

Public Document Pack



WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 3 MARCH 2022

A recording of the meeting can be found on the committee page by using the following link:- [3rd March, 2022](#)

Present: Cllrs Dave Bolwell, Kelvin Clayton, Jean Dunseith, Louie O'Leary, Paul Kimber, David Shortell (Chairman), Sarah Williams, Kate Wheller and John Worth.

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

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

Ann Collins (Area Manager – Western and Southern Team), Susan Hetherington (Engineer (Development Liaison)), Anna Lee (Service Manager for Development Management and Enforcement), Charlotte Loveridge (Planning Officer), Hannah Massey (Lawyer - Regulatory), Matthew Pochin-Hawkes (Lead Project Officer), Steve Savage (Transport Development Manager), Emma Telford (Senior Planning Officer), Thomas Whild (Senior Planning Officer) and Denise Hunt (Democratic Services Officer).

104. **Apologies**

Apologies for absence were received from Cllrs Susan Cocking, Cllr Nick Ireland and Cllr Bill Pipe.

Cllr Louie O'Leary advised that he would be leaving the meeting at 12 noon.

105. **Election of Vice-Chairman**

Proposed by Cllr Louie O'Leary, seconded by Cllr John Worth.

Decision: That Cllr Jean Dunseith be elected as Vice-Chairman for the meeting.

106. **Declarations of Interest**

Cllr Dave Bolwell declared that he had predetermined application P/FUL/2021/01762 Land West of Watton Lane, Bridport. He would not take part in debate or vote, however he wished to speak as the ward member on this application.

107. **Minutes**

The minutes of the meeting held on 6 May, 10 June, 8 July, 9 September, 30 September, 4 November and 2 December 2021 and 6 January and 1 February 2022 were confirmed and signed.

108. **Public Participation**

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

109. **Planning Applications**

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

110. **WP/20/00705/FUL - Site P, Osprey Quay, Hamm Beach Road, Portland**

The Committee considered an application to erect a drive-through coffee shop and 9 business units (Use Class E and/or B8) with associated access, parking and landscaping works.

The Senior Planning Officer presented the application for a coffee shop with drive through and separate access to business units with car parking at the rear. The presentation included an aerial photo; site plan showing the site within the Defined Development Boundary (DDB) for Portland and a small part within the Heritage Coast; proposed elevations, floor plans, sections and photos of the site and surrounding area. The key planning issues were highlighted including principle of development; visual amenity; heritage coast and the setting of the World Heritage Site; residential amenity; highway safety and biodiversity.

A change to the recommendation and amendment to conditions had been included in an update sheet circulated to the committee prior to the meeting and is attached to these minutes.

Mr Dan Wilden, the agent, addressed the Committee in support of the scheme.

In response to technical questions put by members it was confirmed that Homes England were the landowners and that a high fence around the site had been removed from the scheme. Officers considered that the scheme would not increase car usage in the general location.

Some members welcomed the scheme as contributing to employment and supporting the local community. However, other members expressed concern regarding busy traffic in the area; the impact on roads adjacent to Portland Beach Road, particularly in light of the highways issues associated with the development of the Lidl site; encouraging driving, blocking of a significant view by the coffee shop and existing cafes operating at Osprey Quay.

Members were advised that Highways Officers were confident that there was sufficient car parking within the proposed site and that the proposal would not result in a major impact on traffic flows in the vicinity.

Proposed by Cllr Paul Kimber, seconded by Cllr Louie O'Leary.

Decision:

(A) That authority be delegated to the Head of Planning or Service Manager for Development Management and Enforcement to grant, subject to completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Legal Services Manager to secure the financial contribution for compensation for the loss of habitat of £8,668.77 and subject to the comments of the Environment Agency in relation to the requirement to prevent the use of the commercial buildings as E (e) provision of medical or health services and E (f) creche, day nursery or day centre; and the conditions (as amended) outlined in the appendix to these minutes.

