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WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 10 JUNE 2021

A recording of the meeting can be found using the following link to the Committee page:- [Link to committee page](#)

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

Also present: Cllr David Walsh (Portfolio Holder – Planning)

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

Ann Collins (Area Manager – Western and Southern Team), Philip Crowther (Legal Business Partner - Regulatory), Mike Garrity (Head of Planning), Huw Williams (Lead Project Officer - Corporate Projects), Jenny Williams (Technical Support Officer) and Denise Hunt (Democratic Services Officer)

10. **Apologies**

No apologies for absence were received at the meeting.

11. **Declarations of Interest**

Councillor David Bolwell declared that he had predetermined application P/FUL/2021/00148 - West Rivers House, 13 West Allington, Bridport, DT6 5BJ as Chairman of the Bridport Town Council Planning Committee that approved the application and also as the person with delegated authority to approve the latest Town Council consultation response. He declared that he would not take part in the debate or vote, but would speak in his capacity as the Ward Member on this application.

Cllr Kelvin Clayton declared that he had predetermined application P/FUL/2021/00148 - West Rivers House, 13 West Allington, Bridport, DT6 5BJ as he had taken part in the debate and vote on this application when it was considered by Bridport Town Council Planning Committee. He would not take part in the debate or vote on this application.

Cllr Sarah Williams declared that she had not taken part in the debate or vote when application P/FUL/2021/00148 - West Rivers House, 13 West Allington, Bridport, DT6 5BJ had been considered by Bridport Town Council Planning Committee and would therefore take part in consideration of this application.

12. **Public Participation**

A written question was received concerning application WD/D/20/001703 - Land Adjacent to Buckland House, Buckland House Lane, Buckland Rippers DT3 4FT that

was considered by the committee in January 2021. The question was read out at the meeting and is attached to these minutes.

The Area Manager, Western & Southern Team apologised that there had been an error in issuing the decision and that one of the conditions had been omitted. She outlined some of the options available to correct this error including modification of the planning permission that came with a compensation right. She would advise both the Chairman and Mr Perrott, who had provided the written submission if it was necessary to modify the planning permission.

13. **Planning Applications**

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

The Chairman announced that at the Council Annual Meeting on 4 May 2021 it was agreed that all council meetings that were not executive in nature would continue to be held virtually from 7 May 2021 until such time as social distancing requirements were removed. Where a decision was required, the committee would express a 'minded to' decision in respect of recommendations set out in officer reports with decisions taken by an officer under delegated authority immediately after the committee had voted on an application.

He further stated that applications 4a, 4b and 4c had been deferred to the meeting on 8 July 2021.

14. **WD/D/19/002903 - Osmington Mills Holidays, Osmington Mills, Weymouth, DT3 6HB**

This application was deferred to the meeting on 8 July 2021.

15. **WD/D/19/001641 - 7 St Andrews Road, Bridport, DT6 3BG**

This application was deferred to the meeting on 8 July 2021.

16. **WD/D/20/001117 - 7 St Andrews Road, Bridport, DT6 3BG**

This application was deferred to the meeting on 8 July 2021.

17. **P/FUL/2021/00148 - West Rivers House, 13 West Allington, Bridport, DT6 5BJ**

Cllrs Dave Bolwell and Kelvin Clayton did not take part in the debate or vote on this application.

The Committee considered an application by Dorset Council for the conversion of 4 flats into 8 flats.

The Lead Project Officer presented the application and update sheet circulated to the committee prior to the meeting that contained comments made by Bridport Town Council, including a replacement condition 4.

Cllr David Bolwell addressed the committee as the Ward Member, having reviewed the application on behalf of Bridport Town Council under delegated authority. He noted the small size of the rooms, the question of land ownership of the parking area and that the development did not comply with the Neighbourhood Plan. Despite these factors he considered the application to be acceptable on balance.

In response to questions of a technical nature from the committee, the following was confirmed:-

- that a response was awaited from Dorset Council regarding land ownership;
- the national technical standard for a 1 bed unit was 37sq metres total floor area and that Homes England occasionally funded studio apartments that were smaller than 37sq metres on an exception basis;
- with regard to flood risk, that the application did not increase the floor space or the nature of residential use on the first and second floors and that no objection had been received from the flood risk management team or Environment Agency;
- that the environmental performance of the building would be in accordance with the existing development plan; and
- the existing external staircase to access the 2 units at the western end of the building would be assessed in line with building regulations, including a secondary means of exit if necessary.

