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WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 16 NOVEMBER 2023

Present: Cllrs David Shortell (Chairman), Jean Dunseith (Vice-Chairman), Dave Bolwell (Left the meeting at 11:06), Kelvin Clayton (Left the meeting at 11:06), Nick Ireland, Paul Kimber, Louie O'Leary, Sarah Williams (Left the meeting at 11:06) and John Worth

Apologies: Cllrs Susan Cocking and Kate Wheller

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

Lara Atree (Senior Lawyer - Regulatory), Ann Collins (Area Manager – Western and Southern Team), Joshua Kennedy (Apprentice Democratic Services Officer), Charlotte Loveridge (Planning Officer), Robert Parr (Planning Officer), Shanta Parsons (Senior Planning Officer), Elaine Tibble (Senior Democratic Services Officer), Katrina Trevett (Development Management Team Leader) and Thomas Whild (Senior Planning Officer)

56. **Declarations of Interest**

Cllrs Bolwell and Clayton declared an interest in item 5e and 5f due to having sat on the Bridport Town Council Planning Committee, which expressed support for these applications and therefore left the Council Chamber for the duration of these items. Cllr Bolwell also clarified that item 5c had been considered by the Symondsburry Parish Council not the Bridport Town Council and that he would take part in that item.

Cllr Williams declared an interest in items 5e and 5f due to knowing the applicant and left the Council Chamber for the duration of these items.

Cllr Kimber declared an interest in item 5a due to being pre-determined on the application and left the Council Chamber for the duration of this item.

57. **Minutes**

The minutes of the meeting held on 16 October 2023 were confirmed and signed.

58. **Planning Applications**

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

59. **Application P/HOU/2023/03923 Hardy House, Castle Road, Portland, Dorset, DT5 1AU**

Cllr Kimber had declared an interest in this item, he left the Council Chamber and did not take part in this item.

The Senior Planning Officer presented the application for the conversion of an existing 28 bed youth hostel into 5 residential flats. She noted that the application no longer included the installation of solar panels, but instead included the installation of a roof vent. The application had come to committee because Dorset Council was the landowner and applicant.

Members were shown the location of the application site within Portland and photographs of the building and its surrounding areas. It was also explained that the site fell within the Underhill Conservation Area.

The existing and proposed layout of the building were shown to members, as well as the existing and proposed elevations, showing little change other than an accessibility ramp and the proposed roof vent.

The Senior Planning Officer explained that, although the Local Plan stated that the loss of tourism accommodation should be avoided, due to a restructuring of the Youth Hostel Association, the building was no longer viable as a youth hostel and the lease had not been renewed. The building had not been used as a youth hostel since before the pandemic, as such it was appropriate that the building be used for other purposes and the benefits of the provision of housing outweighed the loss of tourism accommodation.

In response to a question from one member, the Development Management Area Manager S/W stated that it was not necessary to condition the specifics of who would use the residential flats given the site's sustainable location within the defined development boundary and lack of policy justification for doing so.

Members were in agreement that there were no issues with the application as set out before them.

Proposed by Cllr Clayton and seconded by Cllr Worth.

Decision: That the application be granted subject to the conditions set out in the appendix to these minutes.

Cllr Kimber returned to the Council Chamber.

Application P/FUL/2023/04322 Weymouth Harbour, Weymouth, Dorset, DT4 8AJ

The Senior Planning Officer presented the application for the removal and reinstatement of railings, to facilitate repair works to the Harbour wall in Weymouth. The application had come to committee because Dorset Council was the landowner and the applicant. It was also explained that the scope of the application had been reduced, as some of the railings fell under permitted development due to being under 1 metre high.

The proposed plans were shown to members, with the location of the works highlighted. Photographs of the railings, which were set to be removed and reinstalled, were also provided. Although there would be a harmful impact to the area from the railings being removed, because they were to be reinstated, there was not considered to be any overall harm.

