



# Western and Southern Area Planning Committee

**Date:** Thursday, 15 September 2022  
**Time:** 10.00 am  
**Venue:** Council Chamber, County Hall, Dorchester, DT1 1XJ

## Members (Quorum 6)

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

**Chief Executive:** Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services Meeting Contact 01305 224202

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

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## Agenda

Item	Pages
<b>1. APOLOGIES</b>	
To receive any apologies for absence	
<b>2. DECLARATIONS OF INTEREST</b>	
To disclose any pecuniary, other registerable or non-registerable interest as set out in the adopted Code of Conduct. In making their disclosure councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.	

If required, further advice should be sought from the Monitoring Officer in advance of the meeting.

**3. MINUTES** 5 - 24

To confirm the minutes of the meeting held on 4 August 2022.

**4. PUBLIC PARTICIPATION** 25 - 28

Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting. Please refer to the Guide to Public Speaking at Planning Committee attached to this agenda. Requests to speak should be made, in writing, to Elaine Tibble [elaine.tibble@dorsetcouncil.gov.uk](mailto:elaine.tibble@dorsetcouncil.gov.uk)

**The deadline for notifying a request to speak is 8.30am on Tuesday 13 September 2022**

**5. PLANNING APPLICATIONS**

To consider the applications listed below for planning permission

- a) Application No: P/FUL/2022/03801 Weymouth Angling Society, Commercial Road, Weymouth. DT4 8NF 29 - 38
- b) Application No: P/FUL/2021/04548 - Waitrose and Partners, 42-44 West Street, Bridport, DT6 3QP 39 - 54
- c) Application No: P/FUL/2021/05299 Parnham Estate, Parnham, Beaminster, DT8 3LZ 55 - 78

**6. URGENT ITEMS**

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972

The reason for the urgency shall be recorded in the minutes.

**7. EXEMPT BUSINESS**

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.



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## WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

### MINUTES OF MEETING HELD ON THURSDAY 4 AUGUST 2022

**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

**Apologies:** -

**Also present:** Cllr David Walsh – Portfolio Holder for Planning, Cllr Rebecca Knox – Ward Member for Beaminster

**Officers present (for all or part of the meeting):** Mike Garrity (Head of Planning), Anna Lee (Service Manager for Development Management and Enforcement), James Lytton-Trevers (Lead Project Officer), Charlotte Loveridge (Planning Officer), Robert Parr (Planning Officer) Steven Banks (Planning Officer), Phil Crowther (Legal Business Partner – Regulatory), Emma Telford (Senior Planning Officer) Ann Collins (Area Manager – Western and Southern Team) and John Miles (Democratic Services Officer Apprentice) and David Northover (Democratic Services Officer)

**Public speakers:**

Cllr Paul Hartmann, Symondsburry Parish Council; Kathryn Pennington, Vistry Partnerships; David Matthews, Barratt David Wilson Homes; Barry Bates, John Guy, Gavin Fryer, Mr Summerton and John Grantham, local residents; Guy Dickenson, Chairman of West Dorset CPRE – all minute 28  
Richard Smith, a member of the Parnham planning response group; Ed Grant for applicant; and Cllr Chris Turner, of Beaminster Town Council – all minute 33.

**23. Apologies**

No apologies for absence were received at the meeting.

**24. Declarations of Interest**

No declarations of disclosable pecuniary interests were made at the meeting.

Cllr Bill Pipe informed the Committee that, owing to an association he had with a client who had objected to the Foundry Lea application, he would take no part in the consideration, debate or vote of that particular item.

25. **Minutes**

The minutes of the meeting held on 7 July 2022 were confirmed and signed.

26. **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.

27. **Planning Applications**

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

28. **P/RES/2021/04848- Development of land at Foundry Lea (Vearse Farm), Bridport**

Prior to consideration of the item, the Chairman sought a Vice-Chairman for this given that the Vice-Chairman, Cllr Bill Pipe, was unable to take part owing to his association with a client who had objected to the application. On that basis, Cllr Susan Cocking proposed Jon Worth - this being seconded by Cllr Louis O'Leary. There being no further nominations, Cllr Jon Worth was appointed as Vice-Chairman for the item.

The Committee considered application P/RES/2021/04848 for the construction of 760 dwellings, public open space (including play space and landscape planting), allotments, an orchard, sports pitch provision, with associated changing rooms and car parking, pedestrian, cycle and vehicular links, drainage works and associated infrastructure in the development of land at Foundry Lea (Vearse Farm), Bridport. This was a Reserved Matters application to determine appearance, landscaping, layout and scale, following the grant of Outline Planning Permission (OPP) - number WD/D/17/000986. How any decision made would be enacted and the reasons for this was also explained.

Officers drew the attention of the Committee to the planning history of the site, in that OPP had been granted by the former West Dorset District Council in 2017. Accordingly, it was confirmed, and emphasised, that this application sought approval for the Reserved Matters pursuant to the OPP permission and should be the focus of the Committee's considerations.

With the aid of a visual presentation – and taking into account the provisions of the Update Sheet circulated to members prior to the meeting - officers provided context of what the main proposals, principles and planning issues of the development were; how these were to be progressed; how the development would contribute to meeting housing needs; and what this

entailed. The presentation took into account the policies against which this application was being assessed, - in complying with the West Dorset, Weymouth & Portland Local Plan, the Bridport Area Neighbourhood Plan and the National Planning Policy Framework (NPPF) – and particularly how it accorded with the junction layout, parameter, green infrastructure, scale & density plans approved with the OPP that were derived from a Masterplan for the scheme.

The Committee were informed that as the principle of the development had been deemed acceptable, it was solely now the Reserved Matters that were for consideration:

- principle,
- appearance,
- landscaping,
- layout – housing/ community infrastructure; roads, footpaths and cycleways; foul and surface water drainage; affordable housing and self build
- scale

Plans and photographs provided an illustration of the location, orientation, density, dimensions – form, bulk, size and mass - and appearance of the development and of the individual properties, with examples being given of how typical properties would be designed within the five distinctive character areas, along with their ground floor plans; how it would look; proposed street scenes; the materials to be used; energy efficiency enhancements; affordable housing provision; self-built provision; access and highway considerations; infrastructure and amenity considerations and provision; environmental and biodiversity considerations; the means of landscaping; and its setting within that part of the Bridport area - which was incorporated within the Dorset Area of Outstanding Natural Beauty. What financial and amenity benefits there were to be under the S106 agreements and that there would be provision of a roundabout as part of the enhancement works on the A35 at the Miles Cross junction were explained.

Officers showed the development's relationship with other adjacent residential development in Bridport and Vearse Farm itself - in how that, and the Toll House, would be accommodated within the scheme. The characteristics and topography of the site was shown and its relationship with the highway network and to properties in the adjoining roads in particular. Views into the site and around it were shown, which provided a satisfactory understanding of all that was necessary. How the development was to be divided between 2021 and 2025 building regulations, and the reasons for this, was explained.

Whilst this application was for the residential development only, mention was also made that separate and subsequent applications were likely to be made in respect of the employment development and school that had been provided for in the Outline permission.

In summary, officers planning assessment adjudged the proposed development to be of an appropriate appearance, layout, landscaping and scale and that issues and concerns that had previously been identified had

since been addressed and, in there being no material considerations which would warrant refusal of this application, this formed the basis of the officer's recommendation in seeking approval of the application.

As part of the consideration of the merits of the application, Councillor Paul Kimber requested a site visit be held on the grounds that the Committee should see at first-hand how the layout of the site would look and how highway issues could be addressed, so as to have a better understanding in coming to their decision. Calls for a site visit were supported by Councillor Jean Dunseith. The Solicitor outlined the protocol for the requirement of a site visit and asked for reasons why those proposing and seconding it thought it necessary. He felt that the reasons raised had already been addressed satisfactorily and that there would otherwise be little benefit in arranging this at this stage. On that basis – and on being put to the vote - the Committee also did not feel this to be necessary, considering that they already had enough information to be able to come to a decision.

Formal consultation on the application had seen a neutral stance from Bridport Town Council and Symondsburry Parish Council, whilst Char Valley Parish Council made comment. However, Allington Parish Council had objected on highways and access, infrastructure and overdevelopment grounds.

The Committee then received public representations.

Barry Bates, resident, felt that a number of issues had not been sufficiently addressed and that the development was being expedited unnecessarily. He asked that there be an independent assessment for sewage and the detailed plans to be agreed, as well as how the roundabout construction traffic would be managed.

John Guy, resident, considered that the S106 infrastructure and amenity – school, care home, employment land - should all be in place before the development took place so as that provision would be readily available from the start.

John Grantham, resident, considered the scheme should not be using productive farmland for the development and should have more energy efficient provision from the start. Given the expected increase in growth to Bridport in attracting visitors, the scheme would have insufficient infrastructure to cope. He also considered pedestrian provision access from the north to be compromised and suggested a site visit to see this at first hand.

Mr Summerton considered the scheme should be more environmentally friendly and energy efficient too and that the energy infrastructure would find it challenging to bear this extra load.

Gavin Fryer raised concerns at how environmental considerations would be addressed and that flooding and water management had not been taken into account enough. As there was still uncertainty over infrastructure and other outstanding material considerations to be determined, he considered that the application should be deferred until these were resolved.

Guy Dickenson, Chairman of West Dorset CPRE, considered the way the development of housing was being divided between 2021 and 2025 building regulations meant that full advantage was not being taken of energy efficiencies and environmental opportunities. Moreover, the needs of the AONB were being compromised.

Catherine Pennington, for one of the applicants, emphasised the collaboration with all those involved in the project, local residents included, had been much appreciated by the applicants who were now in a position to deliver this much needed scheme: designed to contribute considerable direct and indirect benefits to the economy. Issues raised previously had now had the opportunity to be addressed satisfactorily, with there now being the provision of 206 affordable homes, which was in excess of the Section 106 requirements. Key additional benefits within the section 106 were emphasised including environmental, energy efficiency and ecological and biodiversity gains. She assured the Committee that the applicants would continue to work collaboratively with local authorities and the community post any planning decision.

David Mathews on behalf of landowner Philip Kerr, confirmed that the responsibility of servicing the needs of the land was taken seriously, in understanding the engagement processes, so as to meet those obligations.

Cllr Paul Hartmann, Symondsburry Parish Council, whilst recognising there was no perfect solution, considered the application to be as good as it could be, in addressing concerns raised and in providing housing, environmental and infrastructure enhancements, although he hoped there could be a fully integrated development in time which took account of the development already there in Bridport so that this site became integral to and complemented Bridport, rather than being self-contained. He was pleased to see that a successful local solution had been developed that would contribute positively to Bridport.

Whilst recognising that this application had become notably contentious over a number of years, having heard what was said, officers responded to some of the pertinent issues raised, being confident that each one could be addressed by the provisions of the application.

The opportunity was given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision; these being:-

- access and highway safety considerations and how these had been assessed and evaluated
- what prospect there was for even greater enhanced energy efficacy provision, such as more PV solar panels and ground source heat pumps, electricity charging points for vehicles; and rainwater collection, being disappointed at what traditional fossil fuel proposals there still were

- how the outstanding S106 issues would be addressed by the applicant and what assurance there was that these would be delivered satisfactorily as proposed
- how the energy generation and provision – electricity and water – to serve such a major development would be able to be achieved satisfactorily and what, assessments and assurances there were from energy companies that this could be delivered as necessary
- what impact the development would have on existing infrastructure and amenity and how this would be managed

The three local Ward members served on the Committee – Cllrs Dave Bolwell, Sarah Williams and Kelvin Clayton and the issues they raised individually were part of the considerations and clarifications set out above

Officers confirmed that much of the context of the objections and issues raised related to aspects of the already agreed OPP – the opportunity for which to consider had since passed – and reiterated that, it was the Reserved Matters that should be the sole focus for Committee. Highway officers confirmed too that the scheme had been fully assessed and evaluated, with mitigation as necessary to address the concerns raised. Again, moreover, all highway considerations – movements; flows; congestion and safety - had been established at the outline stage.

Officers addressed the questions raised providing what they considered to be satisfactory answers, which the Committee understood to be, and saw, as generally acceptable.

The Solicitor advised that any conditions requiring renewable energy measures required a policy basis and that it was a matter for members to determine the weight to be given to the Council's emerging policy on this.

From debate, whilst a number of the Committee would have preferred to see greater more environmental and highway enhancements, they understood that much of this had already been determined at the outline stage and that - in focusing on the Reserved Matters only - this had to be seen to be acceptable and there were no grounds for refusal on that basis. They accepted that the housing provision would contribute significantly towards meeting the residential needs of Bridport and targets set by the Council.

Having had the opportunity to discuss the merits of the application, having understood what was being proposed and the reasoning for this; having taken into account the officer's report and presentation, the written representations; and what they had heard at the meeting, and having received satisfactory answers to questions raised, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this and, on that basis - and being proposed by Councillor Susan Cocking and seconded by Councillor John Worth - on being put to the vote, the Committee agreed - by 8:2 - with one abstention, that the application should be approved, subject to the conditions set out in the paragraph of the report the provisions of the Update Sheet and taking into account the issues raised by committee that were pertinent to this application.

## **Resolved**

That delegated authority be granted to the Head of Planning and the Service Manager for Development Management and Enforcement for the approval of reserved matters, subject to the discharge of any outstanding conditions on the outline planning permission (WD/D/17/000986) which are required to be discharged prior to the approval of the reserved matters (conditions 2 for the phasing, 6 for a Design Code, 7 for the LEMP, 38 for the road crossings over the river and 39 for floor levels of the dwellings) and subject to conditions as set out in this report - and in the Update Sheet - with the relevant plan number and revision number to be entered in conditions no. 2, 3 and 4.

### Reasons for Decision

- The proposed development was considered to be of an appropriate appearance, layout and scale, with appropriate landscaping incorporated. As such, the proposed development was considered to be in accordance with local and national policy objectives.
- The appearance of the housing, with five distinctive character areas, would respond to the appearance of housing in Bridport.
- The layout of the housing, community infrastructure, movement network, drainage and affordable housing would meet the requirements necessary for the scheme to function and integrate with Bridport.
- The landscaping would conserve and enhance the AONB, biodiversity and existing trees and hedges and provide appropriate new planting.
- The scale would be appropriate to the characteristics of the site including the lie of the land and location within it.
- The proposal would comply with the West Dorset, Weymouth & Portland Local Plan, the Bridport Area Neighbourhood Plan and the National Planning Policy Framework (NPPF).
- Paragraph 11 of the NPPF set out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- There were no material considerations which would warrant refusal of this application.

#### **29. P/FUL/2022/02646- Greenford Church of England Primary School**

The Committee considered an application for the site of a timber lodge classroom within the grounds of Greenford Church of England Primary School, Chilfrome Lane, Maiden Newton.

The planning officer's presentation - in taking into account the provisions of the Update Sheet circulated to members prior to the meeting - outlined the site location, the conservation area, and that the application is located on Dorset Council freehold land.

The officer highlighted the planning history, the appearance of the timber structure, the view from the school gates from Chilfrome Lane, the main issues being that it was close to the Maiden Newton conservation area and being within the Dorset AONB, and the officer also covered the principle of

development. She made the committee aware of the economic and educational benefits of additional learning space and the minimal flood risk.

The committee was informed that there would be minimal impact on character and appearance of the site. The dimensions of the timber structure were described too.

Cllr Paul Kimber asked if there were toilets in the structure.

The officer clarified that there were no toilets there and that the space would provide additional shelter in all weather.

