

# Public Document Pack



## WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

### MINUTES OF MEETING HELD ON THURSDAY 7 APRIL 2022

**Present:** Cllrs Kelvin Clayton, Jean Dunseith, Louie O'Leary, Paul Kimber, Bill Pipe (Vice-Chairman), 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), Philip Crowther (Legal Business Partner - Regulatory), Susan Hetherington (Engineer (Development Liaison)), Anna Lee (Service Manager for Development Management and Enforcement), Matthew Pochin-Hawkes (Lead Project Officer) and Denise Hunt (Democratic Services Officer).

**119. Apologies**

Apologies for absence were received from Cllrs Nick Ireland, Susan Cocking, Sarah Williams and Dave Bolwell.

**120. Declarations of Interest**

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

**121. Minutes**

The minutes of the meeting held on 3 March 2022 were confirmed and signed.

**122. 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.

**123. Planning Applications**

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

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

The committee considered an application for the demolition of existing flats and the erection of 18 houses and 13 flats in two blocks (variation to condition 7 of planning approval WP/18/00914/FUL - construction management plan). This application had been the subject of a site visit on 29 March 2022.

*Councillor David Shortell advised that although he had been unable to attend the recent site visit, he had taken part in a previous site visit in 2019. He was well acquainted with the site and would take part in the debate and vote on this application.*

*Councillor Bill Pipe announced that he had not attended the site visit, however, he knew the area very well and would take part in the consideration of this application.*

*Councillor Louie O'Leary advised that he had attended part of the site visit as he had to leave early. He knew the area well and would take part in the consideration of this application.*

The Lead Project Officer presented the application for Minor Material Amendments that sought to vary the wording of planning condition 7 (Construction Management Plan) which removed the requirement for the construction access to be provided only from Radipole Lane.

This application had been deferred from the meeting on 3 March 2022 for a site visit and further highways safety information to be submitted. An update to the recommendation was contained in an update sheet circulated to the committee prior to the meeting.

Members were shown the site location, aerial photo, relevant planning history, approved site plan, sections and a visualisation of the view from Radipole Lane.

The Lead Project Officer advised that the Section 106 Agreement provided for a minimum of 35% Affordable Housing. However, Bournemouth Churches Housing Association (the applicant) wished to provide 100% Affordable Housing on this site that was subject to funding from Homes England.

Details of planning condition 7 had been discharged in July 2021 and a previously approved Construction Management Plan had indicated the construction access from Radipole Lane. Since its approval, the applicant advised that this was not possible due to an inability to secure the necessary rights from a number of leaseholders, despite assistance from Dorset Council officers in the discussions. Therefore the current application was to vary planning condition 7.

The revised plan introduced a number of safety measures that included the provision of traffic marshals to escort delivery vehicles into the site at a reduced speed of 5mph and details of temporary signage indicating

alternative walking routes to school. This was in addition to the school's Park and Stride Scheme that had been in place since 2019. A number of measures were also proposed in terms of amenity, including a complaints procedure and monthly sounding board meeting with residents.

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

The applicant had further indicated that the Homes England grant could not continually be extended and that any further delay would put at risk the grant to allow 100% affordable housing anticipated for this scheme. Members were also advised that refusal on highways grounds would not be defensible at appeal.

Ken Parke, the agent, addressed the committee in support of the scheme.

Cllr David Gray addressed the committee in relation to other potential accesses being discounted and the cost of safety versus profit.

Cllr Peter Barrow addressed the committee in relation to highway safety and the lack of explanation why an alternative access achieved by leaving 3 of the units unbuilt until the end had not been possible.

The Lead Officer responded to points made during public participation, stating that the Traffic Management Plan was fit for purpose and went above and beyond what was agreed. Revising the plan and providing a new access had a cost implication for the applicant as a charitable housing association. It was confirmed that there was no objection from the highways team on the proposal.

A request was made for information concerning discussions held with Dorset Council officers in respect of any negotiations for use of other accesses to be made available.

Cllr John Worth proposed that the application be approved, in accordance with the amended recommendation contained in the update sheet, stating that the Traffic Management Plan was comprehensive and there were no material planning reasons to refuse this application.

The Committee acknowledged that the amendments were sufficient to address highways safety and it was further suggested that local members and the public should monitor compliance with the Plan.

Proposed by Cllr John Worth, seconded by Cllr Paul Kimber.