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

1. In the absence of a satisfactory completed Section 106 agreement the scheme fails to provide adequate compensatory biodiversity/nature conservation measures through the provision of a financial contribution for loss of habitat. Hence the scheme is contrary to policy ENV 2 of the West Dorset, Weymouth and Portland Local Plan and Section 15 of the National Planning Policy Framework.

111. **P/VOC/2021/05510 - Marchesi House, Poplar Close, Weymouth, DT4 9UN**

The committee considered an application for the demolition of existing flats and erection of 18 houses and 13 flats in two blocks (variation to condition 7 of planning approval WP/18/00914/FUL - construction management plan).

The Lead Project Officer presented the application that included a site location plan, aerial photo, relevant planning history, approved site plan, a visual of the view from Radipole Lane and approved and revised Traffic Management Plans.

The minor material amendment to vary condition 7 to allow the existing access to be used by construction vehicles was considered necessary as other accesses were prohibitive.

The revised Traffic Management Plan included the requirement for traffic marshalls at the junction with Sycamore Road, a 5mph speed limit, deliveries outside of school run times, use of the car park to the south of the site and a wheel wash facility.

The main issues were outlined including the principle of development, highways, amenity and habitat sites.

Mr Jon Dixon addressed the committee in objection to the variation, explaining some of the issues that the local community had experienced so far.

Mr Scott Fenner, representing the contractor, spoke in support of the application and outlined the safety measures associated with the revised Traffic Management Plan.

Cllr Peter Barrow, Dorset Council ward member for Radipole, addressed the committee in objection to the application, highlighting his concerns regarding children walking to school, the risk assessment that gave rise to the revised Traffic Management Plan and issues with its implementation.

Cllr David Gray, Dorset Council ward member for Radipole, addressed the committee in objection to the variation, providing an explanation why he felt that alternative accesses were not being explored and highlighting that a large number of objectors to the application were asking the Council to keep to the original plan.

The Highways Officer confirmed that the robust nature of the revised Traffic Management Plan and ongoing engagement with the local community was welcomed, noting that there were alternative pedestrian routes to the school that avoided the site.

The overriding concern of the committee related to safety and there was some caution about moving away from the original consent. Concerns were expressed in relation to highway safety, enforcement of the proposed Traffic Management Plan and the inconvenience already experienced by residents.

Following some discussion, Cllr Louie O'Leary proposed refusal of the application which was seconded by Cllr Kate Wheller.

Further debate took place on the potential reasons for refusal, many of which officers advised would not be sustainable on appeal.

Cllr Paul Kimber then proposed deferral of the application in order that a site visit could be undertaken. The proposal to refuse the application was thereafter withdrawn by the proposer and seconder.

Proposed by Cllr Paul Kimber, seconded by Cllr Louie O'Leary.

Decision: That the application be deferred for the reasons outlined in the appendix to these minutes.

Cllr Louie O'Leary left the meeting at this juncture.

112. **P/FUL/2021/01762 - Land West of Watton Lane, Bridport**

The committee considered an application to erect 3 dwellings.

Cllr Dave Bolwell did not take part in the debate or vote on this item, however, he addressed the committee as the ward member during public participation.

The Committee was shown a presentation that included a site location plan, aerial photo, planning history details, photos of the site and recently constructed dwelling, site layout plan and elevations.

The main issues were outlined as the principle of development, landscape and visual impact, design and character, amenity, biodiversity, trees, flood risk and drainage.

An update sheet containing amendments to condition 9 and details of an additional representation had been circulated to the Committee prior to the meeting.

Mandy Powell spoke in objection to the application and covered points relating to the principle of development, loss of local amenity, loss of public visual amenity, detriment to the Area of Outstanding Natural Beauty (AONB) and housing land supply.

Rachel Gershfield, a local resident, addressed the committee in objection to the development, making points in relation to damage to the AONB, impact on amenity, the number of vehicles generated by the development and creeping development.

Phil Summerton addressed the committee in objection to the scheme, raising points in relation to housing land supply, the planning history associated with the site and lack of a safe pedestrian route along Broad Lane.