The Lead Project Officer highlighted that the smallest of the proposed units was under 22sq metres which was clearly under the prescribed technical standard. However, the applicant had responded that the units were designed to meet a specific need for emergency and short term use. The layout would also be easy to modify in future, if necessary.

The committee was supportive of the application and replacement condition 4. Members considered that accepting the small size of the studio flats should be an exceptional circumstance due to their intended use.

Proposed by Cllr Kate Wheller, proposed by Cllr Paul Kimber

The Committee was minded to allow the application.

The Head of Planning having considered the officer's presentation and having taken into account the views of the committee made the following decision under delegated authority.

Decision of the Head of Planning: That the application be approved subject to the conditions (including replacement condition 4) outlined in the appendix to these minutes.

18. Urgent items

There were no urgent items.

19. Update Sheet

Appendix – Decision List

Duration of meeting: 10.00 - 11.00 am

Chairman

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Western & Southern Area Planning Committee 10 June 2021

Public Participation

Mr N J Perrott

On January 7th this Committee met to discuss amongst other items, application WD/D/20/001703 - Land Adjacent to Buckland House, Buckland Rippers, DT3 4FT.

This was a full retrospective application that sought to change the condition of an earlier permission so that a toilet block could be permanently rather than temporarily sited on a campsite that was open for two months a year

During debate Councillor Dunseith said "It was supposed to be green, of modest size and removed in September...all of these conditions have been disregarded. They are not optional extras." Councillor Wheller said "I increasingly wonder why we bother to have a planning committee, if people can't be bothered to comply with conditions... it shows a lack of respect... maybe we could save a lot of money and not have a planning department?"

These comments indicate that the subject of conditions was an important part of the discussion

The committee's decision said "That authority be delegated to the Head of Planning to approve subject to the planning conditions as set out in the officer's report and additional conditions regarding the submission and implementation of a BMEP, and a condition in respect of disabled access to the toilets and shower facilities, to comply with the wording of the Disability Act, with these conditions to be agreed between the planning officer and Chairman of the planning committee."

The Case Officers report had a number of conditions which therefore should have been included in the subsequently published Decision Notice

One of these was condition two, which said "The toilet/shower block hereby approved shall only be operational and lit between 30th June and 1st September, inclusive, in any one year. The reason given for this was "For the avoidance of doubt given its associated use with the use of the adjoining land as a camp site between those dates only and in the interests of the visual amenities of the locality."

When the Decision Notice was issued no such condition was made. The committees instructions to the Head of Planning were not followed. I would like to ask the committees why their decision wasn't followed and why this condition was omitted from the Decision Notice.

The answer to this is increasingly important as a further application has now been submitted which seeks to double the months this site is open. The failure not to include a condition as instructed by yourselves is a failure in the democratic process.

Not only does the visual amenity of the locality lack this protection but it has disturbed the balance between those who seek to object to this latest application and the applicants desire to gain permission for yet further development.

**Western and Southern Area Planning Committee – Update Sheet
(meeting of 10 June 2021)**

Application Ref.	Address	Agenda Ref.	Page No.
P/FUL/2021/00148	West Rivers House, 13 West Allington, Bridport, Dorset, DT6 5BJ	4d	33-55

Summary of Email received from Bridport Tow Council:

Advises that the Town Council does not seek the withdrawal of this application from committee consideration and notes that there is strong support for the facility.

Requests that the following matters be reported to the committee:

- As the applicant is Dorset Council, which has itself declared a climate emergency, it is disappointing to note that full compliance with the climate change policies of the Neighbourhood Plan has not been achieved.
- Similarly we would hope that Dorset Council would seek to be an exemplar in development and demonstrate full compliance with Neighbourhood Plan design policies. It is again disappointing that the report advises that this will not be the case.
- The parking area referred to in the report is owned and managed by Bridport Town Council and any arrangements for reserved parking, EV charging points etc. as set out in the report would need the landowner's permission. We would of course be happy to work with the applicant on these matters but the committee should be advised that the provisions as set out are not wholly in the applicant's gift.

The Town Council appreciates that there is a balance to be struck between policy compliance and the overall merits of the application and we would not seek to oppose the development on the basis of the lack of compliance outlined in the report. The applicant is however encouraged to consider amelioration – particularly in respect of climate change – in delivering the development, if this can be achieved without significantly delaying the project.

Change to Recommended Conditions.