**Decision:** that authority be delegated to the Head of Planning or Service Manager for Development Management and Enforcement to grant planning permission subject to:

- completion of a Deed of Variation to secure the planning obligations agreed under the Section 106 Agreement (dated 26 May 2020) related to planning permission WP/18/00914/FUL; and
- the planning conditions detailed in Section 17 of the Committee Report subject to minor procedural amendments to conditions as considered necessary by the Head of Planning or Service Manager for Development Management and Enforcement in consultation and agreement with the Chair of the Western and Southern Area Planning Committee, so long as these changes relate to procedural matters only and do not alter the objectives and purposes of the planning conditions.

**(B)** that authority be delegated to the Head of Planning or Service Manager for Development Management and Enforcement to REFUSE planning permission for the reason set out below if the Deed of Variation is not completed within 6 months of the committee resolution or such extended timeframe as agreed by the Head of Planning and recommends that the Head of Planning determines the application accordingly:

1. In the absence of a satisfactory completed Deed of Variation the scheme fails to ensure provision of the affordable housing on site. Hence the scheme is contrary to Policy HOUS 1 of the West Dorset, Weymouth and Portland Local Plan 2015.

**125. Urgent items**

There were no urgent items.

**126. Exempt Business**

There was no exempt business.

**127. Update Sheet**

**Appendix - Decision List**

**Duration of meeting:** 10.00 - 10.55 am

**Chairman**

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**Planning Committee – Update Sheet**

**Planning Applications**

<b>Application Ref.</b>	<b>Address</b>	<b>Agenda ref.</b>	<b>Page no.</b>
P/VOC/2021/05510	Marchesi House, Poplar Close, Weymouth, DT4 9UN	5	27-44
<u>Amended Recommendation (Underlined)</u>			
<p>Applications for approval of details reserved by planning conditions 5, 6, 9 and 10 of the associated planning permission (WP/18/00914/FUL) were validated on 15 March 2022 and are currently being considered by Dorset Council. The conditions relate to landscaping (Nos. 5 and 6) and drainage (Nos. 9 and 10).</p> <p>Should these conditions be discharged before the S73 application is approved, it would be beneficial if minor wording changes to the associated planning conditions could be made to ensure the planning permission is constructed in accordance with the approved details. The minor change to condition wording would avoid the need to re-discharge the same planning conditions following determination of the S73 application.</p> <p>As the current recommendation does not allow for minor changes to planning condition wording to be made, the following <u>amended</u> recommendation is proposed:</p> <p><i>“Recommendation A: Delegate authority to the Head of Planning or Service Manager for Development Management and Enforcement to GRANT planning permission subject to:</i></p> <ul style="list-style-type: none"> <li>• <i>completion of a Deed of Variation to secure the planning obligations agreed under the Section 106 Agreement (dated 26 May 2020) related to planning permission WP/18/00914/FUL; and</i></li> <li>• <i>the planning conditions detailed in Section 17 <u>of the Committee Report subject to minor procedural amendments to conditions as considered necessary by the Head of Planning or Service Manager for Development Management and Enforcement in consultation and agreement with the Chair of the Western and Southern Area Planning Committee, so long as these changes relate to procedural matters only and do not alter the objectives and purposes of the planning conditions.</u></i></li> </ul> <p><i>Recommendation B: Delegate authority to the Head of Planning or Service Manager for Development Management and Enforcement to REFUSE planning permission for the reason set out below if the Deed of Variation is not completed within 6 months of the committee resolution or such extended timeframe as agreed by the Head of Planning and recommends that the Head of Planning determines the application accordingly:</i></p> <p><i>1. In the absence of a satisfactory completed Deed of Variation the scheme fails to ensure provision of the affordable housing on site. Hence the scheme is contrary to Policy HOUS 1 of the West Dorset, Weymouth and Portland Local Plan 2015.”</i></p>			

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## 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:**

**(A)** Delegate authority to the Head of Planning or Service Manager for Development Management and Enforcement to GRANT planning permission subject to:

- completion of a Deed of Variation to secure the planning obligations agreed under the Section 106 Agreement (dated 26 May 2020) related to planning permission WP/18/00914/FUL; and
  - *the planning conditions detailed in Section 17 of the Committee Report subject to minor procedural amendments to conditions as considered necessary by the Head of Planning or Service Manager for Development Management and Enforcement in consultation and agreement with the Chair of the Western and Southern Area Planning Committee, so long as these changes relate to procedural matters only and do not alter the objectives and purposes of the planning conditions.*
1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date planning permission WP/18/00914/FUL was granted (dated 12 June 2020).