Simon Ludgate, the Agent, spoke in support of the application referring to comments made by the Appeal Inspector in relation to a previous application for 2 dwellings, the shortfall in the 5 year housing land supply as a material consideration and that the site would be minimal in terms of traffic development and volume.

Cllr Paul Hartmann spoke in objection to the application on behalf of Symondsburry Parish Council highlighting points in relation to the formal layout, detrimental impact on the AONB; the potential for creeping development on the adjacent plot and lack of conformity with Bridport Neighbourhood Plan policies and biodiversity gain.

Cllr Dave Bolwell addressed the committee as the Dorset Council Ward Member for Bridport in objection to the application, also referring to comments of the Appeal Inspector with regard to the previous application, the uniformity of the scheme in the AONB, highway safety, the unsuitability of an alternative footpath to Bridport, the lack of public transport and presumption on car use and open market 3-4 bed houses that did not meet the housing need of Bridport.

In response to a technical point, the Senior Planning Officer advised that housing land supply was based on the West Dorset, Weymouth & Portland Local Plan area only. Information was also provided on housing density per hectare.

Duration of Meeting – Time Limit

Part-way through consideration of this application, a vote to continue the meeting was taken in accordance with Part 2, Paragraph 8.1 of the Council's Constitution.

Decision: That the meeting be extended to allow the business of the meeting to be concluded

Following the decision to continue the meeting, the committee debate on the application commenced.

Cllr Kelvin Clayton stated that the site was outside the DDB and not in accordance with NPPF paragraphs 12 or 14 or SUS2 (3) of the Local Plan, the latter in relation to open market housing; the need for climate resilient development, that the proposal did not meet the needs of the current generation and building on green belt land would permanently harm the ability of future generations to meet their needs. The development also conflicted with the Bridport Neighbourhood Plan that was less than 2 years old.

Members were not supportive of this scheme, considering that the proposal was unsustainable. Those who knew the area well were concerned that Broad Road was dangerous for pedestrians given its use by agricultural traffic, the lack of a pavement and appropriate speed limit.

Further discussion took place on some valid reasons for refusal and the committee received assistance from the Legal Officer in its deliberations.

A lunch period took place between 13.40 – 14.25 which was also used by officers to formulate appropriate wording for the reason for refusal based on the debate by members.

Proposed by Cllr Kelvin Clayton, seconded by Cllr Kate Wheller.

Decision: That the application be refused for the reason outlined in the appendix to these minutes.

113. **P/PIP/2021/03739 - Land south east of Southwell Business Park, Sweethill Road, Portland**

The committee considered a Permission in Principle (PIP) application to erect 2 dwellings.

A presentation was given that included a site location plan, aerial photo and photos of the site.

The site was outside the DDB and identified as an important local gap in the Local Plan, however, officers considered that there would not be a significant reduction in the openness of the gap of this scheme.

Questions were asked about the overall area of undeveloped land towards Portland Bill, the risk of creeping development, loss of open space and quality of the land and soil.

Members were advised that only the site and quantity of development proposed could be considered as part of the PIP application with all other matters provided at a later technical details application stage.

Cllr Paul Kimber proposed refusal of the application on the basis that the site was outside the DDB, that it represented overdevelopment and would lead to a loss of landscape. This proposal was seconded by Cllr Kelvin Clayton. There followed a short adjournment to consider the wording for the refusal, however, upon being put to a vote, the proposal was lost.

Proposed by Cllr Kate Wheller, seconded by Cllr John Worth.

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

114. **P/PIP/2021/03738 - Land north of 69 - 72 Reap Lane, Portland**

The Committee considered an application for the erection of up to 2 dwellings

The application was presented including a site location plan, aerial photo, street view of the site.

Proposed by Cllr John Worth, seconded by Cllr Kate Wheller.

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

115. **P/LBC/2021/03958 - Gun Cliff SPS, Bridge Street, Lyme Regis**

The committee considered an application to install an external 4G antenna to an outside wall on Dorset Council leasehold land.

