

Appendix – Decision List

APPLICATION NUMBER: P/FUL/2021/03959

APPLICATION SITE: Weymouth Connect, 5 Grosvenor Road, Weymouth, DT4 7QL

PROPOSAL: *Installation of roof mounted solar photovoltaic (PV) panels and associated infrastructure*

DECISION: Grant permission subject to the following conditions:-

(1) Time Limit – Commencement of Development

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).

(2) Development in Accordance with Approved Plans and Drawings

The development hereby permitted shall be carried out in accordance with the following plans and drawings submitted in support of the application for planning permission:

- (i) Drawing Number 01 dated 25/08/2021 and titled SIE PLAN;
- (ii) Drawing Number 02 dated 25/08/2021 and titled LOCATION PLAN;
- (iii) Drawing Number 03 dated 25/08/2021 and titled ROOF PLAN;
- (iv) Drawing Number 05 dated 25/08/2021 and titled PROPOSED ELEVATIONS.

Reason: To regulate the development having regard to Policies ENV1, ENV4, ENV10, ENV12, ENV13 and COM7 of the adopted West Dorset, Weymouth & Portland Local Plan 2015.

Informative Note

(1) Statement of Positive Involvement

In accordance with the National Planning Policy Framework, as the local planning authority, Dorset Council 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 providing a pre-application advice service

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APPLICATION NUMBER: P/FUL/2021/02076

APPLICATION SITE: Marsh Sports Complex Full Site Weymouth Outdoor Education Centre Knightsdale Road Weymouth DT4 0HS.

PROPOSAL: Construction of a temporary compound comprising of a kiosk unit to house data exchange for telecommunications (Jurassic Fibre) including concrete slab for placement, and 1.8 metre high steel palisade perimeter fencing.

DECISION: Delegate authority to the Head of Planning to grant planning permission subject to the agreement of the Highway Authority to the submitted construction method statement and the following conditions:

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

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

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

Site location plan – JFL 110.01

Proposed Block Plan – JFL.110.102

Compound Plan – JFL.110.001

Compound Elevations – JFL.110.002

Kiosk Elevations – JFL.110.003

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

3. The development hereby approved shall be carried out strictly in accordance with the details in the submitted Construction Method Statement received by the Local Planning Authority on 23 November 2021.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network.

4. Prior to development above ground level, precise details of the colour and finish of the kiosk and fencing shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such details as have been agreed and shall be retained as such thereafter.

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

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Informative Notes:

1. Informative: National Planning Policy Framework Statement
In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

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

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.

2. Informative: The applicant is advised that the granting of planning permission does not override the need for existing rights of way affected by the development to be kept open and unobstructed until the statutory procedures authorising closure or diversion have been completed. Development, in so far as it affects a right of way should not be started until the necessary order for the diversion has come into effect

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APPLICATION NUMBER: P/FUL/2021/00928

APPLICATION SITE: Land Adjacent Buckland House Buckland House Lane Buckland Ripers Weymouth DT3 4FT.

PROPOSAL: Use of land as camping site from 15th May to 30th June only.

DECISION:

(A): Delegate authority to the Head of Planning to grant planning permission subject to the completion of a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the legal services manager to secure a financial contribution of £1932.28 to mitigation and avoidance measures for the Chesil and Fleet and subject to the following conditions.

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

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

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

Site Plan - 17/154/01 Rev A

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

3. The Site shall be used for tented camping only and not for motorhomes or caravans. Tents shall only be erected on the land between 15th May and 31st August, inclusive, in any one year.

REASON: For the avoidance of doubt and in the interests of the visual amenities of the locality.

4. The development hereby approved shall be carried out and maintained in accordance with the approved Biodiversity Mitigation & Enhancement Plan signed by D. Carpendale and dated 7/11/2018, and agreed by the Natural Environment Team on 28/11/2018, unless a subsequent variation is agreed in writing with the Council.

REASON: To ensure the adequate protection of a species and its habitat protected by law that exists on the site.

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5. There shall be no external lighting of the site, including the toilet block granted consent under planning application WD/D/20/001703 outside of the camping period hereby approved of 15th May and 1st September, inclusive in any one year.

Reason: To protect the amenity of neighbouring residents and the landscape character.

Informative Notes:

1. National Planning Policy Framework Statement

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

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

In this case:

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

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

1. The site is located within 5km of Chesil and The Fleet European Habitats Sites where an Appropriate Assessment has concluded that significant effects from additional recreational pressures cannot be ruled out. In the absence of a financial contribution to Strategic Avoidance and Mitigation Measures to mitigate the impacts of the development, the proposal would have an unacceptable affect on these sites and would be contrary to policy ENV2 of the West Dorset Weymouth and Portland Local Plan and section 15 of the National Planning Policy Framework.