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 & Block Plan - Drawing Number 1730-01A (Amended) received on 21/5/2019

Site Plan - Drawing Number 1730 02D (Amended) received on 21/5/2019

Houses 1 - 3 - Proposed Floor Plans - Drawing Number 1730 03 received on 9/11/2018

Houses 1 - 3 - Proposed Roof Plan - Drawing Number 1730 04 received on 9/11/2018

Houses 1 - 3 - Proposed Front & Side Elevations - Drawing Number 1730 05B (Amended) received on 21/5/2019

Houses 1 - 3 - Proposed Side & Rear Elevations - Drawing Number 1730 06B (Amended) received on 21/5/2019

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Houses 4 - 7 - Proposed Floor Plans - Drawing Number 1730 07 received on 9/11/2018

Houses 4 - 7 - Proposed Roof Plan - Drawing Number 1730 08 received on 9/11/2018

Houses 4 - 7 - Proposed Front & Side Elevations - Drawing Number 1730 09B (Amended) received on 21/5/2019

Houses 4 - 7 - Proposed Rear & Side Elevations - Drawing Number 1730 10B (Amended) received on 21/5/2019

Houses 8 - 10 - Proposed Floor Plans - Drawing Number 1730 11 received on 9/11/2018

Houses 8 - 10 - Proposed Roof Plan - Drawing Number 1730 12 received on 9/11/2018

Houses 8 - 10 - Proposed Front & Side Elevations - Drawing Number 1730 13A (Amended) received on 21/5/2019

Houses 8 - 10 - Proposed Rear & Side Elevations - Drawing Number 1730 14B (Amended) received on 21/5/2019

Houses 11 - 14 - Proposed Floor Plans - Drawing Number 1730 15 received on 9/11/2018

Houses 11 - 14 - Proposed Roof Plan - Drawing Number 1730 16 received on 9/11/2018

Houses 11 - 14 - Proposed Front & Side Elevations - Drawing Number 1730 17B (Amended) received on 21/5/2019

Houses 11 - 14 - Proposed Rear & Side Elevations - Drawing Number 1730 18B (Amended) received on 21/5/2019

Houses 15 - 18 - Proposed Floor Plans - Drawing Number 1730 19 received on 9/11/2018

Houses 15 - 18 - Proposed Roof Plan - Drawing Number 1730 20 received on 9/11/2018

Houses 15 - 18 - Proposed Front & Side Elevations - Drawing Number 1730 21A (Amended) received on 21/5/2019

Houses 15 - 18 - Proposed Rear & Side Elevations - Drawing Number 1730 22A (Amended) received on 21/5/2019

Flats (Building 1) - Proposed Ground & First Floor Plan - Drawing Number 1730 23A (Amended) received on 21/5/2019

Flats (Building 1) - Proposed Second Floor Plan & Roof Plan - Drawing Number 1730 24B (Amended) received on 21/5/2019

Flats (Building 1) - Proposed Front & Side Elevations - Drawing Number 1730 25C (Amended) received on 21/5/2019

Flats (Building 1) - Proposed Rear & Side Elevations - Drawing Number 1730 26C (Amended) received on 21/5/2019

Flats (Building 2) - Proposed Lower Ground & Ground Floor Plans - Drawing Number 1730 27B (Amended) received on 21/5/2019

Flats (Building 2) - Proposed First Floor Plan & Roof Plan - Drawing Number 1730 28D (Amended) received on 21/5/2019

Flats (Building 2) - Proposed Front & Side Elevations - Drawing Number 1730 29D (Amended) received on 21/5/2019

Flats (Building 2) - Proposed Rear & Side Elevations - Drawing Number 1730 30C



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(Amended) received on 21/5/2019

Bin Store - Proposed Floor plans and Elevations - Drawing Number 1730 32A  
(Amended) received on 21/5/2019

Proposed Street Scene - Drawing Number 1730 33E (Amended) received on  
21/5/2019

Proposed Street Scene - Drawing Number 1730 34C (Amended) received on  
21/5/2019

Site Plan (Section Lines) - Drawing Number 1730 50 received on 21/5/2019

Site Sections A-A & B-B - Drawing Number 1730 51 received on 21/5/2019

View 1 received on 21/5/2019

View 2 received on 21/5/2019

View 3 received on 21/5/2019

View 4 received on 21/5/2019

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

3. The development hereby permitted shall be undertaken using the building materials listed on the application forms related to planning permission WP/18/00914/FUL, and approved Drawings referred to in condition 2 of this planning permission.