Proposed by Cllr Paul Kimber, seconded by Cllr Susan Cocking

**Resolved**

That application P/FUL/2022/02646 be granted permission subject to the conditions set out in the report, and in taking account of the provisions of the Update Sheet, as necessary.

30. **P/FUL/2022/02955- Scout Hall Granby Close Weymouth**

The Committee considered an application for the erection of an extension to provide wheelchair accessible WC and Shower facilities to the site at Scout Hall Granby Close Weymouth.

The officer explained that the application was on behalf of Weymouth West Air Scout Group located on Council owned land.

The officer - in taking into account the provisions of the Update Sheet circulated to members prior to the meeting - informed that the site was located on the boundary of western Chickerell ward and was in a low flood risk zone. The presentation showed an arial shot of the site shown and other photographs, covering the relevant planning history, existing plans, elevations, the site plan proposed and key planning issues and principles of development.

It was made known that the design was in harmony with existing buildings and in keeping with site and area. The planning officer recommended to grant the application subject to conditions.

Proposed by Cllr John Worth, seconded Cllr Jean Dunseith

**Resolved**

That application P/FUL/2022/02955 be granted planning permission subject to the conditions set out in the report and in taking into account the provisions of the Update Sheet circulated to members prior to the meeting.

31. **P/LBC/2022/02381- 4 Bedford Terrace, Long Bredy**

The Committee considered an application to carry out internal and external alterations at 4 Bedford Terrace, Long Bredy. The application came to committee due to the applicant residing with a planning officer.

Internal and external alterations told to the committee involved refurbishing of windows, installation of extractor fan, double glazing, wiring; a nib; draft proofing between joists; partitions; plumbing and drainage and wardrobes. Internal alterations also included the removal of a cupboard, the repair of ceilings and the relocation of a ceiling hatch.

In taking into account the provisions of the Update Sheet, circulated to members prior to the meeting, officers summarised the plans of installations, the front renovations, photos of bedroom 1, 2, 3, kitchen, living room, front elevation, and rear elevation.

It was also discussed that the installations would have limited impact on the historic fabric of the listed building and would cause less than substantial harm and allow a good standard of repair.

The officer recommended to grant, subject to conditions, as proposed works would cause less than substantial harm to the designated heritage assets, the public benefits outweighed the harm and provided a modern living standard and ensured long-term visibility of the designated heritage assets as a dwelling.

Proposed by Cllr Dunseith, seconded by Cllr Paul Kimber

### **Resolved**

That application P/LBC/2022/02381 be granted planning permission subject to the conditions set out in the report and in taking into account the provisions of the Update Sheet circulated to members prior to the meeting.

### **32. P/FUL/2021/02707 - Parnham Estate Parnham Beaminster**

The Committee considered an application for the erection of a marquee and provision of a services structure (back of house) to function as a restaurant, as well as the provision of a 49-space car park and associated driveway improvements at Parnham Estate, Parnham, Beaminster.

The presentation - in taking into account the provisions of the Update Sheet circulated to members prior to the meeting - covered rights of way/bridleway, aerial photographs, maps of the site, photos of the location and car park, the proposed car park, the elevations of the proposed marquee, the material that the marquee would be constructed of, and other key planning issues such as, noise report being reviewed, heritage assets, residential amenity, AONB highway safety, biodiversity and flood risk.

It was also discussed that the marquee would be located in flood zone 1 which is low risk and the car park in flood risk 2 and 3, considered high.

The site had a Grade 1 listed stable block; the garden walls being grade 2 listed. The committee was made aware that Parnham Estate suffered severe fire damage with the loss of its roof and extensive renovation was needed. The presentation told that the new owner's commitment showed that repairs were taking place to parts of the house, but additional sources of revenue were needed to fund the cost of renovations.

Planting would be conducted around the car park and that parking would be broken up with planting. The Highways Team had no objections with using the northern entrance.

The officer recommended to grant subject to the commission of a robust noise assessment, to be reviewed by environmental health.

The project manager of the estate spoke about the need to create a sustainable and sensible business. He also added that the facilities - and restaurants - would be used to host weddings and events and would help to fund the maintenance of the estate. He also mentioned that all local residents could enjoy the restaurant and the estate which would have the scope to provide employment and training in the area.

Rebecca Knox supported the application by telling the committee that it was a very important estate near Beaminster of which the residents were very proud. She reiterated that the house needed a lot of work and that local people had been informed and included in the plans of the application. She ended that she hoped Dorset Council would play its part.

There were questions asked regarding the colour of the marquee and if this would be restricted.

The planning officer clarified that the marquee would be in cream, but these details need to be submitted and agreed.

Proposed by Cllr Paul Kimber, seconded by Cllr Bill Pipe

### **Resolved**

That application P/FUL/2021/02707 be granted planning permission subject to the conditions set out in the report and in taking into account the provisions of the Update Sheet, as necessary.

### **33. P/FUL/2021/05746- Parnham Estate Parnham Beaminster**

The Committee considered an application to erect six orchard rooms and the installation of two bridges at Parnham Eastate, Parnham, Beaminster. The six orchard rooms would be six units of holiday accommodation and have 1 bed and 1 bathroom.

The planning officer's presentation - in taking into account the provisions of the Update Sheet circulated to members prior to the meeting - showed a map of the local area, how the holiday accommodation would look, bridge's location, the street scene and how the orchard rooms would be separated and

oriented, as well as dimensions and floor plans parking spaces within the car parking area and the key planning issues and the principle of development.

The officer added that the site would be accessed from the northern entrance and that two units of the orchard rooms would be located in the existing fruit orchard on the opposite side of river. The committee was told that there would be outside baths and the inspiration for the orchard rooms was taken from beehives. It was also made known that the rooms will be built from timber cladding with steel roofs and bridges constructed of oak.

The Public benefits were outlined: as additional income for the estate and increased public access to a heritage asset. These benefits considered to outweigh potential harm and being in a relatively discreet location, highways raised no objection, with a low flood risk (flood zone 1 but foot bridges in flood zone 3).

It was also made aware that Parnham House was located outside the DDB but policy allowed for tourism development. The development had been determined to have less than substantial harm to the icehouse structure.

An oral update was given regarding the plans list condition. On the update sheet it relates to two proposed locations plans as "rev b" and a proposed site plan as "rev d" but should be "rev a" for both location plans and "rev b" for the proposed site plan.

The Chairman confirmed with the committee that they had read the update sheets, as the application had two recommendations which were amended, and conditions updated.

The conditions were outlined for landscaping, flood risk assessment, evacuation plan, flood warning and biodiversity plan.

Richard Smith a member of the Parnham planning response group was invited to address the committee and raised points on their behalf. He acknowledged the attempt to create a new hotel and lodge accommodation with benefits for employment and commerce. He informed of the shortcomings such as, the planning statement had no clear written vision or timescale on restoration and development, the business plan was short on financial detail, a lack of a masterplan, no local consultation with residents and rejection by historic England.

He requested a restriction to the house being sold separately and a legally binding agreement to restore the house.

Ed Grant addressed the committee about Parnham House being in a desperate state and the need to establish a business. He mentioned that the orchard rooms had been designed to fit in with the environment and were sustainable with minimal environmental impacts and added that the orchard's yields were undesirable and would be more successful being planted elsewhere.

Cllr Chris Turner, of Beaminster Town Council, addressed the Committee and made comments about the two applications. He informed the Committee about planning and the long-term considerations, the A3066 northern entrance and a 30-mph speed limit needed to be drawn south away from Beaminster by 200-300 meters which would—reduce the speed for those accessing Parnham estate. He stated that a traffic regulation order needed to be implemented before entertainment was granted.

Cllr Rebecca Knox, the Ward member, addressed the committee and made the committee aware of the scale of investment, work in the owner's being committed to the restoration of the house and participation from local businesses.

The planning officer responded and was given the opportunity to clarify any points.

She clarified that the proposal was acceptable under the S106 agreement which was the intensification of the existing overnight accommodation already at Parnham estate and included in the west wing, butler's apartment, and dower house. The officer then went on to clarify the benefits of a master plan, but that the application could not be refused on the lack of a master plan.

Steve Savage, Transport Development Liaison Manager, addressed the highway issues that were raised: speed data, speed limits, vehicle speeds, explaining the applicant's vision on scale and size of the visibility displays required and that there was no justification for extending the speed limit.

Cllr Kate Wheller asked questions regarding the colour and nature of the roofs on the pods. Cllr Paul Kimber asked a technical question regarding the replanting of trees in the orchard. Cllr Bill Pipe asked questions of the opening schedule for the ice house and why is it not open for longer.

The senior planning officer provided clarification on all of these issues, particularly that the limitations on the icehouse openings was due to the security of the estate.

Proposed by Kate Wheller, seconded by Susan Cocking

### **Resolved**

That application P/FUL/2021/05746 be granted planning permission subject to the conditions set out in the report and in taking into account the provisions of the Update Sheet, as necessary.

#### **34. Urgent items**

There were no urgent items for consideration.

#### **35. Exempt Business**

There was no requirement for exempt business.

36. **Update Sheet**

37. **Update Sheet**

**Planning Committee – Update Sheet  
Thursday 4<sup>th</sup> August 2022**

**Planning Applications**

<b>Application Ref.</b>	<b>Address</b>	<b>Agenda ref.</b>	<b>Page no.</b>
P/RES/2022/04848	Foundry Lea Bridport	Item 6	13-89
<p>Updates:</p> <ul style="list-style-type: none"> <li>• The Applicant is stated as Barratt David Wilson Homes. There are however, two Applicants as follows: Barratt David Wilson Homes and Vistry Partnerships.</li> <li>• Consultee: Outdoor recreation - further comments that do not raise new issues and suggest conditions which already exist in similar form on the outline permission.</li> <li>• Consultee: Wessex Water – Support the JRC Foul Drainage Statement (ref 1628w0006) 26<sup>th</sup> July 2022 which reflects the current foul drainage strategy for the site.</li> <li>• Consultee: Environment Agency – The Environment Agency has submitted a comment in response to the submissions by the applicant to discharge some of the conditions attached to the outline planning permission. The full response can be viewed on the website under the planning application reference WD/D/17/000986. In summary the EA do not recommend the discharge of conditions 38 and 39 and therefore do not recommend the reserved matters application be approved at this time. They advise that to progress things the applicant should provide any additional supporting modelling that has been compiled along with a comprehensive modelling report and FRA addendum.</li> </ul> <p>This response to the application for the discharge of conditions is relevant in so far as officers are recommending that delegated authority be granted to the Head of Planning and the Service Manager for Development Management and Enforcement for the approval of the reserved matters application, subject to the prior discharge of certain conditions, including conditions 38 and 39. At this stage, it is anticipated that the discharge of conditions 38 and 39 will be resolved through ongoing dialogue between officers, the EA and the applicant.</p> <ul style="list-style-type: none"> <li>• Additional 1 letter of support from the Symondsburry Estate - The employment land is not sold to a developer, but is held as a development opportunity for the Estate and will aim to bring about a high quality scheme to ensure that the entrance to the town and Symondsburry from the west is attractive, lasting and good for the community. The Estate has entered into a binding contract with the residential developers for them to provide the relevant infrastructure and liaise so that land and or buildings can be delivered to market in line with planning consent. There are strong enquiries for occupiers in the locality and wider afield and the Estate needs to take time to assimilate and plan carefully. The Estate looks forward to seeing the current detailed application come to fruition so in turn commercially viable projects can mature and be delivered on the employment land when the time is right.</li> </ul>			

- Additional 1 letter of objection which raises points that are already addressed in the committee report.

Application Ref.	Address	Agenda ref.	Page no.
P/FUL/2022/02646	Greenford Church Of England Primary School, Chilfrome Lane, Maiden Newton, Dorchester, DT2 0AX	7.	91-100

Recommendation

That the Committee be minded to grant consent subject to conditions. ~~and subject to there being as there has been no adverse comment received from the freeholder on the lapse of the 21 days notice (19 July 2022) served on them by the applicant.~~

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 Plan  
 Front & side view 1  
 Front & side view 2  
 Front & side view 3  
 Front & side view 4  
 Floorplan/Layout  
 Door & Window technical dimensions

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

3. The building hereby approved shall be used as a classroom/ancillary building to the educational facility known as Greenford Church of England Primary School only and for no other purpose.

Reason: In the interests of proper planning.

- ~~4. The timber building hereby approved shall be left to silver naturally and no paint/stain shall be applied to the timber walls (except for windows/doors that will be painted black). Thereafter, the building shall be retained as such.~~

~~Reason: In the interests of visual amenity within the AONB & the visual setting of the Maiden Newton Conservation Area.~~

4. The timber building hereby approved shall only be treated with clear, protective wood preservatives in order to retain the natural timber colour (except for windows/doors that will be painted black). Thereafter, the building shall be retained as such.

Reason: In the interests of visual amenity within the AONB & the visual setting of the Maiden Newton Conservation Area.

Application Ref.	Address	Agenda ref.	Page no.
P/LBC/2022/02381	4 Bedford Terrace Long Bredy Dorset DT2 9HW	9.	109-114

Ecology

A member of the Natural Environment Team, in an email of 05/05/2022, confirmed that, due to the nature of the proposed works, a bat survey does not need to be completed by the applicant.

The applicant has stated that a bat survey, which confirmed an absence of bats, has been completed. This survey does not form part of this application given the comments of the Natural Environment Team.

Application Ref.	Address	Agenda ref.	Page no.
P/FUL/2021/02707	Parnham Estate, Parnham, Beaminster.	10.	115-138

Recommendation:

Since the drafting of the committee report a Biodiversity Plan has been reviewed by the Natural Environment Team (NET) and a certificate of approval issued for the Biodiversity Plan by NET.

The recommendation will be amended as follows:

Recommendation A:

Delegate authority to the Head of Planning or the Service Manager for Development Management and Enforcement to grant subject to ~~the submission of a satisfactory Biodiversity Plan to be reviewed by the Natural Environment Team (NET) and the addition of any suitably worded conditions relating to it,~~ the submission of a robust noise assessment to be reviewed by Environmental Health and the addition of any suitably worded conditions relating to it, planning conditions as set out in this report 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 tying of the development to Parnham House and Estate so that it cannot be sold off separately.

An additional condition will therefore be added to the recommendation as follows:

20. Prior to commencement of any works relating to the car parking area a timetable for the implementation of the measures of the Biodiversity Plan shall have been submitted to 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, dated 21/07/2022, and agreed by the Natural Environment Team on 26/07/2022, unless a subsequent variation is agreed in writing with the Council.

Reason: In the interests of biodiversity.

Amendments to conditions:

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

Proposed Location Plan – drawing number 101-A-B3-PR-001 Rev A

Proposed Location Plan – drawing number 101-A-B3-PR-000 Rev A

Restaurant Marquee Proposed Site Plan – drawing number 101-A-B3-PR-003

Restaurant Marquee Proposed Ground Floor Plan – drawing number 101-A-B3-PR-100-FI

Restaurant Marquee Proposed Elevations – North & South – drawing number 101-A-B3-PR-200 Rev A

Restaurant Marquee Proposed Elevations – West & East – drawing number 101-A-B3-PR-201 Rev A

Restaurant Marquee Proposed Ground Floor Plan – drawing number 101-A-B3-PR-100

Restaurant Marquee Proposed Roof Plan – drawing number 101-A-B3-PR-101

Parking Proposed Site Plan – drawing number 101-A-B3-PR-002-PA Rev A

Proposed Parking Site Section – drawing number 101-A-B3-PR-003-PA

Parking Proposed Finishes Plan – drawing number 101-A-B3-PR-002-FI Rev A

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

Additional Informative:

Informative: Building Control

The applicant needs to be aware that concerns have been raised by Building Control regarding fire brigade access, other options are available such as sprinklers but these will need to be investigated by the applicant and any solution would need to be agreed by the Fire Authority during consultation as part of the Building Control application.