Members felt that there were no issues with the application, as it was needed to facilitate repairs to the Harbour Wall.

Proposed by Cllr Worth and seconded by Cllr Williams.

Decision: That the application be granted subject to the conditions set out in the appendix to these minutes.

60. **Application P/HOU/2023/04785 3 Pump Cottages, West Road, Bridport, Dorset, DT6 6AE**

The Planning Officer presented the application for the retention and alteration of an ancillary building. Members were shown the location of the application site outside of Bridport. The application site fell outside of the Defined Development Boundary and was not a listed building.

The existing floor plan and elevations were shown to members as well as the proposed floor plan and elevations. It was explained that the decking area and steps would be removed, and the size of the building would be reduced by approximately 1/3rd.

The design and scale of the building were considered to be acceptable and would not cause harm to the AONB. There were also not considered to be any impacts on highways or wildlife and habitat. It was confirmed that the building would not be used for holiday accommodation, and this was included in the conditions.

Public representation was received from Mr Ludgate, the agent for the applicant, who spoke in favour of the application.

The Senior Lawyer clarified that a Section 106 legal agreement was necessary, in order to ensure the works were carried out within 6 months.

Proposed by Cllr Worth and seconded by Cllr Kimber.

Decision: That authority be delegated to the Head of Planning and the Service Manager for Development Management and Enforcement to grant planning permission subject to the completion of a S106 agreement to require that the works to alter the building in accordance with the approved plans are carried out within six months of the date of the planning permission and subject to the planning conditions set out in the appendix to these minutes.

61. **Application P/FUL/2023/03561 Store off 'Entry', Brandy Row, Portland, Chiswell, DT5 1AP**

The Planning Officer presented the application for the formation of a new roof structure and covering, together with the reinstatement of an entrance door and side window. The location of the site within Portland was shown to members, as well as an aerial image of the application site. The site fell within the Fortuneswell Defined Development Boundary and was not a listed building, but did sit within the setting of a building of local importance.

Photographs of the existing building were provided, as well as the existing and proposed floor plan and elevations. The principle of development was considered to be acceptable due to the application being within the Defined Development Boundary and due to being in keeping with the character of the area.

Several members felt that this application would bring benefits to the area due to the reinstatement of a building that had fallen out of use.

Proposed by Cllr Williams and seconded by Cllr Kimber.

Decision: That the application be granted subject to the conditions set out in the appendix to these minutes.

62. Application P/HOU/2023/04779 48 West Allington, Bridport, DT6 5BH

Cllr Bolwell, Clayton and Williams declared an interest in this item and left the meeting.

Applications P/HOU/2023/04779 and Application P/LBC/2023/04780 were presented together, as they related to the same dwelling.

The Planning Officer presented the applications for the installation of two roof mounted solar panels and listed building consent. The application had come to committee because it had been supported by Bridport Town Council which was contrary to the officer's recommendation.

The location of the site within Bridport was highlighted, the application site fell within the Bridport Conservation Area, was a Grade II listed building in its own right and was also part of a group of six surrounding listed buildings, which had group value.

The Planning Officer detailed the planning history of the site, noting that the application had previously been rejected in 2008 and 2011, as the solar panels were considered to cause an adverse impact on the character and setting of the area. Appeals for the 2011 applications had also been dismissed, as the benefits of renewable energy provision did not outweigh the harm to the listed building and the conservation area.

Photographs were provided of the property and its surrounding area showing where the solar panels would be installed and the nearby listed buildings. The Planning Officer explained that policies in the NPPF stated that great weight was given to the conservation of designated heritage assets and any level of harm to a heritage asset required clear and convincing justification.

The scale and design of the application were considered to cause harm to the character of the area and the applicant had failed to demonstrate that the same energy efficiency benefits couldn't be achieved by other forms of renewable energy elsewhere on the property without causing this level of harm to the character and setting of the listed building and conservation area.

