



Western and Southern Area Planning Committee

Date: Thursday, 8 October 2026
Time: 10.00 am
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Members (Quorum 6)

Neil Eysenck (Chair), Ryan Holloway (Vice-Chair), Belinda Bawden, Simon Christopher, Peter Dickenson, Paul Kimber, Craig Monks, David Northam, Louie O'Leary, Pete Roper, David Taylor and Kate Wheller

Chief Executive: Catherine Howe, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic & Governance Services Meeting Contact Joshua.kennedy@dorsetcouncil.gov.uk 01305 224710

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda. If you would like to attend this meeting and have any specific requirements please contact the Democratic Services Officer named above.

For easy access to all the council's committee agendas and minutes download the free public app called Modern.Gov for use on any iPad, Android, and Windows tablet. Once downloaded select Dorset Council.

Agenda

Item	Pages
1. APOLOGIES	
To receive any apologies for absence	
2. DECLARATIONS OF INTEREST	
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 - 16

To confirm the minutes of the meeting held on 10 September 2026.

4. REGISTRATION FOR PUBLIC SPEAKING AND STATEMENTS

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. [Guide to Public Speaking at Planning Committee](#).

The deadline for notifying a request to speak is 8.30am on Tuesday 06 October.

5. P/FUL/2026/02912 - 11 AVON CLOSE, GRANBY INDUSTRIAL ESTATE, CHICKERELL, WEYMOUTH, DT4 9UX 17 - 30

Erection of an extension to the existing industrial unit and canopy to infill the remaining frontage. Reformatting and formalising the existing outdoor hardstanding to the frontage of the site.

6. P/FUL/2026/00647 - STICKS AND BONES, HOPE SQUARE, WEYMOUTH, DT4 8TR 31 - 46

Continue use for outdoor seating area.

7. P/FUL/2026/02782 - 10A GROSVENOR ROAD, WEYMOUTH, DT4 7QL 47 - 58

Installation of bin storage units.

8. P/FUL/2026/02367 - LITTLEMOOR YOUTH CENTRE, LOUVIERS ROAD, WEYMOUTH, DT3 6AY 59 - 74

Insert new doors and windows; erect external canopy; install 2m high enclosure; install air-source heat pumps; and install new path.

9. 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.

10. 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.

There is no scheduled exempt business.

This page is intentionally left blank



WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 10 SEPTEMBER 2026

Present: Cllrs Neil Eysenck (Chair), Ryan Holloway (Vice-Chair), Belinda Bawden, Simon Christopher (left at 12:30), Peter Dickenson, Paul Kimber, Craig Monks (left at 13:56), David Northam, Louie O'Leary, Pete Roper and Kate Wheller

Apologies: Cllrs David Taylor

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

Ann Collins (Area Manager – Western and Southern Team), Philip Crowther (Legal Business Partner - Regulatory), James Lytton-Trevers (Lead Project Officer), John Miles (Democratic Services Officer), Robert Piggot (Planning Officer), Megan Rochester (Senior Democratic & Governance Services Officer) and Darren Roger (Senior Planning Officer)

Officers present remotely (for all or part of the meeting): Susan Hetherington (Transport Development Liaison Manager)

21. Declarations of Interest

Cllr Belinda Bawden declared an interest to agenda item 8. It was agreed that she would speak as the Local Ward Member and would not take part in the debate or vote.

Cllr Louie O'Leary declared an interest to agenda item 7 in which he was pre-determined. He spoke on behalf of one of the residents who was unable to attend and spoke as the Local Ward Member for the application. He left the room during the debate and vote.

Cllr Peter Dickenson declared an interest in agenda item 7. He spoke as the Local Ward Member for that application and left the room during the debate and vote. He also declared an interest in agenda items 5 and 6. He left the room for the deliberation of those items.

22. Minutes

The minutes of the meeting held on Wednesday 15th July were confirmed and signed.

23. Registration for public speaking and statements

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.

24. P/FUL/2026/01894 - 13 The Esplanade, Weymouth, DT4 8EB

With the aid of a visual presentation, including plans and aerial photographs, the Case Officer identified the site and outlined the proposal. Members were shown the existing and proposed plans and elevations, and the relationship of the proposed balcony to neighbouring properties and the harbour.

The Case Officer highlighted that the site was within a conservation area and flood zone, with the works being to a and was a Grade II listed building, in the immediate setting of two adjoining Grade II listed buildings and a Grade II* listed terrace. It was explained that the proposal involved the removal of an existing upper-floor window and that, whilst there would be a minor loss of historic fabric resulting in less than substantial in a low degree of harm, this would be outweighed by the public benefits. The proposal was considered compliant with Policy SUS2, would not appear out of place on the rear elevation, and would preserve the significance of surrounding heritage assets and the wider conservation area. Members were advised that there would be no adverse impact on residential amenity and that flood risk was not considered to be an issue.

The officer recommendation was to grant planning permission, subject to the conditions set out in the officer's report.

Public Participation

There was no public participation.

Members questions and comments

- A question was raised as to whether the proposed windows were timber framed.
- Clarification was sought regarding whether the rear elevation of the property would be visible from the quay.
- A request was made for a visual image showing the view of the properties from the surrounding area.
- A comment was made that the proposal represented a positive enhancement to the business without adversely affecting the historic value of the houses.
- Cllr Wheller expressed concern regarding a perceived lack of consistency in the approach taken to determining similar applications.
- the area was attractive and characterised by slight variations in the appearance of properties.
- It was noted that the Council had a duty to preserve and protect the character and appearance of the area.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting,

a motion to **APPROVE** the officer's recommendation to **GRANT** as recommended, was proposed by Cllr Belinda Bawden, and seconded by Cllr Paul Kimber, subject to conditions set out in the officer report.

Decision: To grant for the reasons set out in Section 15 of the officer's report.

25. **P/LBC/2026/01893 - 13 The Esplanade, Weymouth, DT4 8EB**

Public Participation

There was no public participation.

Members questions and comments

There were no technical questions or comments.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** as recommended, was proposed by Cllr Craig Monks, and seconded by Cllr Paul Kimber, subject to conditions set out in the officer report.

Decision: To grant for the reasons set out in Section 15 of the officer's report.

Cllr Peter Dickenson returned at 10:25

26. **P/FUL/2025/04039 - Weymouth Bay Holiday Park, Preston Road, Weymouth, DT3 6BQ**

The Lead Project Officer presented the application with the aid of plans, aerial photographs and visualisations. Members were shown the application site within Weymouth Bay Holiday Park and were advised of its relationship to nearby heritage and environmental designations, including the Dorset National Landscape and the Jurassic Coast World Heritage Site.

The proposal sought full planning permission for 241 holiday caravans across four areas of the site, together with associated infrastructure including access roads, footpaths, landscaping, sustainable drainage measures, an attenuation basin, the relocation of five existing caravans and the removal of a telecommunications mast. Access would be provided from the existing holiday park.

Members were informed that the principle of development was considered acceptable under Policy ECON7, which supported the expansion of existing holiday parks. An Environmental Impact Assessment had been undertaken and identified a range of impacts together with mitigation measures.

The Officer explained that the principal considerations were landscape and visual impact, effects on the Jurassic Coast World Heritage Site and heritage assets, ecology, flood risk, highways and neighbouring amenity. Whilst the development would introduce additional built form into the landscape and result in a degree of

harm to landscape character, the impact was assessed as being at the lower end of the scale and would reduce over time as the proposed landscaping matured. A degree of less than substantial harm to the setting of heritage assets and the World Heritage Site was also identified.

Ecological impacts, including habitat loss and potential recreational pressure on designated sites, were considered capable of mitigation through habitat creation, wildlife corridor measures, designated walking routes and other ecological enhancements. Flood risk and drainage matters were also considered acceptable, subject to mitigation and the proposed drainage strategy.

Members were advised that the Highway Authority had raised no objection, subject to conditions and contributions towards local transport improvements. The proposal would alter the outlook from some neighbouring properties, particularly those at Forehill Close, but was not considered to result in unacceptable harm to residential amenity.

In assessing the planning balance, the Officer noted that no statutory consultees had objected to the application. Significant weight was afforded to the economic benefits of the proposal, including investment, employment opportunities, support for the tourism economy and improvements to public access and sustainable transport infrastructure.

The Officer concluded that, on balance, the benefits of the scheme outweighed the identified harms and recommended that planning permission be granted, subject to the conditions set out in the officer's report.

Public Participation

Mr J Skinner's statement was read out by the Local Ward Member, who was unable to attend and objected to the application. He raised concerns regarding the impact of additional caravans on neighbouring properties, including loss of privacy, outlook and residential amenity, as well as increased noise, light pollution and traffic. Concerns were also expressed regarding residents' wellbeing, safety, and potential impacts on local wildlife. He urged the Committee to refuse the application.

Helen Ashby-Ridgway, speaking as agent, supported the application. She stated that the proposal had been carefully developed to address the sensitivities of the site and noted that the application was recommended for approval, with no objections from consultees. She highlighted the economic benefits of the scheme, including the creation of additional jobs and support for the tourism sector in Weymouth. Reference was made to community and environmental benefits, including the long-term protection and enhancement of a wildlife corridor, improvements to the site setting, acceptable access arrangements, and a sensitive lighting scheme. She concluded that the benefits of the development were not outweighed by any adverse impacts.

Councillor L O'Leary, as Local Ward Member, thanked Members for attending the site visit. He highlighted the proximity of the proposed development to

neighbouring dwellings and the resulting day-to-day impact on residents, noting that some properties would directly overlook the new area. Concerns were raised regarding the busy nature of the road, parking arrangements and the location of a nearby bus stop. He urged Members to refuse the application based on the concerns that had been raised.

Councillor Dickenson, as Local Ward Member, thanked Members for attending the site visit and stated that it had been helpful in understanding the relationship between the site and neighbouring properties. He noted that the existing dwellings had been built to overlook the field and expressed concern about the significant impact the development would have on residents' lives. He urged the applicant to reconsider or reduce the scale of the proposal to lessen its impact on neighbouring properties and asked Members to give due weight to residents' concerns when determining the application.

Cllr Peter Dickenson and Cllr Louie O'Leary left the room at 11:16

Members questions and comments

- Sought clarification on the proposed landscaping scheme, including whether the existing hedgerows in the upper part of the site would be enhanced and the anticipated timescale for hedgerows and trees to establish sufficiently to provide effective screening of the caravans.
- Members queried how any archaeological discoveries made during development would be monitored and managed to ensure appropriate protection measures were implemented.
- Emphasised the importance of maintaining public rights of way and sought assurance that existing walking routes would remain accessible and unrestricted.
- Members raised questions regarding site security and noted that the development would create additional employment opportunities. It was also acknowledged that existing residents had a right to enjoy their homes and quality of life, and that these considerations should be considered.
- Members raised concerns regarding the potential increase in noise arising from the development and sought clarification on whether a noise assessment had been undertaken and what mitigation measures had been considered.
- Requested photographs taken from the site visit viewpoint and noted concerns that parts of the development would be located on rising ground. Concerns were expressed that the scale of the proposal was excessive for the site.
- Clarification was sought regarding the provision of dog waste bins, including the arrangements for their ongoing maintenance and emptying by the applicant.
- Concerns were raised regarding fire risk, noting that no comments had been received from the Fire Service. It was suggested that caravan developments could increase fire risk, particularly given the proximity of neighbouring residential properties.
- Members praised the site visit
- the Case Officer was thanked for the comprehensive report.
- Clarification was sought regarding the extent of the development located within the designated area referred to in the officer's presentation.

- Queried whether the caravans closest to neighbouring residential properties could be repositioned to reduce visual intrusion and impacts on residential amenity.
- Members welcomed the proposed enhancement to the nearby bus stop but noted that no lay-by was proposed. Clarification was sought as to whether the Highway Authority had assessed the implications of buses stopping on the carriageway, particularly during the peak summer season.
- Cllr B Bawden suggested the removal of one caravan pitch to facilitate a wider landscaping buffer, allowing for additional planting to enhance screening of the development and assist in mitigating potential noise impacts on neighbouring properties
- Cllr S Christopher referred to the comments made by the Local Ward Members and stated that, having attended the site visit, concerns remained regarding the cumulative scale of development in the area. It was considered that the proposal would result in unacceptable impacts on neighbouring properties and would have an overall negative effect on the locality.
- It was noted that the site sat within a natural hollow and that views of the development would largely be limited to higher ground. It was acknowledged that there were no objections from statutory consultees. However, concerns were expressed regarding the wider impact on nearby residents, notwithstanding the area's good public accessibility.
- One Member stated that they would support the removal of Area G from the proposal, citing concerns relating to environmental impacts, flood risk, effects on the wildlife corridor, and the impact on neighbouring residents.
- While recognising the merits of the proposed amendment, Cllr K Wheller considered that greater weight should be given to the site's designation and significance as part of the World Heritage Site. Reference was made to the relevant section of the officer's report, and it was argued that the benefits of the additional caravans did not outweigh the importance of protecting the World Heritage Site designation.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** as recommended, was proposed by Cllr Belinda Bawden, and seconded by Cllr David Northam, subject to conditions set out in the officer report, subject to the additional condition that the caravan shown in the identified location shall not be sited in that position and that planting be extended on the site. As well as the amendment to Condition 11 to secure the extension of planting and additional planting within Area G, and to amend Condition 26 to provide that the number shall be no more than 240.

Decision: To grant for the reasons set out in Section 17 of the officer's report, subject to the additional condition that the caravan shown in the identified location shall not be sited in that position and that planting be extended on the site. As well as the amendment to Condition 11 to secure the extension of planting and additional planting within Area G, and to amend Condition 26 to provide that the number shall be no more than 240, with the final wording to be agreed under delegated powers, in consultation with the Chair of the Committee.

Cllr Louie O’Leary and Cllr Peter Dickenson returned at 12:28

27. P/FUL/2026/01805 - Sailing Club, Marine Parade, Lyme Regis, DT7 3JF

With the aid of a visual presentation, including site plans, elevations, 3D images, aerial photography and site photographs, the Case Officer identified the application site and outlined the proposed development. Members were guided through the relevant planning history and policies applicable to the determination of the application.