The committee was shown a site location plan, aerial view, planning history and photos of the site and antenna. The main issues were highlighted including principle of development, impact on heritage assets, scale, design and impact on character and appearance.

An amendment to condition 2 had been included in an update circulated to the committee prior to the meeting.

Proposed by Cllr Sarah Williams, seconded by Cllr Paul Kimber.

Decision: That authority be delegated to the Head of Planning or the Service Manager for Development Management and Enforcement to grant listed building consent subject to the conditions (as amended) outlined in the appendix to these minutes, and subject to there being no adverse comment received from the leaseholder on the lapse of the 21 days' notice served on them by the applicant.

116. **Urgent items**

There was no urgent business.

117. **Exempt Business**

There was no exempt business.

118. **Update Sheet**

The update sheet is attached to these minutes.

Appendix - Decision List

Duration of meeting: 10.00 am - 3.25 pm

Chairman

.....

Planning Committee – Update Sheet

Planning Applications

Application Ref.	Address	Agenda ref.	Page no.
WP/20/00705/FUL	Site P Osprey Quay, Hamm Beach Road, Portland	5a	5-29
<p><u>Change to the Recommendation</u></p> <p>Delegate authority to the Head of Planning or Service Manager for Development Management and Enforcement to grant, subject to completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Legal Services Manager to secure the financial contribution for compensation for the loss of habitat of £8,668.77 <u>and subject to the comments of the Environment Agency in relation to the requirement to prevent the use of the commercial buildings as E(e) provision of medical or health services and E(f) creche, day nursery or day centre.</u> And the following conditions: ...</p> <p><u>Amendment to Condition 3 – Added Text Underlined</u></p> <p>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 commercial units 1-5 and 6-9 subject of this permission shall only be for purposes falling <u>within</u> use Class B8, E(a), E(b), E(c), E(d) and E(g).</p> <p>Reason: To ensure that the use remains compatible with surrounding land uses in the area and the application has been considered on this basis.</p> <p><u>Rewording to Condition 4</u></p> <p>The condition currently reads:</p> <p>The commercial units 1-5 and 6-9 hereby approved shall not be amalgamated into larger units, without the prior written consent of the Local Planning Authority.</p> <p>Reason: The application has been considered on the basis of the individual units.</p> <p>The condition will be reworded to the following:</p> <p>No single unit larger than 200 sqm (GIA) shall be used for the purposes of retail of food falling within use class E(a) on the site.</p> <p>Reason: The application has been considered on the basis of the individual units and not the provision of a food retail scheme.</p>			

Amendment to Condition 5 – Added Text Underlined

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 unit titled 'Proposed Starbucks Drive Thru' on the proposed site plan, drawing number P101 P6 subject of this permission shall only be for purposes falling within use Class E(a), E(b), E(c) and E(g).

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

Application Ref.	Address	Agenda ref.	Page no.
P/FUL/2021/01762	Land West of Watton Lane, Bridport	5c	47-64

Additional representation received from Andy Anderson on behalf of Rachel Gershfield, the Croft, Broad Lane, asking committee to consider points in respect of housing land supply, residential amenity, previous appeal decision.

The representation has been sent directly to members of the planning committee by email on 02/03/2022

Amendment to condition 9

The condition currently reads:

Before the development hereby approved is first occupied or utilised the visibility splay areas as shown on the approved plans must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. Notwithstanding the provisions of the Town and Country Planning General Development Order 2015, or any Order revoking or re-enacting that Order, the visibility splay areas shall thereafter be maintained and kept free from all obstruction above this height.

Reason: In the interest of highway safety.

The condition will be reworded to the following:

Before the development hereby approved is first occupied or utilised the visibility splay areas as shown on the approved plans must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting that Order, the visibility splay areas shall thereafter be maintained and kept free from all obstruction above this height.

Reason: In the interest of highway safety.

