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WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 8 JULY 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, Jean Dunseith, Paul Kimber, Nick Ireland, Louie O'Leary, Bill Pipe (Vice-Chairman), David Shortell (Chairman), Sarah Williams and Kate Wheller.

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

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

Lara Atree (Senior Lawyer - Regulatory), Steven Banks (Planning Officer), Bob Burden (Senior Planning Officer), Ann Collins (Area Manager – Western and Southern Team), Colin Graham (Engineer (Development Liaison) Highways), Anna Lee (Service Manager for Development Management and Enforcement), Emma Telford (Senior Planning Officer), Jenny Williams (Technical Support Officer) and Denise Hunt (Democratic Services Officer).

20. Apologies

Apologies for absence were received from Cllrs Susan Cocking and John Worth.

21. Declarations of Interest

Cllr Sarah Williams declared a disclosable pecuniary interest in Applications WD/D/19/001641 and WD/D/20/001117 - 7 St Andrews Road, Bridport, DT6 3BG and that she would not take part in the debate or vote on this item.

Cllr Nick Ireland declared that he had not predetermined application WD/D/19/002903 - Osmington Mills Holidays, Mills Road, Osmington Mills, Weymouth DT3 6HB as the Dorset Council ward member and Chairman of the Parish Council. He stated that he had not taken part in any prior discussions on this application.

Cllr David Bolwell and Cllr Kelvin Clayton stated that they had not predetermined applications WD/D/19/001641 and WD/D/20/001117 - 7 St Andrews Road, Bridport, DT6 3BG which related to a colleague on the Bridport Town Council.

Cllr Louie O'Leary stated that he had previously commented on another caravan park in his ward, but confirmed that he had not predetermined application WD/D/19/002903 Osmington Mills Holidays, Mills Road, Osmington Mills, Weymouth DT3 6HB.

Cllr Nick Ireland gave a statement regarding the outcome of a Code of Conduct complaint made against him concerning applications WP/19/00528/FUL and WP/19/00529/LBC – Terrace adjacent to Beach Chalets, Greenhill Garden, Weymouth, which had been considered by the Committee in 2019. He explained the reasons why he felt unable to apologise to the committee, despite this being recommended as a result of the recent Conduct of Conduct hearing.

22. **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.

23. **Planning Applications**

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

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

The Chairman declared that he would not take part in the debate or vote on this item and therefore the Vice-Chairman was in the Chair for consideration of this application.

The Committee considered an application for use of land as a year round holiday park presented by the Senior Planning Officer.

Members were shown a location plan, site plan, aerial photo and photographs showing the site entrance from Mills Road, the clubhouse and buildings and views across the site.

The main planning issues were highlighted including:-

- Principle of development
- Effect on AONB/Heritage Coast
- Effect on residential amenity
- Nature conservation
- Highways

The Senior Planning Officer advised that various applications in other locations had been granted previously to cover all months of the year. This was consistent with the winter break scenario as well as increasing local economic benefits during this period. He also highlighted that the Planning Inspector in the appeal for a further lodge on this site had been allowed with no limit on the months of the year that it could be occupied. It was therefore his view that refusal of this application would be difficult to sustain.

The recommendations were outlined and the committee was advised that the application provided a useful opportunity to limit the number of caravans on

site to 69 as the existing caravan site licensing allowed a maximum of 130 caravan pitches.

The Technical Support Officer read out the public written submissions which are attached to the minutes of this meeting.

In response to the points raised during public participation, the Senior Planning Officer advised that appropriate conditions to prevent residential use all year round for this scheme had been widely used elsewhere in Dorset.

In response to the request for technical questions, Cllr Nick Ireland queried the original reason for restricting opening to 10 months which had not been outlined in the report and how occupancy would be enforced and checked, including background checks to verify the veracity of written records. He also questioned the sustainability of the location given the lack of a shop, street lighting, pavements or bus and in light of other appeal cases in the Owermoigne, Warmwell and Osmington areas that had been lost due to being unsustainable due to limited services.

The Senior Planning Officer advised that there had not been a market for winter breaks at the time of the original permission and that the 10 month limit had been used to avoid permanent residential use, in the absence of any other mechanism to control occupancy at that time. However, this application included a condition requiring a written schedule of occupiers including names, addresses and dates of occupation. This was an important tool that would help the Council to exercise control with a check of the written schedule being triggered by a routine enforcement team enquiry or investigated in response to a complaint.

Whilst it was accepted that this location was not ideal in terms of available facilities, this was an existing holiday park with a proposal allowing 69 holiday lodges to be occupied for an extra 8 weeks a year without the need for any other operational development.

Turning to the debate, some members recognised the economic benefits of the site and that the increase to 12 months sought to allow people to stay at the site during the February half term period. However, the overriding concern of the committee was in the nebulous condition for monitoring a holiday stay that could not be clearly defined in terms of a time period, the absence of monitoring; the increase in carbon footprint and lack of reference to the impact on climate change in the report.

It was proposed by Cllr Bill Pipe and seconded by Cllr Paul Kimber for a minded to decision to approve the application, however, upon being put to a vote, the proposal was lost.

The Committee then discussed reasons for a "minded to" refusal of the application and there followed a short adjournment from 11.16 to 11.30am in order that officers could put together some wording of reasons for refusal that reflected the views of the committee.