Public representation was received from Mr Ludgate, the agent for the applicant, who spoke in support of the application. He noted the small scale of and temporary nature of the solar panels and the important renewable energy benefits that they would provide.

In response to questions from members the Planning Officer stated that although the solar panels were reversible, the lifespan of the panels was not known, and they were unlikely to be removed. It was considered that they would cause harm to the area and designated heritage assets whilst they were in place. There had also not been any engagement from the applicant to look at alternative proposals that would provide energy saving benefits without causing harm to a heritage asset.

Members felt that the impact that the application would have on the character of the area was too severe to be outweighed by the modest renewable energy benefits and that the applicant needed to explore other possible renewable energy options.

Proposed by Cllr Worth and seconded by Cllr Ireland.

Decision: That the application be refused for the reasons set out within the appendix to these minutes.

63. **Application P/LBC/2023/04780 48 West Allington, Bridport, DT6 5BH**

Proposed by Cllr Worth and seconded by Cllr Ireland.

Decision: That the application be refused for the reasons set out within the appendix to these minutes.

64. **Urgent items**

There were no urgent items.

65. **Exempt Business**

There was no exempt business.

Decision List

Duration of meeting: 10.00 - 11.34 am

Chairman

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Western & Southern Area Planning Committee 16 November 2023 Decision List

Application: P/FUL/2023/03923

Site Address: Hardy House Castle Road Portland Dorset DT5 1AU

Proposal: Conversion of existing hostel accommodation into 5 No. residential flats.
Insert roof vent.

Recommendation: Grant subject to planning conditions

Decision: That the application be granted subject to the following conditions.

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

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

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

- 23108.01B Location & Block Plan
- 23108.08D Proposed Site Plan
- 23108.09A Proposed Ground Floor Plan
- 23108.10A Proposed First Floor Plan
- 23108.11A Proposed Second Floor Plan
- 23108.12B Proposed West & North Elevations
- 23108.13D Proposed East & South Elevations

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

3. Prior to the commencement of any development hereby approved, all existing trees and hedges shown on the approved site plan 23108.08D to be retained, shall be fully safeguarded in accordance with BS 5837:2005 (Trees in relation to construction - recommendations) or any other Standard that may be in force at the time that development commences and these safeguarding measures shall be retained for the duration of construction works and building operations. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s).

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

4. Prior to the installation of the rooflight/vent in the rear (south-east) elevation, as indicated on the approved plan, a scheme showing precise details (including materials and design) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied or brought into use and shall be permanently retained thereafter.

Reason: In the interests of the character and appearance of the non-designated heritage asset.

5. The dwellings hereby approved shall not be occupied until details have been submitted to and approved in writing by the Local Planning Authority of the proposed bin store, including materials, design and height as shown on the approved site plan 23108.08D. Thereafter the bin store shall be provided in accordance with the approved details prior to first occupation of the dwellings.

Reason: In the interests of the character and appearance of the Conservation Area.

6. Before the dwellings hereby approved are first occupied the turning/manoeuvring and parking shown on the approved site plan 23108.08D shall have been completed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and be available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

7. Before the dwellings hereby approved are first occupied the cycle parking facilities shown on the approved site plan 23108.08D shall have been completed. Thereafter, these must be maintained, kept free from obstruction and be available for the purposes specified.

Reason: To ensure the proper construction of the parking facilities and to enable the use of sustainable transport modes.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no means of enclosure permitted by Class A of Schedule 2 Part 2 of the 2015 Order shall be erected or constructed.

Reason: To protect amenity and the character of the Conservation Area.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

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

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

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

In this case:

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

2. The applicant is advised that prior to the development being brought into use it must comply with the requirements of Building Regulations Approved Document S: Infrastructure for the charging of electric vehicles.

Application: P/FUL/2023/04322

Site Address: Weymouth Harbour Weymouth Dorset DT4 8AJ

Proposal: Removal and reinstatement of railing to Harbour Wall 4 to facilitate permitted development works to Repair, refurbish, and maintain harbour Walls 4 and 4i including raising of the capping beam to improve level of flood protection.

