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WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 19 JANUARY 2023

Present: Cllrs Dave Bolwell, Kelvin Clayton, Jean Dunseith, Nick Ireland, Louie O'Leary, Paul Kimber, Bill Pipe (Vice-Chairman), David Shortell (Chairman), Sarah Williams and John Worth

Apologies: Cllrs Susan Cocking and Kate Wheller

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

Ann Collins (Area Manager – Western and Southern Team), Lara Atree (Senior Lawyer - Regulatory), Robert Parr (Planning Officer), Katrina Trevett (Development Management Team Leader), Elaine Tibble (Senior Democratic Services Officer), Joshua Kennedy (Apprentice Democratic Services Officer) and Joanne Langrish-Merritt (Planning Officer)

58. Declarations of Interest

Cllrs Clayton, Bolwell and Williams declared an interest in the application P/FUL/2022/00228 due to being members of the Bridport Town Council.

59. Minutes

The minutes of the meeting held on 13 December 2022 were confirmed and signed.

60. 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.

61. Planning Applications

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

Application No: P/FUL/2022/00228 - Old Dairy Site Rope Walks Bridport DT6 3RH

- a) Cllrs Clayton, Bolwell and Williams left the Council Chamber due to having declared an interest in the item and did not take part in the debate or vote.

The Development Management Team Leader presented the application from Bridport Town Council to erect a building to be used for storage,

offices and associated ancillary uses in Bridport town centre. The application had come to committee for determination because Dorset Council were the landowners.

Members were informed that the application was fully compliant with the Neighbourhood Plan for Bridport, which sought to enhance the cultural reputation of the town.

The Development Management Team Leader detailed the intended use of the building, which was for creative organisations, such as theatre groups, to meet and store equipment.

Members were shown photographs of the current site and its location within Bridport, showing the site was being used as ad hoc parking. The Development Management Team Leader also highlighted examples of other new developments in the vicinity of the site.

The Development Management Team Leader was satisfied that the proposed development was situated in a sustainable location in the town centre and that it would support the cultural base within Bridport. Following a change in design of the application it was considered that it would not cause any harm to the conservation area or the setting of nearby listed buildings.

Proposed by Cllr O'Leary and seconded by Cllr Ireland.

Decision: That the application is granted subject to the conditions outlined in the appendix of these minutes.

Application No: P/FUL/2022/02129 - Le Petit Canard Dorchester Road Maiden Newton Dorset DT2 0BE

b) Cllrs Clayton, Bolwell and Williams returned to the Council Chamber.

The Planning Officer delivered a presentation to the committee for the application to change the use of Le Petit Canard from restaurant (Class E) to a single dwelling (Class C3). The application had come to committee for determination following a request from the Ward Member.

Members were shown the location plan, as well as photographs of the exterior of the building, showing its location within Maiden Newton.

The Planning Officer advised that the main issue was the loss of a community facility. Since the applicant had failed to provide evidence that the business was no longer viable as a restaurant, it was considered that the development would be contrary to the local plan, which sought to retain current village facilities. Therefore, application was recommended for refusal.

There were public representations from Cllr Alford as the Ward Member, who spoke in support of the application and from the applicant, Mrs Craig,

who noted the support of the local parish council and from local residents.

In response to questions from members the Planning Officer informed the committee of the three other restaurant businesses operating in the village.

Several members felt that the impact on community services were extremely limited, due to the restaurant having not operated as a restaurant for the past two years and that the location was not sustainable for running a fine dining restaurant.

A concern was raised that granting permission could set a precedent leading to the loss of other community facilities in the future.

Proposed by Cllr O'Leary and seconded by Cllr Worth.

Decision: That the reports recommendation was refused.

Proposed by Cllr O'Leary and seconded by Cllr Worth.

Decision: That authority be delegated to the Head of Planning and the Service Manager for Development Management and Enforcement to approve subject to conditions which shall have first been agreed with the Chairman for the Western and Southern Area Planning Committee.

Application No: P/CLP/2022/06165 - Atlantic Academy Portland, Lerret Road, Portland, Dorset, DT5 1FN

- c) The Planning Officer presented the application to grant a Certificate of Lawfulness to erect 2 additional classrooms within the courtyard of the existing school, the erection of a storage building and replacement of external windows and doors under Permitted Development.

The application had been brought to the committee for determination due to the site being on land owned by Dorset Council.

Members were shown an ariel map of the location of the site, as well as the proposed roof plan and proposed ground floor plan of the site.

The key planning issues of the development were highlighted by the Planning Officer, who noted that the development was considered to be a permitted development and was therefore lawful. As such, the report recommended approval of the application.

Proposed by Cllr O'Leary and seconded by Cllr Pipe.

Decision: That a Certificate of Lawfulness be granted.

62. Urgent items

There were no urgent items.

63. Exempt Business

There was no exempt business.

64. Appeals Decisions for Info only

Decision List 19 January 2023

Update Sheet

Duration of meeting: 10.00 - 11.03 am

Chairman

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Western & Southern Area Planning Committee 19 January 2023 Decision List

Application Reference: P/FUL/2022/00228

Application Site: Old Dairy Site Rope Walks Bridport DT6 3RH

Proposal: Erect building to be used for storage, offices and associated ancillary uses

Recommendation: GRANT, subject to conditions.