On reconvening, it was proposed by Cllr Louie O’Leary and seconded by Cllr Nick Ireland.

That the committee was minded to refuse the application for the following reasons:-

1. The extended use of the holiday accommodation for an additional 2 months of the year would not represent sustainable development as it would increase the carbon footprint of the development with no evidence having been submitted to indicate to the contrary. The carbon footprint would increase as a result of additional heating, lighting and vehicle movements, particularly as the additional months of use would be during the winter. The proposed development is therefore considered to be contrary to Policy INT1 of the West Dorset, Weymouth and Portland Local Plan (2015).
2. In the absence of a satisfactory completed legal agreement there would be no mechanism to ensure payment of the required ecological contribution (£1,911-30) in order to satisfactorily mitigate for the impacts of the development on the European protected heathlands. In these circumstances the scheme would be contrary to the Dorset Heathlands Planning Framework (2020-2025), Policy ENV2 of the West Dorset, Weymouth and Portland Local Plan 2015 and the NPPF (2019).

The Service Manager – Development Management and Enforcement, having considered the representations and the officer’s presentation and having taken into account the views of the committee made the following decision under delegated authority.

Decision of the Service Manager:

That the application be refused for the reasons outlined in the appendix to these minutes.

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

Cllr Sarah Williams did not take part in consideration of this application.

The committee considered an application for Listed Building Consent for internal and external alterations including the formation of a stepped access from the street to the front door, fitting iron railings on an existing stone wall, relocating a gas boiler to the attic space and moving the flue from the back wall to the rear of the roof.

The Planning Officer presented the application and outlined the recommendations, advising that the boiler and flue only required Listed Building Consent and not planning permission.

Proposed by Cllr Kate Wheller, seconded by Cllr Nick Ireland.

The Committee was minded to grant the application.

The Service Manager – Development Management and Enforcement, 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 Service Manager:

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

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

Cllr Sarah Williams did not take part in consideration of this application.

The committee considered an application for the formation of a stepped access from the street to the front door and fitting iron railings on an existing stone wall.

Proposed by Cllr Bill Pipe, seconded by Cllr Louie O’Leary.

The Committee was minded to grant the application.

The Service Manager – Development Management and Enforcement, 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 Service Manager: That the application be approved subject to the conditions outlined in the appendix to these minutes.

Cllr Nick Ireland left the meeting at this juncture.

27. **WP/19/00778/FUL - Land East of Mercery Road, Weymouth**

The committee considered an application to erect a retail development comprising five units (Use Classes A1, A3 and A5) with associated car parking, servicing arrangements, landscaping and groundworks.

The Senior Planning Officer advised that this application had been considered by the Committee in March 2021 with a recommendation to delegate authority to the Head of Planning. A decision had not yet been issued due to discussions in relation to the Section 106 Agreement and amendments had also been made in the meantime that were before the committee today.

Members were given a presentation of the application with a key amendment that the terrace of 3 units was proposed to be separated into two with units 2 and 3 adjoined and unit 4 as a standalone unit that would come forward when an occupier was found. There was also reconfiguration of the internal road layout meaning that delivery vehicles would be required to reverse back in order to access Unit 4.

The key planning matters were outlined including:-

- Amendments to previous scheme
- Residential amenity
- Visual amenity
- Highway safety

Late representations, an additional condition and amendments to conditions outlined in the update sheet circulated to the committee before the meeting were also outlined by the Senior Planning Officer during her presentation.

The Technical Officer read out the public written representations that are attached to these minutes, in addition to the update sheet.

The Highways Officer commented that lorry access to unit 4 could be achieved either by reversing or using the turning head to the west of the units that remained unchanged as a result of the revised scheme. The developer was willing to put in place the alterations in mitigation of the issues raised by the South Western Ambulance Service subject to the consent of the landowner. This was a private matter and the applicant had stated in writing that they were willing to provide this mitigation subject to the landowner's approval.

Members expressed concern regarding the noise from lorries reversing outside of the curfew given the proximity of residential properties and also the request from SWAST being met.

The Highways Officer reiterated that the applicant was willing to fund improvements to Souter Way subject to the consent of the landowner.

The Senior Planning Officer confirmed that conditions would restrict the times that lorries could reverse to unit 4 and that a noise management plan would be in place for the units.

Members noted that 32 car charging points were included in the application and a request was made for these to be rapid charging points. They were also informed that a condition for a landscaping scheme included additional planting along the boundary with the residential properties as well as an acoustic wooden fence.

Members considered this to be an important development for the town.

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

The Committee was minded to delegate authority to the Head of Planning to grant the application subject to the conditions, including the new and amended conditions contained in the update sheet.

The Service Manager – Development Management and Enforcement, having considered the representations and the officer's presentation and having taken into account the views of the committee made the following decision under delegated authority.

...

Decision of the Service Manager:

(A) That authority be delegated to the Head of Planning to grant, subject to consultation with the Secretary of State to understand if they intend to issue a direction under section 77 of the Town and County Planning Act 1990 in respect of this application, the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure a sustainable transport contribution of £144,042.02 and subject to the conditions outlined in the appendix to these minutes.

