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WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 15 JUNE 2023

Present: Cllrs David Shortell (Chairman), Jean Dunseith (Vice-Chairman), Dave Bolwell, Kelvin Clayton, Susan Cocking, Nick Ireland, Paul Kimber, Louie O'Leary (Left the meeting at 12:20), Mary Penfold (Joined the meeting at 12:20), Sarah Williams, Kate Wheller and John Worth

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

Ann Collins (Area Manager – Western and Southern Team), Mike Garrity (Head of Planning), Joshua Kennedy (Apprentice Democratic Services Officer), James Lytton-Trevers (Senior Planning Officer), Hannah Massey (Lawyer - Regulatory), Matthew Pochin-Hawkes (Lead Project Officer), Elaine Tibble (Senior Democratic Services Officer) and Katrina Trevett (Development Management Team Leader)

11. Apologies

No apologies for absence were received at the meeting.

12. Declarations of Interest

Cllr Wheller declared that she had sat as the chair of the Weymouth and Portland District Scouts, but did not have a pecuniary interest.

Cllr Worth sat as the Chairman of the Chickerell Town Council Planning Committee, however did not participate in the meeting when application P/FUL/2023/02025 was heard, so was not predetermined on this item.

Cllr Bolwell sat as the Chairman of the Bridport Town Council Planning Committee, however did not participate in the meeting for applications 1/D/11/002012, WD/D/16/002852 and P/RES/2021/04848, so was not predetermined on these items.

Cllr Clayton declared an interest in applications 1/D/11/002012 and WD/D/16/002852, due to his personal property being located near to the application site, therefore left the Council Chamber for the consideration of these items.

Cllr Ireland declared that he previously served as a Dorset County Councillor, however was not involved in planning and so would take part in items 5d and 5e.

Cllr Williams declared that she sat as a Bridport Town Councillor, however did not sit on the planning committee and therefore would take part in every item.

Cllr Dunseith declared an interest in application P/FUL/2023/02025, due to being predetermined on this item, therefore left the Council Chamber for the consideration of this item.

Cllr Penfold declared an interest in items 5d and 5e and left the Council Chamber for the duration of these items.

13. **Minutes**

The minutes of the meeting held on 18 May 2023 were confirmed and signed.

14. **Planning Applications**

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

15. **Application No 1/D/11/002012 - South West Quadrant, St Michael's Trading Estate, Bridport**

Cllr Clayton left the Council Chamber at 10:17.

With the aid of a visual presentation the Lead Project Officer presented the planning application to members. The location of the site within Bridport was outlined to members, as well as an ariel view of St Michaels Trading Estate. The Lead Project Officer detailed the location of the nearby listed buildings and heritage assets.

Photographs of the site were displayed, including photos of the non-designated heritage assets that were located within the application boundaries and of other buildings within the site, which showed the size and scale of the existing buildings. The Lead Project Officer explained that there was a variety of light industrial commercial units operating within the site, including a record shop and café.

It was explained that there was a range of housing proposed on this development ranging from 1-bedroom flats to 4-bedroom houses and that the affordable housing mix had been reduced since the last application, following a viability assessment submitted by the applicant. The Lead Project Officer noted that although the affordable housing mix had been reduced, this was outweighed by a number of considerations including the fact that the development would still contribute to the need for housing within Bridport and would develop a brownfield site.

The key planning issues were summarised by the Lead Project Officer, who noted the benefits of increased housing, open space and improved employment spaces, which would create more jobs for the local area. The proposal was not considered to harm the AONB or cause harm to the Bridport Conservation Area.

Public representation was received from the applicant Mr Ridley, who emphasised the importance of developing a sustainable brownfield site and the economic benefits that this application would provide for the local economy in Bridport.

In response to questions from members the Lead Project Officer stated the following:

- The estimated net number of jobs that would be created from this development was around 100, based on improving the commercial spaces.
- There had been extensive negotiations around this application regarding affordable housing and the independent District Valuer Service had determined that the amount of affordable housing agreed at the previous committee was no longer viable.
- The figures in the report about the need for housing in Bridport are from February 2023 and show a high need for both 1 and 2 bedroom homes.

Several members recognised the important contribution that this development would make in providing more homes in Bridport.

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

Decision: That authority be delegated to the Head of Planning and the Service Manager for Development Management and Enforcement to grant subject to the completion of a S106 Legal Agreement with the following heads of terms:

1) 14 affordable dwellings (a minimum of 70% social / affordable rent and a maximum of 30% intermediate affordable housing) to be provided in accordance with an agreed Affordable Housing Scheme with the phasing of 1/D/11/002012 and WD/D/16/002852 interlinked via a phasing plan in the Section 106 Agreement based broadly on Phasing Plan Ref. SM1 Rev A received April 2023 and Phasing Breakdown dated June 2022;

2) Agreement and subsequent implementation of an "Employment Buildings Refurbishment Scheme", (based broadly upon Appendix C Regeneration of Commercial Estate of the Design and Access Statement submitted in support of the application) with the phasing of 1/D/11/002012 and WD/D/16/002852 interlinked via a phasing plan in the Section 106 Agreement based broadly on Phasing Plan Ref. SM1 Rev A received April 2023 and Phasing Breakdown dated June 2022;

And subject to the planning conditions in the appendix to these minutes.