Amendments/updates to officer's report:

The heritage section of the report is headed 'Visual Amenity and Heritage Assets' however the heritage impacts, including on setting are wider than only

visual impact and the planning assessment goes beyond visual impacts.

The Area of Outstanding Natural Beauty section of the report sets out that the proposed marquee and car park are not considered to meet the threshold of major development in line with NPPF. It should also be noted that cumulatively the three current planning applications (two before committee and one still under consideration) are also not considered to meet the threshold of major development given the scale of the development proposed cumulatively within the context of Parnham House and its associated outbuildings and structures.

Application Ref.	Address	Agenda ref.	Page no.
P/FUL/2021/05746	Parnham Estate, Parnham, Beaminster.	11.	139-162

Recommendation:

Since the drafting of the committee report a Biodiversity Plan has been reviewed by the Natural Environment Team (NET) and a certificate of approval issued for the Biodiversity Plan by NET.

The recommendation will be amended as follows:

Recommendation A:

Delegate authority to the Head of Planning or the Service Manager for Development Management and Enforcement to grant subject to the ~~submission of a satisfactory Biodiversity Plan to be reviewed by the Natural Environment Team (NET) and the addition of any suitably worded conditions relating to it,~~ planning conditions as set out in this report 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 tying of the development to Parnham House so that it cannot be sold off separately.

An additional condition will therefore be added to the recommendation as follows:

19. Prior to commencement of development a timetable for the implementation of the measures of the Biodiversity Plan shall have been submitted to 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, dated 21/07/2022, and agreed by the Natural Environment Team on 26/07/2022, unless a subsequent variation is agreed in writing with the Council.

Reason: In the interests of biodiversity.

Amendments to conditions:

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

Proposed Location Plan – drawing number 101-A-B16-PR-002 Rev B  
Proposed Location Plan – drawing number 101-A-B16-PR-001 Rev B  
Proposed Site Plan – drawing number 101-A-B16-PR-003 Rev D  
Proposed Site Elevation – drawing number 101-A-B16-PR-004 Rev C  
Proposed Site Section – drawing number 101-A-B16-PR-005 Rev A  
Proposed Ground Floor Plan – drawing number 101-A-B16-PR-100 Rev A  
Proposed Roof Plan – drawing number 101-A-B16-PR-101 Rev A  
Proposed Elevations – drawing number 101-A-B16-PR-200 Rev A  
Proposed Section A-A – drawing number 101-A-B16-PR-300 Rev A  
Proposed Bridge 01 – drawing number 101-A-B16-PR-400 Rev A  
Proposed Bridge 02 – drawing number 101-A-B16-PR-401 Rev B

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

9. Prior to the commencement of development, a construction method statement detailing how the ~~extent of the~~ Ice House structure will be ~~determined and~~ protected from any short or long term defects during the construction of the orchard rooms shall be submitted to and agreed in writing by the local planning authority. Thereafter, the construction shall be carried out in accordance with the agreed method statement.

Reason: To protect the designated heritage asset during construction.

10. Prior to first occupation of the orchard rooms hereby approved an Ice House Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The management plan shall include the following:

- A commitment that the Ice House would be accessible to members of the public for 3 days of each calendar year;
- How details of the time and date of opening would be made available to the members of the public;
- Details of how the ~~That the~~ time and date of opening will be provided to the Council and when ~~it will be provided~~ these details will be provided in advance of opening;
- Details of how ~~How~~ access to the Ice House would be managed;
- Details of the path to be created to provide pedestrian access and its provision prior to the first open day;
- Information on the history of the Ice House including describing the construction and purpose and how this would be made available for those visiting.

The agreed management plan shall be implemented following first occupation of the orchard rooms and shall continue in perpetuity.

Reason: In order to allow increased public access to the Ice House to outweigh the less than substantial harm caused.

16. The development shall be carried out in accordance with the submitted flood risk assessment (FRA) (Simpson tws, Issue 02 dated 14th March 2022) and the mitigation measures it details, including a minimum finished floor level of 43.80m

AOD for the Orchards Rooms and footbridge and no temporary or permanent ground raising on existing land below the FRA's estimated 1 in 100 year flood level of 43.20mAOD in order to ensure no loss of existing flood storage. Thereafter, the measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent increasing flooding elsewhere by ensuring that the floodplain storage is maintained.

Additional Informative:

Informative: Building Control

The applicant needs to be aware that concerns have been raised by Building Control regarding fire brigade access, other options are available such as sprinklers but these will need to be investigated by the applicant and any solution would need to be agreed by the Fire Authority during consultation as part of the Building Control application.

Amendments/updates to officer's report:

The heritage section of the report is headed 'Visual Amenity and Heritage Assets' however the heritage impacts, including on setting are wider than only visual impact and the planning assessment goes beyond visual impacts.

The Area of Outstanding Natural Beauty section of the report sets out that the proposed orchard rooms are not considered to meet the threshold of major development in line with NPPF. It should also be noted that cumulatively the three current planning applications (two before committee and one still under consideration) are also not considered to meet the threshold of major development given the scale of the development proposed cumulatively within the context of Parnham House and its associated outbuildings and structures.

Additional representation received:

An objection has been received which is summarised as follows:

An officer of the Council notified the applicants in September 2021 that holiday lets in this location would be contrary to policy and would be unlikely to be determined favourably unless they were specifically part of the wider enabling development project for the restoration of the house, which would enable the proposals to be assessed from this exceptional circumstance. The officer advised that the Council cannot permit enabling development wholesale or piecemeal without ensuring the restoration of Parnham is legally agreed. The objector states that there is nothing in the application under consideration suggesting that the holiday lets income stream will be for the restoration of Parnham house and considers as such, this application should be refused.

**Duration of meeting:** 10.00 am - 3.00 pm

**Chairman**

.....



## **A Guide to Public Speaking at Planning Committee**

All members of the public are welcome to attend formal meetings of Planning Committees to listen to the debate and the decisions being taken.

If you have written to the Council during the consultation period about an application that is to be considered by the committee, any relevant planning or rights of way issues raised in your letter will be appraised by the case officer and summarised within the committee report. You will also receive a letter informing you of the committee date and inviting you to attend the meeting.

The agenda for the meeting is normally published five working days before the committee date and is available to view on the council's website at <https://moderngov.dorsetcouncil.gov.uk/mgListCommittees.aspx?bcr=1> or via the Modern.gov app which is free to download.

You can also track progress of a planning application by visiting the council's website at <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning/planning-application-search-and-comment.aspx>. Alternatively you can contact a member of the Democratic Services Team on 01305 251010 or email [david.northover@dorsetcouncil.gov.uk](mailto:david.northover@dorsetcouncil.gov.uk) for Eastern Area Planning Committee, [megan.r.rochester@dorsetcouncil.gov.uk](mailto:megan.r.rochester@dorsetcouncil.gov.uk) for Northern Area Planning Committee [denise.hunt@dorsetcouncil.gov.uk](mailto:denise.hunt@dorsetcouncil.gov.uk) for Western and Southern Area Planning Committee and [elaine.tibble@dorsetcouncil.gov.uk](mailto:elaine.tibble@dorsetcouncil.gov.uk) for Strategic Planning Committee. They will be able to advise you on whether an application will be considered by a committee meeting.

Formal meetings are open to the press and the public and during the meeting you may come and go as you wish. Please keep disruption to a minimum to allow the business to be conducted smoothly. Members of the press and public will normally only be asked to leave the meeting if confidential/exempt items are to be considered by the committee.

Members of the committee and the public have access to individual representation letters received in respect of planning applications and rights of way matters in advance of the meeting. It is important to note that any comments received from the public cannot be treated as confidential.

### **How do I register to speak?**

Planning committee meetings are held in public but they are not a public meeting; as a result you need to register to speak as below.

The first three members of the public, including any community or amenity group, who register to speak, for and against the application, including the applicant or their representative (maximum six in total) will be invited to address the committee. If the applicant or their representative registers to speak, then only the first two members of the public who wish to speak for the application may address the Committee. MPs need to register in the same way and will count as one of the six speakers.

If you wish to address the committee at the planning meeting it is essential that you contact the Democratic Services Team on 01305 251010 or email addresses set out above before 8.30am at least two clear working days before the meeting. If you do not register to speak, you will not normally be invited to address the committee. When contacting the Democratic Services Team you should advise which application you wish to speak on, whether you are objecting or supporting the application and provide your name and contact details.

### **The Member who chairs Planning Committee**

Ultimately the Chairman of the Planning Committee retains the power to determine how best to conduct a meeting. The processes identified below are therefore always subject to the discretion of the Chairman.

### **What will happen at the meeting and how long can I speak for?**

The Chairman will invite those who have registered to speak to address the committee. Each speaker will have up to **three** minutes each to address the committee.

When addressing the committee members of the public should:

- keep observations brief and relevant;
- speak slowly and clearly;
- for rights of way matters, limit views to those relevant to the legal tests under consideration;
- for planning matters limit views to relevant planning issues such as:
  - the impact of the development on the character of the area;
  - external design, appearance and layout;
  - impact of the development on neighbouring properties;
  - highway safety;
  - planning policy and government guidance.
- avoid referring to issues such as safety, maintenance and suitability for rights of way definitive map modification matters, as they cannot be taken into account;
- avoid referring to matters, which are not relevant to planning considerations, such as:
  - trade objections from potential competitors;

- personal comments about the applicant;
  - the developer's motives;
  - moral arguments;
  - matters covered by other areas of law;
  - boundary disputes or other private property rights (including restrictive covenants).
- remember you are making a statement in public: please be sure that what you say is not slanderous, defamatory or abusive in any way.

### **Can I provide handouts or use visual aids?**

No. Letters and photographs, or any other items must not be distributed at the meeting. These must be provided with your written representations during the consultation period in order to allow time to assess the validity, or otherwise, of the points being raised. To ensure fairness to all parties, everyone needs to have the opportunity to consider any such information in advance to ensure that any decision is reasonably taken and to avoid potential challenge.

### **What happens at the Committee?**

After formal business such as declarations of interest and signing of minutes the meeting moves on to planning applications.

- The planning / rights of way officer will present the application including any updates.
- The Chairman will invite those who have registered to speak to address the committee and each speaker is allocated a maximum of three minutes.
- The applicant or their representative will be allowed up to three minutes speaking time in total between them both.
- The order of speaking will normally be: individual members of the public and groups; the applicant or their representative and then; parish/town council representative. Any such group or council will normally be given one three minute slot each for any representations to be made on its behalf.
- If one or more of the relevant Dorset Council Ward Members wishes to address the committee, they will each be allowed three minutes to do so.
- Neither the objectors or supporters will normally be questioned. However, the Chairman may ask questions to clarify a point of fact in very exceptional circumstances.
- Public participation then ends and the committee will enter into the decision making phase. During this part of the meeting only members of the

committee and officers may take part.

- The Chairman of the Committee has discretion over how this protocol will be applied and has absolute discretion over who can speak at the meeting.

You should not lobby members of the committee or officers immediately prior to or during the committee meeting. Members of the public should also be aware that members of the committee are not able to come to a view about a proposal in advance of the meeting because if they do so it may invalidate their ability to vote on a proposal. Equally any communication with members of the committee during the meeting is to be avoided as this affects their ability to concentrate on the matters being presented at that time.

You should note that the council has various rules and protocols relating to the live recording of meetings.

### **What happens after the Committee?**

The minutes, which are the formal record of the meeting, will be published after the meeting and available to view in electronic and paper format, as a matter of public record, for a minimum of six years following the date of the meeting. Please note that if you attend a committee meeting and make oral representations to the committee, your name, together with a summary of your comments will be included in the minutes of the meeting.

<b>Application Number:</b>	P/FUL/2022/03801
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>
<b>Site address:</b>	Weymouth Angling Society, Commercial Road Weymouth DT4 8NF
<b>Proposal:</b>	Erect extension to form cellar
<b>Applicant name:</b>	Mr Tucker
<b>Case Officer:</b>	Charlotte Loveridge
<b>Ward Member(s):</b>	Cllr Orrell

**1.0** This application has been brought to committee for determination as Dorset Council is the landowner.

**2.0 Summary of recommendation:**

Grant planning permission subject to conditions.

**3.0 Reason for the recommendation:**

- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is considered to be sustainable with policy SUS2 of West Dorset, Weymouth & Portland Local Plan (2015) providing in principle support for this scheme and the proposal is acceptable in its design and general visual impact.
- No harm is caused to the Weymouth Town Centre Conservation Area and the Conservation Area is preserved by virtue of the modest scale & matching appearance of the cellar extension in accordance with policy ENV4 of the West Dorset, Weymouth & Portland Local Plan (2015) and guidance at paragraphs 199 to 208 of the NPPF (2021).
- There is not considered to be any significant harm to neighbouring residential amenity.
- The applicant has demonstrated the scheme will not result in significant flooding of the site or significantly change the flow of water resulting in increased flooding of the surroundings.
- There are no material considerations which would warrant refusal of this application

**4.0 Key planning issues**

<b>Issue</b>	<b>Conclusion</b>
Principle of development	Located within the Weymouth DDB and therefore supported by policy SUS2 of the West Dorset, Weymouth & Portland Local Plan (2015). Policy COM4 (Improved local recreational facilities) of the West Dorset, Weymouth & Portland Local Plan (2015) also supports the scheme in principle.
Scale, design, impact on character and appearance	The scale of the extension and use of matching materials ensures the extension is modest and appropriate and has a positive impact on visual amenity in character with the existing building in accordance with policy ENV12 (Design & Positioning) of the West Dorset, Weymouth & Portland Local Plan (2015). The Weymouth Town Centre Conservation Area is preserved with no harm to its character and appearance in accordance with policy ENV4 (Heritage assets).
Impact on amenity	Amenity impact is neutral given no neighbours to the site and the extension is small scale & in matching materials.
Impact on landscape or heritage assets	<p>Wider landscape is protected given the single storey nature &amp; limited increase in floor area provided by the extension.</p> <p>No harm to the significance of the Weymouth Town Centre Conservation Area (designated heritage asset) is created and overall the Weymouth Town Centre Conservation Area is preserved in accordance with policy ENV4 (Heritage assets) of the West Dorset, Weymouth &amp; Portland Local Plan (2015).</p>
Economic benefits	Short terms benefits from construction employment.
Access and Parking	The extension will not intensify use of the site or change access/parking arrangements.
Flooding	Submitted FRA details flood prevention measures.

## 5.0 Description of Site

The existing building provides a social club for Weymouth Angling Society and sits on its own on a flat paved pedestrian area, immediately adjacent to the marina part of Weymouth Harbour, on the west side of Commercial Road and immediately south of Harbourside car park. The site is within the Weymouth Town Centre Conservation Area and the defined development boundary.

The social club is not listed or of heritage value, is single storey and constructed of brick, concrete tiles and UPVC fenestration. The porch area on the south elevation (to be extended) is topped with a GRP roof (which is to be matched).

The site sits opposite commercial units, car parking and at a distance, flats.

## 6.0 Description of Development

This application seeks to erect an extension to the front porch area (South elevation) of the existing social club to extend the existing cellar facilities by 5m<sup>2</sup>. The proposed extension will be on the east facing side of the porch and will be finished in matching materials to the porch (brick, GRP and UPVC). Unlike the existing cellar which is accessed internally, the cellar extension will have an external access door. The existing a.c. unit/extract will be resited to the new east wall of the cellar extension. The extension measures 2.06m wide by 2.51m depth and 3.22m high.