The Case Officer identified the site location and highlighted the numerous listed buildings and heritage assets situated within the surrounding area. Existing plans were presented, including the current floor and roof layouts and the existing south, west, north and east elevations. A 3D image of the existing platform was also shown to provide context.

Members were presented with the proposed site layout, which included an extension towards the rear of the site and a modest increase in the height of the platform. It was explained that the space beneath the extended structure was intended for boat storage. Proposed floor plans, elevations and details of the detachable canopy sails were also displayed. Additional 3D visualisations demonstrated the appearance of the completed development, together with proposed roof plans showing the structure both with and without the canopy sails.

Google Earth imagery was used to illustrate the wider setting of the site, including the beach and harbour. Photographs taken from around the harbour identified the surrounding buildings and neighbouring catering establishments, whilst further images showed views from the harbour frontage, access arrangements to the site and conditions within the site itself.

The Case Officer advised Members that the premises operated under a premises licence and drew attention to the key planning considerations. It was explained that the proposal would result in moderate harm to designated heritage assets and that the identified public benefits were not sufficient to outweigh that harm. Whilst there were acknowledged economic benefits associated with the proposal, officers considered that the development would have a harmful impact on residential amenity.

Members were advised that no adverse impacts had been identified in relation to highways, ecology, flood risk or coastal risk management matters.

Having assessed the proposal against the relevant development plan policies and material considerations, the Case Officer confirmed that the officer recommendation was to refuse planning permission for the reasons set out in Section 17 of the report.

In accordance with Procedural Rule 8.1 the committee voted to extend the duration of the meeting.

Public Participation

Matthew Dalton-Aram, speaking as agent, stated that the report did not adequately demonstrate harm arising from the proposal and argued that any impact would be limited. He noted the mixed-use harbour setting and that the platform was present when Cobb House was listed. He highlighted that the sailing club was a volunteer-run, non-profit organisation with around 400 members that hosted Lyme Regis Sea School, providing social, educational and economic benefits to the community. He considered that any limited harm was outweighed by the significant public benefits of the proposal and noted that the canopy was removable if required. He requested that the committee reconsider the officer recommendation and grant.

Councillor Philip May, speaking on behalf of Lyme Regis Town Council, expressed strong support for the application. He stated that the Town Council had considered the proposal and concluded that any harm to the conservation area would be limited and minor in nature. He noted that the sail canopies were removable and highlighted the educational, social and economic benefits provided by Lyme Regis Sailing Club, including opportunities for training, bursaries and support for young people. He also referred to the club's contribution to coastal tourism, the enjoyment of both residents and visitors, the hosting of major events, and the positive impact on local businesses. He concluded by emphasising the club's importance to the town and reiterated the Town Council's support for the application.

Councillor Belinda Bawden, as Local Ward Member, spoke in support of the application. She referred to the principles of sustainable development and noted that members had been offered to undertake a site visit. She expressed concern regarding the assumption that the proposal would harm the heritage asset, stating that she considered it would instead enhance the area. She noted that the proposed railings would be in keeping with the character of the locality and that the canopies were visually attractive. She further stated that there were no permanent residents within Cobb House, that the existing harbour environment was already characterised by a degree of noise and activity, and that the Sailing Club would not materially add to this. She considered licensing matters to be irrelevant to the determination of the application and emphasised the benefits the proposal would provide to the local community.

Cllr Belinda Bawden left the room at 13:02

Members questions and comments

- Referenced the Conservation Area Statement and sought clarification on how its findings and recommendations had been considered in the assessment of the application.
- Sought clarification regarding the specific aspects of residential amenity that were affected by the proposed development and the extent of any resulting harm.

- Queried what amendments would be required to make the proposal acceptable, specifically whether this would be achieved through the removal of the canopy, alterations to the decking area, or a combination of both elements.
- Members noted that the proposal would provide a community benefit by bringing increased activity and vibrancy to the area. Members considered that these benefits outweighed the identified harm to the conservation area and accepted the officer's conclusion that the development would result in less than substantial harm to heritage assets.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representations; and what they had heard at the meeting, a motion to **REFUSE**, was proposed by Cllr David Northam, and seconded by Cllr Craig Monks.

Decision: That planning permission be granted contrary to the officer recommendation on the grounds that, whilst the proposal would result in harm to the setting and significance of the Conservation Area and the listed building, the economic and community benefits arising from the development, when considered within its marine and commercial setting, were considered to outweigh that harm.

Furthermore, whilst it was acknowledged that the proposal would give rise to some noise and disturbance for nearby residential properties, Members considered that this impact was acceptable in this location and was outweighed by the economic and community benefits associated with the scheme, subject to the following conditions:

- **Condition 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).

- **Condition 2:** The development hereby permitted shall be carried out in accordance with the following approved plans:
 - PP-14753929v1 Location Plan
 - LRSCSPPRO 1.2 Proposed Site Plan
 - LRSCPRO4 1.3 Proposed Floor Plan
 - LRSCPRO3 1.2 Proposed North & East Elevations
 - LRSCPRO2 1.2 Proposed South & West Elevations
 - LRSCPRO1 1.2 Proposed Roof Plan
 - LRSCPRO1v2 1.2 Proposed Roof Plan

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

- **Condition 3:** The extended raised platform hereby approved shall not be used outside the hours of 9.00am to 11.00pm on any day, and no amplified

or other music shall be played on the extended raised platform hereby approved.

Reason: To safeguard the amenity of occupiers of neighbouring residential properties from undue noise and disturbance.

- **Condition 4:** Prior to the installation of the railings and sails to the decking hereby approved, details of their materials, finish and colour shall be submitted to and approved in writing by the Local Planning Authority. The railings and sails shall thereafter be installed in accordance with the approved details and retained and maintained as such thereafter.

Reason: In the interests of the setting of the adjacent listed building and the character and appearance of the Conservation Area.

28. **P/FUL/2026/00983 - Former Vehicle Maintenance Building, Sec Depot & Southern Electric Depot, Westwey Road, Weymouth**

The Case Officer presented the application using plans, aerial photography and site photographs. Members were advised that the site was located within the Weymouth Town Centre Strategy area, with residential properties to the north and west and the former gas works site to the south.

The proposal sought the relocation of the existing highways depot from Lynch Lane and the change of use of the site and building to a sui generis highways maintenance depot. Members were informed of the site's planning history, including the grant of permission for 23 dwellings in October 2021.

The key planning considerations were the principle of development, flood risk and drainage. The Officer advised that a flood evacuation plan would be secured by condition. It was noted that the site already had an industrial character and, as no physical alterations were proposed, no harm would arise to the character and appearance of the area. No objections had been raised on highways grounds, with no concerns identified in relation to access, parking provision or highway safety.

Having assessed the proposal against relevant planning policies, the Officer recommended that planning permission be granted, subject to the conditions set out in the officer's report.

Public Participation

There was no public participation.

Members questions and comments

- Queried whether there should be a proposed fixed period of use and sought clarification on what consultation had taken place with the Council's regeneration team
- Members referred to the access arrangements set out in Condition 7 and requested that additional wording, as suggested by Councillor Kimber, be considered.

- Raised questions regarding contaminated land matters and sought confirmation that no additional contaminated land conditions would be imposed.
- Members discussed flood mitigation measures, with Councillor Bawden suggesting the inclusion of permeable surfacing as part of the scheme.
- Queried the comments within the report relating to public benefits arising from the development.
- Members expressed support for the proposal, noting that relocation to the new site would make use of Council-owned land and could reduce costs, whilst highlighting the importance of ensuring the development was future-proofed and did not result in substantial harm.
- Sought clarification as to whether the relocation of the site would result in financial savings for the Council.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** as recommended, was proposed by Cllr Kate Wheller, and seconded by Cllr Louie O'Leary, subject to conditions set out in the officer report and an amendment to condition no. 7 to allow for use of the site in the event of an emergency.

Decision: To grant for the reasons set out in Section 17 of the officer's report.

29. **Urgent items**

There were no urgent items

30. **Exempt Business**

There was no exempt business

31. **Update Sheet**

Decision List

Duration of meeting: 10.00 am – 15.22pm

Chairman

.....

This page is intentionally left blank

Application Number:	P/FUL/2026/02912
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	11 Avon Close Granby Industrial Estate Chickerell Weymouth DT4 9UX
Proposal:	Erection of an extension to the existing industrial unit and canopy to infill the remaining frontage. Reformatting and formalising the existing outdoor hardstanding to the frontage of the site
Applicant name:	Charlton Haynes Ltd
Case Officer:	Emma Thornett
Ward Member(s):	Cllr Clifford and Cllr Taylor

1. Reason application is going to committee:

1.1 In accordance with the Council's scheme of delegation, this application is brought to committee for determination because Dorset Council is the landowner.

2. Summary of recommendation:

2.1 GRANT subject to conditions as set out at the end of this report.

3. Key planning issues

Issue	Conclusion
Principle of Development	The proposed extension to the existing B8 use within the industrial estate is considered to comply with NPPF policies S4 and E2 and Local Plan policies SUS2 and ECON 2.
Visual Amenity	Acceptable.
Neighbouring Amenity	There are no residential neighbouring occupiers to the application site.
Flood Risk	Acceptable.
Highway Safety	Acceptable subject to conditions.
Ecology & Biodiversity	Acceptable.
Contamination	Acceptable subject to condition.

4. Description of site

4.1 The site is Unit 11 Avon Close, located within the Granby Industrial Estate. The site consists of a single industrial unit covering the width of the site to the rear with hardstanding to the front of the unit which provides outdoor goods storage and car parking facilities. Access to the site is directly off Avon Close to the south, via an electronic gate. The entire site is bound and secured by fencing.

4.2 To the rear of the site there is a linear tree belt separating the site from Chickerell Link Road (B3157). The eastern boundary of the site adjoins an employment unit which occupies the entire boundary in a north to south orientation. To the south of the site is Avon Close, beyond which is further units of the industrial estate. The western boundary is shared with another industrial/employment use and parking area. **Page 17**

4.3 The application site is located within a Key Employment Site in the adopted local plan, the Granby Industrial Estate.

5. Description of development

5.1 The proposed development is for an extension to an existing industrial unit for the purposes of storage, the erection of a canopy to the front of the existing unit infilling the remaining frontage. It would also involve the reconfiguration of the existing yard space to the frontage of the site.

5.2 The proposed extension would be located at the western end of the front elevation of the existing unit, providing an additional 339m² of floorspace for the purpose of indoor storage (B8). The proposed extension would consist of a pitched roof matching the existing unit, with the inclusion of a roller shutter into the existing hardstanding yard space. It would be constructed of materials to match the existing consisting of brick and block masonry and grey metal cladding.

5.3 The proposed canopy would allow for a covered area to provide cover for loading vehicles, shelter for any temporary outdoor storage (if necessary) and cover to parking spaces. It would infill the remaining area of the front elevation.

5.4 Vehicular access to the site would remain as permitted through the existing gate onto Avon Close. The proposal includes a dedicated access gate to be introduced onto the current site frontage fenceline removing the need for foot/cycle access through the existing vehicle access point. Cycle storage would be provided within the yard space and a pedestrian and cycle route within the yard space to allow for safe access to all areas of the site on foot and bike.

6. Background and relevant planning history

1/E/87/000522 - Decision: GRA - Decision Date: 22/09/1987 - Erect builders merchants' premises and construct new vehicular and pedestrian access

1/E/04/001115 - Decision: GRA - Decision Date: 02/08/2004 - Area designated for parking, breach of planning of condition 3 attached to planning permission 1/E/87/00522, being used for outside storage of goods.

P/FUL/2025/05115 - Decision: WIT - Decision Date: 23/02/2026 - Erection of a commercial building for B8 storage and distribution or E(g)(i) office use

7. List of constraints

Neighbourhood Plan Area - Chickerell

ECON2; Key Employment Site; Granby Industrial Estate, Chickerell

SUS2; Defined Development Boundary; Weymouth

PROW - Right of Way: Footpath S16/24; - Distance: 23.64

Dorset Council Land Freehold: Various units at Avon Close & Cambridge Road, Granby Industrial Estate, Weymouth - Reference FH004364 - Distance: 0

Natural England - RAMSAR - Distance: 1347.93

Special Area of Conservation (SAC) (5km buffer): Crookhill Brick Pit (UK0030349); - Distance: 839.06

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076); - Distance: 1250.27

Special Area of Conservation (SAC) (5km buffer): Isle of Portland to Studland Cliffs (UK0019861); - Distance: 4703.26

Site of Special Scientific Interest (SSSI) impact risk zone; - Distance: 0

Risk of surface water flooding

Portland heliport consultation zone (within 13km) - Distance: 6058.59

Radon: Class: 1.0

Contaminated Land

ONR Portland - 12km zone

8. Consultations

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

Consultees

1. **Dorset Council – Highways** - The Highway Authority has no objection, subject to conditions.
2. **Dorset Council – Building Control** - The proposals will need to ensure compliance with Part B of the Building Regulations is achieved.
3. **Dorset Council – Env. Services – Protection** - No comments with respect to this application.
4. **Dorset Council – Waste Policy Manager** - *No comment.*
5. **Dorset Council - Economic Development and Tourism** - We have not identified any concerns within our remit and therefore have no objection to the proposal.
6. **Chickerell Town Council** – No comments received.

Representations received

One third party comment was received, the response does not object to the principle of extending an existing employment unit within the Granby Industrial Estate but requests the following matters be considered:

- Do not object to the principle of extending an existing employment unit within the industrial estate.
- Ask the Council to satisfy itself that the proposed parking provision will remain sufficient not only for existing operations but also for the future operation of the site.
- Parking pressures should not result in overspill onto Avon Close.
- Whether the assumptions within the Transport Statement properly reflect the operational characteristics of the existing business.
- The proposal would represent a significant increase in floorspace.
- The proposed parking, servicing and operational arrangements would remain adequate should activity on the site increase over the lifetime of the development.

9. Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

10. Relevant policies

Development plan

In this case the development plan comprises:

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

The following policies are considered to be relevant to this proposal:

INT1: Presumption in favour of sustainable development

ENV1: Landscape, seascape & sites of other geological interest

ENV2: Wildlife and habitats

ENV5: Flood risk

ENV9: Pollution and contaminated land

ENV10: The landscape and townscape setting

ENV12: The design and positioning of buildings

ENV15: Efficient and appropriate use of land

ENV16: Amenity

SUS2: Distribution of development

ECON1: Provision of Employment

ECON2: Protection of Key Employment Site

COM7: Creating a safe & efficient transport network

COM9: Parking provision

Made Neighbourhood Plans

Chickerell Neighbourhood Plan 2019-2036 (made 22/06/2021)

- Policy CNP 4 – Chickerell Wildlife Corridor
- Policy CNP 11 – General Design Principles
- Policy CNP 12 – Enhancing Biodiversity

Material considerations

Emerging local plans:

Policy DM4: Emerging development plan proposals of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The emerging Dorset Local Plan is being prepared in accordance with plan-making processes set out in the Levelling Up and Regenerating Act 2023 and Local Planning Regulations (2026). As the plan is still at an early stage of the plan making process, limited weight can be attached to it when taking decisions on planning applications. Decisions on planning applications should continue to be assessed against the policies in adopted development plans, national planning policy and any other relevant material considerations.

Local Nature Recovery Strategy

The Dorset Local Nature Recovery Strategy identifies local priorities for nature recovery and maps areas where action would be most beneficial. In planning decisions it is a material consideration,

helping to ensure that development supports biodiversity enhancement and aligns with Dorset's agreed priorities for nature recovery.

National Planning Policy Framework 2026:

The National Planning Policy Framework (NPPF), published on 17 August 2026, sets out the Government's national planning policies for both plan-making and decision-making in England.

When determining development proposals decision-makers are required to take a positive and proactive approach and to seek to approve sustainable development where possible.

The NPPF introduces a permanent presumption in favour of sustainable development, through Policies S3 to S5 (which replaces the former "tilted balance" contained in paragraph 11 of the previous NPPF) and sets out the principles for development within and outside settlements. The Framework also confirms that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Relevant NPPF sections include:

- Chapter 3: Decision making policies. Local planning authorities should approach decision making positively, proactively and proportionately. They should work with applicants through pre-application engagement and consultations and aim to resolve concerns through planning conditions or obligations where possible to avoid delay and to enable an approval rather than a refusal. Applications that accord with the development plan, the NPPF and other material considerations should not be refused where they can clearly be approved.
 - DM3 Determining development proposals
 - DM6 Use of planning conditions and obligations
- Chapter 4: Achieving Sustainable Development. The objective of the policies in this chapter is to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements, enabling development which will support the rural economy, rural communities and the provision of infrastructure, and limiting development away from settlements to help safeguard the intrinsic character and beauty of the countryside.
 - S3 Presumption in favour of sustainable development
 - S4 Principle of development within settlements
- Chapter 5: Meeting the challenges of climate change. Planning decisions should support climate change mitigation and adaptation, including reducing greenhouse gas emissions, increasing resilience to climate impacts and directing development away from areas at unacceptable risk from flooding.
 - CC2 Mitigation of climate change
 - CC3 Adaptation to climate change
- Chapter 7: Building a strong, effective economy. Planning decisions should enable businesses to invest, expand and adapt in a way that reflects the opportunities, challenges and

characteristics of different areas, and supports long-term economic growth both locally and nationally.

- E2 Meeting the need for business land and premises
- Chapter 12: Making effective use of land. Planning decisions should give substantial weight to proposals that make more effective use of land and buildings, while maintaining good design, living conditions and local character. This includes redevelopment of previously developed, vacant, underused, contaminated or derelict sites, reuse of existing buildings, creation of additional homes through sensitive infill, upward extensions and development within existing plots. Higher-density development is also promoted within settlements in well-connected locations near public transport. Development that fails to make efficient use of land in accordance with the policy should be refused.
 - L2 Making effective use of land
- Chapter 14: Achieving well-designed places. Development should be high quality, respect and enhance local character, deliver sustainable and attractive places, and accord with relevant design policies. Proposals that demonstrate good design and place-making should be supported, while those that fail to meet established design standards should be refused unless clearly justified.
 - DP3 Key principles for well-designed places
 - DP4 The design process
- Chapter 15: Promoting sustainable transport. The objective of the policies in this chapter is to ensure that transport considerations are taken fully into account in the preparation of development plans and the evolution and assessment of development proposals; using a vision-led approach to embed the role that transport infrastructure and choices can play in creating well-designed, sustainable, inclusive and popular places.
 - TR3 Locating development in sustainable locations
 - TR4 Street design, access and parking
- Chapter 17: Pollution, public protection and security. The objective of the policies in this chapter is to ensure that new development is appropriate for its location, taking into account risks posed by pollution and other hazards; that any impacts which development might have are taken into account; and that sufficient provision is made for development required for public safety and security.
 - P2 Ground conditions
- Chapter 18: Managing flood risk and coastal change. Development proposals should minimise risks to development arising from all sources of flooding and coastal change, taking into account the impacts of climate change, by steering development away from areas of risk, ensuring that development will be safe for its lifetime without increasing flood risk elsewhere, and incorporating sustainable drainage systems where appropriate.

- F4 Assessing flood risk for decision-making

Other material considerations

National Planning Practice Guidance

All of Dorset:

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

Supplementary Planning Documents/Guidance For West Dorset area:

WDDC Design & Sustainable Development Planning Guidelines (2009)

Landscape Character Assessment February 2009 (West Dorset)

11. 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. 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 includes the provision of a separate pedestrian/cycle access providing a safe and suitable access to the site for all users.
- The proposed parking provision includes one disabled space.

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

What	Amount / value
Material considerations	
Additional employment floorspace created delivering employment opportunities.	

Principle of development

14.1 The proposed development consists of the following three elements:

- Erection of an extension to the existing industrial unit for purpose of providing indoor storage of goods (use class B8);
- Erection of a canopy structure to infill the remaining frontage of the existing unit, providing a covered area; and
- Reformatting and formalising the existing outdoor hardstanding to the frontage of the site.

The application site is located within the defined development boundary (DDB) for Weymouth. Where *'residential, employment, and other development to meet the needs of the local area will normally be permitted'*. The proposed development is considered to be located within a settlement and therefore National Planning Policy Framework (NPPF) policy S4: Principle of development within settlements is applicable. Policy S4 sets out that *development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework*.

14.2 The application site is also located within the Granby Industrial Estate, which is designated a Key Employment Site under policy ECON 2 of the Local Plan. Part i) of the policy states that *'within key employment sites (as identified on the policies map) applications for B1 (light industrial), B2 (general industrial), B8 (storage and distribution) and other similar uses will be permitted subject to proposals not having a significant adverse impact on surrounding land uses'*. The proposed B8 extension to the existing unit within the industrial estate is therefore considered acceptable in principle subject to consideration of all other relevant policies and material considerations. This is further supported in NPPF policy E2: Meeting the need for business land and premises, which gives substantial weight to the *economic benefits of proposals for commercial development which allow businesses to invest, expand and/or adapt; especially where this would support the economic vision and strategy for the area*. The proposals therefore accord with NPPF policies S4 and E2 and Local Plan policies SUS2 and ECON 2.

14.3 The Chickerell Neighbourhood Plan does not have a policy regarding the Granby Industrial Estate, but it does note *'the continued employment uses on this estate are fully supported by local residents, as they provide many job opportunities'*.

Visual Amenity

14.4 The main feature of the proposed development is the construction of an extension to the western end of the front elevation of the existing unit, providing an additional 339m² of floorspace. The proposed extension would be comprised of a pitched roof matching the existing unit with the inclusion of a dedicated roller shutter into the existing hardstanding yard space. The proposed extension would be constructed of materials matching that of the existing unit, consisting of brick and block masonry and grey metal cladding which is detailed on the submitted plans.

14.5 Policy CNP11, General Design Principles of the Chickerell Neighbourhood Plan sets out that *'development should be located and designed so that it does not detract from and where reasonable, enhances the local landscape character. All applications for new development should demonstrate a high quality of design, including details and materials that are sympathetic to the character of the local area'*. The proposals are entirely acceptable in relation to the existing building and the wider industrial estate context.

14.6 The proposals therefore accord with Local Plan policy ENV12 and CNP11 of the Chickerell Neighbourhood Plan.

Neighbouring Amenity

14.7 There are no residential neighbouring occupiers with the closest residential neighbouring property being separated by the Chickerell Link Road B3157. The proposed development would involve an extension to the existing unit, and all neighbouring uses are also industrial in nature and form part of the Granby Industrial Estate. The proposed development would therefore not have a

significant adverse effect on the amenity of residential occupiers and would comply with the Local Plan policy ENV16.

Flood Risk

14.8 The application site is located within flood zone one. However, there is an area of surface water risk on the site. NPPF policy F5: The sequential test, part 2 sets out that the sequential test should be used in areas known to be at risk now or in the future from any form of flooding other than in certain circumstances. One of those circumstances is detailed in criterion b. ii) *Where the site would be at risk of surface water flooding only, the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development and without increasing flood risk elsewhere in accordance with policy F7.* NPPF policy F7: Ensuring development is safe from flooding at part 2 sets out that where development is proposed in a location known to be at risk from any form of flooding, now or in the future, it should be refused unless it meets a list of criteria.

14.9 The proposed development was discussed with the Lead Local Flood Authority who considered it to be low risk due to the nature of the development, an extension to the existing commercial building within the industrial estate. In addition to this the site already consists of entirely hardstanding and therefore the proposed extension would not increase the level of impermeable space onsite. The submitted Flood Risk Assessment (FRA) sets out that the proposed extension would be connected to the surface water drainage system extant onsite. Given the above it is considered that the proposal would not increase flood risk elsewhere. The proposed use as B8 is considered to be less vulnerable and the submitted FRA sets out that the proposed extension would incorporate the same drainage methods as the existing unit which comprises of a pitched roof directing water to the affixed gutters and downpipes connecting to the underground drainage system. Surface water within the yard space would continue to drain to the existing drainage at the central low point of the site. The FRA also states that the construction of the proposed extension would also require the existing drainage to be investigated and repaired or cleared if necessary and the mitigation measures included in the FRA would be conditioned on any approval granted. Therefore, it is considered that the development would be safe throughout its lifetime. The area of the site shown to be at risk from surface water flooding is adjacent to the front of the building. The proposed extension would therefore provide another door to exit the building past the flood risk and closer to the front of the site and Avon Close where there is no flood risk.

14.11 Given all of the above the sequential test would not be required in this case. The proposal is considered to accord with NPPF policies F5 and F7 and Local Plan policy ENV 5.

Highway Safety

14.12 The proposed development involves the erection of an extension and amendments to the existing yard. Highways considered the site to be reasonably sustainable with good pedestrian and cycle infrastructure within the vicinity of the site and the nearest bus stops are located approximately 850m to the south of the site. Concerns have been raised by a third party regarding the proposed parking provision for the development and whether the proposed parking, servicing and operational arrangements would remain adequate should activity on the site increase over the lifetime of the development. The submitted Transport Statement shows that the proposals would result in an additional 11 daily two-way trips. Highways considered this assessment to be an underestimate but accepted that the additional trip generation would be modest and not be expected to have an adverse impact on the operation and/or safety of the local highway. The existing site vehicular access would be retained as is. Submitted drawings show the swept path analysis for a 16.5m long articulated HGV (the largest vehicle accessing the site), demonstrating that the vehicle can enter and exit the site in forward gear. Highways considered that given the minimal increase in trips as a result of the proposals, the existing site access arrangements are considered acceptable.

14.13 The site currently relies on a shared access with no dedicated pedestrian/cycle access which does not prioritise active travel as all users must use the same access which would could be

a conflict. The proposed development includes the provision of a separate entrance from Avon Close for pedestrians and cyclists providing a safe and suitable access to the site for all users. The proposal also includes the provision of 8 cycle stands, Highways considered the location of the proposed bike store to be in an acceptable location close to the site entrance. Nineteen car parking spaces are proposed including the provision of one disabled space and one electric vehicle charging space. Highways considered this to acceptable.

14.14 Given all of the above, Highways raised no objection subject to conditions for turning/manoeuvring and parking construction and cycle parking which would be placed on any approval granted. An additional condition would also be added to ensure the provision of the separate pedestrian/cyclist entrance to the site. The proposed development is therefore considered acceptable and would comply with Local Plan policies COM7 and COM9.

Ecology & Biodiversity

14.15 The application site comprises of the existing building and the concrete hardstanding area. The entire footprint of the proposed extension, canopy and yard space reconfiguration would be located on the existing surfaced hardstanding area. Therefore, the development would fall below the threshold for Biodiversity Net Gain (BNG) under the de minimis exemption and would not require a certified Biodiversity Plan under the Chickerell Neighbourhood Plan policy CNP 12.

14.16 The site is located within the 5km buffer for the Chesil & The Fleet Special Area of Conservation (SAC). Impacts on this SAC arise through recreational pressures associated with new overnight accommodation. In accordance with habitat regulations the proposal has been screened to consider the potential impact of the development on the protected site. The proposed development would not create any new overnight accommodation and therefore it would not generate additional recreational pressure. As such, there are no likely significant effects associated with this proposal on the European protected sites. As the screening process concluded that the application would have no likely significant effect on the European protected sites, the requirement for an appropriate assessment has not been triggered as set out in the Habitat Regulations.

14.17 Therefore, the proposal is considered acceptable in terms of its impact on wildlife and habitat in accordance with Local Plan policy ENV2.

Contamination

14.18 The application site is located within the Granby Industrial Estate, Environmental Protection were consulted on the application and had no comments with respect to this application. Given the site's location within an industrial estate an unexpected contamination condition should be placed on any approval granted.

14.19 Given the above, subject to the proposed condition the development is considered acceptable in relation to contamination and would comply with Local Plan policy ENV9.

15. Environmental implications

15.1 There would be additional CO2 emissions as a result of the construction of the proposed extension through embodied energy within building materials. The building would however be an extension to the existing building on a brownfield land and would be constructed to current building regulations and associated energy efficiency requirements.

16. Summary of issues and the planning balance

16.1 The application site is located within the Weymouth DDB and the Granby Industrial Estate, a Key Employment Site. The proposed B8 extension to the existing unit within the industrial estate is therefore considered acceptable in principle.

16.2 Matters of highway safety and contamination would be appropriately controlled via planning condition. Matters of visual amenity, neighbouring amenity, flood risk, ecology and biodiversity are considered acceptable.

