

**APPLICATION NUMBER:** WP/19/01016/FUL

**APPLICATION SITE:** St Nicholas Church, Buxton Road, Weymouth, DT4 9PJ

**PROPOSAL:** Demolition of the existing church and erection of 18 flats (including at least 6 affordable units) with associated external amenity space and parking spaces.

**DECISION:**

**A:** Delegate authority 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 for rent 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 planning conditions as follows:

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 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  
Proposed Block Plan 38A received 10th July 2020  
Proposed Plan/ground floor plan 30G received 10th July 2020  
Proposed Site Plan/First Floor Plan 31G received 10th July 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. 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 9 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.

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](mailto: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. (

**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).

**APPLICATION NUMBER:** WD/D/20/002313

**APPLICATION SITE:** Land at Whites Meadow, Mosterton

**PROPOSAL:** Modification/discharge of planning obligations on section 106 dated 5th April 2016 (linked to planning application WD/D/14/002887)..

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

**APPLICATION NUMBER:** WD/D/20/001420

**APPLICATION SITE:** Lyme Regis Harbour, The Cobb, Lyme Regis

**PROPOSAL:** Extension and repairs to existing slipway and extension of existing boat storage.

**DECISION:** Delegate authority 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.

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

Location Plan, Received 22nd July 2020

Block Plan, Received 2<sup>nd</sup> December 2020

Proposed slip platform, received 22nd July 2020

Proposed fencing, received 09th November 2020

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

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

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

3. The storage area hereby approved shall be used for marine storage only and for no other storage purpose (including any other use in Class B of the schedule to the Town and Country Planning (use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

**Reason:** The Council considers an unrestricted Class B use may not be compatible with the living conditions of surrounding residential properties and the visual impact on the sensitive location.

4. The proposed development shall subject to condition 5, be carried out in accordance with the Method Statement received 10th November 2020, unless otherwise first agreed in writing by the local planning authority.

**Reason:** in the interest of safeguarding the surrounding heritage assets.

5. The hours of construction shall be 08.00 until 17.00 Monday to Friday, 08.00 until 13.00 Saturdays and no construction on Sundays or any bank holidays.

**Reason:** In the interest of neighbouring amenity.

6. The posts of the proposed fence around the edge of the raised storage area shall be black in colour and retained and maintained as such thereafter.

Reason: In the interest of safeguarding the heritage assets and visual amenity.

## **Informatives**

### **1. Marine Licensing**

A proportion of the works appear to be proposed below the Mean High Water mark and so contact should be made with the Marine Management Organisation to ascertain whether a Marine Licence is also required for the works.

### **2. 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>

### **3. Waste Management**

In accordance with the waste hierarchy, the applicant should 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>

### **4. Bio-security**

Bio-security precautions should be undertaken when working on sites with water bodies. You can view some general advice through the following link: [Biosecurity](#)

**APPLICATION NUMBER:** WP/20/00477/FUL

**APPLICATION SITE:** Adult Education Centre, 45 Dorchester Road, Weymouth, DT4 7JT

**PROPOSAL:** Demolition of existing single storey modular building, glazed link corridor and privacy wall, change of use of existing property from office use to residential use on first and second floors, erect two storey residential children's home, installation of boundary fencing and railings and alterations to vehicle access and gates.

**DECISION:** Grant planning permission subject to the following conditions:-

Time Limit – Commencement of Development

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended).

Development in Accordance with Approved Plans and Drawings

2. Unless otherwise required by the conditions of this permission the development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

- (i) Dorset Property Drawing No. L101 Revision P1 dated 20.04.20 and titled Site Location Plan;
- (ii) Dorset Property Drawing No. L102 Revision P1 dated 20.04.20 and titled Tree Constraints and Demolition Plan Site as existing;
- (iii) Dorset Property Drawing No. L110 Revision P1 dated 07.07.2020 and titled Proposed Site Layout Landscape Strategy Plan;
- (iv) Dorset Property Drawing No. A300 Revision P3 dated 15.07.2020 and titled Proposed GA Plans;
- (v) Dorset Property Drawing No. A301 Revision P2 dated 15.07.2020 and titled Proposed Elevations and Site/Location Plan;
- (vi) Dorset Property Drawing No. A302 Revision P1 dated 15.07.2020 and titled Proposed External Elevation Finishes Plan; and
- (vii) Dorset Property Drawing No. 2 010 dated 16.07.2020 and titled Proposed Planning Plans.