Application Ref.	Address	Agenda ref.	Page no.
P/LBC/2021/03958	Gun Cliff SPS, Bridge Street, Lyme Regis	5f	85-90
<p data-bbox="164 376 547 407"><u>Amendment to Condition 2</u></p> <p data-bbox="164 450 587 481">The condition currently reads:</p> <p data-bbox="164 524 1350 595">2. The works hereby consented shall be carried out in accordance with the following approved plans:</p> <p data-bbox="164 633 611 889">Location Plan 1 – 400m Location Plan 2 – 100m Site Plan – Antenna Location Entrance Doorway Plan Dimensioned Photo Gun Cliff 4G Antenna Height photo 4G Antenna Cable Route photo</p> <p data-bbox="164 927 1241 958">Reason: To preserve the architectural and historical qualities of the building.</p> <p data-bbox="164 1039 823 1070">The condition will be amended to the following:</p> <p data-bbox="164 1113 1350 1184">2. The works hereby consented shall be carried out in accordance with the following approved plans:</p> <p data-bbox="164 1223 783 1478">Location Plan 1 – 400m Location Plan 2 – 100m Site Plan – Antenna Location Entrance Doorway Plan Photo Elevations of Entrance Dimensions 2 4G Antenna Height photo 4G Antenna Cable Route photo</p> <p data-bbox="164 1516 1241 1547">Reason: To preserve the architectural and historical qualities of the building.</p>			

This page is intentionally left blank

Appendix – Decision List

APPLICATION NUMBER: WP/20/00705/FUL

APPLICATION SITE: Site P, Osprey Quay, Hamm Beach Road, Portland

PROPOSAL: Erection of a drive-through coffee shop and 9 business units (Use Class E and/or B8) with associated access, parking and landscaping works.

DECISION:

(A) That authority be delegated to the Head of Planning or Service Manager for Development Management and Enforcement to grant, subject to completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Legal Services Manager to secure the financial contribution for compensation for the loss of habitat of £8,668.77 and subject to the comments of the Environment Agency in relation to the requirement to prevent the use of the commercial buildings as E (e) provision of medical or health services and E (f) creche, day nursery or day centre and the following conditions.

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

Proposed Site Plan – drawing number P101 P6

Proposed Elevations and Section A-A of Commercial Units 1-5 – drawing number P310 P4

Proposed Floor Plan and Roof Plan of Commercial Units 1-5 – drawing number P210 P2

Proposed Elevations and Section A-A of Commercial Units 6-9 – drawing number P311 P4

Proposed Floor Plan and Roof Plan of Commercial Units 6-9 – drawing number P211 P3

Proposed Elevations and Sections of Starbucks Drive Thru – drawing number P300 P2

Proposed Floor Plan and Roof Plan of Starbucks Drive Thru – drawing number P200 P1

Refuse Enclosure, Bicycle Shelter, PV Inverter/switch room and Fencing Details – drawing number P500 P4

Longitudinal Section A-A through Proposed Development Site – drawing number P401 P2

Longitudinal Section A-A through Proposed Development Site – drawing number P402 P3

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).

Appendix – Decision List

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 commercial units 1-5 and 6-9 subject of this permission shall only be for purposes falling within use Class B8, E(a), E(b), E(c), E(d) and E(g).

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

4) No single unit larger than 200 sqm (GIA) shall be used for the purposes of retail of food falling within use class E(a) on the site.

Reason: The application has been considered on the basis of the individual units and not the provision of a food retail scheme.

5) 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 unit titled 'Proposed Starbucks Drive Thru' on the proposed site plan, drawing number P101 P6 subject of this permission shall only be for purposes falling within use Class E(a), E(b), E(c) and E(g).

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

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

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

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

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

8) Before any part of the development hereby approved is first occupied or utilised the turning and parking areas relating to that part of the development as shown on the approved plans 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.

Appendix – Decision List

9) Before any part of the development hereby approved is first occupied or utilised, the electric vehicle charging points and parking bays shown on the submitted plans shall have been constructed. Thereafter, they must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure that adequate provision is made to enable occupiers of the development to be able to charge their plug-in and ultra-low emission vehicles.

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

Reason: To ensure risks from contamination are minimised.