16.3 It is considered that the proposed development accords with the policies of the development plan as a whole and the relevant policies of the NPPF and there are no material considerations indicating that planning permission should be refused.

17. Recommendation

Grant, subject to the following conditions and informatives:

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

Site Location Plan – drawing number 1002 C01

Site Block Plan – drawing number 1003 C02

Ground Floor General Arrangement Plan – drawing number 1001 C03

General Arrangement Elevations – drawing number 1010 C01

General Arrangement Sections – drawing number 1030 C01

Parking Plan – drawing number 1040 C02

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, and the Town & Country Planning Use Classes Order 1987 as amended (or any order revoking and re-enacting those Orders with or without modification) the extension hereby approved shall only be for purposes falling within use Class B8.

Reason: To ensure that the use remains compatible with surrounding land uses and the application has been considered on this basis.

4. Before the extension hereby approved is first brought into use the flood mitigation measures as included in the section 5.5 Flood Risk Assessment & Drainage Considerations of the submitted Planning Statement, dated May 2026 must have been completed.

Reason: To ensure the development is safeguarded from unnecessary flood risk.

5. Before the extension hereby approved is first brought into use the turning/manoeuvring and parking shown on Drawing Number 104-C02 must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

6. Before the extension hereby approved is first brought into use the cycle parking facilities shown on Drawing Number 104-C02 must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

7. Before the extension hereby approved is first brought into use the pedestrian access shown on Drawing Number 1001-C03 must have been constructed. Thereafter, the access must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To provide safe access for pedestrians and cyclists and to encourage the use of sustainable transport modes.

8. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. The approved remediation scheme shall be carried out and on completion, a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

Informatives:

1. Informative: National Planning Policy Framework

In accordance with policy DM3 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.

2. Informative: Electric Vehicle Charging Points

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.

3. Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Dorset Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in full in a subsequent informative below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply.

- Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4. Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or

(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings; **Page 29**

- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

4.7 Developments with a redline site boundary of 0.2 hectares or below

4.8 Temporary developments if:

the whole development is temporary

planning permission is granted for 5 years or less

* “original planning permission means the permission to which the section 73 planning permission relates” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Application Number:	P/FUL/2026/00647
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Sticks And Bones, Hope Square, Weymouth, DT4 8TR.
Proposal:	Continue use for outdoor seating area
Applicant name:	Mr Shaun Davies
Case Officer:	Robert Parr
Ward Member(s):	Cllr Webb, Cllr Sutton and Cllr Wheeler

1. Reason application is going to committee:

In accordance with the Council's scheme of delegation this application is brought to committee for determination as the application site includes adopted highway which is vested in Dorset Council.

2. Summary of recommendation:

GRANT subject to conditions as set out at the end of this report.

3. Key planning issues

Issue	Conclusion
Principle of development	Acceptable
Scale, design, impact on character and appearance	Acceptable
Impact on the living conditions of the occupants and neighbouring properties	Acceptable
Impact on heritage assets	Acceptable
Flood risk and drainage	Acceptable
Economic benefits	Acceptable
Highway impacts	Acceptable
Environmental implications	Acceptable

4. Description of site

- 4.1 The application site is located in Hope Square on the south side of Weymouth Harbour and northwest of Brewers Quay. The site encompasses a hardstanding area at the front (east) of the existing 'Sticks & Bones' 'games bar' themed drinking establishment/restaurant. The northern half of the host premises is recorded as a Locally Important Building and as such is a non-designated heritage asset. The site is located within the Old Weymouth area of Weymouth Town Centre Conservation Area and the setting of the Brewers Quay Grade II Listed Building. The proposed development is existing and in use at the site.

5. Description of development

- 5.1 The proposed development is for an outdoor seating area that would include a timber lean-to shelter with undercover seating, outdoor seating and tables, timber planters and festoon lighting to the perimeter of the seating area. The proposed materials are stained timber with exterior varnish for the planters, timber and metal for the seating/tables and timber frame/barriers for the lean-to shelter, which would have a corrugated steel and polycarbonate roof.
- 5.2 The lean-to shelter would be attached to the southeast elevation of the existing host building. The planters would be spread out to form an informal boundary of the seating area which would broadly follow the Hope Square roadway on the northeast side of the site and the pedestrian footway between Hope Square and St Leonard's Road to the south of the site.
- 5.3 The proposal would form a physical separation between the pavement and the external seating area for use of the business premises, thereby being a change of use of the area for use in association with the existing drinking establishment/restaurant.

6. Background and relevant planning history

Application no.	Proposal	Decision	Decision Date
P/PAP/2025/00504	Outside dining area with bespoke built planters shelter festoon lights & off the shelf furniture.	Response Given	24/09/2025
P/CONS/2025/00097	Sitting out licence	Response Given	08/08/2025

7. List of constraints

Weymouth Defined Development Boundary

Weymouth Town Centre Conservation Area

Grade II Listed Building, Brewers Quay, List Entry: 1142300

Important Local Buildings

Weymouth Town Centre South of Harbour Area of Archaeological Potential

Weymouth Town Centre Strategy

S33 - An Agreement has been made under Section 52 Town and Country Planning Act 1971

Natural England - RAMSAR - Distance: 2.7km

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet - Distance: 2.7km

Flood Zone 3a

Risk of Surface Water Flooding Extent 1 in 30 (300 – 600mm depth with climate change)

Risk of Surface Water Flooding Extent 1 in 100 (300 – 600mm depth with climate change)

SFRA 2 Boundary

Wessex Water Treatment Works Catchment Other WRC catchments

Portland heliport consultation zone (within 13km) - Distance: 4.1km

Prison: Portland

Radon: Class: 2.0

8. Consultations

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

Consultees

1. Environment Agency (EA)

- Refer to EA Standing Advice

2. Wessex Water

- No response received

3. Highway Authority

- The Highway Authority has no objection to the proposal.
- As the seating area is on an area of Highway, the applicant is advised that it will need to be operated under licence from the highway Authority.

4. Dorset Council – Environmental Protection

- Recommend that the proposed hours of operation are made a condition of any approval, to protect the amenity of nearby residential

5. Dorset Council – Licensing

- No response received

6. Weymouth Town Council

- The Council fully supports this application, however it should be noted that the business may have to come to an agreement regarding sharing the forecourt area with any other business that opens in Brewers Quay.

7. Rodwell and Wyke Ward Member(s)

- No response received

Representations received

Cllr Alex Fuhrmann: Support - Sticks and Bones have revitalised Hope Square activity with their community engagement and willingness to offer a range of events to the community. I feel the committee would be wise to grant outdoor access and continue to allow S&B to enthuse residents.

9. Duties

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 66 includes a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

10. Relevant policies

Development plan

The following policies are considered to be relevant to this proposal:

Local 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

ENV5 - Flood risk

ENV10 - The landscape and townscape setting

ENV12 - The design and positioning of buildings

ENV16 - Amenity

SUS2 - Distribution of Development

COM7- Creating a safe & efficient transport network

ECON1 - Provision of employment

ECON4 - Town centre & retail development

Made Neighbourhood Plans

Weymouth Neighbourhood Plan 2021 to 2039 (made 29/01/2026)

Policy W07: Rights of Way and Access to the Countryside

Policy W14: Development Boundaries

Policy W15: Extensions and Alterations

Policy W34: Sustainable Development

Policy W39: Weymouth Town Centre

Policy W41: Sustainable Tourism Development

Policy W44: Design

Policy W45: Heritage Assets - It is considered that Policy W45 criterion 1 should be given very limited weight as it is materially inconsistent with national decision-making policies in the NPPF (2026) in respect of designated heritage assets. This is because Policy W45 states that “Development proposals must demonstrate, where relevant, that they respect, and will cause **no harm** to heritage assets and their setting” (underlining is officer emphasis for clarity) whereas Policy HE6 of the NPPF states that “Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal”. Whilst the intent of both the WNP policy and the NPPF policy is to limit harm to heritage assets the national decision-making policy does not require “no harm” to heritage assets in order for a proposal to be considered acceptable, rather it’s a case of weighing any identified harm against any public benefits resulting from the proposal.

Policy W53: Public Houses

Policy W55: Public Spaces

Material considerations

Emerging Draft Dorset Council Local Plan:

Policy DM4: Emerging development plan proposals of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and

- the degree of compliance of the relevant policies in the emerging plan with the policies for plan-making in the NPPF (the closer the policies in the emerging plan to the policies of the NPPF, the greater the weight that may be given to them).

The emerging Dorset Local Plan is being prepared in accordance with plan-making processes set out in the Levelling Up and Regenerating Act 2023 and Local Planning Regulations (2026). As the plan is still at an early stage of the plan making process, limited weight can be attached to it when taking decisions on planning applications. Decisions on planning applications should continue to be assessed against the policies in adopted development plans, national planning policy and any other relevant material considerations.

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 31 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Local Nature Recovery Strategy

The Dorset Local Nature Recovery Strategy identifies local priorities for nature recovery and maps areas where action would be most beneficial. In planning decisions it is a material consideration, helping to ensure that development supports biodiversity enhancement and aligns with Dorset's agreed priorities for nature recovery.

National Planning Policy Framework (17 August 2026)

The National Planning Policy Framework (NPPF), published on 17 August 2026, sets out the Government's national planning policies for both plan-making and decision-making in England.

When determining development proposals decision-makers are required to take a positive and proactive approach and to seek to approve sustainable development where possible.

The NPPF introduces a permanent presumption in favour of sustainable development, through Policies S3 to S5 (which replaces the former "tilted balance" contained in paragraph 11 of the previous NPPF) and sets out the principles for development within and outside settlements. The Framework also confirms that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Relevant NPPF chapters and policies include:

- Chapter 3: Decision making policies. DM3: Determining development proposals Local planning authorities should approach decision making positively, proactively and proportionately. They should work with applicants through pre-application engagement and consultations and aim to resolve concerns through planning conditions or obligations where possible to avoid delay and to enable an approval rather than a refusal. Applications that accord with the development plan, the NPPF and other material considerations should not be refused where they can clearly be approved.
 - DM3 Determining development proposals
 - DM6 Use of planning conditions and obligations
 - DM7 Relationship with other regulatory regimes
 - DM8 Unauthorised development and enforcement
- Chapter 4: Achieving Sustainable Development. The objective of the policies in this chapter is to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements, enabling development which will support the rural economy, rural communities and the provision of infrastructure, and limiting development away from settlements to help safeguard the intrinsic character and beauty of the countryside.

- S3 Presumption in favour of sustainable development
- S4 Principle of development within settlements
- Chapter 5: Meeting the challenges of climate change. Planning decisions should support climate change mitigation and adaptation, including reducing greenhouse gas emissions, increasing resilience to climate impacts and directing development away from areas at unacceptable risk from flooding.
 - CC2 Mitigation of climate change
 - CC3 Adaptation to climate change
- Chapter 7: Building a strong, effective economy. Planning decisions should enable businesses to invest, expand and adapt in a way that reflects the opportunities, challenges and characteristics of different areas, and supports long-term economic growth both locally and nationally.
 - E2 Meeting the need for business land and premises
- Chapter 8: Ensuring the vitality of town centres. The objective of the policies in this chapter is to promote the long-term vitality and viability of town centres by prioritising them as locations for main town centre uses and allowing them to adapt to changing community and business needs, in a way which reflects their locally distinctive roles and opportunities. For the purpose of this chapter 'town centres' includes city, town, district and local centres as defined in the glossary at Annex B.
 - TC2 Development in town centres
- Chapter 14: Achieving well-designed places. Development should be high quality, respect and enhance local character, deliver sustainable and attractive places, and accord with relevant design policies. Proposals that demonstrate good design and place-making should be supported, while those that fail to meet established design standards should be refused unless clearly justified.
 - DP3 Key principles for well-designed places
 - DP4 The design process
- Chapter 15: Promoting sustainable transport. The objective of the policies in this chapter is to ensure that transport considerations are taken fully into account in the preparation of development plans and the evolution and assessment of development proposals; using a vision-led approach to embed the role that transport infrastructure and choices can play in creating well-designed, sustainable, inclusive and popular places.
 - TR3 Locating development in sustainable locations
 - TR4 Street design, access and parking
- Chapter 17: Pollution, public protection and security. The objective of the policies in this chapter is to ensure that new development is appropriate for its location, taking into account risks posed by pollution and other hazards; that any impacts which development might have are taken into account; and that sufficient provision is made for development required for public safety and security.
 - P3 Living conditions and pollution
 - P4 Impact of development on existing activities
 - P5 Maintaining public safety and security
- Chapter 18: Managing flood risk and coastal change. Development proposals should minimise risks to development arising from all sources of flooding and coastal change, taking into account the impacts of climate change, by steering development away from areas of risk, ensuring that development will be safe for its lifetime without increasing flood risk elsewhere, and incorporating sustainable drainage systems where appropriate.
 - F4 Assessing flood risk for decision-making

- F5 The sequential test
- F6 Development in areas at risk of flooding from rivers or the sea
- F7 Ensuring development is safe from flooding
- Chapter 20: Conserving and enhancing the historic environment – Great weight should be given to the conservation of heritage assets. Development that preserves or enhances designated or non-designated heritage assets should be approved. While any harm must be clearly justified and weighed against the public benefits of the proposal. Proposals causing substantial harm to, or loss of, heritage assets should only be permitted in exceptional circumstances where overriding public benefits outweigh the harm.
 - HE4 Securing the conservation of heritage assets
 - HE5 Assessing effects on heritage assets
 - HE6 Proposals affecting designated heritage assets
 - HE7 Decisions on non-designated heritage assets
 - HE9 Conservation areas

Other material considerations

National Planning Practice Guidance

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

Weymouth & Portland Listed Buildings and Conservation Areas (2002)

Weymouth & Portland Urban Design (2002)

Landscape Character Assessment (Weymouth & Portland)

Conservation Area Appraisals:

Weymouth – Town Centre Conservation Area Appraisal adopted December 2012

11. 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. 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.

- Access to the site is directly off the existing highway pavement, avoiding steps and as such the site arrangements are considered to ensure people with disabilities or mobility impairments or pushing buggies have been accommodated.
-

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised below:

Material considerations

- Tourism/community benefits through the retention of sitting out area in Weymouth Town Centre.

Non material considerations

- License fee (paid to Dorset Council that manage the public highway on which the development is located on).