Reason: To ensure appropriate control over the proposed development having regard to policies ENV2 (Wildlife and Habitats), ENV4 (Heritage Assets), ENV10 (The Landscape and Townscape Setting), ENV11 (The Pattern of Streets and Spaces), ENV12 (The Design and Positioning of Buildings), ENV13 (Achieving High Levels of Environmental Performance) and ENV16 (Amenity) of the adopted Weymouth and Portland Local Plan 2015.

### Submission and Approval of External Materials

3. The erection on-site of the Residential Children's Home hereby permitted shall not commence unless and until details and samples of all external materials and finishes to be used in the construction of the building have been submitted to and approved in writing by the local planning authority. The Residential Children's Home shall be constructed using the materials and finishes as approved.

Reason: In the interest of the character and appearance of the locality having regard to policies ENV4 (Heritage Assets), ENV10 (The Landscape and Townscape Setting), ENV12 (The Design and Positioning of Buildings), and ENV16 (Amenity) of the adopted Weymouth and Portland Local Plan 2015.

### Implementation and Maintenance of Landscape Proposals

4. Hard and soft landscaping shall be undertaken in accordance with the arrangements detailed on the approved plans and drawings listed in condition 2 of this permission. All planting and seeding comprised in the soft landscaping proposals shall be carried out before the end of the first planting season (October to March) following the substantial completion of any adjacent development hereby permitted. Any trees or plants that within a period of five years after planting are removed, die or become seriously damaged or defective shall be replaced as soon as practicable with others of species, size and number as originally approved.

Reason: In the interest of the character and appearance of the locality, amenity, biodiversity and climate change mitigation having regard to policies ENV2 (Wildlife and Habitats), ENV4 (Heritage Assets), ENV10 (The Landscape and Townscape Setting), and ENV11 (The Pattern of Streets and Spaces) of the adopted Weymouth and Portland Local Plan 2015.

### Access and Parking Arrangements

5. Prior to the first occupation of the Residential Children's Home hereby permitted the access, turning and parking arrangements shown on Dorset Property Drawing No. L110 Revision P1 dated 07.07.2020 and titled Proposed Site Layout Landscape Strategy Plan shall be laid out and constructed in accordance the arrangements shown on that Plan. Thereafter these areas shall be kept free from obstruction and shall be made available and maintained for the purposes specified.

Reason: To ensure the proper and appropriate development of the site having regard to policies ENV4 (Heritage Assets), ENV10 (The Landscape and Townscape Setting), and ENV11 (The Pattern of Streets and Spaces) of the adopted Weymouth and Portland Local Plan 2015.

## Tree Protection and Implementation of Biodiversity Plan

6. The development hereby permitted shall be carried out in accordance with the Arboricultural Impact Assessment and Arboricultural Method Statement dated 19th May 2020 prepared by Dorset Council's Arboricultural Officer submitted with the application the biodiversity mitigation and enhancement measures documented in the Biodiversity Plan dated 30.06.20 prepared by Dorset Council's Natural Environment Team and submitted with the planning application shall be implemented in accordance with that Plan.

Reason: In the interest of biodiversity having regard to policy ENV2 (Wildlife and Habitats) of the adopted Weymouth and Portland Local Plan 2015.

### **Informative Notes**

#### Statement of Positive Involvement

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Dorset County Council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The Council worked with the applicant/agent in a positive and proactive manner by:

- (i) providing a pre-application advice service;
- (ii)
- (iii) updating the applicant's agent of issues as they arose in the processing of the application;
- (iv) discussing possible solutions to material concerns raised; and
- (v) providing the applicant with the opportunity to address issues of concern with a view to facilitating a recommendation to grant permission.