## 7.0 Relevant Planning History

None

## 8.0 List of Constraints

SUS2; Defined Development Boundary; Weymouth

WEY2; Town Centre and Commercial Road Area; Commercial Road Area

ENV 4; Conservation Area; Town Centre Conservation Area

WEY 1; Weymouth Town Centre Strategy; Weymouth Town Centre

ECON4; Town Centre Areas; Weymouth

Landscape Character; Urban Area; Weymouth Urban Area

Neighbourhood Area; Name: Weymouth; Status Designated 18/05/2020;

Risk of Surface Water Flooding Extent 1 in 1000

Areas Susceptible to Groundwater Flooding; Superficial Deposits Flooding; >= 50% <75%;

Dorset Council Land (Freehold): DT325612 - Reference 60140

Nature Fleet (UK11012);al England Designation - RAMSAR: Chesil Beach & the

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076);

Site of Special Scientific Interest (SSSI) (400m buffer): Radipole Lake;

Main River Consultation Zone

Flood Zone 3

Flood Zone 2

Within the Weymouth Town Centre Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990).

## 9.0 Consultations

All consultee responses can be viewed in full on the website.

### Consultees

1. **Highways** – No objection.
2. **Weymouth Town Council** – No objection.
4. **Asset & Property Team** – No comment.

### Representations received

None.

## 10.0 Relevant Policies

### West Dorset Weymouth and Portland Local Plan 2015

10.1 So far as this application is concerned the following policies of the Local Plan are considered to be relevant:

- INT1 - Presumption in favour of Sustainable Development
- ENV1 - Landscape, seascape & sites of other geological interest
- ENV2 - Wildlife and habitats
- ENV4 – Heritage assets
- ENV5 – Flood risk
- ENV10 - The landscape and townscape setting
- ENV 12 - The design and positioning of buildings
- ENV 16 – Amenity
- SUS2 - Distribution of development
- COM4 – New or improved local recreational facilities
- COM7 - Creating a safe & efficient transport network

### Neighbourhood Plans

10.2 Weymouth Neighbourhood Plan - In preparation – limited weight applied to decision making.

### Other Material Considerations

10.3 Supplementary Planning Documents/Guidance

- Weymouth & Portland Urban Design (2002)
- Landscape Character Assessment (Weymouth & Portland)
- Weymouth – Town Centre Conservation Area Appraisal adopted December 2012

### National Planning Policy Framework (2021)

10.4 So far as this application is concerned the following sections and paragraphs are considered relevant;

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Relevant NPPF sections include:

- Section 4. Decision taking: Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 8. 'Promoting healthy and safe communities', paragraph 93. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 126 – 136 advise that: The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 16 ‘Conserving and Enhancing the Historic Environment’ - When considering designated heritage assets, great weight should be given to the asset’s conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 203).

## **11.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## **12.0 Public Sector Equalities Duty**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

The proposed development is on level ground and has step-free access with a 1.19m wide doorway and it is considered that given the type and nature of the development proposed it would have no adverse impact on people with protected characteristics.

## **13.0 Financial benefits**

Short term construction employment.

Long term efficient operation of the Social Club.

## **14.0 Climate Implications**

Ability to store more at the Social Club, less deliveries.

## **15.0 Planning Assessment**

Principle of Development:

Having regard to its location within the defined development boundary for Weymouth, this scheme is supported in principle by policy SUS2 of the West Dorset, Weymouth & Portland Local Plan (2015). Policy COM4 (Improved local recreational facilities) of the West Dorset, Weymouth & Portland Local Plan (2015) also supports the scheme in principle as an extension (and improvement) to a recreational facility subject to criteria. The small cellar extension will not undermine the commercial viability of other nearby community facilities as it will only enlarge storage facilities on site. Therefore, the scheme complies with the criteria of policy COM4.

Impact on amenity:

There are no immediate neighbours to the site and therefore, residential amenity is protected in accordance with policy ENV16 (amenity) of the West Dorset, Weymouth & Portland Local Plan (2015).

The extension is modest/small scale, in matching materials, well sited over an existing paved area, well related to the main building and is proposed to upgrade cellar capacity at the social club to the benefit of users. Its appropriate design, scale, finish and appearance ensure this proposal is acceptable in visual amenity & street scene impact terms and therefore complies with policy ENV12 (Design & Positioning) of the West Dorset, Weymouth & Portland Local Plan (2015).

Impact on designated heritage assets:

The limited scale, matching materials and appropriate siting of the cellar extension all ensure that no harm is created to the Weymouth Town Centre Conservation Area and the Conservation Area overall is preserved in accordance with policy ENV4 (Heritage assets) of the West Dorset, Weymouth & Portland Local Plan (2015) and paragraph 199 of the NPPF (2021).

The nearest listed building is The White Hart Public House (Grade II\*) whose west facing gable wall can be briefly seen down a long passageway between two large scale commercial units from the east wall of the Social Club. The new extension will not be within this shared view given its location on the south side of the building and therefore, even though appropriately designed in any case, this scheme raises no harm to the setting of that designated heritage asset.

Impact on flooding:

The site does fall within flood zone 3 given its proximity to the marina. However, given the nature and the very limited scale of the extension, it is considered that this proposal will not result in increased flooding of the site, surrounding area or increase risk to human life. The proposal is not required to be subject to the sequential and exception tests as it is minor development as set out in the planning practice guidance.

Flood resilience measures have been outlined at paragraph 9.2 of the submitted Flood Risk Assessment with the applicant having taken necessary steps to ensure that where possible, the cellar extension will be future proofed from existing/future flooding.

As such, the scheme complies with policy ENV5 (Flood Risk) of the West Dorset, Weymouth & Portland Local Plan (2015) and guidance at paragraph 167 of the NPPF (2021).

Impact on SSSI (Radipole Lake and Chesil & Fleet):

The proposed scheme will not result in additional residential occupation or recreational pressures within the buffer zones of both of the identified SSSI (Radipole Lake) or SAC/SPA/RAMSAR site (Chesil & Fleet). Given the limited scale of the extension and intended use, it is considered this scheme will have no impact on the special features/habitats/biodiversity of the protected sites and is acceptable in accordance with policy ENV2 (Wildlife & habitats) of the West Dorset, Weymouth & Portland Local Plan (2015).

Impact on highway safety:

No objections have been received from the Highways team. The scheme will not result in intensification of the use of the site or change access/parking arrangements currently in place. Therefore, policy COM7 of the West Dorset, Weymouth & Portland Local Plan (2015) is satisfied and complied with.

## **16.0 Conclusion**

Having regard to its appropriate siting, design, matching materials, overall modest scale and the employment of flood resilience measures; the cellar extension has an acceptable impact on amenity, flooding, protected SSSI and habitats sites and highway safety. The scheme will also result in no harm to the Weymouth Town Centre Conservation Area with the Conservation Area preserved overall in accordance with policy ENV4 (Heritage assets) of the West Dorset, Weymouth & Portland Local Plan (2015) and paragraph 199 of the NPPF (2021).

## **17.0 Recommendation**

### **Grant planning permission, subject to 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:  
2904: 405/001 Rev A  
2904: 405/003 Rev A

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

3. Prior to first use of the cellar extension hereby approved, the flood resilience measures as outlined at paragraph 9.2 of the Flood Risk Assessment shall have been installed/carried out and thereafter shall be retained.

Reason: To ensure the approved extension remains resilient to existing/future flooding.

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<b>Application Number:</b>	P/FUL/2021/04548
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>
<b>Site address:</b>	Waitrose and Partners 42-44 West Street Bridport DT6 3QP
<b>Proposal:</b>	Removal of existing boundary and internal walls, and creation of 6 no. parking spaces for home delivery vans and associated electric charging points, 2 no. customer collection parking spaces and 2 no. taxi waiting spaces. Erection of free standing canopy in loading bay area, replacement trolley and staff shelters and associated development including boundary treatments and access.
<b>Applicant name:</b>	Waitrose Ltd
<b>Case Officer:</b>	Tim Marsh
<b>Ward Member(s):</b>	Cllr Bolwell; Cllr Clayton; Cllr Williams

**1.0** This application has been brought to committee for determination as part of the application site is owned by Dorset Council.

**2.0 Summary of recommendation:**

REFUSE for the following reason:

Contrary to Policy ENV4 of the West Dorset Weymouth and Portland Local Plan 2015 and Section 16 (Paragraphs 199, 200 & 202) of the National Planning Policy Framework 2021 the proposed development would result in less than substantial harm to the character, appearance and significance of the Bridport Conservation Area that is not outweighed by any public benefit owing to the unnecessary and excessive use of close boarded fencing, which appears overly tall, basic/utilitarian in its finishing material and as a fortifying modern enclosure overall. It will result in the loss of existing historic walls that mark the boundaries of burgage plots identified in the Conservation Area Appraisal for Bridport as historically significant. The proposed development would detract from the local character, neither preserving or enhancing the Bridport Conservation Area and for the reasons above adversely impact on the public realm contrary to Policies ENV10 and ENV12 of the West Dorset, Weymouth and Portland Local Plan (2015), the National Planning Policy Framework (2021) and Policies HT2 and D8 of the Bridport Neighbourhood Plan (2020).

**3.0 Reason for the recommendation:**

The proposal would result in less than substantial harm to the character and appearance of the Bridport Conservation Area, which would not be outweighed by any public benefit.

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	The proposed development is supported in principle under relevant planning policies that encourage development of previously developed land in sustainable locations, particularly those that support the role of town centres.
Character, appearance and impact on heritage assets	The potential public benefits of the proposal do not outweigh the harm that it would cause to the Conservation Area, particularly when it would be possible to reduce that harm to a potentially acceptable level by removing all proposed close boarded fencing and retaining more of the historic burgage wall.
Amenity	The proposals would have an acceptable impact on the living conditions of neighbours subject to management and mitigation measures that could be conditioned to ensure that potential disturbances from the proposed development are kept to acceptable levels.
Economic benefits	The proposals would improve the viability of an anchor store / business in Bridport Town centre.
Access and Parking	The application is supported by an acceptable Transport Statement and the Highway officer has no objection and as such the proposals are acceptable in terms of highway safety.

#### 5.0 Description of Site

- The site is flat, approximately 350 sqm in size and falls within Bridport Town Centre and its Conservation Area. The site is also within the DDB.
- The site comprises of an existing rear service yard to the Waitrose food store including a partly walled area of land owned by Dorset Council formerly used as a car park, and part of the adopted highway.
- Access is currently obtained via Rope Walks, accessed from West Street via Tannery Road and St Michael's Lane. The food store is immediately to the north with its main customer entrance on West Street.
- A customer pedestrian route links to the Rope Walks public car park which forms the site's southern boundary.
- An unnamed road runs along its western boundary northwards and provides access to the rear of existing retail premises on West Street. The site's eastern

boundary is adjacent to unnamed road that provides access to the rear of existing commercial premises.

- There is a mix of surrounding uses including retail, commercial, community, and residential and car parks and a variety of built form, including several listed buildings.

## 6.0 Description of Development

Full planning permission is sought for:

- Demolition of existing brick/stone walls in the centre of the site to accommodate 6no. home delivery van spaces and 2no. associated electric charging points and Armco safety barrier.
- A new free-standing polycarbonate canopy to provide cover in the loading area.
- Replacement of an existing trolley shelter along the eastern boundary with polycarbonate panels and powder coated metal framework, and new paving to match existing in addition to a replacement staff shelter.
- A range of boundary works/treatments including railing removal and installation of new close boarded timber fencing to provide screening along the eastern, western, and southern boundaries, and removal of /replacement of bollards.
- Along the southern boundary, the creation of 2no. customer collection spaces and 2no. taxi waiting spaces accessed from Rope Walks.
- Dropped/flush kerbs, road markings, and a new footpath running to the rear of the taxi/customer spaces to link up to the existing pedestrian route to the Waitrose food store.

## 7.0 Relevant Planning History

The following applications to upgrade and extend the store have been approved since 1984:

- 1984 - "Erect extension to supermarket. Make alterations to shopfront" (LPA Ref: 1/W/84/751).
- 1992 – "Erect new canopy and entrance screen" (LPA Ref: 1/W/92/000032).
- 1997 – "Retention of 1no. louvered extractor unit and 2 roof mounted fans serving the existing plantroom" (LPA Ref: 1/W/97/127).
- 1999 – "Internal refurbishment of store, replace refrigeration plant on roof and erect new store building and plant room to rear of store" (LPA Ref: 1/W/1999/405).
- 2003 – "Erect canopies above side entrance" (LPA Ref: 1/W03/001410).
- 2007 – "Install ATM" (LPA Ref: 1/W/07/001075).
- 2009 – "New mechanical & refrigeration plant o roof including 2 condensing units & 1 heat pump &1 AC unit" (LPA Ref: 1/D/09/000334). Later that year, permission was also granted for "Block up side doorways. Replace entry doors. New trolley bay. New roof access ladder & guard rail. Replace fascia & shop fronts" (LPA Ref: 1/D/09/000344).

## 8.0 List of Constraints

Within the Bridport Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Area of Outstanding Natural Beauty : (statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

NE - SSSI (5km buffer): West Dorset Coast ;

NE - SSSI (5km buffer): Burton Bradstock ;

NE - SSSI (5km buffer): Peashill Quarry ;

## 9.0 Consultations

All consultee responses can be viewed in full on the website.

### Consultees

#### 1. Highways

In reference to the amended plan submission received 4th April 2022, following the requested amendments, the Highway Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has no objection subject to a manoeuvring, parking and loading areas condition.

#### 2. Conservation Officers

- The proposal to erect a 2.4m close boarded fence around the majority of the site is fundamentally at odds with the historic character of Bridport town centre. Close boarded fencing is an inferior boundary treatment, most commonly suited and found in suburban settings/housing estates. Furthermore, the height of the fencing, taken with its substandard appearance will create a highly negative and prominent impact in an otherwise open area within a historic market town.
- The nature of this development would not establish a sense of safety for the community. High fencing such as this would create an austere and unforgiving impact, reducing visibility and creating a more oppressive feel to the area. The use of standard commercial security lighting would not overcome this impact in dark evenings/winter months.

- The visual harm to the historic environment would also be compounded by the extent of polycarbonate roofing and panels that would also be visible across the public realm. The use of such poor quality materials in such an open and prominent site within the Conservation Area will create significant harm, this contravenes the NPPF Paragraphs 190 and 206. The implications of erecting attractive low boundary walls with more suitable fencing above, would not be so extreme as to warrant the development unviable.
- The loss of all historic burgage plot walls, the inability to plan the site around these walls or enable the demarking of the locations in situ to be plotted in such a way as to be publicly visible, is an issue of concern that has been raised from the outset. No plans have been provided showing how or where the demarking is to be carried out and with what materials. Furthermore, the request that more superior materials be used for pedestrian/taxi/parking areas appears to have been discounted. Substandard surfacing materials still seem to be proposed.
- Historic brickwork and stone could be salvaged and incorporated within new boundary structures. Good quality brick and lime mortar could be used to greatly enhance the character of the area and shield the more utilitarian services and vehicles. Whilst the agreed public notice board has been one concession of the applicants, this in itself does not overcome the degree of harm that this development would create.
- The lack of any proper investment to the site will exacerbate the negative impact of the car park. The materials, being substandard will age poorly and require regular maintenance and upkeep or be left to further erode the quality of the conservation area and setting of heritage assets. The use of attractive, natural and quality materials would enable durability and less maintenance in the future, also enabling the site to settle well and enhance the area for the future.
- Extensive comments and suggestions have been offered to the applicants over the term of this application. These should have been given at a pre-application stage, but it appears that a standard commercial approach is fixed. 'Public gain' may be considered to outweigh any adverse impact to the historic environment, however we would argue that the 'public gain' in terms of parking and home deliveries is *not* considered superior to the public realm and community's sense of safety, place and provenance. The historic environment offers a different but important 'public gain'. It effects people's appreciation of the past, their sense of place, how they relate to that space and also people's sense of well-being. It is therefore argued that the development would create a significant public loss in that regard.