14. Planning Assessment

Principle of development

- 14.1 Local Plan Policy SUS2 sets out that within defined development boundaries, employment and other development to meet the needs of the local area will normally be permitted. Given the application site is located within the Weymouth defined development boundary and proposes to retain development for the use of an existing business premises, the principle of development is accepted under Local Plan Policy SUS2.
- 14.2 Policy S3 of the NPPF sets out that decisions on development proposals should apply a presumption in favour of sustainable development and given the proposed development is within the settlement of Weymouth, NPPF Policy S4 is applicable and sets out that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the NPPF.
- 14.3 Furthermore, given the proposal would serve and expand an existing business premises, the mix of retail and other town centre uses in Weymouth Town Centre would be retained, it is considered the proposal would add to the vitality and vibrancy of the town centre. As such the proposal is considered to be in accordance with Local Plan Policy ECON4. Moreover, Paragraph 1 a) of NPPF Policy TC2 sets out that in considering proposals for development in town centres, substantial weight should be given to the benefits of supporting the overall vitality and viability of the centre and Paragraph 1 a) of NPPF Policy E2 sets out that to support business growth, substantial weight should be given to the economic benefits of proposals for commercial development which allow businesses to invest, expand and/or adapt.

Scale, design, impact on character and appearance

- 14.4 Based on observations during the case officer site visit and the drawings submitted, the proposed lean-to shelter is considered to be subordinate in scale and proportion to the host building and does not overpower the existing building or the setting. As such the lean-to shelter is not considered to adversely impact the character of the area.
- 14.5 The wooden planters are finished in natural timber and separated by multiple access gaps between the planters, which contributes to breaking up the mass of the planters when viewed from the adjacent streetscene. Further, a string bulb light hung between them are slim

in profile, when unlit a dark recessive black/dark grey colour and as such do not form a prominent feature in the streetscape. The overall appearance is of a somewhat temporary structure that informally defines the seating area within and is subordinate in scale and appearance to the host building. The detail of the external materials finished colours is not set out on the plans and as such to ensure the acceptable appearance of the development a materials condition is necessary.

- 14.6 It is therefore considered that subject to conditions the proposal is acceptable in terms of its impact on the character of the area.

Impact on the living conditions of the occupants and neighbouring properties

- 14.7 The proposed development would allow for sitting out use associated with the host drinking establishment/restaurant and as such there is potential for the noise from patrons of the premises to impact on the amenity of occupiers of nearby dwellings.
- 14.8 The residential dwellings to the north of the site are separated from the application site by virtue of the Brasserie which is located between the site and the no.9 Cove Street to the north. Furthermore, the existing host premises building separates the site from the dwellings located approximately 25m west of the site on Trinity Street. There are no existing dwellings to the immediate south or east of the site. It is also considered that given the town centre location, the site and area is already characterised by the associated nighttime economy, and a degree of noise from premises is to be expected by residents. Environmental Protection have responded to the proposal and consider the hours of operation are made a condition to protect the amenity nearby residents. The application sets out that the proposed opening hours would be between 10am to midnight Monday to Saturday and 10am to 11.30pm on Sundays/Bank Holidays. Given the existing use of the site in the town centre location these opening hours are considered to be reasonable and as such are recommended to be controlled by condition.
- 14.9 No other amenity impact issues have been identified and therefore, subject to a condition controlling the hours of use of the area, the proposal is considered acceptable in terms of amenity impact.

Impact on heritage assets

Heritage assets

- Weymouth Town Centre Conservation Area (CA)
- Grade II Listed Building, Brewers Quay, List Entry: 1142300
- Important Local Building (*Former Methodist Chapel, 7 Cove St*)
- Area of Archaeological Potential; Town Centre South of Harbour Area, Weymouth

Significance of heritage assets

Weymouth Town Centre Conservation Area

- 14.10 The application site is located in prominent location in the sub area of "Old Weymouth (Harbour South and Hope Sq, Chapelhay and The Nothe)" of the Conservation Area (CA) where a wealth of original features and detailing including windows can be observed. The Sub-area has historically included warehousing and industrial uses. The CA therefore gains historic value and significance from a concentration of period buildings in this sub area of the CA, and Hope Square is considered to have a remarkably unspoilt historic townscape.

Grade II Listed Building, Brewers Quay

- 14.11 Former Brewery circa 1903-04, external walls red engineering brick with cream limestone dressings, engineering blue brick plinths, some rubble and rendered walls, slate roofs. The building is considered to have significance by virtue of its intrinsic architectural interest and form part of an outstanding group which are considered to be a vital reminder of a major industry in Weymouth for many centuries.

Important Local Building (Former Methodist Chapel, 7 Cove St)

- 14.12 This non-designated heritage asset is considered to have architectural significance as it presents a simple gabled frontage (southeast) with rendered walls and arched red brick headers over the windows/door, and red brick surrounds to the central doorway. Furthermore, the building is considered to date from circa 1851 and has historic and communal significance given its original religious use and then it appears the former chapel was used by one of the breweries, J A Devenish, as a workshop, cooperage, hop store and then repurposed in the 1990's to its current use.

Area of Archaeological Potential; Town Centre South of Harbour, Weymouth

- 14.13 The settlements of Weymouth and Melcombe Regis are considered to have origins to at least the 13th Century and as such the conservation area is considered to have considerable potential for research the archaeology of the area.

Impact on heritage assets

Weymouth Town Centre Conservation Area

- 14.14 The provision of sitting out areas associated with bars and restaurants is now commonplace within the CA. The proposal is modest in scale, relatively lightweight in appearance and uses predominantly natural timber material finished in a recessive dark grey colour. As such the proposal is not considered to harm the significance of the CA.

Grade II Listed Building, Brewers Quay

- 14.15 The Brewers Quay building is significantly different to the application site in terms of materials and architecture and as such they are viewed as very separate character buildings. Given this difference in appearance and degree of separation the proposed development is not considered to detract from or harm the significance of the adjacent Brewers Quay listed building and its setting.

Important Local Building (Former Methodist Chapel, 7 Cove St)

- 14.16 The proposed works are considered relatively lightweight and to a degree, reversible in nature. Given the design allows views through to the non-designated heritage asset host building, it is considered that the location can accommodate the proposal without harming the significance of the non-designated heritage asset.

Area of Archaeological Potential; Town Centre North of Harbour, Weymouth

- 14.17 The proposed development would not involve any below ground construction or removal or significant alteration to the existing building. As such it is not considered the proposal would harm any potential archaeology on the site.

Heritage impacts summary

- 14.18 The proposed development is not considered to harm any of the designated or non-designated heritage assets set out in this report and as such is considered acceptable in heritage terms.

Flood risk

- 14.19 The proposed development is recorded in the Environment Agency (EA) new National Flood Risk Assessment (NaFRA) as being located within flood zone 3 and at a 1 in 30 and 1 in 100 year risk of surface water flooding. As the site is considered to be at a high risk of flooding. The application is supported by a Flood Risk Assessment (FRA), which incorrectly identifies the site as being within flood zone 2. Notwithstanding this error the FRA identifies other sources of flooding and puts forward mitigation and design measures to address the flood risk. The FRA provides safe access and egress information, however this is of a basic standards and is not considered to meet EA standing advice as it does not give details of flood warning and safe route of access and escape.

- 14.20 NPPF (2026) policies F5 and F6 sets out that applications for small non-residential extensions (with a footprint of less than 250m²) and changes of use should also not be subject to the sequential test or the exception test.
- 14.21 Given the proposed development is considered to be a minor development with a footprint of less than 250m² and includes a change of use of public highway for a sitting out area, the scheme is not considered to be subject to the sequential or exception tests.
- 14.22 The Environment Agency (EA) have been consulted on the planning application and refer to their standing advice. However, it is noted that the EA response to the recent and similar application, granted planning permission, at 2-4 Custom House Quay (application no. P/FUL/2025/02951) and on the north side of the harbour, the EA did not object to the outdoor seating at that location which was identified as being within flood zone 3b. Indeed, the EA did not anticipate the proposal at 2-4 Custom House Quay would result in a loss of floodplain storage or block water flow routes and considered it to be a very low risk proposal.
- 14.23 The existing building is considered to be a drinking establishment which would fall within the 'More Vulnerable' flood risk vulnerability classification as set out in Annex 3 of the NPPF. However, the proposal is located outside of the building and there is higher ground and potential refuge from flooding on the Herbert Place approximately 46m west from the site and on Hill Lane approximately 80m east of the site. Given the relatively close proximity to higher ground, the modest size and outdoor nature of this use (which in itself means that it's potentially unlikely to be in use in bad weather when a flood event would likely occur) and the absence of an objection from the Environment Agency it is considered that subject to a robust flood warning, emergency and escape plan the proposed development could be evacuated in response to a flood event.
- 14.24 Therefore, subject to a condition requiring the submission, approval and implementation of a flood warning, emergency and escape plan, with the plan being submitted within one month of the decision notice being issued, the scheme is considered to be acceptable in terms of flood risk.

Economic benefits

- 14.25 It is considered that the proposal would make a small contribution to the local economy through the continued employment of staff and the continued spending of the patrons of the Public House.

Highways impacts

- 14.26 The proposal would use a section of the public highway for a sitting out area linked to the existing Public House. NPPF Policy TR4 sets out the requirements for street design, access and parking and sets out that Manual for Streets design guidance should be used to inform how Policy TR4 is applied. Paragraph 6.3.22 of Manual for Streets sets out that the minimum unobstructed width for pedestrians should generally be 2m. The proposal would retain a pedestrian route approximately 1.8m wide on the pavement, which is slightly less than the 2m recommended by Manual for Streets. However, the site is adjacent to a pull in/drop off area for vehicles, so is not directly adjacent to the main carriageway and Cove Street is surfaced with block paving with shallow kerbing to define the separation between pedestrian and vehicular uses. The observed result of the street design is one which has an appearance and use more akin to a shared use space as opposed to a more traditional and distinct separation of pavement and carriageway. The Highway Authority has raised no objection to the proposal and has highlighted in their response that the proposal would be subject to the separate process of obtaining from Dorset Highways, any necessary Sitting out Licence (for table and chairs etc), which would fall under the Business and Planning Act 2020. Indeed, NPPF Policy DM7 sets out that decision-makers should assume, unless there is clear evidence to the contrary, that those separate regulatory regimes will operate effectively.

Therefore, given the above it is considered the proposal is acceptable in terms of highway safety.

Environmental implications

- 14.27 The application site is entirely hardstanding and as such the development is below the de minimis threshold and exempt from Biodiversity Net Gain.
- 14.28 Natural England have advised that development which results in an increase in population within 5km of the Chesil Beach and the Fleet European site may contribute to an unacceptable increase in recreational pressures on the features of the designated area. Therefore, in accordance with habitat regulations the proposal has been screened to consider the potential impact of the development on the protected sites. The application does not propose new residential accommodation and would therefore not create an additional residential unit that would increase recreational pressure. As such, it is considered there are no likely significant effects associated with this proposal on the European protected sites. As the screening process concluded that the application would have no likely significant effect on the European protected sites, the requirement for an appropriate assessment has not been triggered as set out in the Habitat Regulation.
- 14.29 No other potential wildlife or habitat impacts were identified with the proposal and as such the scheme is considered to be acceptable in terms of its impact on wildlife and habitat.

Conclusion

- 14.30 The development has been assessed against the relevant policies of the adopted local plan and the Weymouth Neighbourhood Plan 2021- 2038, the policies of the NPPF (2026) and other material considerations. It has been concluded that the development would accord with the development plan and there are no material considerations indicating that permission should be refused.

15 Recommendation

Grant, subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan - Sticks Dwg no. b90g/uk/1387311/1858755
Planters – Dwg no. 003_DWD_SB_PLANTER_REV2 Rev: 0002
Outdoor Seating Area – Dwg no. 001_DWD_SB_OSA_PLAN (page:001 of 002) Rev: 0001
Outdoor Seating Area – Dwg no. 001_DWD_SB_OSA_PLAN (page:002 of 002) Rev: 0001
Lean To Shelter (Plan) – Dwg no. 002_DWD_SB_LEAN_TO_REV2 Rev: 0002
Lean To Shelter – Dwg no. 002_DWD_SB_LEAN_TO_REV2 (page:002 of 003) Rev: 0002
Lean To Shelter – Dwg no. 002_DWD_SB_LEAN_TO_REV2 (page:001 of 003) 0002
Reason: For the avoidance of doubt and in the interests of proper planning.
2. Within 1 month of the date of this decision a flood warning and response plan (FWRP), which must include an emergency evacuation plan shall be submitted to the Local Planning Authority for approval. The development thereafter shall be carried out in accordance with the approved FWRP and shall be and managed and maintained in accordance with it. If the FWRP is not submitted to the Local Planning Authority within 1 month of this decision or the Local Planning Authority confirms in writing that it does not agree the FWRP within 2 months of its submission the use of the land for the purposes the subject of this planning permission shall immediately cease and shall not re-commence unless and until a FWRP has been submitted to and approved in writing by the Local Planning Authority or approved following an appeal. If the FWRP is submitted to the LPA in accordance with this condition

and the LPA does not respond within 2 months of its submission, the development shall be carried out, managed and maintained in accordance with the submitted FWRP.

Reason: In order to safeguard and minimise the risk posed to the site and its users from flooding.

3. The development hereby approved shall not be used for the purposes hereby permitted outside the hours of 10:00am to 12am (midnight) from Monday to Saturday and the hours of 10am to 11:30pm on Sundays or Bank Holidays.

Reason: To safeguard the character and amenity of the area and living conditions of nearby residential properties.

4. The finished external colours of the timber planters and timber frame lean-to shelter hereby approved, shall be the same or similar to the colours shown on the approved plans for the development. The finished colours shall be retained thereafter for the life of the development.

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

Informatives

1. Informative: National Planning Policy Framework

In accordance with policy DM3 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 was provided with pre-application advice.

2. 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. The Highway Authority's operational and asset management teams consider different matters when determining licences or permissions relating to occupation of highway land, and the existence (or otherwise) of planning permission should not be interpreted as confirmation that any necessary highway licence, pavement licence, consent or agreement would be granted. Equally, the grant of planning permission should not be taken as indicating that the Highway Authority would support, or that there would be a reasonable prospect of success for, any subsequent application to stop up or extinguish highway rights pursuant to section 257 of the Town and Country Planning Act 1990 (or otherwise). Such applications are subject to their own statutory tests and procedures, and the suitability of highway land for stopping up would require separate consideration having regard to the continuing need for highway rights, the function of the route within the wider highway network, accessibility considerations, and the public interest.

3. Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Dorset Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in full in a subsequent informative below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply.

- Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Read more about Biodiversity Net Gain at <https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain>

4. Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or

(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A “householder application” means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

i) consists of no more than 9 dwellings;

ii) is carried out on a site which has an area no larger than 0.5 hectares; and

iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* “original planning permission means the permission to which the section 73 planning permission relates” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

This page is intentionally left blank

Application Number:	P/FUL/2026/02782
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	10A Grosvenor Road Weymouth DT4 7QL
Proposal:	Installation of bin storage units
Applicant name:	Mr James Pitcher
Case Officer:	Rob Piggot
Ward Member(s):	Cllr Bell and Cllr Bown

1. Reason application is going to committee:

In accordance with the Council's scheme of delegation, this application is brought to committee for determination because Dorset Council is the landowner.

2. Summary of recommendation:

Grant subject to the conditions as set out at the end of this report.

3. Key planning issues

Issue	Conclusion
Principle of development	Acceptable, within the settlement of Weymouth.
Scale, design, impact on character and appearance	The scheme would be acceptable, being an improvement over the existing arrangement, not being visually prominent, nor impacting any surrounding trees.
Impact on the living conditions of the occupants and neighbouring properties	The bin storage units would be small scale and thus would not lead to harm through overbearing or loss of light.
Impact on landscape or heritage assets	The units would not harm Lodmoor Hill Conservation Area, being recessive and small scale, preserving its significance.
Highway impacts, safety, access and parking	The proposal would not affect existing parking, nor would it impact access to the site.
Public Benefits	Secure bin storage would improve the containment of waste, and lead to reduced fire risk and risk of fly tipping.

4. Description of site

4.1 10a Grosvenor Road is a three storey, detached brick building, on a large double plot, located on the western side of Grosvenor Road. The street scene is characterised by similar scale 2-3 storey buildings, constructed in brick and stone, with the footpath punctuated by mature trees.

5. Description of development

5.1 Consent is sought for the removal/demolition of an existing timber shed and the erection of a bin store, being located in the northeastern corner of the property, adjacent to the northern boundary. The bin store consists of:

- Four large bins, being approximately 1.4m L x 1.1m W x 1.5m H.
- 1 medium sized bin, being approximately .8m L x 1.1m W x 1.4m H
- 2 smaller sized bins, being approximately 0.7m L x .8m W x 1.2m H

5.2 The ground the bins are being placed on slopes gently toward the west and thus 5 platforms, plinths are being laid level off the ground. These plinths are shallow, with a maximum height of approximately 0.2m.

5.3 During the life of the application the scheme was revised, so as to overcome concerns with the loss of a brick boundary wall at the front of the application site. The brick wall has been retained and the bins have been rearranged, with the two smaller bins moving to the southwestern end of the run of bins. The scheme was re-advertised as a result.

6. Background and relevant planning history

09/00085/FUL - Decision: GRA - Decision Date: 04/03/2009

Demolish 10a, 10b, 10c Grosvenor Road and erect 8 sheltered housing units with staff accommodation and demolish garage at 25-27a Alexandra Road and provide parking and shed (resubmission)

09/00086/CON - Decision: GRA - Decision Date: 04/03/2009

Demolish 10a, 10b and 10c Grosvenor Road and garage at 25-27a Alexandra Road

10/00046/NONM - Decision: GRA - Decision Date: 12/04/2010

Amendment to planning permission reference 09/00085/FUL

09/00323/CMPC - Decision: CF - Decision Date: 17/09/2009

Request for confirmation of compliance with planning conditions 1, 2, 3, 4, 5, 6, 7 and 8 of planning approval reference 09/00085/FUL

P/CONF/2021/00003 - Decision: ANR - Decision Date: 31/08/2021

Request for confirmation of compliance with all conditions of planning approval 09/00085/FUL

7. List of constraints

Lodmoor Hill Conservation Area

SUS2; Defined Development Boundary; Weymouth

Dorset Council Land Freehold: 10a Grosvenor Road, Weymouth - Reference FH002923

Dorset Council Land (Leasehold): Subunderlease for room at 10a Grosvenor Road, Weymouth - Reference LIN003351

Wildlife Present: S41 - Hedgehog

Site of Special Scientific Interest (SSSI) impact risk zone

8. Consultations

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

Consultees

1. Dorset Council - Dorset Waste Team: Dorset Council Waste service has no issues with this application (Initial consultation response).

No further comments following reconsultation of application.

2. Dorset Council - Environmental Services – Protection: No comments with respect to this application (Initial consultation response).

No further comments following reconsultation of application.

3. Dorset Council – Highways: The proposed installation of a bin storage unit will not affect existing access or car parking arrangements. The Highway Authority has NO OBJECTION to the proposal (Initial consultation response).

No further comments following reconsultation of application.

4. Dorset Council - Trees: No tree issues, no objections (Initial consultation response).

No objection (Reconsultation response).

5. Dorset Council - Building Control: No comments.

6. Dorset Council - Conservation Team: No objection. Existing shed to be removed of no merit, acceptable where front brick wall is being retained. No harm to conservation area, preserving its character and significance.

7. Weymouth Town Council: The Council supports this application and raises no objection (Initial consultation response).

The Council supports this application and raises no objection (Reconsultation response).

8. Radipole Ward Member: No comments received.

Representations received

None.

9. Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

10. Relevant policies

Development plan

In this case the development plan comprises:

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

The following policies are considered to be relevant to this proposal:

- INT1: Presumption in favour of sustainable development
- ENV1: Landscape, seascape & sites of other geological interest
- ENV2: Wildlife and habitats
- ENV4: Heritage assets
- ENV10: The landscape and townscape setting
- ENV12: The design and positioning of buildings
- ENV13: Achieving high levels of environmental performance
- ENV16: Amenity
- SUS2: Distribution of development
- COM7: Creating a safe & efficient transport network

Made Neighbourhood Plans

Weymouth Neighbourhood Plan 2021 to 2039 (made 29/01/2026)

- Policy W00 Environmental Targets (Carbon neutrality, Resource efficiency, BNG, Climate Change Management)
- W06 Trees, Woodlands, and Hedgerows
- W14 Development Boundaries
- W44 Design
- W45 Heritage Assets - It is considered that Policy W45 criterion 1 should be given very limited weight as it is materially inconsistent with national decision-making policies in the NPPF (2026) in respect of designated heritage assets.
- W46 Transport and Travel (Highway danger)

Material considerations

Emerging local plans:

Policy DM4: Emerging development plan proposals of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The emerging Dorset Local Plan is being prepared in accordance with plan-making processes set out in the Levelling Up and Regeneration Act 2023 and Local Planning Regulations (2026). As the plan is still at an early stage of the plan making process, limited weight can be attached to it when taking decisions on planning applications. Decisions on planning applications should continue to be assessed against the policies in adopted development plans, national planning policy and any other relevant material considerations.

The Dorset Local Nature Recovery Strategy identifies local priorities for nature recovery and maps areas where action would be most beneficial. In planning decisions it is a material consideration, helping to ensure that development supports biodiversity enhancement and aligns with Dorset's agreed priorities for nature recovery.

National Planning Policy Framework (17 August 2026)

The National Planning Policy Framework (NPPF), published on 17 August 2026, sets out the Government's national planning policies for both plan-making and decision-making in England.

When determining development proposals decision-makers are required to take a positive and proactive approach and to seek to approve sustainable development where possible.

The NPPF introduces a permanent presumption in favour of sustainable development, through Policies S3 to S5 (which replaces the former "tilted balance" contained in paragraph 11 of the previous NPPF) and sets out the principles for development within and outside settlements. The Framework also confirms that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Other relevant NPPF chapters and policies include:

- Chapter 3: Decision making policies. DM3: Determining development proposals Local planning authorities should approach decision making positively, proactively and proportionately. They should work with applicants through pre-application engagement and consultations and aim to resolve concerns through planning conditions or obligations where possible to avoid delay and to enable an approval rather than a refusal. Applications that accord with the development plan, the NPPF and other material considerations should not be refused where they can clearly be approved.
 - DM3 Determining development proposals
 - DM6 Use of planning conditions and obligations
 -
- Chapter 4: Achieving Sustainable Development. The objective of the policies in this chapter is to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements, enabling development which will support the rural economy, rural communities and the provision of infrastructure, and limiting development away from settlements to help safeguard the intrinsic character and beauty of the countryside.
 - S3 Presumption in favour of sustainable development
 - S4 Principle of development within settlements
 - Chapter 14: Achieving well-designed places. Development should be high quality, respect and enhance local character, deliver sustainable and attractive places, and accord with relevant design policies. Proposals that demonstrate good design and place-making should be supported, while those that fail to meet established design standards should be refused unless clearly justified.
 - DP3 Key principles for well-designed places
 - DP4 The design process
- Chapter 19: Conserving and enhancing the natural environment: Development should conserve and enhance the natural environment by protecting important landscapes, habitats, biodiversity and trees, while maximising opportunities for nature recovery, green infrastructure and biodiversity net gain. Proposals should avoid significant environmental harm, prioritise land of lower environmental value where possible, and be sensitively designed in protected landscapes and coastal areas. Development causing unacceptable impacts on designated sites, irreplaceable habitats or biodiversity that cannot be adequately avoided, mitigated or compensated for should be refused.

- In National Landscapes substantial weight should be placed on the importance of conserving and enhancing their natural beauty.
- Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation
- Improving the natural environment biodiversity is to be protected and encourage net gains for biodiversity.
- N3 Trees in new development
- Chapter 20: Conserving and enhancing the historic environment – Great weight should be given to the conservation of heritage assets. Development that preserves or enhances designated or non-designated heritage assets should be approved. while any harm must be clearly justified and weighed against the public benefits of the proposal. Proposals causing substantial harm to, or loss of, heritage assets should only be permitted in exceptional circumstances where overriding public benefits outweigh the harm.
 - HE4 Securing the conservation of heritage assets
 - HE5 Assessing effects on heritage assets
 - HE6 Proposals affecting designated heritage assets
 - HE9 Conservation areas

Other material considerations

National Planning Practice Guidance

All of Dorset:

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

Supplementary Planning Documents/Guidance For West Dorset area:

Weymouth & Portland Listed Buildings and Conservation Areas (2002)

Weymouth & Portland Urban Design (2002)

Landscape Character Assessment (Weymouth & Portland)

Weymouth Neighbourhood Plan Character Assessment (2022)

11. 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. 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 bin storage units are located in a discreet corner of the site, away from key thoroughfare and access routes within the site and public pavements. It is considered that the proposed development would not adversely impact people with protected characteristics.

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

What	Amount / value
Material considerations	
Secure bin storage would improve the containment of waste, and lead to reduced fire risk and risk of fly tipping.	
Non-material considerations	
None identified.	

14. Planning Assessment

Principle of development

14.1 The development would be located within the settlement of Weymouth and therefore would be supported by policy SUS2 in the Local Plan, policy W14 of the Weymouth Neighbourhood Plan, and policies S3 and S4 of the National Planning Policy Framework (NPPF).

Design and Character

14.2 The proposed bin storage units would be an improvement over the existing small shed and informal bin arrangement, being approximately 1m lower than the existing shed, with the bin storage units replacing various bins stored either side of the existing shed. The proposed bins would be coloured ‘Firenze Anthracite Grey’, appearing as recessive.

14.3 The proposed bin storage units would be in close proximity to the public footpath running along Grosvenor Road, however, they would be sited at 90 degrees to the footpath, slightly stepped back from the front boundary. A site visit confirmed that the frontage benefits from a low height brick wall with planting above and a revision to the scheme has ensured that this is retained. Thus, it is not considered that the bins would be particularly visible within the street scene, and, where they are, they would not be a prominent or imposing feature. Lastly, the works are not considered to cause harm to any trees within close proximity, with the Tree Team stating they have no objections.

14.4 The scheme would be in accordance with Local Plan policies ENV10 and ENV12 and Neighbourhood Plan policies W06 and W44.

Heritage Impact

14.5 The application site is within Lodmoor Hill Conservation Area, however, would not directly affect a listed building, nor the setting of one. There is no Conservation Area Appraisal for Lodmoor Hill, however the Weymouth Neighbourhood Plan identifies that the area is characterised by Victorian and Edwardian buildings, set within tree lined streets.

14.6 The proposal is not considered to be harmful to the Conservation Area, being small scale, set away from the immediate frontage of the property, along the northern boundary wall. There is no harm as a result of the loss of the existing modern, utilitarian shed, and, as previously noted, the new arrangement would be an improvement to the existing bin layout, being more uniform in appearance.

14.7 Thus, the scheme is not considered to be harmful and would preserve the character of the Conservation Area, being in accordance with Local Plan policy ENV4 and Neighbourhood Plan policies W44 and W45. Whilst criterion 1 of W45 is materially inconsistent, and therefore limited weight is being attached to it, the proposal is considered to accord with criterion 2 of W44.

Residential Amenity

14.8 Given the scale of the proposal it is not considered there would be any harm to occupants of neighbouring properties, through either overbearing or loss of light. Thus, the scheme would be in accordance with Local Plan policy ENV16.

Highway Safety

14.9 The scheme would not affect any existing parking arrangements at the application site, nor would it be an obstruction to access in and out of the site. The Highways Authority have reviewed the scheme and have no objections. Thus, the scheme is considered to accord with Local Plan policy COM7 and Neighbourhood Plan W46.

Biodiversity / BNG

14.10 The scheme would be exempt from Biodiversity Net Gain given that the area under development would not be onsite priority habitat, being hardstanding, and less than 25m².

15.Environmental implications

15.1 Given the small-scale nature of the development, where no habitable accommodation is being formed, it is not considered that there would be any environmental implications as a result of the works.

