

DORSET COUNCIL - WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 2 FEBRUARY 2021

Present: Cllrs Mike Barron, 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 Paul Kimber and Cllr David Walsh (Portfolio Holder - Planning)

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

Lara Altree (Senior Lawyer - Regulatory), Trevor Badley (Lead Project Officer (Minerals & Waste)), Penny Canning (Lead Project Officer), Ann Collins (Area Manager – Western and Southern Team), Colin Graham (Engineer (Development Liaison) Highways), Huw Williams (Lead Project Officer - Corporate Projects) and Denise Hunt (Democratic Services Officer)

61. Apologies

No apologies for absence were received at the meeting.

62. Declarations of Interest

Councillor Susan Cocking declared a non-pecuniary interest in application WP/19/00919/OUT - Royal Manor Arts College, Weston Road, Portland, DT5 2DB as she had a link to Albion Stone. She had sought legal advice and would speak only as a Ward Member and not take part in the debate or vote on this application.

Councillor Louie O'Leary declared a general interest in WP/20/00814/FUL - Mount Pleasant Park and Ride Car Park, Mercery Road, Weymouth, DT3 5FA as he had met with the Bus Shelter charity during Summer 2019. He declared that he would keep open mind during consideration of the application.

Councillor Nick Ireland declared a non-pecuniary interest in application WP/20/00814/FUL - Mount Pleasant Park and Ride Car Park, Mercery Road, Weymouth, DT3 5FA as his wife was a Trustee of The Lantern Trust.

63. Minutes

The minutes of the meeting held on 7 January 2021 were confirmed as a correct record and would be signed at a future date.

64. 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.

65. Planning Applications

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

66. WP/19/00919/OUT - Royal Manor Arts College, Weston Road, Portland, DT5 2DB

The Committee considered an outline application to demolish existing buildings and hardstanding and the development of up to 98 new homes with all matters reserved with the exception of site access.

The Lead Project Officer outlined the update sheet circulated to the Committee prior to the meeting. This contained details of additional representations as well as a list of the revised conditions. She advised that further objections had been received and outlined the nature of the objections, however, the points raised had not had a material effect on the conclusions reached in the report. Members were also alerted to an error in paragraph 16.52 of the report which should have referenced paragraphs 203-205 of the NPPF.

The Committee was shown a presentation of the application site within the settlement boundary which became redundant following the closure of Royal Manor School in 2016. Various plans were shown identifying nearby listed buildings, nature conservation sites, temporary mining consents, indicative layout and a parameter plan as well as photos of the site and its surroundings. The parameter plan differed from the indicative layout in that it excluded development in the northern area of the site. This was further to comments made by the Design and Conservation Officer who now considered the scheme to result in "less than substantial harm" that would be outweighed by the provision of housing.

The key planning points were highlighted including the principle of development; impact on mineral resources, heritage assets, nature conservation and highways; and visual and residential amenity.

Portland Town Council had lodged an objection to the number of dwellings, the impact of development on the local infrastructure and the protection of recreational facilities, the latter falling under policy PORT/CR1 in the draft Neighbourhood Plan. However, this policy did not include the application site and the former school sports facilities had been replaced by the Atlantic Academy provision and there had subsequently been no objection by Sport England on that basis.

Councillor Paul Kimber, Dorset Council Ward Member - Portland, addressed the Committee and requested that the application be deferred for one month to allow full consideration by Portland Town Council who had raised concerns regarding the level of affordable housing and the time limit for mineral extraction beneath the site.

Councillor Susan Cocking addressed the Committee as the Dorset Council Ward Member - Portland, raising concerns in relation to the future viability of the affordable housing, given the potential for unforeseen contamination costs; overdevelopment (to 86 homes had been recommended by the Urban Design Officer); a request by the housing team for less flats and more houses, the impact on the existing overstretched GP surgeries; the unacceptable level of harm to SSSI sites; mineral extraction and its contribution to the local economy as well as the outstanding issues raised in the report that required resolution in relation to mining activity.

The Senior Planning Officer responded to the points raised and highlighted that the application had been brought to Committee due to an objection by Portland Town Council. Consideration of the outline application was in relation to the number of dwellings and access to the site. Other issues raised would be considered at reserved matters stage.