Recommendation: Grant subject to conditions.

Decision: That the application be granted subject to the following conditions.

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

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

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

70093483-WSP-00-XX-DR-CV-0003 P01 Proposed General Arrangement Plan
70093483-WSP-00-XX-DR-CV-0002 P02 Site Location Plan

70093483-WSP-00-XX-DR-CV-0001 P02 Wall 4 and 4i Location Plan
70093483-WSP-00-XX-DR-CV-0102 P01 Wall 4 Elevation after refurbishment
70093483-WSP-00-XX-DR-CV-0103 P01 Wall 4 New handrail alignment
70093483-WSP-00-XX-DR-CV-0202 P01 Wall 4i Elevation after refurbishment
70093483-WSP-00-XX-DR-CV-0203 P01 Wall 4i Handrail alignment
70093483-WSP-00-XX-DR-CV-0200 P02 Wall 4i Elevation with defects
70093483-WSP-00-XX-DR-CV-0101 P01 Wall 4 Repairs
70093483-WSP-00-XX-DR-CV-0102 P02 Wall 4 Elevation after refurbishment
Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of development, a method statement for the removal, storage and reinstatement of the railings and stanchions shall be submitted to and agreed in writing with the local planning authority. The method statement shall include a timetable for the completion of the works. The development shall be carried out strictly in accordance with such details as are agreed.

Reason: To ensure that there would not be any long term harm to the character of the Weymouth Town Centre Conservation Area or the setting of neighbouring listed buildings. This detail is required prior to the commencement of development as the method statement needs to cover all phases of the work.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

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

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

In this case:

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

2. The applicant's attention is drawn to the letter from the Environment Agency dated 10 October 2023 in respect of this application.

3. The applicant's attention is drawn to the comments of the County Archaeologist, dated 4 October 2023 with regard to the potential for features of archaeological interest to be revealed when carrying out works to the harbour wall. It is recommended that a suitable programme of archaeological investigation is discussed with the county archaeologist to ensure that features of archaeological interest potentially affected by the works are recorded.

Application: P/HOU/2023/04785

Site Address: 3 Pump Cottages West Road Bridport Dorset DT6 6AE

Proposal: Retain and alter ancillary building.

Recommendation: Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to grant planning permission subject to the completion of a S106 agreement to require that the works to alter the building in accordance with the approved plans are carried out within six months of the date of the planning permission and subject to planning conditions.

Decision: That authority be delegated to the Head of Planning and the Service Manager for Development Management and Enforcement to grant planning permission subject to the completion of a S106 agreement to require that the works to alter the building in accordance with the approved plans are carried out within six months of the date of the planning permission and subject to the following planning conditions.

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

- Block/Roof & Location Plan – Dwg No. 22/067/10
- Proposed Floor Plan and Elevations – Dwg No. 22/067/12

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

2. The development permitted shall not be occupied or used at any time other than for purposes ancillary to the use of the residential dwelling known currently as No. 3 Pump Cottages.

Reason: The development is in an area where a separate dwelling would be contrary to the adopted local plan.

Informative: National Planning Policy Framework Statement

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

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

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

In this case:

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

Application: P/FUL/2023/03561

Site Address: Store off 'Entry', Brandy Row, Portland Chiswell, DT5 1AP

Proposal: Form new roof structure, (remove remnants of existing) and covering together with reinstatement of entrance door and side window within existing opening.

Recommendation: Grant subject to conditions.

Decision: That the application be granted subject to the following conditions.

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

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

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

Location plan Dated: 21 June 2023

Proposed Plans, Elevations & Section A-A Dwg No. 23/3/01-2 A

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

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

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

4. Prior to installation of the external door and window, detailed drawings and specifications showing the design, construction, materials and finished external colour of the external door and window (at a scale no less than 1:10) shall be provided to the Local Planning Authority and agreed in writing. Thereafter, the development shall be carried out in accordance with the agreed details.