(B) That authority be delegated to the Head of Planning to refuse permission for the reasons set out below if the Secretary of State does not call in the application but the Legal Agreement is not completed within 6 months 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 a financial contribution for sustainable transport. Hence the scheme is contrary to paragraph 110 of the National Planning Policy Framework and COM7 of the West Dorset, Weymouth and Portland Local Plan 2015

28. Appeal Decisions

The committee considered a report informing members of notified appeals and appeal decisions with a view to taking them into account as a material consideration in the Planning Committee's future decisions.

Noted

29. Urgent items

There were no urgent items.

30. Exempt Business

There was no exempt business.

31. Update Sheet

Appendix - Decision List

Duration of meeting: 10.00 am - 12.38 pm

Chairman

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Western & Southern Area Planning Committee - 8 July 2021

Written Submissions

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

1 Jill Dunning – Chairman of the Osmington Mills Protection Group

As chairman of the Osmington Mills Protection Group, I represent numerous locals and people with an interest in the area. Everyone I have spoken to is against this proposal. The reasons include:

Osmington Mills is in an AONB and should not be judged in the same context as lodges on the extremities of towns or secluded from public view.

The hedgerow on the southern border of the eastern side of the park has been reduced and bases elevated to enable Waterside to provide lodges with sea views. This is to the detriment of local residents and holidaymakers as the lodges are well-lit, have huge windows and are visible from the coast path, Mills Road and beyond. Unlike Osmington Mills, there is year-round “street” lighting in the park. The lodges are even more visible in the winter months with fewer leaves on trees.

The visibility of the lodges seems to go against sections of the Dorset Management Plan 2014-19 including:

Objective L1: Conserve and enhance the AONB and the character/quality of its distinctive landscapes and associated features: L1a: Conserve and enhance landscape character and quality and promote the use of landscape and seascape character assessment to shape decisions affecting the AONB; L1c: Conserve and enhance the special qualities of the AONB such as tranquility and remoteness, wildness and dark skies

Objective L2: Conserve and enhance the AONB by removing, avoiding and reducing intrusive and degrading features.

Objective PH1: Support sustainable development that conserves and enhances the special qualities of the AONB: PH1g: Conserve and enhance the AONB’s undeveloped rural character, panoramic views, tranquility, remoteness and wildness

Objective PH2: Impacts of development and land use damaging to the AONB's special qualities are avoided and reduced: PH2a: Protect the AONB from inappropriate development and land use; PH2b: Protect the quality of uninterrupted panoramic views into, within and out of the AONB

Residents on Upton Fort Road, to the rear of the site, have lodges looking directly into their homes. The old caravans were situated lower and had less fenestration. Residents would like at least two months free from intrusion.

The park does little to increase year-round tourism. An internet search for holiday accommodation finds just 10 lodges for rental.

The vast majority are only used by owners and friends/family. A feature in The Times in 2015 reported that just 10% rent out their lodges. Pandemic-year demand should not be used as precedent.

If no season of use is imposed it will make it difficult for the Council to refuse a Certificate of Lawfulness for it to become residential. Osmington Mills does not have the infrastructure to sustain more homes and its development has never been included in any Local Plan.

Richard Burgess (Agent)

1. The Waterside Group are **the** leading locally based holiday park operator. That is their business. They run 5* holiday parks and do not permit permanent residential use. Having dealt with them for over 30 years now I can vouch for that fact. You will see also that the case officer has confirmed that their contractual documents with their tenants/occupies makes that very clear.
2. Their main motivation in making this application is to permit their guests to use the chalets during February half term –the dates of which vary from year to year and between counties.
3. This does not imply a high intensity of use during the winter–as might occur during the summer holidays. People to want to come to Dorset for quiet enjoyment, walking etc during the winter months.
4. We have already pointed out to the case officer that the single unit allowed on Appeal on the site does not have any seasonal occupation limitations. In addition there are numerous examples throughout Dorset of holiday park sites who enjoy a year round permission. We have pointed out examples extending from Stoborough in the east, at their own Bowleaze Cove site, at Silverlake and at Burton Bradstock.
5. We are aware that there are concerns about a precedent relative to the Ringstead caravan site which the Committee recently considered. There is however all the difference in the world between the two sites. Ringstead is approached via a private road and then a potholed unmade lane; is very prominent and unscreened and is in a location where, out of season there are no facilities whatsoever. Osmington Mills is well laid out with tarmac roads and parking spaces, underground services, is well screened, heavily landscaped and composed of high quality cedar clad units, all renewed in recent years with on site facilities and a pub and shop/cafe nearby.
6. The number of units on site has of course been greatly reduced since it was taken over by the Waterside Group. Your officers report accurately records this.
7. We consider the planning officers report is fair and accurate (other than that it implies we require permission for an additional unit on the former Ranch House site –we do not consider this is the case). It is part of the original permitted caravan site.

8. We have no objection to the conditions and ecological contribution suggested and would respectfully request you support the officers recommendation

WP/19/00778/FUL - Land East of Mercery Road, Weymouth

Craig Oakes, President - Weymouth & Portland Chamber of Commerce

The Executive Board of the Weymouth and Portland Chamber of Commerce wishes to advise that, further to the recent revision to plans for the above-referenced application, we continue to support the overall development. We feel the proposed change to the retail unit makes no real difference to the original Planning Application.