Decision: **GRANTED subject to the conditions outlined below**

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:
C2114.03 A Proposed Ground Floor Plan
C2114.04 A Proposed First Floor Plan
C2114.05 C Proposed Elevations
C2114.06 A Proposed Site Plan
C2114.01 Location & Block Plan
C2114.07 Proposed Roof Plan

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

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

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

4. Prior to the installation of any windows or external doors, a schedule and detailed drawings and sections (at a scale of 1:5, 1:10 or 1:20 as appropriate) of all new windows/doors in the development; including additional information relating to (i) the method of opening, (ii) the depth of the reveal from the face of the wall and (iii) the product number where the window is supplied from a manufacturers standard range (copy of catalogue to be included) shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall proceed in accordance with such details as have been agreed.

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

5. Prior to the commencement of any development hereby approved, above damp course level, full details of hard landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels or contours, means of enclosure including elevations and materials of the proposed boundary wall and hard surfacing materials. The development shall be carried out in accordance with the approved details prior to the first occupation of the development.

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

6. Before the development hereby approved is first occupied the first 5.0m of the vehicular access, measured from the nearside edge of the highway (excluding the vehicle crossing - see the informative note below), must be laid out, constructed, and surfaced, to a specification which shall have been submitted to, and agreed in writing by, the Local Planning Authority.

Reason: In the interest of highway safety.

7. Before the development hereby approved is first occupied or utilised the turning and parking shall be constructed in accordance with the approved plans. 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 in the interest of highway safety.

8. The development hereby approved shall not be first occupied or brought into use until facilities to enable the charging of plug-in and other ultra-low emission vehicles in safe within the parking area within the development shall first have been provided.

Reason: To promote the use of more sustainable transport modes

Informative Notes:

1. 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.

2. 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.

Application Reference: P/FUL/2022/02129

Application Site: Le Petit Canard Dorchester Road Maiden Newton Dorset DT2 0BE

Proposal: Change of use from restaurant (Class E) to a single dwelling (Class C3).

Recommendation: Refuse

Decision:

Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to approve subject to conditions which shall have first been agreed with the Chairman for the Western and Southern Area Planning Committee.

Application Reference: P/CLP/2022/06165

Application Site: Atlantic Academy Portland, Lerret Road, Portland, Dorset, DT5 1FN

Proposal: Erection of additional 2no. classrooms within courtyard of existing school; Erection of storage building; Replacement of external windows and doors

Recommendation: Grant Certificate of Lawfulness

Decision: GRANTED Certificate of Lawfulness

Dorset Council HEREBY certifies that on 6 October 2022 the proposed development described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged with a red line on the plan attached to this Certificate, would have been lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason(s):

The proposed development as set out on the following plans:

Location Plan

Proposed Ground Floor Plan – Dwg No. FSS0888-STL-00-00-DR-A-0100 Rev: S1_P14

Proposed Roof Plan – Dwg No. FSS0888-STL-00-R1-DR-A-01002 Rev: S1_P14

Proposed Elevations – Main Building 1 – Dwg No. FSS0888-STL-00-22-DR-A-02002 Rev: S1_P14

Proposed Elevations – Main Building 2 – Dwg No. FSS0888-STL-00-22-DR-A-02003
Rev: S1_P14

Proposed Elevations – Main Building 3 – Dwg No. FSS0888-STL-00-22-DA-A-02004
Rev: S1_P14

Proposed Elevations – Courtyard Building – Dwg No. FSS0888-STL-25-22-DR-A-02001
Rev: S1_P14

Is 'permitted development' as the proposal meets the criteria and conditions as set out in Schedule 2, Part 7 Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Planning Committee – Update Sheet

Planning Applications

Application Ref.	Address	Agenda ref.	Page no.
P/FUL/2022/02129	Le Petit Canard Dorchester Road Maiden Newton Dorset DT2 0BE	5b	25 - 33

Representation received- Support

- All 13 local comments were in full support of the Application - there was not a single one against. Also, Maiden Newton Parish Council in full support. The Planning Department should take more notice of what the villagers want.
- Recommendation flies in the face of the current economic climate with so many (especially small) businesses really struggling, in particular with the enormous ongoing rises in the cost of energy. This is affecting all retail, not just hospitality. Such businesses are closing, or on the precipice of doing so. This is not the time to be suggesting that there should be a long drawn-out marketing exercise, which the commercial property agents will suggest is doomed.
- The property was originally built as a private dwelling and should be allowed to be returned to that status.
- This Application should be supported by the Committee.
- I support this application by the applicants to convert the property to their retirement home.

Representation received- Object

- This has always been a successful business.
- The restaurant was a Sweet shop, Fish and Chip shop and café before becoming a late night restaurant.
- Helped to train local talented chef.
- The premises would be perfect for an up-and-coming chef or any small business just starting out.
- If the premises were to be given permission Maiden Newton and the surrounding area would lose a business premises that could work.

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