It was confirmed that the application site had been excluded from the Minerals Strategy adopted in 2014 established to safeguard the stone and that officers were satisfied that there were adequate reserves of stone elsewhere. The impact on mineral resources was a material planning consideration, and the mining consents were a temporary opportunity in recognition that the site would make an important contribution to local housing need.

Members remained concerned about the ability to maintain the level of affordable housing due to unforeseen costs, land stability following the backfilling of mines, the small contributions towards both improving the health offer and in mitigation of the impact on Tout and Barrow quarries.

Proposed by Councillor Nick Ireland, seconded by Councillor Bill Pipe.

Decision:

(A) That authority be delegated to the Head of Planning to grant subject to the completion of a S106 agreement to secure the following, and the conditions contained in the update sheet and outlined in the appendix to these minutes.

- The delivery of affordable housing based on 25% of the dwellings being affordable with a tenure split of 70% rented and 30% intermediate;
- The management and maintenance of public open space;
- Payment of a financial contribution of £30,044 (to be applied on a pro rata basis) towards mitigating in full the impact on the Tout Quarries and King Barrow Quarries within the Portland Nature Park.
- Payment of a financial contribution of £7,840 towards mitigating the impact on local health services.

(B) Refuse permission, for the following reasons if the S106 legal agreement is not completed within 6 months of the committee resolution, or such extended time as agreed by the Head of Planning:

The proposed additional housing would result in an unacceptable level of harm on the Isle of Portland Site of Special Scientific Interest (SSSI) and the Isle of Portland to Studland Cliffs Special Area of Conservation (SAC), of international importance, as a consequence of the increased recreational pressure that would be generated from the development. This includes impact on the nearby local nature reserves Tout Quarry (SSSI) and Kings Barrow Quarry (SSSI and SAC). With no formal mechanism in place to secure an appropriate level of mitigation, the proposed development fails to comply with policy ENV2 of the West Dorset Weymouth and Portland Local Plan (2015), Section 15 of the National Planning Policy Framework (2019), and the Conservation of Habitat and Species Regulations (2017).

In the absence of any formal mechanism, in the form of a legal agreement, to secure affordable housing, financial or any other relevant contribution to provide new or improved community infrastructure, in particular the provision of public open space and a contribution towards healthcare, to mitigate the impacts of the development, the proposed development would be contrary to planning Policies INT1, COM1, and HOUS1 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (2019).

67. WP/20/00814/FUL - Mount Pleasant Park and Ride Car Park, Mercery Road, Weymouth, DT3 5FA

The Committee considered an application for the temporary use of land for the stationing of mobile accommodation units for rough sleepers and associated facilities with subsequent reversion to use of the site for park and ride parking. The application was being considered by the Committee as the land was in the ownership of Dorset Council.

The Lead Project Officer - Corporate Projects presented the application submitted by The Bus Shelter charity which provided accommodation and support services in a bus located at Preston Road beach car park. This arrangement needed to be changed due to the Covid pandemic.

The Committee was shown plans and photographs of the site which was outside but close to the Defined Development Boundary for Weymouth. The site was within a low risk Flood Zone 1. Although other parts of the car park were a higher flood risk, no changes were proposed to the water management plan in place due to a membrane beneath the surface of the car park. The arrangement of the site in 2 phases was explained with funding currently in place to deliver phase 1 and currently being investigated for phase 2. All units had the appearance of shipping containers, they would not be stacked and connected to mains services.

Officers considered the extent of the temporary permission to 31 January 2028 to be appropriate for the temporary use that would allow the charity to acquire funding and continue to make an important contribution to reducing rough sleeping in Dorset in the medium to long term.

In response to questions it was confirmed that the facility was staffed 24/7, and that the lease notice period of a minimum of 3 months was anticipated in line with the lease for use of the Preston Road beach car park. Subsequent removal of the containers would be the responsibility of the charity as owner of the asset.

The Committee welcomed the scheme and highlighted that this would also provide a registered address for occupants. Members raised concerns about the lease notice period and it was explained that, this would be relayed to relevant officers as the lease was not a matter for the planning permission.

Proposed by Councillor Louie O'Leary, seconded by Councillor Nick Ireland.

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

68. **Appeals Decisions**

The report was noted.

69. **Urgent items**

There were no urgent items.

70. **Update Sheet**

The update sheet is attached to these minutes.

Appendix - Decision List

Duration of meeting: 10.00 - 11.58 am

Chairman

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