### **3. Bridport Town Council**

- Support, subject to the recommendation of the Highway Authority being incorporated.

Further comments were received from the Town Council:

- The Conservation Officer's assessment appears to focus in fine detail on heritage issues, with little or no consideration of the wider public benefits that might accrue. The only references to public gain are in terms of parking and home delivery, and with no mention of EV charging, 'click and collect' facilities, the generally improved condition of the area, the heritage interpretation offered, and securing the future viability of Bridport town centre. In more detail:
  - Whilst the NPPF is quoted in objection by the CO, NPPF paras 38, 81, and 86, all supporting economic viability, are not considered.
  - The applicant's reference to the future viability of Waitrose in Bridport (para 1.5 of the Planning & Heritage Statement), and the significant wider implications for Bridport town centre, are not referenced at all.
  - The importance of 'click and collect' to the viability of retail outlets is not considered.
  - Nor is there any acknowledgement of the proposed EV charging points and their (limited but nonetheless important) contribution to addressing future charging capacity and the climate crisis.
  - There is no consideration of the viability of retaining the heritage assets identified.
  - The CO offers an alternative location in Rope Walks Car Park, with no recognition of the practical viability of this idea, its failure to incorporate all of the proposals made in the application, and the fact that this site is currently identified as a town centre expansion site in the Local Plan.
  - The positive impact of providing taxi facilities at the rear of Waitrose to reduce pressure on West Street is not mentioned.

The Town Council considers that the lengthy heritage analysis should be accompanied by a similarly detailed assessment of these aspects, in order for the matter to be resolved in a balanced way.

#### **4. Environmental Health**

- No objections to this application.

#### **Representations received**

None

## **10.0 Relevant Policies**

### **Development Plan**

#### Adopted West Dorset and Weymouth & Portland Local Plan:

- INT1 - Presumption in favour of Sustainable Development
- ENV1 - Landscape, seascape & sites of other geological interest
- ENV4 - Heritage assets
- ENV10 - The landscape and townscape setting
- ENV 12 - The design and positioning of buildings
- ENV 16 - Amenity
- SUS2 - Distribution of development
- ECON 4 - Retail and Town Centre Development
- COM7- Creating a safe & efficient transport network
- COM9- Parking provision

#### Adopted Bridport Area Neighbourhood Plan:

- Policy CC2 - Energy and Carbon Emissions
- Policy AM1 - Promotion of Active Travel Modes
- Policy AM2 - Managing Vehicular Traffic
- Policy HT1 – Non-Designated Heritage Assets
- Policy HT2 - Public Realm
- Policy COB1 - Development in the Centre of Bridport
- Policy D5 - Efficient Use of Land
- Policy D8 – Contributing to the Local Character

### **Material Considerations**

#### **National Planning Policy Framework (2021):**

Paragraph 11 - presumption in favour of sustainable development.

Paragraph 38 - Local planning authorities should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

- Section 6 'Building a strong, competitive economy'.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places'. In particular, and amongst other things, Paragraphs 126 – 136 which advise that: The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
- Section 14 'Meeting the challenges of climate change, flooding and coastal change'

- Section 15 'Conserving and Enhancing the Natural Environment'
- Section 16 'Conserving and Enhancing the Historic Environment'- When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199).

### **Other material considerations**

WDDC Design & Sustainable Development Planning Guidelines (2009)

Bridport Conservation Area Appraisal adopted January 2003

### **11.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

### **12.0 Public Sector Equalities Duty**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have "regard to" and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty as follows: the proposed increased provision for home delivery services is likely to be beneficial to those who are unable to undertake their weekly shop in store; new flush kerbs are proposed as part of the new tarmac pavement and customer collection area at the rear of the store which includes tactile paving. These measures should enhance access to the store for members of the public with visual and mobility impairments.

### **13.0 Financial benefits**

To provide physical improvements to the service yard of an existing food store to improve the efficiency of its operation and service to its customers.

### **14.0 Climate Implications**

The provision of 2 new charging points for electric vehicles will make a small contribution towards addressing the adverse impacts of climate change by facilitating greater use of zero emission vehicles.

### **15.0 Planning Assessment**

#### Principle of development

The site falls within the defined development boundary of Bridport where Local Plan policy SUS2 states that development proposals will normally be permitted, subject to consideration against other Local Plan policies. Local Plan policy ECON4 i) states that development proposals for retail and town centre development should be appropriate in type and scale to the particular centre and its catchment population. As a development that would improve an existing retail facility in a town centre location the proposals are considered to be in general accordance with these requirements. In seeking to optimise the use of an existing previously developed site for a supermarket that serves the needs of the local community they also accord in principle with Local Plan Policy ENV15 and Neighbourhood Plan policy D5 which both seek to ensure efficient and appropriate use of land, and paragraph 86 of the NPPF which encourages development that supports the role of town centres.

However, there are key requirements of other policies as set out below that need to be taken into account in establishing the overall acceptability of the proposals.

#### Character, appearance and impact on heritage assets

Local Plan policy ENV4 states, inter alia, that development should conserve and where appropriate enhance the significance of designated Heritage Assets and that any harm to the significance of a designated or non-designated heritage asset must be justified with applications being weighed against the public benefits of a proposal; if it has been demonstrated that: all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset, and; if the works proposed are the optimum required to secure the sustainable use of the asset.

The part of the Conservation Area in which the site is situated is currently blighted by a mass of parking provision, utilitarian service buildings and structures. However existing historic walls on the application site mark the boundaries of burgage plots identified in the Conservation Area Appraisal for Bridport as historically significant. Several other masonry walls in the area similarly mark the presence of historic burgage plots and whilst they may not be in good condition or complete in their form/length, the Conservation Officer has confirmed that they are heritage assets worthy of protection. Whilst the walls are not specifically listed within the Bridport

Area Neighbourhood Plan Locally Valued Non Designated Heritage Assets List or are formerly listed, they are clearly of some heritage value that identifies the historic plot/settlement pattern (again as mentioned within the Bridport Conservation Area Appraisal as an element where development needs to be controlled or sensitively enhanced).

In terms of potential public benefits, the applicant asserts that the development will enable Waitrose to provide a more efficient offer, providing space for 6 no. home delivery vehicles, electrical charging points and associated covered loading area in conjunction with existing servicing arrangements, and that the increased provision of home delivery van parking will have the principal benefit to Waitrose of reducing the amount of customers using cars to access the store while still retaining their custom. They also suggest that the uplift in home delivery service provided by the increase in van parking offsets the demand for customers to use the main car park and reflects the current online shopping trend.

The application proposals include the removal of all the historic walls on the site and although these are in a poor state of repair, it does not follow that their loss is outweighed by the potential benefits of the scheme. On the contrary in accordance with the provisions of Policy ENV4 and Section 16 of the NPPF and related policies in the Neighbourhood Plan, provision should be made to incorporate and retain as much of them as possible to ensure that their contribution to the Conservation Area is maintained and that opportunities are taken to enhance their heritage value.

From the outset of consideration of the application concerns were raised regarding the adverse impact of the proposed close boarded fencing on the street scene and the Conservation Area. This change is one of the following four issues that the applicant has been advised need to be addressed in order for the proposal to be supported at officer level:

1. All proposed close boarded fencing on-site needs to be replaced with low brick wall in traditional material, including utilising the existing inner brick walls where feasible.
2. Inclusion of a signage plaque denoting the history of the site, alongside the demarcation of the original burgage plot.
3. 'Making good' the site's far eastern boundary wall adjacent to the pedestrian route.
4. Full details including demolition works, material samples, and the scale/finish/method of fixing for the proposed plaque (which could be addressed by means of a suitably worded planning condition).

With regards to these requirements the applicant has set out their position to each of the above points as follows:

**Point 1**

*The client team has now undertaken an extensive internal review of the feasibility of replacing all the proposed close boarded fencing on-site with low brick walls in traditional material, including utilising where possible, the*

*existing inner central brick walls. This review includes a site inspection of the inner walls by Hurst Peirce + Malcolm LLP to determine their suitability for reuse. Accordingly, due to their existing state and condition, there is unfortunately unlikely to be an insufficient amount of reusable brick for the proposals to meaningfully utilise and it will be hard to match other material to make up the shortfall. Together with the financial costs of implementing the construction methods required for the new traditional walls, this request therefore presents a significant challenge and does not allow for a deliverable project (that as you know is also subject to a separate commercial deal with Dorset Council's Estates Team).*

**Point 2**

*The proposals shall include an on-site signage plaque to inform the community and visitors to Bridport of the history of the area and the site's former buildings and function, alongside demarcating the original burgage plot.*

**Point 3**

*Whilst it was hoped that the far eastern boundary wall adjacent to the pedestrian route could be restored, it has subsequently been confirmed that this wall falls beyond the Applicant's site ownership. These boundary works are therefore not possible to undertake.*

**Point 4**

*Pre-commencement planning conditions are suggested for: Demolition Works, External Material Use, Boundary Enclosures, and a Heritage Notice Plaque and Plot Linings.*

*As far as it has been possible, our client has now sought to fully address these four remaining heritage related requests. To ensure Waitrose is able to continue meeting both operator and customer requirements and demand, the proposed works to the rear of the store however continue to remain necessary, with the substantial wider public benefits still considered to weigh positively in favour of the works, taking into account any considered substantial/ less than substantial harm on Bridport Conservation Area and listed buildings within the vicinity. This includes, but is not limited to, immediately delivering an improved public realm environment, and enabling the Waitrose store in the longer term to remain a key anchor in supporting the vitality and viability of Bridport Town Centre as well as the local community, including facilitating linked trips and support for other shops and services as envisaged by the planning policy. When considered against the alternative context of the 'Do Nothing' approach, these public benefits in our view remain an important key planning material consideration.*

The Conservation Officer has responded to the above as follows:

*Setting aside the issue of demolishing all that remains of the burgage plot walls, the concerns raised at the outset over the expanse of close boarded fencing proposed have still not been addressed and overcome.*

*It was previously agreed by the agent that the extent of close boarding fence would be reduced. The proposal to erect a 2.4m close boarded fence around the majority of the site is fundamentally at odds with the historic character of Bridport town centre. Close boarded fencing is an inferior boundary treatment, most commonly suited and found in suburban settings/housing estates. Furthermore, the height of the fencing, taken with its substandard appearance will create a highly negative and prominent impact in an otherwise open area within a historic market town. The nature of this development would not establish a sense of safety for the community. High fencing such as this would create an austere and unforgiving impact, reducing visibility and creating a more oppressive feel to the area. The use of standard commercial security lighting would not overcome this impact in dark evenings/winter months. The visual harm to the historic environment would also be compounded by the extent of polycarbonate roofing and panels that would also be visible across the public realm.*

*The use of such poor quality materials in such an open and prominent site within the Conservation Area will create significant harm, this contravenes the NPPF Policy 190 specifically:*

*C) the desirability of new development making a positive contribution to local character and distinctiveness (reinforced in Policy 197); and d) opportunities to draw on the contribution made by the historic environment to the character of a place.*

*Policy 206 further adds:*

*Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.*

*This policy therefore suggests that proposals that do not preserve or better reveal the significance of the area should not be supported.*

*The NPPF is also clear that where proposed development would cause significant harm to a designated heritage asset, the application should be refused – unless significant public benefits would justify that harm or loss. In Conservation terms, the harm that would be created is not outweighed by any public benefit. There is a substantial car park located to the rear of Waitrose with plenty of customer/taxi parking provided meaning that the extent of new parking required could be significantly reduced and the evidence of historic burgage plots significantly enhanced.*

*The cost implications of erecting attractive low boundary walls with more suitable fencing above, would not be so extreme as to warrant the development unviable. Waitrose is a successful nationwide supermarket specialising in high end goods. The designated historic settings of some of their premises necessitates a higher quality of material and design. Budgets should therefore reflect these requirements when new stores are established.*

*The loss of all historic burgage plot walls, the inability to plan the site around these walls or enable the demarking of the locations in situ to be plotted in such a way as to be publicly visible, is an issue of concern that has been raised from the outset. No plans have been provided showing how or where the demarking is to be carried out and with what materials. Furthermore, the request that more superior materials be used for pedestrian/taxi/parking areas appears to have been discounted. Substandard surfacing materials still seem to be proposed.*

*Historic brickwork and stone could be salvaged and incorporated within new boundary structures. Good quality brick and lime mortar could be used to greatly enhance the character of the area and shield the more utilitarian services and vehicles. Whilst the agreed public notice board has been one concession of the applicants, this in itself does not overcome the degree of harm that this development would create. The lack of any proper investment to the site will exacerbate the negative impact of the car park. The materials, being substandard will age poorly and require regular maintenance and upkeep or be left to further erode the quality of the conservation area and setting of heritage assets. The use of attractive, natural and quality materials would enable durability and less maintenance in the future, also enabling the site to settle well and enhance the area for the future.*

### Conclusion

*Extensive comments and suggestions have been offered to the applicants over the term of this application. These should have been given at a pre-application stage, but it appears that a standard commercial approach is fixed. 'Public gain' may be considered to outweigh any adverse impact to the historic environment, however we would argue that the 'public gain' in terms of parking and home deliveries is not considered superior to the public realm and community's sense of safety, place and provenance. The historic environment offers a different but important 'public gain'. It effects people's appreciation of the past, their sense of place, how they relate to that space and also people's sense of well-being. It is therefore argued that the development would create a significant public loss in that regard.*

NPPF paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset conservation, irrespective of the level of harm to that significance. Paragraph 200 adds that any harm to that significance should require clear and convincing justification. Paragraph 202 requires that where a development

proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The proposals have been assessed thoroughly under the provisions of Local Plan Policy ENV 4 and Section 16 of the NPPF accordingly and the planning officer agreed with the Conservation Officer that the height of the fencing, taken with its substandard appearance would create a highly negative and prominent impact in an otherwise open area within a historic market town and that there is no clear and convincing justification for the harm that the proposal would have on the character and appearance of the Conservation Area. In particular the potential public benefits of the proposal do not outweigh the harm that it would cause to the Conservation Area when it would be possible to reduce that harm to a potentially acceptable level by removing all proposed close boarded fencing and retaining more of the historic burgage wall.

#### Impact on amenity

Local Plan Policy ENV16 requires that development should not have a significant adverse effect on living conditions, generate levels of activity that would detract significantly from the character and amenity of the area, or result in unacceptable level of pollution.

With regards to these requirements the applicant states that there would be no increase in the number or frequency of HGV movements, with home delivery operations continuing to occur between the hours of 0700 and 2200 Monday to Sunday. It is also stated that there would be no significant adverse effect on the privacy and daylight/sunlight levels of neighbouring properties owing to preventative measures that include: the service area being located further away from existing residential properties, with the new service route to comprise smooth tarmac reducing rolling noise from dollies used to manoeuvre stock, and because existing close boarded timber fencing and gardens already provide screening along its boundaries such that there would be no significant adverse effect on the privacy and daylight/sunlight levels within these properties as a result of the proposals.