As a representative body of around 100 businesses in Weymouth & Portland we know business is eager to see progress and development to boost the economy of the town. We believe this scheme will bring numerous benefits to Weymouth including:

- Draw shoppers into Weymouth who in turn will venture into the town and surrounding areas in order to make a day out of it. There is a great opportunity to rethink what Weymouth can really offer as a visitor attraction in and out of season. We have a great town and harbour that could draw in large investment in turn visitors.
- Deliver year-round jobs (which is increasingly important in the current climate)
- Deliver the second (main) part of a c. 50m investment
- Make a long-vacant site productive
- Give the entrance to town greater vitality
- Provide a draw for visitors, which could be capitalised on to signpost people to the high street/beach areas of town to help generate a general uplift. We understand the developers should be willing to provide signage.

Regarding the question of use, the Board previously discussed and commented on the matter, stating that we feel there appears to be no prospect of the site attracting predominantly B Class occupiers, despite the historic allocation, as evidenced by it being vacant for over 10 years. The Granby industrial estate, although outside the Weymouth boundary, has ample space for more industrial style use if it is required.

We hope you will approve this minor revision to a welcome proposed development.

Applicant

Thank you for the opportunity to address you regarding our proposed Weymouth Gateway development.

LondonMetric has owned this vacant site since 2017. In our first-phase development, last year we delivered the Aldi foodstore and are working closely with Medisave to help facilitate their expansion. Combined, these represent some 60 permanent jobs.

Today you are presented with a minor variation of the final-phase scheme that was approved at committee on 9th March 2021, and which will generate another 280-plus permanent, year-round jobs. There is just one principal change to the consented scheme: a re-ordering of the main retail terrace units. There are negligible changes to the total floorspace, and none to the site boundary, car parking numbers or any other key components of the scheme already approved by the planning committee.

You may recall that we have agreements in place with Dunelm, Costa Coffee, B&M and McDonalds to operate at the site. We are progressing conversations with prospective operators regarding options for the final unit. As all the units are currently linked in a single terrace, any changes required to secure a final occupier would impact the rest of the site, delaying the opening of all stores until 2023 at the earliest.

The proposed minor change simply relocates the vacant unit to the opposite end of the terrace. This would allow us to continue negotiations with potential tenants whilst progressing development of the pre-let units this summer, which in turn would enable all committed occupiers to start trading next year.

Importantly, you may be aware of the current labour and materials shortages in the construction industry. We have proactively progressed discussions and orders with a South coast-based contractor and suppliers, which gives us the confidence we can fulfil this stated delivery timetable.

We are very keen to deliver on our promise to provide new local employment opportunities. As well as 280 year-round jobs, the scheme will generate some 50 construction jobs and 50 spin-off jobs, a £4.76 million-per-year boost to the GVA, and circa £6 million in business rates over a 10-year period.

There's no doubt locals back this scheme: 88% of 500-plus respondents to our online exhibition voted in favour, as did Weymouth & Portland Chamber of Commerce, the South Dorset Business Advisory Panel, and Weymouth BID Board with whom we're discussing ways to promote Weymouth Town Centre from our site.

We hope you conclude, as your planning officers have, that the change proposed is minor, beneficial and sensible, and you approve this planning application so that we may proceed in haste.

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**Western and Southern Area Planning Committee – Update Sheet
(meeting of 8 July 2021)**

Application Ref.	Address	Agenda Ref.	Page No.
WD/D/19/002903	Osmington Mills Holidays, Osmington Mills, Weymouth, DT3 6HB	4a	7 - 19
<p>The report refers to the provision of an additional unit which was not included in the original description of development. For clarity, during the application process, the applicant indicated they would like an extra holiday caravan (lodge) on the site. The existing 1987 permission did not specify caravan numbers. In my judgement an increase from 68 to 69 is not a material change of use from the 1987 permission in itself because of the very small change in impacts that would occur. As a result the request for an additional caravan is included in the scheme, and a condition is recommended to limit the total number to 69.</p>			
WP/19/00778/FUL	Land East of Mercy Road, Weymouth	4d	33-88
<p>Additional responses received:</p> <p>South Western Ambulance Service:</p> <p>Concerns regarding the impact that this development may have on operational activities, specifically due to the increased traffic that this development will attract in very close proximity to Weymouth Ambulance Station.</p> <p>Proposed entrance to development is directly opposite the access and egress for Ambulance Station</p> <p>Unless traffic management solutions are put in place this will hinder ability to respond effectively</p> <p>Souter Way will require double yellow lines on both sides of the carriageway, as well as double yellow marks on the kerb on both sides of the carriageway to prohibit loading at any time</p> <p>Installation of yellow box junction markings at the junction of Souter Way, Chandler Close and the proposed entrance/exit to development to prevent vehicles from stopping, waiting or parking</p> <p>Another solution would be the installation of electronic LED warning signs at key positions to warn traffic that emergency vehicles may be exiting the ambulance station in the vicinity</p>			

Third Party:

Object to the plethora of large advertising signs proposed for the three main retail units (2, 3 & 4)

There is no need for three or four 6m long fascia boards for each unit.

Amendments to conditions:

Additional wording (shown in italics) to be added to condition 31 so it would now read as follows:

31. There shall be no development above the damp proof course level of unit 4 until units 2 and 3 have been completed.

Reason: For the avoidance of doubt *and in order to ensure the development has regard to the other planning conditions and their triggers.*

Additional condition added:

32. No solar PV panels shall be erected on the buildings hereby approved without details of the solar PV panels including locations and layout of the panels having first been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development must be carried out in accordance with the agreed details.