16. Summary of issues and the planning balance

16.1 The bin storage units are considered to be acceptable in terms of visual amenity and their impact on the character and appearance of the Conservation Area, which would be preserved, being modest in scale, recessive in colour, sited away from the immediate frontage of 10a Grosvenor Road, ensuring they are not a prominent or harmful feature in the Conservation Area. Further, given the scheme is minor in scale it is also considered acceptable in terms of residential amenity. Finally, the scheme does not affect existing parking provision and is not an obstruction to highway users. On this basis the scheme is acceptable in planning terms and accords with the development plan taken as a whole and there are no material considerations indicating permission should be refused.

17. Recommendation

Grant, 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:

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

3. For the avoidance of doubt, the material finish and colour of the approved bin storage units shall be as detailed on the drawing Front Elevations and Plan View Proposed Rev 3 drawing and shall be retained as such thereafter.

Reason: In the interests of protecting the visual amenity and character of the street scene and conservation area.

Informative Notes:

1. Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Dorset Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in full in a subsequent informative below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply.

The permission which has been granted is for development which is exempt being:

- Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
- Developments with a red line site boundary of 0.2 hectares or below.

Read more about Biodiversity Net Gain at <https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain>

2. Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
 - 4.2 Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
 - 4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.
 - 4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).
 - 4.5 Self and Custom Build Development, meaning development which:
 - i) consists of no more than 9 dwellings;
 - ii) is carried out on a site which has an area no larger than 0.5 hectares; and
 - iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

4.7 Developments with a redline site boundary of 0.2 hectares or below

4.8 Temporary developments if:

the whole development is temporary

planning permission is granted for 5 years or less

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

3. Informative: National Planning Policy Framework

In accordance with policy DM3 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.

This page is intentionally left blank

Application number:	P/FUL/2026/02367
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Littlemoor Youth Centre, Louviers Road, Weymouth, DT3 6AY
Proposal:	Insert new doors and windows; erect external canopy; install 2m high enclosure; install air-source heat pumps; and install new path
Applicant name:	Dorset Council
Case officer:	Steve Tapscott
Ward member(s):	Councillors Dickenson and O'Leary

1. Reason application is going to committee

- 1.1 In accordance with the Council's scheme of delegation, this application is brought to committee for determination because Dorset Council is the landowner and the applicant.

2. Summary of recommendation

- 2.1 GRANT, subject to conditions.

3. Key planning issues

Issue	Conclusion
Principle of development	Acceptable: other than the proposed air-source heat pumps, the proposals are considered by officers to constitute Permitted Development. Nevertheless, an application has been made, and extensions/alterations and renewable energy schemes are acceptable in this location in principle under Policy SUS2 of the local plan and Policy S5 of the NPPF.
Compliance with policies relating to community facilities	Acceptable: no conflict is identified with policies S5 or HC4 of the NPPF.
Compliance with policies relating to renewable energy development	Acceptable: no conflict is identified with Policy COM11 of the local plan, Policy W34 of the neighbourhood plan or Policy W3 of the NPPF.
Scale, design and impact on character and appearance of the area	Acceptable: no adverse impacts identified. The character of the site as a modern community building would be largely unchanged. No conflict is identified with policies ENV1, ENV10, ENV12 of the local plan, policies W06, W15, W34 and W44 of the neighbourhood plan and policies DP3, N2 and N3 of the NPPF.

Issue	Conclusion
Impact on the living conditions of neighbouring properties	Acceptable: the key issue for consideration is noise from the air-source heat pumps. No objection is raised by Environmental Protection. No conflict is identified with Policy W34 of the neighbourhood plan and Policy P3 of the NPPF.
Highway impacts, safety, access and parking	Acceptable: no objection is raised by Highways. No conflict is identified with Policy COM7 of the local plan, Policy W46 of the neighbourhood plan and Policy TR4 and TR6 of the NPPF.
Ecology and Biodiversity Net Gain	Acceptable: no objection is raised by the National Environment Team. BNG is not applicable because the proposals are de minimis in this respect. No conflict is identified with Policy ENV2 of the local plan, policies W02, W03, W04 and W05 of the neighbourhood plan and Policy N2 of the NPPF.

4. Description of site

- 4.1 The site comprises the Littlemoor Youth Centre, located to the south of residential properties at Littlemoor. The Defined Development Boundary passes along the northern edge of Louviers Road, meaning that the site lies within the countryside for planning purposes. To the immediate south is Lorton Valley Nature Park.
- 4.2 The site is part of an established community area, which includes a multiuse games area, play park and skate park to the west, with playing fields to the east. Access is established from Louviers Road.
- 4.3 Land levels slope gently downwards to the southeast. The site is open on three sides, but it is enclosed to the south by mature vegetation.

5. Description of development

- 5.1 The application seeks to undertake various works to the building, including inserting new doors and windows, installing a 2m high enclosure at the rear, erecting two entrance canopies on the north and east sides of the building and installing a new path to the west of the building. Six cycle hoops (12 spaces) are proposed outside the building in the northeast corner, next to a small section of 85cm high gabion wall. Three air-source heat pump units are proposed to the rear (south).
- 5.2 Officers are of the opinion that some aspects, i.e. the enclosures, path and cycle hoops, constitute Permitted Development under Schedule 2, Part 12, Class A ('development by local authorities') of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

6. Relevant planning history

- 6.1 Records are unclear, but it appears that the building and amenity space were established in the early 1980s.

- 6.2 The building was extended pursuant to planning permission ref. 87/00851/FUL, then again further to consent ref. 92/00170/FUL, but no online records are available. Planning permission was later granted in 1996 under ref. 06/00328/DCC3 to allow for roller shutters to be permanently installed.
- 7. List of constraints**
- Neighbourhood Plan Area - Weymouth - Distance: 0
- Landscape Character Area; Ridge and Vale; Osmington Ridge and Vale - Distance: 0
- SUS 2; Land Outside DDBs; NULL - Distance: 0
- ENV 3; Areas of Local Landscape Importance; Southdown Ridge Weymouth - Distance: 0
- WEY16; Allocated as part of the Lorton Valley Nature Park; Lorton Valley Nature Park - Distance: 0
- DESI - Mineral Strategy 2014 – Policy BS1, Other Building Stone - Corallian Limestone - Rock type: LIMESTONE, OOIDAL; - Distance: 0
- PARISH - Littlemoor - Distance: 0
- PARISH - Weymouth CP - Distance: 0
- PARISH - Upwey & Broadway - Distance: 221.31
- PARISH - Radipole & Southill - Distance: 301.24
- PARISH - Preston - Distance: 386.92
- PARISH - Bincombe CP - Distance: 608.32
- WARD - Littlemoor & Preston Ward - Distance: 0
- WARD - Upwey & Broadwey Ward - Distance: 221.32
- WARD - Radipole Ward - Distance: 301.24
- WARD - Winterborne & Broadmayne Ward - Distance: 570.73
- PROW - Right of Way: Bridleway; - Distance: 13.58
- SFRA - Groundwater – Susceptibility to flooding; - Distance: 0
- Dorset Council Land Freehold: Bincombe Valley Children's Centre & Youth & Community Centre and adjoining recreation ground and land at Louviers Road and Littlemoor Community Centre, Canberra Road, Littlemoor, Weymouth - Reference FH004440 - Distance: 0
- Higher Potential ecological network - Distance: 0
- Dorset Wildlife Trust Reserve: Lorton Meadows - Distance: 0
- High Opportunity Nature Areas - Distance: 0
- Potential Activities (possible biodiversity improvements) - Distance: 0
- Dorset National Landscape - Distance: 446.91
- DESI - Special Area of Conservation (SAC) (5km buffer): Isle of Portland to Studland Cliffs (UK0019861); - Distance: 1857.73

DESI - Special Area of Conservation (SAC) (5km buffer): Crookhill Brick Pit (UK0030349); - Distance: 4466.28

Site of Special Scientific Interest (SSSI) impact risk zone; - Distance: 0

EA - Risk of surface water flooding: Low with confidence of 1 - Distance: 0

EA - Risk of surface water flooding: Low with confidence of 3 - Distance: 0

EA - Risk of surface water flooding : Very low with confidence of - Distance: 0

EA - Risk of surface water flooding : Very low with confidence of - Distance: 0

EA - Risk of surface water flooding : Very low with confidence of - Distance: 0

Portland heliport consultation zone (within 13km) - Distance: 8203.98

Radon: Class: 1.0 - Distance: 0

ONR Portland - 12km zone - Distance: 0

8. Consultations

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

1. **Dorset Wildlife Trust:** no response received.
2. **Ramblers Association:** no response received.
3. **Dorset Council – Rights of Way:** no response received.
4. **Dorset Council – Highways:** notes that the application form mentions the installation of 12 cycle spaces, but insufficient details are provided. The officer has since clarified that the end space would be too close to the wall and therefore unusable. Cycle racks tend to come in a standard size of five (10 spaces), and that would be acceptable here. This could be secured via a planning condition, or the issue could be drawn to the applicant's attention through an informative note.
5. **Dorset Council – Minerals and Waste:** no response received.
6. **Dorset Council – Environmental Protection:** no comments.
7. **Dorset Council – Early Years:** no response received.
8. **Dorset Council – Natural Environment Team:** further to receiving additional information in respect of the proposed vegetation clearance, no objections are raised. The officer concludes that the air-source heat pumps would not cause impacts or disturbance to protected species.
9. **Dorset Council – Tree Officer:** notes that some pruning of existing trees will be necessary to install the proposed new fencing and to provide clearance for the air-source heat pumps. Whilst these aspects of the proposal would encroach on trees to the rear, regular pruning is necessary to provide appropriate clearance from the building. Tree work of this nature will need to continue going forward and the development will have minimal impact on trees beyond continued routine pruning. Installation of the new security fencing would appear to be possible without harm to the trees as there is already an existing access path to the rear and there will be minimal impact from post hole excavation or concrete pouring (if used to secure the fence posts).

10. Weymouth Town Council: The Council strongly supports this application, which is welcome in an area of deprivation, and is a welcome facility for young people. The addition of heat pumps is also positive.

11. Cllr O’Leary: no response received.

12. Cllr Dickenson: no response received.

Representations received

8.2 None.

9. Duties

9.1 s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

10. Relevant policies

West Dorset, Weymouth and Portland Local Plan (2015)

- INT1: Presumption in Favour of Sustainable Development
- ENV1: Landscape, Seascape and Sites of Other Geological Interest
- ENV2: Wildlife and Habitats
- ENV10: The Landscape and Townscape Setting
- ENV12: The Design and Positioning of Buildings
- ENV13: Achieving High Levels of Environmental Performance
- ENV15: Efficient and Appropriate Use of Land
- ENV16: Amenity
- SUS2: Distribution of Development
- COM2: New or Improved Local Community Buildings and Structures
- COM7: Creating a Safe and Efficient Transport Network
- COM11: Renewable Energy Development

Weymouth Neighbourhood Plan (‘made’ 2026)

- W02: Conservation of the Natural Environment
- W03: Wildlife Habitats and Areas
- W04: Wildlife Corridors
- W05: Ecological Impact of Development
- W06: Trees, Woodlands, and Hedgerows
- W14: Development Boundaries
- W15: Extensions and Alterations
- W34: Sustainable Development
- W44: Design
- W46: Transport and Travel
- W48: Off-street Parking
- W52: Existing Community Buildings

Material considerations

Emerging Dorset Local Plan

10.1 The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18th August – 13th October

2025. In accordance with paragraph 48 of the NPPF, this emerging plan is at too early a stage to carry any weight in decision making.

National Planning Policy Framework (2026)

- 10.2 The National Planning Policy Framework (NPPF), published on 17th August 2026, sets out the Government's national planning policies for both plan-making and decision-making in England.
- 10.3 When determining development proposals, decision makers are required to take a positive and proactive approach and to seek to approve sustainable development where possible.
- 10.4 The NPPF introduces a permanent presumption in favour of sustainable development, through policies S3 to S5 (which replaces the former 'tilted balance' contained in paragraph 11 of the previous NPPF) and sets out the principles for development within and outside settlements. The Framework also confirms that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 10.5 Relevant NPPF chapters include:

Chapter 3: Decision-making policies. Local planning authorities should approach decision making positively, proactively and proportionately. They should work with applicants through pre-application engagement and consultations and aim to resolve concerns through planning conditions or obligations where possible, to avoid delay and to enable an approval rather than a refusal. Applications that accord with the development plan, the NPPF and other material considerations should not be refused where they can clearly be approved.

- DM3: Determining development proposals
- DM6: Use of planning conditions and obligations

Chapter 4: The objective of the policies in this chapter is to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements; enabling development that will support the rural economy; rural communities and the provision of infrastructure; and limiting development away from settlements to help safeguard the intrinsic character and beauty of the countryside.

- S3: Presumption in favour of sustainable development
- S5: Principle of development outside settlements

Chapter 5: Meeting the challenges of climate change. Planning decisions should support climate change mitigation and adaptation, including reducing greenhouse gas emissions; increasing resilience to climate impacts; and directing development away from areas at unacceptable risk from flooding.

- CC2: Mitigation of climate change
- CC3: Adaptation to climate change

Chapter 10: Securing clean energy and water. The objective of the policies in this chapter is to support the development and operation of energy and water infrastructure in ways that align with wider development, clean power and net zero objectives (including the delivery of clean power by 2030).

- W3 Renewable and low carbon energy development and electricity network infrastructure

Chapter 12: Making effective use of land. Planning decisions should give substantial weight to proposals that make more effective use of land and buildings, while maintaining good design, living conditions and local character. Development that fails to make efficient use of land in accordance with the policy should be refused.

- L2: Making effective use of land

Chapter 10: Securing clean energy and water. The objective of the policies in this chapter is to support the development and operation of energy and water infrastructure in ways that align with wider development, clean power and net zero objectives (including the delivery of clean power by 2030).

- W3 Renewable and low carbon energy development and electricity network infrastructure

Chapter 14: Achieving well-designed places. Development should be high quality, and it should respect and enhance local character, deliver sustainable and attractive places, and accord with relevant design policies. Proposals that demonstrate good design and place-making should be supported, while those that fail to meet established design standards should be refused unless clearly justified.

- DP3: Key principles for well-designed places
- DP4: The design process

Chapter 15: Promoting sustainable transport. The objective of the policies in this chapter is to ensure that transport considerations are taken fully into account in the assessment of development proposals, using a vision-led approach to embed the role that transport infrastructure and choices can play in creating well-designed, sustainable, inclusive and popular places.