The application is also supported by a Noise Impact Assessment, and the Environmental Protection Officer has not raised any concerns, although this is on the basis that new close boarded timber fencing is provided along the site's boundaries, which for the reasons set out above is considered to be unacceptable on heritage / design grounds.

Notwithstanding this should the application be approved, management and mitigation measures detailed in the application could be conditioned to ensure that noise from activities taking place within the proposed development would be kept to acceptable levels.

#### Access and Parking

The application is supported by a Transport Statement, key points of which are: the increase in home delivery van movements would be offset by a reduction in demand

from customers using the Rope Walks car park; vehicle tracking confirms that the proposals will operate effectively; a Stage 1 Road Safety Audit has not raised any significant concerns relating to highway safety; loading and unloading of vehicles associated with the food store would continue to take place within its curtilage, and not from the adjoining public highway; the proposals provide an opportunity to formalise the store's on-site parking within a currently restricted service yard area, in turn improving the efficiency and safety of vehicle, pedestrian and goods movements; sufficient on-site parking provision for home delivery vans, customer collections, and taxi waiting spaces would avoid potential overspill parking on the highway/within the public car park opposite; new footpaths, dropped kerbs and tactile paving would result in improved accessibility and connectivity for all users; electric charging points on-site to serve Waitrose's home delivery vans would reduce carbon emissions, home delivery service taking multiple deliveries on each journey would be likely to reduce the number of customer vehicles visiting the store during peak hours.

Following revisions to the scheme the Highway officer has no objection subject to a manoeuvring, parking and loading areas condition. In light of the above the proposals are considered to be acceptable in terms of highway safety and to accord with the relevant provisions of Local Plan policies COM7 and COM9.

## **16.0 Conclusion**

The potential "public" benefits of the proposal do not outweigh the harm that it would cause to the Conservation Area, particularly when it would be possible to reduce that harm to a potentially acceptable level by removing all proposed close boarded fencing and retaining more of the historic burgage wall.

## **17.0 Recommendation**

Refuse permission for the reason set out below:

Contrary to Policy ENV4 of the West Dorset Weymouth and Portland Local Plan 2015 and Section 16 (Paragraphs 199, 200 & 202) of the National Planning Policy Framework 2021 the proposed development would result in less than substantial harm to the character, appearance and significance of the Bridport Conservation Area that is not outweighed by any public benefit owing to the unnecessary and excessive use of close boarded fencing, which appears overly tall, basic/utilitarian in its finishing material and as a fortifying modern enclosure overall. It will result in the loss of existing historic walls that mark the boundaries of burgage plots identified in the Conservation Area Appraisal for Bridport as historically significant. The proposed development would detract from the local character, neither preserving or enhancing the Bridport Conservation Area and for the reasons above adversely impact on the public realm contrary to Policies ENV10 and ENV12 of the West Dorset, Weymouth and Portland Local Plan (2015), the National Planning Policy Framework (2021) and Policies HT2 and D8 of the Bridport Neighbourhood Plan (2020).

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<b>Application Number:</b>	P/FUL/2021/05299
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>
<b>Site address:</b>	Parnham Estate Parnham Beaminster DT8 3LZ
<b>Proposal:</b>	Erect 4.No. River Lodges and realignment of the existing access track.
<b>Applicant name:</b>	Mr & Mrs J Perkins
<b>Case Officer:</b>	Emma Telford
<b>Ward Member(s):</b>	Cllr Knox

**1.0** The Head of Planning has referred this application to planning committee due to the high level of public interest and the role of the application as part of a wider scheme for the Parnham Estate.

**2.0 Summary of recommendation:**

Recommendation A:

Delegate authority to the Head of Planning or the Service Manager for Development Management and Enforcement to grant subject to planning conditions as set out in this report 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 tying of the development to Parnham House so that it cannot be sold off separately.

Recommendation B:

Delegate authority to the Head of Planning or the Service Manager for Development Management and Enforcement to refuse planning permission for the reasons set out below if the agreement is not completed within 6 months if the committee resolution or such extended time as agreed by the Head of Planning or Service Manager for Development Management and Enforcement:

1. In the absence of a satisfactory completed legal agreement to secure the tying of the development to Parnham House to ensure it cannot be sold off separately, the development cannot be considered intensification of an existing hospitality business and would be new built tourist accommodation in an unsustainable location outside of any defined development boundary contrary to policy ECON6 of the West Dorset, Weymouth and Portland Local Plan (2015).

**3.0 Reason for the recommendation:**

- The proposal is considered to comply with Local Plan policy ECON 6.
- The proposal is considered to result in no harm to the significance of the heritage assets.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application.

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	The proposal is considered to comply with local plan policy ECON 6.
Residential Amenity	The proposals are not considered to result in adverse impacts on neighbouring amenity.
Visual Amenity	The proposed development is not considered to result in adverse impacts on the visual amenities of the site or locality.
Heritage Assets	The proposal will result in no harm to the significance of the designated heritage assets.
Area of Outstanding Natural Beauty	The proposal is not considered to harm the character, special qualities or natural beauty of the Dorset Area of Outstanding Natural Beauty.
Highway Safety	The proposal does not present a material harm to the transport network or to highway safety.
Biodiversity	The impacts on biodiversity are considered acceptable subject to a condition for the development to be carried out in accordance with the agreed Biodiversity Plan.
Flood Risk	The Environment Agency have raised no objections and consider the flood risk measures proposed to be acceptable.
Trees	The proposal is considered to have an acceptable impact on trees.
Community Infrastructure Levy	CIL liable.
EIA	EIA is not required in this instance.

#### 5.0 Description of Site

5.1 Parnham House is a sixteenth century, grade I listed property located approximately 1.6km from Beaminster. Parnham House sits within Parnham Park, a grade II\* listed registered park & garden. Parnham House suffered severe fire damage in 2017, resulting in the loss of its roof and most of its internal floor structures and fittings and is included in the highest risk category on Historic England's Heritage at Risk Register.

5.2 The primary entrance is located at the north end of the site near to Beaminster off the A3066. A tree lined avenue leads to the main house but also spurs off to the west. A secondary entrance (the historic main entrance) is located on the east of the site also off the A3066.

5.3 The application site (lodges) is located to the west of the walled garden on the grounds of Parnham House adjacent to, but outside of the kitchen walled garden. It is bound to the west by the River Brit, with the orchard beyond and is bound to the east by the existing brick wall that surround the kitchen garden. The site is comprised of an existing track, car park and area of grassland with fruit trees. There are also some small existing structures including a chicken coop and log store.

#### 6.0 Description of Development

6.1 The proposed development is for the erection of 4 river lodge, holiday units within the ground of Parnham House and the realignment of the existing access track.

6.2 The proposed new access track would run parallel with the existing brick walled garden it would be used by estate vehicles as part of the management of the estate as no vehicular parking will be provided next to the proposed lodges. A separate application (P/FUL/2021/02707) includes the provision of a car park.

6.3 The proposed lodges would be set down from the height of the kitchen garden wall by approximately 1.1m and would consist of timber clad surround with large window openings facing the river and each with a green roof. There are two types of lodges proposed type A, two bedrooms and type B, three bedrooms. The ground floor of both lodge types would contain the master bedroom, second bedroom, entrance lobby, living room and terrace. The upper floor would contain the dining/living area and kitchen. The type B lodge would also contain additional living space adjoining the lodges that would contain the third bedroom. The proposed lodges would be separated maintaining views from the access track to the river.

## **7.0 Relevant Planning History**

P/FUL/2021/04398 – Erect extension to the front of the potting shed – Approved – 23/12/2021.

P/FUL/2021/02420 – Dower House - Demolition of existing boiler room, utility room, conservatory, garage, walling, structures within the courtyard and detached outbuilding, erection of single storey extension, reinstatement of carriageway, gates and piers and boundary enclosure, erection of bike store – Approved – 23/12/2021.

P/FUL/2021/02977 – Erection of 1 no. dwelling – Withdrawn.

P/PABA2/2021/02666 – Erection of agricultural building – Approved – 11/11/2021.

P/FUL/2021/05746 – Erect 6 no. Orchard Rooms and installation of a new bridge – committee resolution to grant (August 2022)

P/FUL/2021/02707 - Erect a marquee and provision of a services structure to function as a restaurant, erection of a gazebo for the service of BBQs within the walled garden and the provision of a 49 space car park and associated driveway improvements – committee resolution to grant (August 2022).

P/LBC/2022/03210 - Reconstruction and replacement of two flat roofs with lead covering to the Stable link building of Parnham House. Stabilisation to existing timber structure and reconstruction of a tiled mansard roof with flat lead upper roof. Reconstruction of internal first floor structure and timber staircase and refurbishment internally to restore fire damaged spaces as habitable rooms at ground floor and first floor within the Stable Link. Refurbishment of existing metal framed windows to Stable link. Minor alterations to the Service Range of Parnham House including insertion of new WC and temporary timber partitions. Replacement of modern roof over former Bertram Stair enclosed courtyard – under consideration.

## **8.0 List of Constraints**

Outside of a defined development boundary

Area of Outstanding Natural Beauty  
Landscape Character; Undulating River Valley; Brit Valley  
Registered Historic Parks and Gardens

Setting of Parnham House – Grade I  
Setting of Stable Block North of Parnham House – Grade II\*  
Setting of Kitchen Garden Walls North of Parnham House – Grade II  
Setting of Ice House 100 Yards NNW of Parnham House – Grade II  
Right of Way: Bridleway W21/56

Risk of Surface Water (ROSW) Extent 1 in 30  
Risk of Surface Water (ROSW) Extent 1 in 100  
Risk of Surface Water (ROSW) Extent 1 in 1000  
NE - SSSI (5km buffer): Conegar Road Cutting  
NE - SSSI (5km buffer): Horn Park Quarry  
NE - SSSI (5km buffer): Down Farm  
NE - SSSI (5km buffer): Mapperton and Poorton Vales  
Flood Zone 3  
Flood Zone 2

## 9.0 Consultations

All consultee responses can be viewed in full on the website.

### **Consultees**

- 1. Highways** – *The Highway Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has no objection, subject to the development hereby approved being carried out in accordance with the submitted plans.*
- 2. Senior Conservation Officer** - *The proposals will result in no harm to the significance of designated heritage assets and so neither paragraph 201 nor 202 is considered to be engaged.*
- 3. Tree & Landscape Officer** – *Following submission of amended Arboricultural Method Statement and associated Tree Protection Plan.*  
  
*No objection with conditions.*
- 4. Beaminster Town Council** – *Beaminster Town Council have in principle no objections to the amended plans but would re-iterate their original comments on this application.*

*Original comments - In principle Beaminster Town Council support the application and would RECOMMEND APPROVAL however the Council would re-iterate the previously expressed concerns with regard to the highway access at Southgate, Beaminster. Members were concerned with regard to the increased number of traffic movements the lodges would create in addition to the previous application for the*

*erection of an events marquee etc. Members urged consideration of highway improvements, particularly the visibility onto the A3066 and traffic speed.*

**5. Building Control** – *The access road and turning arrangements must accord with the requirements of Building Regulation Part P in respect of operational Fire Service access.*

**6. Historic England** - *Historic England objects to the application on heritage grounds due to the lack of a comprehensive approach being taken to development and the restoration of Parnham House. This means there is insufficient evidence that the harm likely to be caused by this (and other associated) planning application(s) would be outweighed by sufficient and deliverable heritage benefits.*

*We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 199, 200, 202 and 208. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.*

**7. Natural England** – *No objection, based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.*

*Biodiversity Mitigation and Enhancement Plan required.*

*Construction Environmental Management Plan should be submitted to and approved that identifies the steps and procedures that will be implemented to avoid or mitigate constructional impacts on species and habitats.*

**8. The Gardens Trust** - *We have subsequently had an opportunity to study all four current applications linked to the generation of sufficient cashflow and profits to finance the eventual restoration of Parnham House and its estate. We appreciate the enormous cost of repairs to the Grade I fire damaged Parnham House and the considerable additional outlay necessary for ancillary development to support the proposed commercial use of the house and its Grade II\* registered park and garden (RPG), their ongoing maintenance and management. The applicants' proposals for bringing Parnham back to life are reasonable and we can only commend them for their ideas.*

*We have considered this alongside the concurrent applications for the nearby orchard cottages (P/FUL/2021/05746) and the temporary marquee/parking area (P/FUL/2021/02707). Please see our separate consultation responses. We were very much concerned at the possibility for overdevelopment of this area within the RPG but are able to support the above application in its current form.*

*In conclusion, the GT/DGT are supportive of the three linked applications in the immediate vicinity of the main house: P/FUL/2021/05746 - Orchard Cottages, P/FUL/2021/05299 River Lodges and P/FUL/2021/02707 temporary marquee/parking area.*

**9. Senior Landscape Officer** - *The proposed development is located within the Grade II\* Historic Park and Garden of Parnham House to the south of the settlement of Beaminster and lies within the Dorset Area of Outstanding Natural Beauty (AONB).*

*As well as its physical impact on the fabric of the grade II\* Historic Park and Garden parts of the development are likely to be visible from publicly accessible locations and it is therefore likely to have an adverse visual impact.*

*I consider that the cumulative assessment in the LVIA addendum fails to properly evidence the cumulative impacts of adjacent development proposals and it does not take the possible future enabling development to the north of the estate into account though this is likely to have a significant impact on cumulative landscape and visual effects.*

*As a consequence, I consider that the assertions with regard to the individual and cumulative impact of proposed development at Parnham on the AONB and the Grade II\* listed landscape have not been properly scoped, assessed or evidenced and I am therefore unable to support the proposed development.*

**10. Planning Policy Officer** - *The proposal would create a “hospitality venue” which would result in the delivery of tourism development in the countryside. Particular regard will need to be had for the likely impact of the development on its surroundings - a designated landscape in a rural location containing heritage assets of the highest significance.*

*The NPPF encourages sustainable rural tourism which respect the character of the countryside. Local Plan Policies ECON6 (built tourist accommodation) and ECON5 (tourist attractions and facilities) set out when development would be acceptable and include support for the intensification/expansion of existing accommodation as well as attractions that have wider benefits such as maintaining historic buildings – where this would be compatible with other policies of the plan. The Local Plan also acknowledges that development may be acceptable in more rural locations where it can be demonstrated there is a functional need for that location.*

*The main justification advanced by the applications is the need for a viable business to be created at the Parnham Estate to sustain it in the long term and create sufficient income to maintain it. In arriving at your decision, you will need to consider whether this represents a suitable argument to support development at this location and be satisfied there is sufficient and convincing evidence to verify assertions made about necessity, suitability and viability. Where a need for development has been*

*demonstrated, the benefits should be weighed against any disadvantages arising from the location.*

*My observations have been limited to the principle of the development however there may be other detailed policy considerations of relevance. For example, there are further requirements in respect of the local highway network, environment, design etc. which will also need to be satisfied. Specifically, I would highlight the presence of an SNCI as well as number of trees on site which are protected by a Tree Preservation Order.*

*If minded to approve the applications, you may wish to consider the use of measures to ensure that the development is linked to Parnham House to avoid its future separation and ensure the use is restricted to prevent independent operation.*

**11. Environment Agency –** *We have no objection to the proposal provided the following condition is included in any planning permission.*

*The development shall be carried out in accordance with the submitted flood risk assessment (prepared by Simpson tws, Issue 04 dated 16th November 2022), and drawing 101\_A\_B11\_PR\_003 Rev B, including the following measures:*