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APPLICATION NUMBER P/FUL/2021/02048

APPLICATION SITE: Land Adjacent 423 Chickerell Road Chickerell DT3 4DG.

PROPOSAL: Erect 1no. dwelling.

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

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

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

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

Location Plan - DGA P 01

Proposed Ground Floor Plan - DGA P 05

Proposed first floor basement plan - DGA P 06

Proposed Roof Plan - DGA P 07

Proposed Site Plan - DGA P 08

Proposed Elevations (front) - DGA P 09

Proposed Elevations (side) - DGA P 10

Proposed Elevations (rear) - DGA P 11

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

3. Prior to development above damp proof course level, details (including colour photographs) of all external facing materials for the wall(s) and roof(s) shall have been submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

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

4. Before the development is occupied or utilised the first 5.0 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.

5. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any

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contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

6. Before the development hereby approved is first occupied or utilised the turning and parking shall be constructed in accordance with the approved plans. 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 in the interest of highway safety.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

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

In this case:

-The application was acceptable as submitted and no further assistance was required.

2. Street Naming and Numbering

The Council is responsible for street naming and numbering within our district.

This helps to

effectively locate property for example, to deliver post or in the case of access by the emergency

services. You need to register the new or changed address by completing a form. You can find out

more and download the form from our website

www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering

3. Informative: 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 Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway

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

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APPLICATION NUMBER: WP/19/00993/OUT

APPLICATION SITE: Land at Beverley Road, Weymouth.

PROPOSAL: Outline application for the erection of 17no. dwellings with associated access.

DECISION:

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

The provision of an affordable housing financial contribution of £31,565.00 index linked, a financial contribution of £4128.00 for woodland compensation and a financial contribution of £15,120.00 for slow worm translocation.

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

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

2) Application for approval of any 'reserved matter' must be made not later than the expiration of three years beginning with the date of this permission.

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

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

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

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

Location and Block Plan – drawing number ASP.18.127.001

Proposed Access Arrangements – drawing number ASP.18.127.003 A

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

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5) No development above Damp Proof Course (DPC) level shall be commenced until a soft landscaping and planting has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November-March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include a detailed landscape plan to provide details of tree and hedge planting throughout the site, details of species and planting method and provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

6) The landscaping works to be approved under Condition 1 shall include a tree and hedging protection plan showing the trees and hedging to be retained and fully safeguarded during the course of site works and building operations. No works shall commence until all trees to be protected shall be protected from damage for the duration of works in accordance with BS 5837:2005 or any new standard that may be in force at the time that development commences. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s). Any trees or hedges removed without the written consent of the Local Planning Authority, or dying or being severely damaged or becoming seriously diseased before the completion of development or up to 12 months after occupation of the last dwelling shall be replaced with trees or hedging of such size, species in a timescale and in positions as may be approved in writing by the Local Planning Authority.

Reason: To ensure that trees and hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity.

7) The layout details to be approved under Condition 1 shall include a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction, has been submitted to, and approved in writing by the local planning authority. The submitted scheme shall include a timetable for implementation of the works. Thereafter the surface water scheme shall be fully implemented in accordance with the submitted details and the timetable.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and to improve habitat and amenity.

8) The layout details to be approved under Condition 1 shall include details of maintenance & management of both the proposed and existing surface water sustainable drainage scheme and any receiving system have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented and thereafter managed and maintained in accordance with the

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approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

9) No development shall take place until a scheme for all existing on-site drainage features, which serve the surrounding Littlemoor development to be cleared of overgrowth and brought back to their original design standard submitted to and approved in writing by the local planning authority. Inlets and outlets should be cleared, and headwalls repaired as necessary to the satisfaction of the Local Planning Authority. The scheme shall be implemented prior to first occupation of the development and photographic evidence shall be submitted and agreed by the Local Planning Authority. The drainage features shall be maintained as such thereafter.

Reason: To ensure correct functioning of the existing SuDS basin and proposed drainage infrastructure.

10) Before the development is first occupied or utilised the first 15.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing), must be laid out and constructed to a specification which shall have been submitted to and approved in writing by the 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.

11) No development above damp proof course level shall take place 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 and approved in writing with the local planning authority. The scheme shall include a timetable for implementation. Thereafter the development shall be carried out in accordance with such details as have been approved by the Local Planning Authority including the timetable for implementation.

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.

12) No development above damp proof course level shall be commenced until a timetable for the implementation of the measures of the Biodiversity Plan has been submitted and agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the agreed timetable and the approved Biodiversity Plan, signed by Alex Haigh and dated 10/08/2021 and agreed by the Natural Environment Team on 13/08/2021, unless a subsequent variation is agreed in writing with the Council.

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Reason: In the interests of biodiversity mitigation and enhancement.