Reason: In the interest of visual amenity.

APPLICATION NUMBER: WD/D/19/002903

APPLICATION SITE: Osmington Mills Holidays, Mills Road, Osmington Mills, Weymouth, DT3 6HB

PROPOSAL: Use of land as a year round holiday park

DECISION: That the Committee would be minded to refuse the application for the reasons set below and recommends that the Head of Planning determines the application accordingly.

1. The extended use of the holiday accommodation for an additional 2 months of the year would not represent sustainable development as it would increase the carbon footprint of the development with no evidence having been submitted to indicate to the contrary. The carbon footprint would increase as a result of additional heating, lighting and vehicle movements, particularly as the additional months of use would be during the winter. The proposed development is therefore considered to be contrary to Policy INT1 of the West Dorset, Weymouth and Portland Local Plan (2015).
2. In the absence of a satisfactory completed legal agreement there would be no mechanism to ensure payment of the required ecological contribution (£1,911-30) in order to satisfactorily mitigate for the impacts of the development on the European protected heathlands. In these circumstances the scheme would be contrary to the Dorset Heathlands Planning Framework (2020-2025), Policy ENV2 of the West Dorset, Weymouth and Portland Local Plan 2015 and the NPPF (2019).

APPLICATION NUMBER: WD/D/19/001641

APPLICATION SITE: 7 St Andrews Road, Bridport, DT6 3BG

PROPOSAL: Listed Building Consent - Internal and external alterations to include formation of stepped access from street to front door, fit iron railings on existing stone wall and relocate gas boiler to attic space and move flue from back wall to rear of roof.

DECISION: That the Committee would be minded to grant the application subject to the conditions set out in the report and recommends that the Head of Planning determines the application accordingly.

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

Location plan – Received 27/06/2019

Block plan – Received 27/06/2019

154/5A – Received 12/05/2020

154/6B – Received 19/01/2021

154/7A – Received 19/01/2021

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

2. The work to which it relates must be begun no later than the expiration of three years beginning with the date on which the consent is granted.

REASON: This condition is required to be imposed by reason of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

3. Prior to the installation of any railings detailed sections (scale 1:5) and elevations (scale 1:10) of the railings hereby approved, shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in strict accordance with such details as have been agreed.

REASON: In the interests of visual amenity.

4. Prior to the installation of any steps details of the stone to be used shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with such materials as have been agreed.

REASON: In the interests of visual amenity.

5. Prior to the installation of any steps details of the construction method shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with such details as have been agreed.

REASON: In the interests of visual amenity.

Informative

1. 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 applicants/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.

APPLICATION NUMBER: WD/D/20/001117

APPLICATION SITE: 7 St Andrews Road, Bridport, DT6 3BG

PROPOSAL: Formation of stepped access from street to front door and fit iron railings on existing stone wall

DECISION: That the Committee would be minded to grant the application subject to the conditions outlined below and recommends that the Head of Planning determines the application accordingly.

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

Location plan – Received 12/05/2020

Block plan – Received 12/05/2020

154/5A – Received 12/05/2020

154/6B – Received 19/01/2021

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. Prior to the installation of any railings detailed sections (scale 1:5) and elevations (scale 1:10) of the railings hereby approved, shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in strict accordance with such details as have been agreed.

REASON: In the interests of visual amenity.

4. Prior to the installation of any steps details of the stone to be used shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with such materials as have been agreed.

REASON: In the interests of visual amenity.

5. Prior to the installation of any steps details of the construction method shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with such details as have been agreed.

REASON: In the interests of visual amenity.

Informatives

1. 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 applicants/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.

2. In order to secure any necessary licences under the Highways Act, before the commencement of any works on or adjacent to the public highway, 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.

APPLICATION NUMBER: WP/19/00778/FUL

APPLICATION SITE: Land East of Mercery Road, Weymouth

PROPOSAL: Erect retail development comprising five units (Use Classes A1, A3 and A5) with associated car parking, servicing arrangements, landscaping and groundworks.

DECISION:

Recommendation A:- That the Committee would be minded to delegate authority to the Head of Planning to grant, subject to consultation with the Secretary of State to understand if they intend to issue a direction under section 77 of the Town and Country Planning Act 1990 in respect of this application, the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure a sustainable transport contribution of £144,042.02 and subject to planning 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:

Proposed Site Plan – drawing number 19226-0301 P017
Units 2, 3 & 4 Proposed Roof Plan – drawing number 19226-0311 P04
Units 2, 3 & 4 Proposed Elevations – drawing number 19226-0312 P04
Units 2 & 3 Proposed Sections – drawing number 19226-0313 P03
Unit 4 Proposed Section – drawing number 19226-0314 P02
Units 2, 3 & 4 Typical Bay Elevation & Materials - drawing number 19226-0315 P04
Units 2, 3 & 4 Proposed Ground Floor Plan – drawing number 19226-0310 P05
Unit 7 Proposed Elevations - drawing number 19226-0370-P03
Unit 8 Proposed Elevations - drawing number 19226-0380-P03
Unit 7 Proposed Ground Floor Plan - drawing number 19226-0371-P01
Unit 8 Proposed Ground Floor Plan - drawing number 19226-0381-P03
Unit 7 Proposed Roof Plan - drawing number 19226-0372-P01