- Finished floor levels shall be set no lower than 43.90mAOD for the lodges, and the access route shall be no lower than 43.50mAOD.*
- There shall be no temporary or permeant ground raising on existing land below the FRA's estimated 1 in 100 year flood level of 43.20mAOD.*
- The layout will be in line with the proposed site plan 101\_A\_B11\_PR\_003 Rev B and no additional structures or hard landscaping will be located within 8 metres of the top of the bank of the river Brit.*
- The minimum soffit height of the proposed footbridge will be 43.80mAOD.*

*These mitigation measures shall be fully implemented prior to occupation retained and maintained thereafter throughout the lifetime of the development.*

*Reasons: To reduce flood risk to future users and prevent increasing flood risk elsewhere.*

*We note that the higher access track to the north which is proposed as the emergency evacuation route is within the applicant's ownership. Provided that access/egress via this existing track is satisfactory to you for emergency evacuation, the need to provide safe dry access/egress via the proposed formal access route is less important. You should ensure that you are satisfied with emergency access/egress arrangements and any emergency plans.*

### **Representations received**

*Eight third party comments have been received at the time of report preparation, all of which are objecting to the proposed development for the reasons summarised below:*

- No overall business plan.
- No financial information – availability of funds to restore the property.
- Piecemeal planning strategy.
- The application is premature should be considered at the same time as the far more extensive enabling development application – allow the full impact of all building proposals to be assessed.
- Modern design and appearance of the lodges out of character with the location adjacent to the historic park and Parnham House.
- The proposed design will significantly harm the setting of heritage assets
- Harm to the AONB landscape.
- Environmental impact on Beaminster of using the access drive and the road junction near to Beaminster, rather than the other access drives available.
- Consideration required for the overall traffic movements for all associated planning applications (restaurant & orchard rooms) – there are a max of 206 daily movements at the north entrance.
- North entrance has poor visibility.
- Footpaths and bus services would not be used by guests so the only access to Parnham is by car and that is how guests will arrive.
- Increase in air pollution in the area.
- Increase the opportunity for car accidents from turnings into Parnham Estate.
- Two schools along the same road, increase in road traffic will increase pollution to the children and increase the risk of accidents.
- Licence granted allows Parnham to serve alcohol to guests until 5 am – danger of people driving the morning after.
- River and its delicate ecosystem are extremely vulnerable to the proposed development.
- There are protected species and a full independent ecological survey should be carried out.
- Need to ensure there will be no environmental or wildlife cost to the river and its banks.
- River lodges are not befitting a Grade I listed property.
- Glass fronts will allow for significant light pollution from the interior and should be limited to usual sized windows to reduce the impact on nocturnal wildlife.
- Significant glare reflected from the sun during daylight hours particularly given there will be 4 lodges side by side.
- Lighting the pathways for guests to and from the lodges, thus adding to the light pollution.
- Noise pollution and the impact that noise will have on wildlife, neighbouring amenity and the quiet of the AONB.
- A full and complete plan for Parnham Estate should be considered as a whole and not with a few buildings at a time approach.

- No evidence of either an Environmental Impact Report or a Biodiversity/Priority Habitat Report.
- Otters on the river, along with polecats and many other priority/protected species.
- The lodges would be connected to the current septic tank – much more information is required to avoid sewage contamination.
- Proposals would be visible from public footpaths and bridleway.
- No effect public transport serving Parnham.
- Imperative there is public consultation between local community, Historic England, Natural England and Highways.
- Impact of light pollution on dark skies.
- Proposals are contrary to planning and conservation policy.

## 10.0 Relevant Policies

### Development Plan

#### West Dorset, Weymouth & Portland Local Plan (2015)

INT 1 – Presumption in Favour of Sustainable Development  
 ENV 1 – Landscape, Seascape and Sites of Geological Interest  
 ENV 2 – Wildlife and Habitats  
 ENV 4 – Heritage Assets  
 ENV 5 – Flood Risk  
 ENV 10 – The Landscape and Townscape Setting  
 ENV 12 – The Design and Positioning of Buildings  
 ENV 15 – Efficient and Appropriate Use of Land  
 ENV 16 – Amenity  
 SUS 2 – Distribution of Development  
 ECON 6 – Built Tourist Accommodation  
 COM 7 – Creating a Safe and Efficient Transport Network  
 COM 9 – Parking Standards in New Development

### Material Considerations

#### National Planning Policy Framework (2021)

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

### Other Material Considerations

WDDC Design and Sustainable Development Planning Guidelines (2009)  
 West Dorset Landscape Character Assessment (2009)  
 AONB Management Plan 2019-2024

## 11.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## 12.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

The parking for the lodges would be separate from the lodges in the proposed car park and the units would be two storey with the living accommodation on the first floor. However, the location of the parking away from lodges reflects the historic setting of the site. Each lodge would have step free access from the eastern side and vehicle access directly to the front door of each lodge if required.

## 13.0 Financial benefits

- Employment created during the construction phase.
- Spending in local economy of guests of the holiday accommodation.
- Additional jobs created by the servicing of the holiday accommodation.

## 14.0 Climate Implications

14.1 Construction of the scheme will involve the use of plant, machinery and vehicles, together with use of any non-electric vehicles post construction. These will generate emissions including greenhouse gases. However, this has to be balanced against the benefits of providing holiday accommodation and the generation of income in this location.

## 15.0 Planning Assessment

Principle of development

15.1 The proposed development is for the erection of 4 no. river lodges and realignment of the existing access track. Local Plan policy SUS 2 deals with the distribution of development and seeks to achieve more sustainable development by locating “*a greater proportion of development at the larger and more sustainable settlements*”. The policy sets out the approach to the distribution of development in relation to a three-tiered spatial strategy. The highest priority locations for new development (i.e. the top tier of the spatial strategy) are the “*main towns of Dorchester and Weymouth*”. Elsewhere, the “*market and coastal towns of Beaminster, Bridport, Lyme Regis, Portland and Sherborne and the village of Crossways will be a focus for future development*” (i.e. the second tier of the spatial strategy). Development in rural areas is directed to settlements with defined development boundaries (DDBs) and must take place at an appropriate scale. The Parnham House Estate lies to the south of Beaminster (a second tier settlement) and is outside the DDB. The policy strictly controls development outside DDB’s but does in principle allow tourism development, subject to the more detailed requirements of other specific policies of the plan.

15.2 The proposal involves the erection of new built tourist accommodation and therefore local plan policy ECON 6 is applicable. The argument was made that the proposal would result in the intensification of an existing holiday accommodation business and therefore would be policy compliant under i) bullet point 3. That new built tourist accommodation will be supported... “through the replacement, intensification or extension of existing premises where the expansion would improve the quality and appearance of the accommodation and site”. In support of this argument an events list was submitted which showed the start of a holiday accommodation business starting in June 2021 and including the provision of accommodation and facilities for birthdays, a wedding and a jubilee garden party. The existing accommodation provision includes 3 double rooms in the west wing, 2 bedrooms within the butlers apartment and 3 double bedrooms and 1 master bedroom within the dower house. On balance the proposed 4 river lodges is considered an intensification of the existing holiday accommodation business at Parnham. To comply with the second part of the bullet point the development also needs to improve the quality and appearance of the accommodation and site. It is not unreasonable to consider that the proposal would result in income generation that would assist in the maintenance and management of the Parnham Estate including the registered historic park and garden. To ensure the holiday accommodation is provided as an intensification to the existing provision the proposed development would be tied to Parnham House as part of a legal agreement so that it cannot be sold off separately. Given all of the above the proposal is considered to comply with local plan policy ECON 6.

Residential Amenity

15.3 The proposed development is for the erection of 4no. river lodges to be used as holiday accommodation and the realignment of the existing access track. The proposed lodges would be located to the west of the walled garden on the grounds of Parnham House adjacent to, but outside of the kitchen walled garden. The proposed lodges would be located close to existing residential units of Parnham however these would be within the same ownership and would also be part of the accommodation offer at Parnham. In relation to neighbouring dwellings the proposed lodges are located a significant distance away and are therefore not considered to result in adverse impacts on neighbouring amenity.

#### Visual Amenity

15.4 The proposed development involves the erection of 4 no. river lodges and realignment of the existing access track. The proposed lodges would be located adjacent to the kitchen garden wall along the edge of the river with the new access drive to the rear. This part of the estate is considered a service area and currently forms part of the estate's service and parking area. The proposed river lodges would be two storey, with an 'A' shaped profile with a flat green roof. The west and east facades would be glazed and the north and south facades clad in split timber logs. The outdoor space would consist of a deck and steps with hot tub on the ground floor and a balcony at first floor overlooking the river and the orchard beyond. Planting is proposed between the lodges and against the cladding, a condition would be placed on any approval for the submission of a soft landscaping scheme. The proposed lodges would be sizeable structures and of modern design however they would be set down from the kitchen garden wall and the proposed 'organic' materials would reduce their visibility outside of the site with planting to further soften and screen the proposal.

#### Heritage Assets

15.5 Historic England was consulted on the application and consider that the character of the application site and nature of the proposal means that its harm is mainly localised to a discrete area, but there will be some wider harm to the underlying character of a very significance ensemble of heritage assets. Historic England is sympathetic to the applicant's aspiration to reinstate Parnham House and provide it with a viable future and understand the motivation behind this and the concurrent applications. However, they consider that the piecemeal approach being taken by the applicant to achieve that goal is not conducive to delivering the comprehensive heritage benefits needed at Parnham, and consequently causes Historic England considerable concern resulting in them objecting to the application. However, as set out in the principle of development section of this report, the applications have been considered under policy ECON 6 of the local plan as the intensification of the existing holiday accommodation business and not to fund the restoration of Parnham House or to provide income for the maintenance and

management of the estate. An overall masterplan would have had many benefits however this application cannot be refused on the lack of one and this application needs to be considered on its own merits.

15.6 The application site has the potential to impact on the significance of the following heritage assets and any contribution made by their setting:

- Parnham House, grade I
- Stable Block North of Parnham House, grade II\*
- Parnham House Registered Park & Garden (RPG), grade II\*
- Kitchen Garden Walls N of Parnham House, grade II
- Ice House 100 Yards NNW of Parnham House, grade II

15.7 In relation to Parnham House and the Stable Block, the proposed 4 no. lodges are situated approximately 30m to the north of the stable block and approximately 60m to the north of the house. The site itself is separated from the area to the rear of the stable block and house by a masonry wall, which extends off the kitchen garden wall and proceeds westwards to form a border to Kennel Orchard on the opposite side of the Brit and therefore the proposals will not spatially intrude upon the setting of the house or stable block. The application site is partially visible from the upper floors of the rear gable of the stable block and from the upper floors of the West Wing (formerly Bedroom 9 and the nanny's accommodation), though in this case very obliquely. It is unlikely that a specific designed view was intended from the rear of the stable block range towards this area and any design intention for views from the West Wing was clearly towards the landscape to the west. The development would therefore represent only a minor element within these views, though any fortuitous value they have towards the application site is in any case considered to be minor. In addition, the proposed lodges are designed with green walls and roofs which, with time, will soften any visual presence from these areas. Therefore, the proposals are considered to result in no harm to the asset's significance even when considered alongside the concurrent applications.

15.8 In relation to the registered park and garden, the application site is situated immediately adjacent to the western wall of the kitchen garden in an area which has for some time been used for ancillary uses (kennels and fowl) and parking. Though partially separated with a tree boundary, the area links to the working area for storage alongside the northern corner of the kitchen garden. There is the possibility that glimpses of the development will be possible through the perimeter tree screen from outside the RPG at points along PRoW W21/60 (The Hardy Way). However, this is likely to be case only in winter months and then only filtered glimpses. Though fortuitous views from the PRoWs to the West are identified as elements of setting which contribute to the significance of the RPG, this is considered more applicable to those views which glimpse the formal drive to the north or those which are

intentionally funnelled towards the property. It is considered unlikely that any views of the development will be possible from PRoW W21/56, which enters the park some distance to the north of the application site and crosses the park to the north-east of the kitchen garden. Therefore, it is not considered that the development will be detrimental to any designed or fortuitous views which contribute to the significance of the RPG. The proposals also include the formation of a new opening (for the vehicle access track) in the masonry wall immediately to the south of the application site. The Senior Conservation Officer considered that this wall does not form a continuous line, being broken by a pedestrian gate and by a wider gap to allow for the existing track along the river and that although there would be a loss in masonry it would not result in the reduction of the ability to view this wall as a historical boundary between the spaces. The wall impacted by this change is not considered to be listed, curtilage or otherwise and is considered an abutting separate structure to the listed kitchen garden wall. It is therefore considered that the proposals will result in no harm to the asset's significance which has been considered alongside the concurrent applications.

15.9 In relation to the kitchen garden walls their significance includes their strong sense of enclosure and spatial/visual relationships with Parnham house, their strong group value and the dominance of the walls from the riverside area. The proposed development is not considered to affect the sense of enclosure within the kitchen garden. The introduction of the lodges will result in a change to the fortuitous experience of the walls from the riverside area, where the sloping topography results in a height of just over 6 m, with the introduction of 4no new buildings in the currently open area. As originally submitted, the lodges were to match the height of the kitchen garden wall, but revised drawings show a reduction in their size to bring their roof line approximately 1.1 m below the top of the wall. This reduction should ensure that the lodges do not form a competitive element within the setting of the walls in terms of their scale. An additional element of the scheme is the relocation of the access track from the river edge to the rear of the proposed lodges, meaning that the track will run alongside the kitchen garden wall. This change is considered beneficial not only for aesthetic reasons, but also as it will enable users of the track to continue to experience the dominance of the kitchen garden walls without interruption, indeed more so owing to the proximity, thus mitigating any interruption in the general view from the riverside area. Therefore, the proposals are considered to result in no harm to the significance of the kitchen garden walls (even when considered alongside the concurrent applications).

15.10 In relation to the Ice House, the principal contributory elements of setting are its strong group value with other assets, its relationship to the River Brit and its relative isolation and distance from the house. The proposed lodges are situated approximately 100 m to the SSE of the asset on the opposite side of the River Brit and will not impact upon the asset's relationship with the River Brit or its wider group value with other assets. Whilst the lodges will represent additional development in

the vicinity of the Ice House, owing to the distance and differing contexts of the sites, it is not considered that the ability to understand or appreciate the isolation of the latter from the house and kitchen garden is reduced thus resulting in no harm to the asset's significance even when considered alongside the concurrent applications. Given the above the proposals would result in no harm to the significance of the designated heritage assets and so neither NPPF para 201 nor 202 is considered to be engaged.

#### Area of Outstanding Natural Beauty

15.11 The application site is located within the area of outstanding natural beauty. A right of way is located to the north of the proposed development and another is located to the west. The proposed development would consist of the erection of 4 river lodges and the realignment of the existing access track. NPPF paragraph 177 sets out that "when considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest". This application is not considered to meet the threshold of major development in line with NPPF footnote 60 "taking into account its nature, scale and setting, and whether it could have a significant adverse impact" as the proposal is for the erection of 4 units of holiday accommodation within the context of Parnham House and its associated outbuildings and structures. It is also not considered to meet the threshold when considered cumulatively alongside the other two applications (P/FUL/2021/02707 and P/FUL/2021/05746) which were considered at the August committee meeting and have a resolution to grant, given the scale of the development proposed cumulatively within the context of Parnham House and its associated outbuildings and structures.