Replace recommended condition 4 with:

Provision and Maintenance of Vehicular Parking and Turning

4. Prior to the first residential occupation of any of the flats hereby permitted, a scheme for the provision and management of parking spaces and vehicular manoeuvring areas within the red edged area shown on the application Site Location Plan (Dorset Property Drawing No. A010 Revision P1 dated March 2020) shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall include a timetable for implementation of the proposed parking and manoeuvring arrangements. All parking and

manoeuvring areas shall be laid out and in accordance with the arrangements detailed in the approved scheme and shall thereafter be maintained for the approved purposes and kept free from other obstruction.

Reason: To ensure adequate provision is made and maintained for vehicular parking and manoeuvring in the interest of safety and having regard to Policy COM9 of the adopted Weymouth and Portland Local Plan 2015.”

APPLICATION NUMBER: P/FUL/2021/00148

APPLICATION SITE: West Rivers House, 13 West Allington, Bridport, Dorset, DT6 5BJ

PROPOSAL: Conversion of existing 4no. flats into 8no. flats

DECISION: That the Committee resolve that it is minded to grant the application subject to the conditions outlined below and recommends that the Head of Planning determines the application accordingly

Planning 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

2. The development hereby permitted shall be carried out in accordance with the following plans submitted as part of the application:

- (i) Dorset Property Drawing No. A010 Revision P1 dated March 2020 and titled Site Location Plan;
- (ii) Dorset Property Drawing No. A303 Revision P4 dated 20.01.21 and titled FIRST FLOOR PLAN Demolition & Spot Items (but showing proposed Ground Floor arrangements);
- (iii) Dorset Property Drawing No. A304 Revision P4 dated 20.01.21 and titled FIRST FLOOR PLAN Demolition & Spot Items; and
- (iv) Dorset Property Drawing No. A304 Revision P4 dated 20.01.21 and titled SECOND FLOOR PLAN Demolition & Spot Items.

Reason: In accordance with the application proposal and to regulate the development having regard to Policies ENV1, ENV2, ENV4, ENV10, ENV11, ENV12, ENV13 and ENV16 of the adopted Weymouth and Portland Local Plan 2015 and to Policies AM5, L1, L2, L5 D1 and D5 of the made Bridport Area Neighbourhood Plan 2020–2036.

Flood Risk Resistance and Resilience

3. Prior to the first residential occupation of any of the flats hereby permitted, arrangements for the implementation and maintenance of flood risk resistance and resilience measures shall be submitted to and approved by the local planning authority. All approved flood risk resistance and resilience measures shall be implemented and maintained in accordance with the arrangements approved under this condition.

Reason: To secure the implementation of appropriate flood risk resistance and resilience measures having regard to Policy ENV5 of the adopted Weymouth and Portland Local Plan 2015.

Provision and Maintenance of Vehicular Parking and Turning

4. Prior to the first residential occupation of any of the flats hereby permitted, a scheme for the provision and management of parking spaces and vehicular manoeuvring areas within the red edged area shown on the application Site Location Plan (Dorset Property Drawing No. A010 Revision P1 dated March 2020) shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall include a timetable for implementation of the proposed parking and manoeuvring arrangements. All parking and manoeuvring areas shall be laid out and in accordance with the arrangements detailed in the approved scheme and shall thereafter be maintained for the approved purposes and kept free from other obstruction.

Reason: To ensure adequate provision is made and maintained for vehicular parking and manoeuvring in the interest of safety and having regard to Policy COM9 of the adopted Weymouth and Portland Local Plan 2015.

Landscape and Ecology Management Plan

5. Prior to the first residential occupation of any of the flats hereby permitted a site Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The submitted plan shall include a description and evaluation of features to be managed and a work schedule including planting and maintenance specifications. The approved LEMP shall be implemented in accordance with the approved details and arrangements.

Reason

To enhance the character and appearance of the application site, the Bridport Conservation Area and the Dorset Area of Outstanding Natural Beauty and to provide net gain for biodiversity having regard to Policies ENV1, ENV2, ENV4 and ENV10 of the adopted Weymouth and Portland Local Plan 2015 and to Policies L1, L5, D1 and D5 of the made Bridport Area Neighbourhood Plan 2020–2036.

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's agent in a positive and proactive manner by:

- (i) providing pre-application advice;
- (ii) updating the applicant of issues as they arose in the processing of the application; and
- (iii) providing the applicant with the opportunity to address issues of concern with a view to facilitating a recommendation to grant permission.

Flood Risk – Resilience Measures

2. Having regard to the flood risk context of the application site, in the interest of the safety of future residential occupiers and other users of West Rivers House, it is recommended that the flood resilience measures proposed for approval under condition 3 above should include ensuring that the property and/or its occupants are signed up to the Environment Agency's flood warning service.

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