- TR4: Street design, access and parking
- TR6: Assessing transport impacts

Chapter 16: Promoting healthy communities. The objective of the policies in this chapter is to promote the creation of healthy and inclusive places and to support the provision of appropriate public services. This is through enabling development that can support this aim and seeking to retain, improve and deliver new facilities that are important for community wellbeing and minimising inequalities.

- HC4: Proposals for new and improved community facilities, public service infrastructure and development providing public health benefits

Chapter 17: Pollution, public protection and security. The objective of the policies in this chapter is to ensure that new development is appropriate for its location, taking into account risks posed by pollution and other hazards; that any impacts which development might have are taken into account; and that sufficient provision is made for development required for public safety and security.

- P3: Living conditions and pollution

Chapter 19: Conserving and enhancing the natural environment. Development should conserve and enhance the natural environment by protecting important

landscapes, habitats, biodiversity and trees, while maximising opportunities for nature recovery, green infrastructure and biodiversity net gain. Proposals should avoid significant environmental harm, prioritise land of lower environmental value where possible, and be sensitively designed in protected landscapes and coastal areas. Development causing unacceptable impacts on designated sites, irreplaceable habitats or biodiversity that cannot be adequately avoided, mitigated or compensated for should be refused.

- N2: Improving the natural environment
- N3: Trees in new development

Other material considerations

- Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction (December 2023).
- Local Nature Recovery Strategy

11. 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.

11.1 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. Public Sector Equalities Duty

12.1 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have 'due regard' to this duty. There are three 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. In considering the merits of this planning application, the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

12.2 In this case, the proposals would:

- Provide shelter through the new canopies.
- Make an existing ramped access level and replace paving slabs.
- Although a new path is proposed, the landscaping plan confirms it would be finished in gravel. This may not be suitable for wheelchair users and buggies, but as it is likely to constitute Permitted Development, it would be unreasonable for officers to request this be amended to a solid surface. Rather, that is a decision for the applicant.

13. Financial benefits

What	Amount/value
Material considerations	
None	
Non-material considerations	
None	

14. Environmental implications

- 14.1 The development would see the installation of air-source heat pumps, which are a renewable energy source.

15. Planning assessment

Principle of development

- 15.1 Annex A of the NPPF sets out how any development plan policies (or parts of policies) that are materially inconsistent with policies of the NPPF should be given very limited weight.
- 15.2 The site is located beyond Weymouth's Defined Development Boundary (DDB), so it is washed over by the countryside for planning purposes. Policy SUS2 of the local plan and Policy W14 of the neighbourhood plan both direct development towards sites within DDBs, and both strictly control development in the countryside. However, Policy SUS2 does allow for some development outside DDBs as an exception. In the case of Policy SUS2, this permits '*alterations and extensions to existing buildings in line with their current lawful use,*' '*recreational or leisure-related development*' and '*proposals for the generation of renewable energy or other utility infrastructure.*' For Policy W14, development in the countryside should '*safeguard the unique character, natural beauty, agricultural value, and environmental significance of countryside areas.*'
- 15.3 The test under Policy S5:1 of the NPPF for proposals outside of settlements is that development should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the policies of the NPPF. This is materially different from the 'strictly controlled' aspect found in both Policy SUS2 of the local plan and Policy W14 of the neighbourhood plan, which therefore carries very limited weight. Policy W14 also fails to set out what types of development are acceptable outside settlements, which again is inconsistent with the NPPF.
- 15.4 Nevertheless, Policy SUS2 of the local plan is broadly consistent with the types of development permitted outside settlements by Policy S5 of the NPPF, inasmuch that Policy S5 allows for development for the purposes of recreation in countryside locations, the provision of energy and the extension of buildings. Having regard to whether the benefits would be substantially outweighed by any adverse effects when assessed against the national decision-making policies in the NPPF, that assessment is carried out below.
- 15.5 The proposals are therefore acceptable in principle under the relevant aspects of Policy SUS2 that are consistent with the NPPF, as well as Policy S5 of the NPPF, subject to an assessment against all other relevant policies and material considerations.

Compliance with policies relating to community facilities

- 15.6 Policy COM2 of the local plan allows for improved community buildings where:

The proposal is within or adjoining an existing settlement, or where it involves the re-use of rural buildings...

The proposal would be well-located to be accessible to its main catchment population and would not generate significant additional single purpose trips by private transport

The proposal would not undermine the commercial viability of nearby community facilities which may be better placed to service the needs of the surrounding community

- 15.7 Policy W52 of the neighbourhood plan allows for extensions and improvements to existing community buildings, if they are intended to:

i. diversify and support the continuation of the existing community use (for example the change of part of the site to maintain the original use in a viable form)

ii. help meet identified community needs through the more effective use of sites / premises, while maintaining or improving the existing community service provision (for example through a community hub)

iii. improve accessibility

- 15.8 None of the above are requirements under policies S5 or HC4 of the NPPF, such that these development plan policies are inconsistent with the NPPF. Rather, Policy S5 instructs that applications should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects when assessed under the policies of the NPPF. Policy HC4 directs decision makers to attribute ‘*substantial weight*’ to proposals for improved community facilities, including where it would support social interaction in the community.

- 15.9 The benefits of the proposed works are to provide additional external shelters, an improved and modernised facility, and the installation of ramps and surfaces to aid accessibility. As set out in this report, there are no identified adverse effects that would substantially outweigh the benefits. As such, the proposal accords with policies S5 and HC4, and substantial weight is given to the benefits.

Compliance with policies relating to renewable energy development

- 15.10 Policy COM11 of the local plan allows for renewable energy development, provided the benefits significantly outweigh any harm. That is not a test reflected in the NPPF, which does not set such a high bar, and instead requires substantial weight to be given in support of renewable development under policies W3, CC2 and CC3. Again, the overarching requirement of Policy S5 of the NPPF applies, such that applications should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects when assessed under the policies of the NPPF. The harm test of COM11 is therefore inconsistent with the NPPF, and it attracts very limited weight.

- 15.11 Similarly, the test in Policy COM11 requiring harm to residential amenity to be minimised is not reflected in the NPPF and should be attributed very limited weight. Rather, Policy L3 of the NPPF requires adverse impacts on neighbours to be avoided where possible, or mitigated to an acceptable degree. As discussed below, noise is the key potential source of disturbance from the air-source heat pumps, but no concerns are raised by Environmental Protection.

- 15.12 Policy COM11 is generally consistent with the NPPF in respect of its requirement to ensure *'any adverse impacts on the local landscape, townscape or areas of historical interest can be satisfactorily assimilated.'* As discussed below, no adverse visual impacts are identified from the air-source heat pumps.
- 15.13 Having regard to COM11's test that *'adverse impacts upon designated wildlife sites, nature conservation interests, and biodiversity are satisfactorily mitigated,'* this is broadly consistent with the NPPF. As discussed below, the Natural Environment Team is satisfied there would be no adverse impacts on protected species.
- 15.14 Policy W34 of the neighbourhood plan is broadly consistent with the NPPF, inasmuch where it supports the retrofitting of renewable energy apparatus, subject to *'measures and installations should be designed to minimise visual impact and nuisance to adjoining uses.'* As above, the proposal gives no cause for concern in terms of visual impacts and noise.
- 15.15 The proposal is therefore in accordance with the relevant aspects of Policy COM11 of the local plan that are consistent with the NPPF, as well as Policy W34 of the neighbourhood plan. As per Policy W3 of the NPPF, *'substantial weight'* is attributed to the contribution that small-scale renewable energy projects can make to reducing greenhouse gas emissions.

Scale, design and impact on character and appearance of the area

- 15.16 The relevant aspects of policies ENV1, ENV10 and ENV12 of the local plan and policies W06, W15, W34 and W44 of the neighbourhood plan that relate to this proposal are broadly consistent with policies DP3, N2 and N3 of the NPPF.
- 15.17 As discussed above, officers consider it likely that the only aspect of the proposals requiring an application for planning permission is the air-source heat pumps. Nevertheless, given the existing design and appearance of the building and how it is a modern building, none of the proposed alterations to the building, the canopies, means of enclosure or path would lead to any visual harm. The air-source heat pumps would be located discreetly to the rear (south) of the building. The works would thus help modernise the site, while retaining its overall character, as well as the character of the surrounding countryside. This includes public views both from Louviers Road and the right of way to the south in Lorton Valley Nature Park.
- 15.18 The plans include labels indicating vegetation removal to the rear (southern) edge of the site, to allow for fencing and the air-source heat pumps to be installed, but the agent has since confirmed that this in fact relates simply to cutting back/maintenance. The Council's tree officer raises no objections, and finds this is reasonable.
- 15.19 The proposals therefore accord with policies ENV1, ENV10, ENV12 of the local plan, policies W06, W15, W34 and W44 of the neighbourhood plan and policies DP3, N2 and N3 of the NPPF.

Impact on the living conditions neighbouring properties

- 15.20 Policy ENV16 of the local plan only permits proposals that would *'not generate a level of activity or noise that will detract significantly from... the quiet enjoyment of residential properties.'* This test differs from Policy P3 of the NPPF, which requires

‘avoiding exposure to levels of... noise... which could have an unacceptable adverse effect on health and the quality of life,’ meaning this part of ENV16 is materially inconsistent and carries very limited weight.

- 15.21 Policy W34 of the neighbourhood plan is broadly consistent with Policy L3, where it says *‘development will be supported provided: ...iii. development will not result in unacceptable levels of... noise... pollution.’*
- 15.22 The site is sufficiently distant from neighbouring properties to avoid any material harm from overlooking, overshadowing or an overbearing presence from any aspect of the proposals. The key potential impact would arise from noise from the air-source heat pumps.
- 15.23 The application is accompanied by a product specification for the air-source heat pumps, as well as a noise assessment. The Council’s Environmental Protection team has reviewed the application and raises no objection. A planning condition can ensure that the installed plant and any future replacements are no louder than the agreed specification.
- 15.24 The proposal therefore accords with Policy W34 of the neighbourhood plan and Policy P3 of the NPPF.

Highway impacts, safety, access and parking

- 15.25 The relevant aspects of Policy COM7 of the local plan and Policy W46 of the neighbourhood plan that relate to this proposal are broadly consistent with policies TR4 and TR6 of the NPPF.
- 15.26 The highways officer has raised no concerns in terms of parking, turning and pedestrian access. However, they have confirmed that the end cycle hoop would be too close to the wall and therefore unusable. 12 cycle spaces are shown on the plans, but racks tend to come in a standard size of five (10 spaces). This would be acceptable, and the officer has stated that further details can be secured by condition, or this could be drawn to the applicant’s attention through an informative note.
- 15.27 Ordinarily, officers consider that a planning condition would be preferable. This is because, in the event that Committee approves this application, a standard condition would be added to ensure the development is carried out in accordance with the submitted plans. Given the likelihood that it would not be possible to provide 12 cycle spaces, this means it would not be possible to comply with the approved plans. However, a significant material consideration is the strong likelihood that the cycle hoops could be installed under Permitted Development rights anyway. The cycle hoops are also not required to make the development acceptable in planning terms. This means that any planning condition requiring further details would be unreasonable and unnecessary, thereby failing the tests for planning conditions under Policy DM6 of the NPPF. Therefore, on balance, an informative note would be the proportionate approach in this particular instance.
- 15.28 The proposal therefore accords with Policy COM7 of the local plan, Policy W46 of the neighbourhood plan and Policy TR4 and TR6 of the NPPF.

Ecology and Biodiversity Net Gain

- 15.29 The relevant aspects of Policy ENV2 of the local plan and policies W02, W03, W04 and W05 of the neighbourhood plan that relate to this proposal are broadly consistent with Policy N2 of the NPPF.
- 15.30 Further to clarifications from the agent that no vegetation would be removed, no objections are raised by the Natural Environment Team. The team also confirms that noise from the air-source heat pumps would not impact on protected species in Lorton Valley Nature Park.
- 15.31 The application is exempt from providing BNG because less than 25sqm of habitat would be lost and therefore it is de minimis from a BNG perspective.
- 15.32 The proposal therefore accords with Policy ENV2 of the local plan, policies W02, W03, W04 and W05 of the neighbourhood plan and Policy N2 of the NPPF.

16. Conclusion

- 16.1 The proposal accords with the policies of the development plan that are materially consistent with the NPPF, and no material considerations indicate that planning permission should be refused. The proposed development is therefore acceptable, and it is recommended for approval, subject to conditions.

17. Recommendation

- 17.1 **Grant**, 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 ref. EPA-ZZ-ZZ-DR-A-0002 rev. P01.

Proposed ground floor ref. EPA-ZZ-GF-DR-A-0111 rev. P01.

Proposed north and south elevations ref. EPA-ZZ-GF-DR-A-0402 rev. P01.

Proposed east and west elevations ref. EPA-ZZ-GF-DR-A-0403 rev. P01.

Proposed landscaping ref. EPA-ZZ-ZZ-DR-A-0004 rev. P02.

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

3. The air-source heat pumps hereby approved (including any future replacement) shall be a Y Series Twin Fan PUMY-P200YKM3, as shown on the specifications submitted on 02/06/26, or any similar product, provided the decibel levels of any alternative are no higher than those of the Y Series Twin Fan PUMY-P200YKM3.

Reason: for the avoidance of doubt, and to ensure that any alternative or future replacement air-source heat pump(s) avoids adverse impacts on residential amenity and protected species through noise.

Informatives

National Planning Policy Framework

In accordance with policy DM3 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.

Cycle hoops

The applicant is advised that the 12 cycle hoops shown on the plans will not fit in the space identified, and it is common for them to be manufactured in groups of 10. The provision of 10 cycle hoops in the same location is acceptable to the Local Planning Authority.

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Dorset Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in full in a subsequent informative below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply.

- Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Read more about Biodiversity Net Gain at
<https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain>

Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
 - 4.2 Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
 - 4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.
 - 4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).
 - 4.5 Self and Custom Build Development, meaning development which:
 - i) consists of no more than 9 dwellings;
 - ii) is carried out on a site which has an area no larger than 0.5 hectares; and
 - iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

4.7 Developments with a redline site boundary of 0.2 hectares or below

4.8 Temporary developments if:

the whole development is temporary

planning permission is granted for 5 years or less

* “original planning permission means the permission to which the section 73 planning permission relates” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.