgent items.

52. **Update Sheet**

**Appendix - Decision List**

**Duration of meeting:** 10.00 - 14.37

**Chairman**

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