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

- Storage of construction materials/chemicals and equipment.
- Dust suppression.
- Chemical and/or fuel run-off from construction into nearby waterbodies.
- Waste disposal.
- Noise/visual/vibrational impacts.
- Details of construction lighting.
- Outline avoidance/mitigation methods which will manage potential pollution threats on the SNCI and EMS.
- Vegetation clearance.
- Outline precautionary methods to the removal of suitable reptile and amphibian habitat.

Reason: To avoid or mitigate constructional impacts on species and habitats.

12) The development shall be carried out and maintained in accordance with the measures of the Biodiversity Plan, signed by Matthew Davies and dated 08/12/2021 and agreed by the Natural Environment Team on 13/12/2021, unless a subsequent variation is agreed in writing with the Council.

Reason: In the interests of biodiversity mitigation and enhancement.

Appendix – Decision List

13) None of the units hereby approved shall not be brought into first use until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include a timetable for implementation and details of the management of habitats on the site in the longer term (5+ years) including details of appropriate native planting for coastal environments that shall be sympathetic to the SNCI and make provision to encourage bird nesting and foraging opportunities. The LEMP shall also include appropriate enhancements to encourage reptile foraging around the periphery of the development hereby approved. Thereafter the development shall proceed in accordance with the approved details.

Reason: In the interests of biodiversity mitigation and enhancement.

14) The unit labelled 'Proposed Starbucks Drive Thru' on the proposed site plan, drawing number P101 P6 shall not be brought into first use until a scheme for the provision of litter bins has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to first use of the unit and permanently retained as such thereafter.

Reason: In the interest of visual amenity and biodiversity.

15) None of the units hereby approved shall be brought into first use until parking signage detailing that the parking shall only be used by the users of the units have been erected in numbers, positions and with wording which shall have first been agreed in writing with the Local Planning Authority. Thereafter the notices shall be kept legible and clear of obstruction.

Reason: In the interest of visual amenity and biodiversity.

16) The construction of the development shall be carried out in accordance with the measures of the Flood Risk Assessment, dated September 2020 and shall be maintained as such thereafter.

Reason: In order to safeguard the development from unnecessary flood risk.

17) None of the units hereby approved shall be brought into first use until flooding warning and emergency evacuation procedure notices have been erected in numbers, positions and with wording which shall have first been agreed in writing with the Local Planning Authority. Thereafter the notices shall be kept legible and clear of obstruction.

Reason: To ensure that users of the site are aware that the area is at risk of flooding, and the emergency evacuation procedure and route(s) to be used during flood events.

18) No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and providing clarification of both how drainage is to be managed during construction and sufficient storage achieved, has been submitted to, and approved in

Appendix – Decision List

writing by the local planning authority. The scheme shall include provisions to ensure protection of water quality as a result of surface water drainage into Portland Harbour. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.

Reason: To prevent the increased risk of flooding and to protect water quality of the adjacent Portland Harbour.

19) No development shall take place until details of maintenance and management of the surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

Informatives

1. Informative Note: NPPF

2. Informative Note: Dorset Highways

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. 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.

3. Informative Note: Pollution Prevention during Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>

4. Informative Note: Waste Management

Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction. If any controlled waste is to be removed off site, then site operator must

Appendix – Decision List

ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website <https://www.gov.uk/how-to-classify-different-types-of-waste>

5. Informative Note: Wessex Water

If you are building within 6 metres of a strategic sewer or 3 metres of a public sewer you will need Wessex Water approval from our sewer build over team sewer.buildover@wessexwater.co.uk. They will require full details of the permanent nature of these structures along the eastern boundary which are proposed over the line of the public sewers. Their foundation depths and slabs details, how permanent the structures are and how readily they can be dismantled, this will be required to assess if Wessex Water will agree to any form of build over of the public sewers here.

6. Biodiversity Plan Compliance

7. Any signage shown on the plans is indicative and would need to be subject of a separate advertisement consent application.