15.12 The proposed development would be located on an area of the Parnham Estate that is currently used for serving and maintenance. The Senior Landscape Architect was consulted on the application and considered the site is of high landscape value (AONB, registered park and garden and setting of listed structures) and is also highly susceptible to landscape change. The Senior Landscape Architect concludes that the submitted LVIA fails to properly evidence the cumulative impacts of adjacent development proposals and fails to take possible future development into account which is likely to have a significant impact on cumulative landscape and visual effects. At the time of consideration there are three current applications relating to new built development within the Parnham Estate the 4 river lodges (subject of this application), 6 orchard rooms and marquee (both of which have a committee resolution to grant subject. In terms of cumulative landscape impact no other applications are under consideration. However, going forward if any further applications were to be submitted then all applications previously determined would be considered. In relation to the landscape impact of the proposed river lodges, they would be positioned adjacent to the existing wall of the walled garden and would be

set down in height. The river lodges would also be viewed in relation to Parnham House and its associated outbuildings and structures. Given the above on balance the proposal is not considered to harm the character, special qualities or natural beauty of the Dorset Area of Outstanding Natural Beauty.

### Highway Safety

15.13 The application site is located within the Parnham Estate, with three vehicular access points to serve the estate from the A3066 carriageway. The main access is located to the north-east of the site, close to Beaminster, the second is the central access (historical main access) provides direct access to Parnham House and a link to the Dower House and the most southern access solely providing access to the Dower House. It is the most northern access (adjacent to Beaminster) which would serve all visitor/staff related vehicle trips associated with the proposed visitor accommodation. A car park is proposed as part of another application P/FUL/2021/02707 which was considered at the August committee with a resolution to grant subject to the completion of a legal agreement and noise report. That proposed car park would accommodate 48 spaces, six of which are proposed to be allocated solely for the proposed river lodges. The parking provided would be separated from the lodges however this is considered acceptable given the proposed use of the units is holiday accommodation.

15.14 Concerns have been raised by third parties regarding highway safety and the increase in vehicle movements created by the proposed development and in particular increased movements at the access off the A3066. Highways were consulted on the application and considered that the proposal would not present a material harm to the transport network or to highway safety and consequently raised no objection, subject to the development being carried out in accordance with the submitted plans.

### Biodiversity

15.15 The proposed development involves the erection of 4 no. river lodges and realignment of the existing access track. A biodiversity plan (BP) has been submitted which sets out mitigation measures including replacement tree planting, flowering lawn grass, hedge planting and enhancement including additional planting and bird and bat boxes to be erected. The BP has been agreed by the Natural Environment Team and a certificate of approval issued. A condition would be added to any permission granted for the development to be carried out in accordance with the measures detailed in the BP. Natural England were also consulted on the proposal and subject to a BP and Construction Environmental Management Plan (CEMP) raised no objection and considered that the proposed development would not have significance adverse impacts on designated sites.

## Flood Risk

15.16 The application site of the proposed river lodges is located within flood zones 2 and 3 and therefore there is considered to be some risk of flooding from the River Brit. Given the location of the proposed development within flood zones 2 and 3, a sequential test is required to be undertaken. Para 162 of the NPPF sets out that the 'aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source'. As the proposal is for holiday accommodation in association with existing accommodation at Parnham House and would assist in income generation for the maintenance and management of the Parnham Estate a search area consisting of the Parnham Estate was considered acceptable for the sequential test in this case. The submitted sequential test uses the Heritage Sensitivity Map of the Parnham Estate, provided by Historic England as the basis for looking at alternative sites. The sensitivity map provided an assessment of the estate based on heritage sensitivity but does not consider any other material considerations. The submitted sequential test considers each of the sensitivity areas and whether the proposed holiday lodges could be located there. The sequential test concludes that whilst there are other areas within the estate that are outside of the flood risk zones 2 and 3, they are not considered appropriate due to other constraints including greater heritage sensitivity, trees and distance from the existing holiday accommodation and/or the existing driveway/services. It is considered that awareness needs to be given to the sensitivity of the site making alternatives difficult to find when the character of the proposed application site and the nature of the proposals means that its harm is mainly localised to a discrete area. Any alternative sites, although preferable in flood terms could be located in highly sensitive areas for landscape or heritage impacts or may require additional infrastructure to locate holiday accommodation there. Therefore, it is not considered possible for the proposed development to be located in an area within the Parnham Estate with a lower risk of flooding taking into account the other constraints and objectives of the development. This conclusion means that the exception test is applicable.

15.17 To pass the exception test (NPPF para 164) 'it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall'.

In relation to a) the benefits of the scheme previously discussed in this report in particular the income generation that would contribute to the viability of the estate and in turn its maintenance and management are in case considered to meet part a). In relation to b) the submitted Flood Risk Assessment includes flood management measures to ensure the development can be occupied and operated safely with

there being no increase in the level of flood risk to the site or neighbouring sites. The first being the finished floor levels of the lodges above the estimated flood level, flood warning and evacuation measures and the location of the access road on higher ground which would lead to the other areas of even higher land. The EA were consulted on the proposal and raised no objections subject to a condition for the development to be carried out in accordance with the submitted Flood Risk Assessment (FRA) including the stated finished floor levels and are therefore content with the flood risk measures proposed in the FRA and that the proposal would have no knock-on effect to flood risk. Given the above the proposed development is considered to comply with b) of the exception test (NPPF para 164). In addition, the proposed accommodation is for the use as holiday accommodation and would be conditioned as such and therefore would not be a person's sole residence. This means that if a flood event did occur and there was warning a booking could be cancelled or occupiers could return home. A condition would also be required for a Flood Warning and Evacuation Plan to be agreed. On balance, given the scheme is for holiday accommodation and the EA are happy with the measures proposed and that the scheme would provide cash flow as part of a wider objective of restoration of Parnham House and the viability of the Parnham Estate the proposed location of the units is considered acceptable. The proposed development would also be tied to Parnham House so that it cannot be sold off separately.

### Trees

15.18 There are a number of trees located in close proximity to the application site however the site is predominately made up of hardstanding and used as a parking area. An Arboricultural Method Statement (Version 6, April 2022) was submitted as part of the application and set out that 6 trees and 1 hedge section are proposed to be removed to accommodate the scheme, 3 of the trees and the hedging would be translocated and relocated within the application site once the development had been completed. The 3 trees proposed to be permanently removed are apple trees considered too mature to translocate but replacement apple tree planting is proposed as part of the scheme. The existing river track would be taken up and replaced with topsoil and seeded with the new sections of proposed track within the root protection area would be installed with no dig techniques. The Tree Officer was consulted on the application and raised no objection subject to conditions. The proposal is therefore considered acceptable in relation to the impact on trees.

### Community Infrastructure Levy

15.19 The adopted charging schedule only applies a levy on proposals that create a dwelling and/or a dwelling with restricted holiday use. All other development types are therefore set a £0 per square metre CIL rate.

15.20 The development proposal is CIL liable. Confirmation of the final CIL charge will be included in a CIL liability notice issued prior to the commencement of the development Index linking as required by the CIL Regulations - (Reg. 40) is applied to all liability notices issued, using the national All-In Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. CIL payments are index linked from the year that CIL was implemented (2016) to the year that planning permission is granted.

## EIA

15.21 Following consideration of the relevant selection criteria for screening Schedule 2 development presented in Schedule 3 of the EIA regulations, it was concluded that the proposed development is not likely to result in significant environmental impacts. Therefore, the Planning Authority hereby adopts an EIA screening opinion that an Environmental Statement is not required in this instance.

## **16.0 Conclusion**

16.1 The principle of development of the proposed river lodges is considered acceptable as they are in accordance with local plan policy ECON 6.

16.2 The proposals are considered to result in no harm to the heritage assets.

16.3 The proposals are considered acceptable in relation to neighbouring amenity, the AONB, highway safety, biodiversity, flood risk and trees.

## **17.0 Recommendation**

A) Delegate authority to the Head of Planning or the Service Manager for Development Management and Enforcement to grant subject to planning conditions as set out in this report 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 tying of the development to Parnham House so that it cannot be sold off separately.

And the following conditions:

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

Proposed Location Plan – drawing number 101-A-B11-PR-000 B

Proposed Location Plan – drawing number 101-A-B11-PR-001 B

Proposed Site Plan – Roof – drawing number 101-A-B11-PR-002 B

Proposed Site Plan – Ground Floor – drawing number 101-A-B11-PR-003 B

Proposed Site Section – drawing number 101-A-B11-PR-004 B

Proposed General Elevation – drawing number 101-A-B11-PR-005 A  
Proposed Ground Floor Plan – Type A – drawing number 101-A-B11-PR-100 B  
Proposed First Floor Plan – Type A – drawing number 101-A-B11-PR-101 B  
Proposed Roof Plan – Type A – drawing number 101-A-B11-PR-102 B  
Proposed Section – Type A/B – drawing number 101-A-B11-Pr-200 B  
Proposed West & East Elevations – Type A – drawing number 101-A-B11-PR-300 B  
Proposed South Elevation – Type A – drawing number 101-A-B11-PR-301 B  
Proposed Ground Floor Plan – Type B – drawing number 101-A-B11-PR-103 B  
Proposed First Floor Plan – Type B – drawing number 101-A-B11-PR-104 B  
Proposed Roof Plan – Type B – drawing number 101-A-B11-PR-105 B  
Proposed East Elevation – Type B – drawing number 101-A-B11-PR-304 B  
Proposed North Elevation – Type B – drawing number 101-A-B11-PR-302 B  
Proposed West Elevation – Type B – drawing number 101-A-B11-PR-303 B  
Proposed South Elevation – Type B – drawing number 101-A-B11-PR-305 B

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. (i) The river lodges shall be occupied for holiday purposes only and  
(ii) The river lodges shall not be occupied as a person's sole, or main place of residence;  
(iii) the owners/operators must maintain an up-to-date register of the names of all owners/occupiers of the river lodges on the site, and of their main home addresses, and must make this information available at all reasonable hours at the request of a duly authorised officer of the Local Planning Authority.

Reason: To ensure that approved holiday accommodation is not used for unauthorised permanent residential occupation.

4. Prior to development above damp proof course level, samples and product details of all external materials for the walling, cladding, roofing (including covered entrance porches) and balustrading shall have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with the agreed materials and retained as such thereafter.

Reason: To ensure a satisfactory visual appearance of the development and the setting of the heritage assets.

5. Prior to the installation of any external windows or doors, detailed drawings and specifications showing the design and construction of external doors and windows (elevations at 1:10, sections 1:5) shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall be carried out in accordance with the agreed details and retained as such thereafter.

Reason: To ensure a satisfactory visual appearance of the development and the setting of the heritage assets.

6. Prior to installation of any extracts, vents and drainage outlets, detailed drawings showing their locations, materials and colours shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall be carried out in accordance with the agreed details and retained as such thereafter.

Reason: To ensure a satisfactory visual appearance of the development and the setting of the heritage assets.

7. Prior to commencement of development, a method statement detailing the process and materials for the installation of the pad foundations shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the agreed details.

Reason: To protect the designated heritage asset during construction.

8. Prior to the installation of any hard surfacing around the lodges hereby approved or for the new vehicular access track, samples and product details shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall be carried out in accordance with the agreed details and retained as such thereafter.

Reason: To ensure a satisfactory visual appearance of the development and the setting of the heritage assets.

9. Prior to any works to the boundary wall, a method statement detailing the knocking through of the boundary wall including proposed materials and mortar mixes for making good shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall be carried out in accordance with the agreed details and retained as such thereafter.

Reason: To ensure a satisfactory visual appearance of the development and the setting of the heritage assets.

10. Prior to development above damp proof course level, a soft landscaping and planting scheme shall be submitted to, and agreed in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the first planting season November-March following completion of the river lodges or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include details of the green walls and roof of the lodges, all trees, hedgerows and other planting to be retained; a planting specification to include numbers, size, species and positions of all new trees and shrubs, details of proposed protective

stock/deer proof fencing and the provision for maintenance and replacement as necessary of the green walls and roofs, trees and shrubs for a period of not less than 5 years. Maintenance and replacement as necessary of the trees and shrubs shall be carried out in accordance with the approved soft landscaping and planting scheme.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or landscape features.

11. Prior to commencement of the development a meeting will be held with the Local Planning Authority to agree the contents of an arboricultural supervision statement. The arboricultural supervision statement shall include the content agreed at the meeting and shall be submitted to and agreed in writing by the Local Planning Authority prior to the first use of the lodges. The development shall be carried out in accordance with the approved arboricultural supervision statement.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

12. The development hereby approved shall be carried out in accordance with the details to protect and manage the trees before, during and after development as set out in the Arboricultural Method Statement, Version 6, dated April 2022.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

13. The development shall be carried out in accordance with the submitted flood risk assessment (prepared by Simpson tws, Issue 04 dated 16th November 2022), and drawing 101\_A\_B11\_PR\_003 Rev B, including the following measures:

- Finished floor levels shall be set no lower than 43.90m AOD for the lodges, and the access route shall be no lower than 43.50m AOD.
- There shall be no temporary or permeant ground raising on existing land below the FRA's estimated 1 in 100-year flood level of 43.20m AOD.
- The layout will be in line with the proposed site plan 101\_A\_B11\_PR\_003 Rev B and no additional structures or hard landscaping will be located within 8 metres of the top of the bank of the river Brit.

These mitigation measures shall be fully implemented prior to occupation retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce flood risk to future users and prevent increasing flood risk elsewhere.

14. Before the development hereby approved is occupied a Flood Warning and Evacuation Plan shall be submitted to and agreed in writing by the Local Planning Authority. The approved Flood Warning and Evacuation Plan must be displayed in each of the river lodges before any part of the development hereby permitted is occupied or is brought into use. Thereafter, the Flood Warning and Evacuation Plan must be permanently displayed in the lodges.

Reason: To minimise the impact of future occupiers to the risk of flooding.

15. Prior to commencement of development, a Construction Environmental Management Plan that identifies the steps and procedures that will be implemented to avoid or mitigate constructional impacts on special habitats including addressing the impacts of storage of construction materials/chemicals and equipment, dust suppression, chemical and/or fuel run off from construction into the nearby watercourse, waste disposal, noise and vibrational impacts shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the construction shall be carried out in accordance with the agreed Construction Environmental Management Plan.

Reason: In the interests of biodiversity.

16. Prior to the erection of any external lighting on the lodges hereby approved or surrounding the lodges or access track, a lighting scheme shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the external lighting shall be carried out in accordance with the agreed scheme.

Reason: In the interests of visual amenity.

17. Prior to commencement of development a timetable for the implementation of the measures of the Biodiversity Plan has been submitted to 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 Guy Lowndes, dated 21/07/2022, and agreed by the Natural Environment Team on 26/07/2022, unless a subsequent variation is agreed in writing with the Council.

Reason: In the interests of biodiversity.

Informatives:

Informative: NPPF

Informative: Legal Agreement

Informative: CIL

Informative: Environmental Permit

All works (permanent and temporary) in, under, over or within 8m of the Main River will be subject to our Environmental Permitting process. An Environmental Permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-riskactivities-environmental-permits>. To discuss the scope of the controls please contact the Environment Agency on 03708 506 506.

Informative: Building Control

The application needs to be aware that concerns have been raised by Building Control regarding fire brigade access, this will need to be investigated by the

applicant and any solution agreed by the Fire Authority during consultation as part of the Building Control application.

B) Delegate authority to the Head of Planning or the Service Manager for Development Management and Enforcement to refuse planning permission for the reasons set out below if the agreement is not completed within 6 months if the committee resolution or such extended time as agreed by the Head of Planning or Service Manager for Development Management and Enforcement:

1. In the absence of a satisfactory completed legal agreement to secure the tying of the development to Parnham House to ensure it cannot be sold off separately, the development cannot be considered intensification of an existing hospitality business and would be new built tourist accommodation in an unsustainable location outside of any defined development boundary contrary to policy ECON6 of the West Dorset, Weymouth and Portland Local Plan (2015).