Reason: To safeguard the character and appearance of the development having regard to its surroundings.

4. The development shall be carried out in accordance with the approved Biodiversity Mitigation Plan prepared by Adam Jessop of Ecosupport Ltd for Ken Parke Planning Ltd dated 24 October 2018, and this shall not be altered without the prior written approval of the Local Planning Authority.

REASON: In order to safeguard and enhance the ecological value of the site.

5. The development hereby approved shall not proceed above finished floor level until hard and soft landscaping and tree planting schemes shall have been submitted to, and approved in writing, by the Local Planning Authority. The approved soft landscaping and tree planting schemes shall be implemented during the planting season November - March inclusive, immediately following commencement of the development, or as may be agreed otherwise in writing by the Local Planning Authority. The approved schemes shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years from their first being planted. The approved hard landscaping shall be completed prior to occupation any dwellings.

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REASON: In the interest of visual amenity.

6. No development above finished floor level of the new build dwellings shall take place until details of the boundary treatments to that property have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be installed in their entirety prior to the first occupation of the dwelling concerned and shall thereafter be retained.

REASON: In the interests of the character and appearance of the area.

7. The development shall be carried out in accordance with the Construction Environmental Management Plan (dated 20 January 2022), Construction Phase Plan (dated 19 January 2022) and Traffic Management Plan (ref. A21-340-GEN-01). Notwithstanding the measures outlined within these documents, temporary signage boards identifying the recommended alternative route to/from Southill Primary School (as identified on Vectos drawing ref. 226598\_PD0) shall be displayed on site hoardings prior to commencement of development. The signage shall be a minimum of A2 size and at least four signs shall be displayed on the north, east, south and west site hoardings in prominent positions visible from adjacent pedestrian routes. Thereafter the temporary signage shall be retained for the duration of the construction works. The Plans approved under this condition shall not be altered without the prior written approval of the Local Planning Authority.

REASON: In the interests of the living conditions of nearby occupiers and highway safety.

8. Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shall be completed as shown on Drawing Number 1730 02D. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified

REASON: To ensure the proper and appropriate development of the site.

9. No development shall take place until a detailed and finalised surface water management scheme for the site, based on hydrological and hydrogeological context of the development, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the approved details before the development is completed.

REASON: To prevent the increased risk of flooding, to improve and to protect water quality.

10. 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

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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

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

Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated [TBC].

Informative: Privately managed estate roads

As the new road layout does not meet with the County Highway Authority's road adoption standards or is not offered for public adoption under Section 38 of the Highways Act 1980, it will remain private and its maintenance will remain the responsibility of the developer, residents or housing company.

Informative: Fire safety

To fight fires effectively the Fire and Rescue Service needs to be able to manoeuvre its equipment and appliances to suitable positions adjacent to any premises.

Therefore, the applicant is advised that they should consult with Building Control and Dorset Fire and Rescue Service to ensure that Fire Safety - Approved Document B Volume 1 Dwelling houses B5 of The Building Regulations 2006 can be fully complied with.

Informative notes to LPA/Applicant; as previously highlighted, detailed proposals including finalised calculations will need to be supplied and approved in respect of subsequent submissions and discharge of the requested surface water planning conditions listed above, prior to commencement. Whilst we acknowledge the discussion contained within the above supporting documents with regard to an acceptable discharge rate, relevant design criteria and perceived betterment over the

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existing drainage arrangements (i.e. 4.2l/s, 100yr plus 40% CC & a 30% betterment) we emphasise that these figures are regraded as preliminary only at this stage and will require further substantiation within the necessary detailed design. Any subsequent alteration or amendment of the preliminary layout should not compromise the agreed conceptual drainage strategy.

Please note that DC/FRM accept no responsibility or liability for any (preliminary) calculations submitted in support of these proposals. We provided an overview of the scheme ad compliance with best practise and current guidance only.

**(B)** Delegate authority to the Head of Planning or Service Manager for Development Management and Enforcement to REFUSE planning permission for the reason set out below if the Deed of Variation is not completed within 6 months of the committee resolution or such extended timeframe as agreed by the Head of Planning and recommends that the Head of Planning determines the application accordingly:

1. In the absence of a satisfactory completed Deed of Variation the scheme fails to ensure provision of the affordable housing on site. Hence the scheme is contrary to Policy HOUS 1 of the West Dorset, Weymouth and Portland Local Plan 2015