Unit 8 Proposed Roof Plan - drawing number 19226-0382-P01
Play Equipment Elevations – drawing number E11-003-VO1-S
Height Restriction Goal Post Elevation – drawing number 28
McDIGIT COD DT Canopy – drawing number 8

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

3. Unit 4 shall be used for the sale and display of the following goods:

- Home and garden furniture, carpets and floor coverings, DIY home improvement and gardening goods, bulky office supplies, bulky electrical home goods, pets and pet related goods, vehicle accessories, bicycles and bicycle accessories.
- The sale of non-bulky home electrical goods shall not exceed 10% of the sales floorspace and for the avoidance of doubt the unit shall not sell fashion clothing and footwear.
- The sale of fashion accessories, jewellery, watches, health and beauty and personal care items, pharmaceutical/medical products, toys, sports and hobby goods, books and stationery from this unit is not permitted unless ancillary to the main use.

Unit 4 shall only be used for the sale of the goods above and shall not be used for the sale and display of any other goods.

REASON: The application is justified on the basis of the provision of goods as stated because the Council is concerned to ensure control is retained over the use of the development for this purpose in the interests of the vitality and viability of Weymouth Town Centre.

4. Unit 3 shall be used for the sale and display of the following goods:

- Fabric, home and garden furniture, soft and hard furnishings, carpets and floor coverings, bulky electrical home goods, DIY home improvement goods and the ancillary sale of household goods and homewares, non-bulky electrical items and decorative products and the sale of other non-bulky comparison goods where ancillary to the main use and for the avoidance of doubt shall not sell fashion clothing and footwear.
- The sale of fashion accessories, jewellery, watches, health and beauty and personal care items, pharmaceutical/medical products, toys, sports and hobby goods, books and stationery from this unit is not permitted unless ancillary to the main use.

- An ancillary in-store customer café is permitted.

Unit 3 shall only be used for the sale of the goods above and shall not be used for the sale and display of any other goods.

REASON: The application is justified on the basis of the provision of goods as stated because the Council is concerned to ensure control is retained over the use of the development for this purpose in the interests of the vitality and viability of Weymouth Town Centre.

5. Unit 2 shall be used for the sale and display of the following goods:

- Garden furniture and outside furniture, garden and gardening products and tools, home furniture and furnishings, seasonal products, bulky electrical goods, DIY home improvement goods, pet food and pet related products.
- The sale of food and drink shall be limited to no more than 30% of the sales floorspace.
- The sale of plastics, paper goods and stationary, jewellery and watches, gifts, toys, electrical and lighting appliances, cleaning products, textiles, health and beauty products and tobacco & accessories, and other non-bulky goods where these products are ancillary to the main use, and do not individually comprise more than 5% of the unit's floorspace. The total combined floorspace of these goods categories shall not exceed 20% of the unit's sales floorspace.

Unit 2 shall only be used for the sale of the goods above and shall not be used for the sale and display of any other goods.

REASON: The application is justified on the basis of the provision of goods as stated because the Council is concerned to ensure control is retained over the use of the development for this purpose in the interests of the vitality and viability of Weymouth Town Centre.

6. The units hereby approved shall not be sub-divided into smaller units nor shall mezzanine spaces other than those shown on the approved plans be inserted, without the prior written consent of the Local Planning Authority.

REASON: The application is justified on the basis of the provision of the sales area of the stores submitted because the Council is concerned to ensure control is retained over the use of the development for this purpose in the interests of the vitality and viability of Weymouth Town Centre.

7. The use of Unit 7 hereby approved shall only be for purposes of a drive-through coffee shop, with the sale of sandwiches or other cold food for consumption off the premises falling within use Class A1 and for the purposes falling under A3 and A5 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and shall not be used for the display or retail sale of goods within the Class A1 use without the express written consent of the Local Planning Authority first being obtained.

REASON: The application is justified on the basis of the provision of the use class as stated because the Council is concerned to ensure control is retained over the use of the development for this purpose in the interests of the vitality and viability of Weymouth Town Centre.

8. The use of Unit 8 hereby approved shall only be for purposes falling within use Class A3 and A5 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) shall not be used for the display or retail sale of goods (Class A1 use), without the express written consent of the Local Planning Authority first being obtained.

REASON: The application is justified on the basis of the provision of the use class as stated because the Council is concerned to ensure control is retained over the use of the development for this purpose in the interests of the vitality and viability of Weymouth Town Centre.

9. The employment land labelled Future Class-B Based Employment Development Plot on the proposed site plan, drawing number 19226-0301 P017 shall be left in a ready state including remediation and levelling of the site, provision of the access from Souter Way and installation of fencing to secure the site within 3 months of units 2 and 3 being brought into first use.

REASON: For the avoidance of doubt.

10. Deliveries to the units 2 and 3 hereby approved shall only take place between the hours of 07:00 and 22:00 Monday to Saturday and 08:00 and 19:00 on Sundays and Bank Holidays and at no time shall delivery lorries arrive at these units or depart from those units outside that period.

REASON: In the interests of neighbouring amenity.