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

5. Before the development hereby approved commences a Construction Method Statement (CMS) must be submitted to and approved in writing by the Planning Authority. The CMS must include detail of:

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development; and
- delivery, any demolition and construction working hours

Thereafter the approved Construction Method Statement shall be adhered to throughout the construction period for the development.

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

Informative: National Planning Policy Framework Statement

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

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

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

In this case:

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

Informative Note: Contact Dorset Highways

The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway, to ensure that the appropriate licence(s) and or permission(s) are obtained.

Application: P/HOU/2023/04779

Site Address: 48 West Allington, Bridport, DT6 5BH

Proposal: Install Solar Thermal Panels

Recommendation: Refuse planning permission.

Decision: That the application be refused for the following reasons.

No.48 West Allington is a Grade II listed building within the Bridport Conservation Area, and also forms a group value with Nos.46–52 West Allington as 1830s stuccoed villas. The building's position relative to the highway and its setting within the plot emphasises the visual prominence of its south elevation. The proposed solar panels, by virtue of their position on the principal roof slope of the dwellinghouse, their projection from the plane of the roof and their reflective qualities, would be of an incongruous appearance that is not considered to be sympathetic to the special architectural or historic character of the property. The solar panels would appear visually prominent and dominant on the front roof slope of this Grade II listed building further adversely affecting the setting of the adjoining listed buildings. Furthermore, they would neither preserve or enhance the character and appearance of the conservation area. No evidence has been put forward to suggest that other forms of renewable energy located elsewhere on the property have been explored. The potential social and economic benefits of the proposals do not outweigh the identified harm and as such, this proposal is contrary to policies ENV4, ENV10, ENV12 & ENV13 of the West Dorset, Weymouth and Portland Local Plan (2015); Section 2 (para.11), Sections 12 & 15 and Section 16 (paragraphs 194-208) of the National Planning Policy Framework (2023); and Historic England guidance on Energy Efficiency and Historic Buildings (2018). The Bridport Area Neighbourhood Plan (2020) does not have a policy relating to Designated Heritage Assets as it acknowledges that they are protected under both national and Local Plan policies; however, the proposal is contrary to Policy D9 c) for Environmental Performance in relation to appropriate heritage and conservation assessment.

Application: P/LBC/2023/04780

Site Address: 48 West Allington, Bridport, DT6 5BH

Proposal: Install Roof Mounted Solar Thermal Panels

Recommendation: Refuse listed building consent.

Decision: That the application be refused for the following reasons.

No.48 West Allington is a Grade II listed building within the Bridport Conservation Area, and also forms a group value with Nos.46–52 West Allington as 1830s stuccoed villas. The building's position relative to the highway and its setting within the plot emphasises the visual prominence of its south elevation. The proposed solar panels, by virtue of their position on the principal roof slope of the dwellinghouse, their projection from the plane of the roof and their reflective qualities, would be of an incongruous appearance that is not considered to be sympathetic to the special architectural or historic character of the property. The solar panels would appear visually prominent and dominant on the front roof slope of this Grade II listed

building further adversely affecting the setting of the adjoining listed buildings. Furthermore, they would neither preserve or enhance the character and appearance of the conservation area. No evidence has been put forward to suggest that other forms of renewable energy located elsewhere on the property have been explored. The potential social and economic benefits of the proposals do not outweigh the harm and as such, this proposal would be contrary to policy ENV4 of the West Dorset Weymouth and Portland Local Plan; Section 16 (Paragraphs 194-208) of the National Planning Policy Framework (2023); and Historic England guidance on Energy Efficiency and Historic Buildings (2018). The Bridport Area Neighbourhood Plan (2020) does not have a policy relating to Designated Heritage Assets as it acknowledges that they are protected under both national and Local Plan policies; however, the proposal is contrary to Policy D9 c) for Environmental Performance in relation to appropriate heritage and conservation assessment.

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