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

1. In the absence of a satisfactory completed Section 106 agreement the scheme fails to provide adequate compensatory biodiversity/nature conservation measures through the provision of a financial contribution for loss of habitat. Hence the scheme is contrary to policy ENV 2 of the West Dorset, Weymouth and Portland Local Plan and Section 15 of the National Planning Policy Framework.

Appendix – Decision List

APPLICATION NUMBER: P/VOC/2021/05510

APPLICATION SITE: Marchesi House, Poplar Close, Weymouth, DT4 9UN

PROPOSAL: Demolition of existing flats & erection of 18 houses & 13 flats in two blocks (variation to condition 7 of planning approval WP/18/00914/FUL - construction management plan).

DECISION: Deferred for a committee site visit and for additional information to be requested from the applicant in respect highway safety matters.

Appendix – Decision List

APPLICATION NUMBER: P/FUL/2021/01762

APPLICATION SITE: Land West of Watton Lane, Bridport

PROPOSAL: Erection of 3 dwellings.

DECISION: Refuse:

1. Having regard to the formal layout of the development in a grid-like pattern, this would result in the development having an urban character contrary to its rural location within the AONB and outside of the defined development boundary of Bridport. Furthermore the proposed development would result in additional artificial light in the AONB contrary to the prevailing landscape character. Hence the proposed development would be contrary to policies ENV1 and ENV12 of the West Dorset Weymouth and Portland Local Plan 2015 and paragraph 130, 174 and 176 of the National Planning Policy Framework 2021.

Appendix – Decision List

APPLICATION NUMBER P/PIP/2021/03739

APPLICATION SITE: Land south east of Southwell Business Park, Sweethill Road, Portland

PROPOSAL: Erection of 2 dwellings.

DECISION: 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 - LPC 2522 EX 301

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

3. Technical detail consent shall be applied for and approved within the three year time limit of this permission in principle consent.

Reason: As directed by the Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

4. The minimum number of residential dwellings permitted by this permission in principle is 1 and maximum number of residential dwellings permitted by this permission in principle is 2.

Reason: As required by The Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

Informative Notes:

1. Informative: National Planning Policy Framework Statement
In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.
The council works with applicants/agents in a positive and proactive manner by:
- offering a pre-application advice service, and
- as appropriate updating applications/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.

Appendix – Decision List

APPLICATION NUMBER: P/PIP/2021/03738

APPLICATION SITE: Land north of 69 - 72 Reap Lane, Portland

PROPOSAL: Erection of up to 2 dwellings.

DECISION: 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 - LPC 2252 EX 101

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

3. Technical detail consent shall be applied for and approved within the three year time limit of this permission in principle consent.

Reason: As directed by the Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

4. The minimum number of residential dwellings permitted by this permission in principle is one and maximum number of residential dwellings permitted by this permission in principle is two.

Reason: As required by the Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

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

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

- offering a pre-application advice service, and
- as appropriate updating applications/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.

Appendix – Decision List

APPLICATION NUMBER: P/LBC/2021/03958

APPLICATION SITE: Gun Cliff SPS, Bridge Street, Lyme Regis

PROPOSAL: Install an external 4G antenna to the outside wall.

DECISION: That authority be delegated to the Head of Planning or the Service Manager for Development Management and Enforcement to grant listed building consent subject to conditions, and subject to there being no adverse comment received from the leaseholder on the lapse of the 21 days notice served on them by the applicant.

1. The work to which this listed building consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.

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

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

Location Plan 1 – 400m

Location Plan 2 – 100m

Site Plan – Antenna Location

Entrance Doorway Plan

Photo Elevations of Entrance Dimensions 2

4G Antenna Height photo

4G Antenna Cable Route photo

Reason: To preserve the architectural and historical qualities of the building.

3. The antenna and antenna cable shall be painted in RAL 7030 – Stone Grey and maintained as such thereafter.

Reason: To safeguard the historic setting and significance of the designated heritage assets and AONB.

4. Any fixings for the routing of the antenna cable and the antenna shall be fitted into the existing mortar joints.

Reason: To preserve or enhance the character and appearance of the heritage asset.

This page is intentionally left blank