Informatives:

- 1) NPPF
- 2) S106
- 3) CIL – Outline
- 4) Biodiversity Plan
- 5) House Name & Numbering
- 6) Surface Water Basin – The Flood Risk Management Team advised that further study in respect of the basin size may suggest that the storage allowed for could be reduced, thereby potentially enabling improved landscaping and reduced H&S mitigation measures.
- 7) 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 Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.
- 8) Privately managed estate roads - As the new road layout does not meet with the Highway Authority's road adoption standards or is not offered for public adoption under Section 38 of the Highways Act 1980, it will remain private and its maintenance will remain the responsibility of the developer, residents or housing company.

(B): Delegate authority to the Head of Planning to refuse permission for the reasons set out below if the legal agreement is not completed within 6 months of the date of the committee resolution or such extended time as agreed by the Head of Planning:

- 1) In the absence of a satisfactory completed Section 106 agreement the scheme fails to ensure provision of the affordable housing financial contribution for off-site provision. Hence the scheme is contrary to policy HOUS 1 of the West Dorset, Weymouth and Portland Local Plan 2015 and the National Planning Policy Framework (2021).
- 2) In the absence of a satisfactory completed S106 agreement the scheme fails to provide adequate compensatory biodiversity/nature conservation measures through the provision of a financial contribution for woodland compensation and financial contribution for the translocation of slow worms. Hence the scheme is contrary to policy ENV 2 of the West Dorset, Weymouth and Portland Local Plan and Section 15 of the National Planning Policy Framework (2021).

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APPLICATION NUMBER: WP/20/00944

APPLICATION SITE: 35 Easton Street Portland, DT5 1BS.

PROPOSAL: Change of use from bed and breakfast accommodation and conversion to 3 no. residential dwellings. Erection of detached garage and erection of 3 bedroomed bungalow.

DECISION: Delegate authority to the Head of Planning to Grant subject to the receipt of a no objection response from Natural England to the Appropriate Assessment undertaken by the competent Authority (Dorset Council) submitted to Natural England for comment on the 1st December 2021 and subject to the following conditions:

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

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

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

Location Plan 2023-01

Site Plan 2023-03A

Floor plans and elevations Plots 1, 2, 3 2023-04A

Floor Plans Elevations Plot 4 2023-05

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

3. Notwithstanding the provision of Schedule 2, Part 1 Classes A and B of the Town and Country (General Permitted Development) (England) Order 2015 or any order revoking or re-enacting that Order with or without modification, no enlargement shall be carried out to plots 1 to 4 without a further application for planning permission being approved.

Reason: In the interests of maintaining the character of the conservation area.

4. Before the detached dwelling and garages hereby approved are first occupied or utilised the turning and parking shall be constructed in accordance with the approved plans. 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 in the interest of highway safety.

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5. Before the commencement of development unless otherwise agreed by the Local Planning Authority, full details of hard and soft landscaping (including boundary treatments, finished floor levels, hard surfacing materials and maintenance arrangements for the soft landscaping) shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscaping shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme of implementation that shall have first been agreed in writing by the Local Planning Authority.

Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality.

6. The soft landscaping shall be maintained in accordance with the details agreed under condition No. 5 and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

7. Prior to development above damp proof course level, details and samples of all external facing materials for the wall(s) and roof(s) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

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

8. All new windows and external doors in the development (including frames) shall be of timber and set in reveal to a depth of at least 90mm. The external surfaces of the windows shall be finished and retained white, or such other colour as shall first have been approved in writing by the Local Planning Authority. The dormers shall be painted the same colour as existing. Thereafter, all windows & external doors shall be retained as agreed in perpetuity.

Reason: To protect the external appearance of the building.

9. All new and replacement roof lights shall be top hung with vertical glazing bar(s) and fitted flush to the roof plane.

Reason: To preserve or enhance the character and appearance of the heritage asset.

10. Prior to the commencement of any development hereby approved, above damp course level, details of all proposed means of enclosure, boundary walls and fences to the site, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details and retained in perpetuity.

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Reason: In the interests of the amenities of the area

11. Notwithstanding the provision of Schedule 2, Part 1 Classes A and B of the Town and Country (General Permitted Development) (England) Order 2015 or any order revoking or re-enacting that Order with or without modification, no windows or doors shall be inserted on the south elevation of Plot 3 at ground floor without a further application for planning permission being approved.

Reason: In the interests of neighbouring amenity.

Informatives

a) National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

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

In this case:

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

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

c) 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 Highway Authority in order to comply with **Section 184 of the Highways Act 1980**. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

If consent were given as part of obtaining the Section 184 licence all statutory undertakers must be consulted and their requirements acted upon. British Telecom may require their chamber in footway in front of the access to be relocated for which sufficient time and resource must be allowed. The cost of this could be considerable.