11. Deliveries to unit 4 hereby approved shall only take place between the hours of 08:00 and 20:00 Monday to Saturday and 09:00 and 16:00 on Sundays and Bank

Holidays and at no time shall delivery lorries arrive at these units or depart from those units outside that period.

REASON: In the interests of neighbouring amenity.

12. No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition, are submitted to and approved in writing by the local planning authority. The rating level of the sound emitted from the site shall not exceed 43 dBA between 0700 and 2300 hours and 35 dBA at all other times. The sound levels shall be determined by measurement or calculation at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS 4142:2014+A1:2019. Thereafter, the fixed plant and machinery shall be operated and maintained in accordance with the agreed details.

REASON: In the interest of neighbouring amenity.

13. No development shall take place until details including dimensions, materials and positioning of the noise barrier/acoustic fence to be located along the rear of the service yard shall have been submitted to and agreed by the Local Planning Authority in writing. The agreed noise barrier/acoustic fence shall be erected prior to any development above damp proof course level of units 2 and 3 and shall be permanently retained and maintained as such thereafter.

REASON: In the interests of neighbouring amenity.

14. Prior to the first use of any of the retail units (2, 3 & 4) a Service Yard Noise Management Plan shall be submitted and agreed in writing by the Local Planning Authority for the servicing yard of that unit. Thereafter the operations shall be carried out in accordance with the agreed measures of the plan.

REASON: In the interests of neighbouring amenity.

15. No external lighting shall be erected on the buildings hereby approved or within the application site identified by the red line on the approved drawings without a lighting scheme having first been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development must be carried out in accordance with the agreed details.

REASON: In the interests of visual amenity and biodiversity mitigation.

16. Prior to the first use of units 7 and 8 details of suitable effective filtration, absorption or other odour neutralisation equipment to suppress the emission of cooking odours from the premises shall be submitted to and agreed in writing by the Local Planning Authority. The agreed equipment shall be installed prior to first use of each of the units and thereafter shall be operated and maintained in accordance with the agreed details.

REASON: In the interest of neighbouring amenity.

17. There shall be no development above the damp proof course level of each unit until details (including colour photographs) of all external facing materials for the walls and roof of that unit shall have been submitted to, and approved in writing by the Local Planning Authority. The development shall proceed in strict accordance with the agreed details.

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

18. No development shall take place until the tree protection fence/barrier as shown on the plan Tree Protection Plan Rev C – Sheet 2, drawing number 05016 East TPP Rev D has been erected and thereafter the trees shall be protected in accordance with the tree protection measures as shown on the plans during the course of the construction.

REASON: To ensure the trees are protected.

19. There shall be no development above the damp proof course level until a plan showing the phasing of the landscaping works shall have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the soft landscaping works as shown on the plan Landscape General Arrangement, drawing number 1167-2-001 J and as detailed in the Landscaping Details document, dated May 2021 shall be carried out in accordance with the agreed landscaping phasing plan. The planted scheme must be maintained in accordance with the agreed details. If within a period of 5 years following the completion of the landscaping scheme the planting is found to be dead or dying the planting will be replaced in the first planting season in accordance with a scheme to be first submitted and agreed with the Local Planning Authority.

REASON: To ensure satisfactory landscaping of the site and to enhance the visual amenity and character of the area.

20. There shall be no development above the damp proof course level until a plan showing the phasing of the provision of car parking within the scheme for each unit

has been submitted to and agreed in writing by the Local Planning Authority. Before each unit of the development is first occupied or utilised the associated car parking as shown on the plan to be agreed for that unit including the access, manoeuvring, parking, loading and unloading of vehicles shall have been surfaced, marked out and made available for these purposes. Thereafter, these areas must be maintained, kept free from obstruction and available for the purposes specified.

REASON: In the interests of highway safety.

21. A Travel Plan must be submitted to and agreed in writing by the Local Planning Authority in accordance with the agreed timescales presented in Table 8.1 of the agreed Framework Travel Plan (Ref F) dated January 2020. Thereafter the measures of the agreed Travel Plan shall be implemented and maintained in accordance with the agreed Travel Plan.

REASON: In order to reduce or mitigate the impacts of the development upon the local highway network and surrounding neighbourhood by reducing reliance on the private car for journeys to and from the site.

22. Units 2 and 3 shall not be brought into first use until the provision of 32 electric car charging parking spaces have been made available on the site and permanently retained as such thereafter.

REASON: To promote the use of more sustainable transport modes.

23. No development shall take place until a detailed surface water management scheme for the site, which accords with the following documents:

- Drainage Strategy (DS): *Phase 2 Mercery Road, Weymouth – Evolve Ltd. – Rev F (14/05/2021)*
- Drainage Strategy (DS) Addendum: *Phase 2 Mercery Road, Weymouth – Evolve Ltd. – Rev D (29/05/2020)*
- Report: *Technical Note: Advice on Proposed Attenuation Basin – East of Mercery Road, Weymouth – Ecological Planning & Research Ltd. – 29/05/2020*

And; is based upon the hydrological and hydrogeological context of the development (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.

24. No development shall take place until details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the 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.

25. No development shall take until a Biodiversity Plan and 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 and maintained in accordance with the agreed Biodiversity Plan and timetable.

REASON: In the interests of biodiversity mitigation and enhancement.

26. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be adhered to throughout the construction period. The management plan shall provide for:

- Construction vehicle details (number, size, type and frequency of movement)
- A programme of construction works and anticipated deliveries
- Timings of deliveries
- A framework for managing abnormal loads
- Contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- Wheel cleaning facilities
- Vehicle cleaning facilities
- A scheme of appropriate signing of vehicle route to the site
- A route plan for all contractors and suppliers to be advised on
- Temporary traffic management measures where necessary

- Details of construction lighting
- Hours of construction
- Location of loading/unloading and storage of plant, waste or debris and construction materials
- Dust suppression details
- Pollution prevention measures
- Noise reduction measures
- Details of where contact details will be displayed on site for members of the public and any notifications to adjacent residents
- Details of waste disposal

REASON: In the interests of biodiversity and to minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

27. No development shall take place until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include a timetable for implementation and details of the management of habitats on the site in the longer term (5+ years). Thereafter the development shall proceed in accordance with the approved details.

REASON: In the interests of biodiversity.

28. Prior to the commencement of development hereby approved the following information shall be submitted to and agreed in writing by the Local Planning Authority:

1. A site investigation scheme based on the submitted report titled Phase 1 Preliminary Risk Assessment and Phase 2 Environmental and Geotechnical Site Investigation Report, dated March 2018 to provide information for a detailed assessment of the risk to all receptors that may be affected including those off site.
2. The site investigation results and the detailed risk assessment (1) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (2) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development hereby approved first comes in to use

or is occupied. Within 4 weeks of the completion of the remediation strategy a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON: To ensure potential land contamination is addressed.

29. 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 contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved 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.

30. No development beyond the clearing and levelling of the site shall take place until details of the finished floor levels of each unit notwithstanding the approved plans has been submitted to and agreed in writing by the Local Planning Authority. Such levels shall be relative to an ordnance datum or such other fixed feature as may be agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In the interests of visual and neighbouring amenity.

31. There shall be no development above the damp proof course level of unit 4 until units 2 and 3 have been completed.

Reason: For the avoidance of doubt and in order to ensure the development has regard to the other planning conditions and their triggers.

32. No solar PV panels shall be erected on the buildings hereby approved without details of the solar PV panels including locations and layout of the panels having first been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development must be carried out in accordance with the agreed details.

Reason: In the interest of visual amenity.

Informatives:

1) If the applicant wishes to offer for adoption any highways drainage to DC, they should contact DC Highway's Development team at DLI@dorsetcouncil.gov.uk as soon as possible to ensure that any highways drainage proposals meet DCC's design requirements.

2) Prior Land Drainage Consent (LDC) may be required from DC's FRM team, as relevant LLFA, for all works that offer an obstruction to flow to a channel or stream

with the status of Ordinary Watercourse (OWC) – in accordance with s23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal under consideration, is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team. LDC enquires can be sent to floodriskmanagement@dorsetcouncil.gov.uk.

3) The Construction Method Statement should include arrangements for protecting the environment and residents from noise, vibration, dust and site lighting. The statement should have regard to the following recommendations from Environmental Health to protect residents from nuisance:

- No bonfires
 - Hours of construction are to be limited to
 - o Monday – Friday 0700-1900
 - o Saturday 0800-1300
 - o No noisy activity on Sundays or Bank Holidays
 - o If there are to be any proposed deviations from these hours, please contact Environmental Health to discuss these.
 - Start-up of vehicles and machinery to be carried out in a designated area as far away from residential / sensitive areas as practicable. Start up and movement of vehicles / equipment etc. will be limited to 30 minutes prior to the hours of construction only.
 - To minimise disturbance, broadband alarm or video shall be fitted to works vehicles instead of the conventional beepers when reversing.
 - Activities which may give rise to dust shall be controlled, as far as practicable, to minimise dust emissions. This must include controlling dust from regularly trafficked road areas. Dust suppression may be achieved using water and locating equipment and machinery, away from residential areas.
 - At all times, a contact telephone number shall be displayed on site for members of the public to use to raise issues. A named person will also be provided to Environmental Health in order for contact to be made should complaints be received.
 - Any waste arising at the site shall be appropriately segregated and controlled prior to its removal by an appropriately licensed contractor. Any waste arising from the activity which could potentially be contaminated in any way shall also be segregated again and removed appropriately. Environmental Health must be informed if this occurs.

- The use of any radio / amplified music system on site must be kept at a level not to cause annoyance to noise sensitive premises beyond the boundary of the site.
- Any future sub-contractors to the site shall be made aware of and comply with any guidelines/conditions relating to site management of emissions of noise, dust, smoke, fumes etc., made in as part of the determination of this application.
- Letter drops to adjacent residents in close proximity should be considered as part of the Demolition / Construction phase to give a minimum of 48 hours' notice of any exceptional activities proposed.
- Should piling be necessary for the construction of the future development, then the developer shall consider the impacts upon residents and it is preferred that auger piling is used, at a minimum for buildings adjacent to existing sensitive areas.

Recommendation B: That the Committee would be minded to delegate authority to the Head of Planning to refuse permission for the reasons set out below if the Secretary of State does not call in the application but the Legal Agreement is not completed within 6 months 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 a financial contribution for sustainable transport. Hence the scheme is contrary to paragraph 110 of the National Planning Policy Framework and COM7 of the West Dorset, Weymouth and Portland Local Plan 2015.

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