And

That authority be delegated to the Head of Planning and the Service Manager for Development Management and Enforcement to refuse planning permission for the reasons set out below if the S106 Legal Agreement is not completed by 15th December 2023 (6 months from the date of committee) or such extended time as agreed by the Head of Planning and the Service Manager for Development Management and Enforcement:

1. In the absence of a satisfactory completed legal agreement to secure affordable housing and an employment buildings refurbishment scheme, the development would be contrary to Policies HOUS1 and BRID5 of the West Dorset, Weymouth and Portland Local Plan (2015) and Policies H1, H2 and COB4 of the Bridport Neighbourhood Plan.

16. Application No WD/D/16/002852 - Lilliput Buildings adjoining 40 St

Michael's Lane, St Michaels Estate, Bridport. DT6 3TP

The Lead Project Officer presented the application, which concerned the Northeast corner of the St Michaels Trading Estate. Members were shown the location of the site within the trading estate and the wider Bridport area and the location of nearby heritage assets and listed buildings.

The Lead Project Officer explained that this development included just 2-bedroom properties and a very small reduction in commercial floorspace. The proposed floor plans of each storey of the building were shown, as well as the elevations of the building from each side. This application would be completed within the first phase of the development and wouldn't include any affordable housing within the site boundary.

The key planning issues were summarised, and the Lead Project Officer noted that the development was acceptable in principle and that although there was a limited housing mix, this was because of site constraints including heritage assets.

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

Decision:

- A) That authority be delegated to the Head of Planning and the Service Manager for Development Management and Enforcement to grant subject to the completion of a S106 Legal Agreement with the following heads of terms:
- 1) 14 affordable dwellings (a minimum of 70% social / affordable rent and a maximum of 30% intermediate affordable housing) to be provided in accordance with an agreed Affordable Housing Scheme with the phasing of 1/D/11/002012 and WD/D/16/002852 interlinked via a phasing plan in the Section 106 Agreement based broadly on Phasing Plan Ref. SM1 Rev A received April 2023 and Phasing Breakdown dated June 2022;
 - 2) Agreement and subsequent implementation of an "Employment Buildings Refurbishment Scheme", (based broadly upon Appendix C Regeneration of Commercial Estate of the Design and Access Statement submitted in support of the application) with the phasing of 1/D/11/002012 and WD/D/16/002852 interlinked via a phasing plan in the Section 106 Agreement based broadly on Phasing Plan Ref. SM1 Rev A received April 2023 and Phasing Breakdown dated June 2022;

And subject to the planning conditions detailed in the appendix to these minutes.

And

- B) That authority be delegated to the Head of Planning and the Service Manager for Development Management and Enforcement to refuse planning permission for the reasons set out below if the S106 Legal Agreement is not completed by 15th December 2023 (6 months from the date of committee) or such extended time as agreed by the Head of Planning and the Service Manager for Development Management and Enforcement:

1. In the absence of a satisfactory completed legal agreement to secure affordable housing and an employment buildings refurbishment scheme, the development would be contrary to Policies HOUS1 and BRID5 of the West Dorset, Weymouth and Portland Local Plan (2015) and Policies H1, H2 and COB4 of the Bridport Neighbourhood Plan.

17. **Application No P/RES/2021/04848 - Land at Foundry Lea, Vearse Farm, Bridport**

Cllr Clayton returned to the Council Chamber at 11:23.

The meeting was adjourned at 11:23 and reconvened at 11:31.

The Lead Project Officer presented the planning application, which had previously been approved by the committee in August, however following comments from the Environment Agency, three attenuation basins had been altered.

Members were shown a map, displaying the original locations of the three attenuation basins, as well as the proposed locations and design of each basin.

In response to questions from members the Lead Project Officer explained that the attenuation basins met the required guidelines and were not deep enough to require fencing and that the Flood Risk Management Officer had agreed that fencing wasn't required. The Head of Planning explained that the flood modelling that had been undertaken did include future possibilities regarding climate change and that these had been considered in the report. The Lead Project Officer explained that the basins were not designed for recreational purposes and would also not be filled with water for the majority of the time, meaning that fencing around the basins was not necessary.

Several members felt that in the interest of public safety, fencing and landscaping ought to be included around the basins, to prevent the possibility of accidents occurring.

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

Decision: That reserved matters were granted subject to the conditions set out in the appendix (as amended) to these minutes.

18. **Application No P/VOC/2023/00785 - Whitcombe Manor Stables, A352 Came Park Road to Main Road Broadmayne, Whitcombe, DT2 8NY**

Cllr Penfold left the Council Chamber.

With the aid of a visual presentation the Lead Project Officer presented the application to vary a condition that restricted the occupation of the dwellings in order to allow the dwellings to be used for both temporary holiday lets, in addition to the current equestrian usage.

The Lead Project Officer explained that most of the accommodation on the application site was currently unoccupied, because the site was not viable as a racehorse training business due to being located too far away from racecourses.

Oral representations in opposition to the application were received from Cllr Graham Brant of Bincombe Parish, Mr Pope a member of the Dorset AONB Partnership, Mr O'Brien a member of the Thomas Hardy Society and Cllr Tarr. They felt that the change of use of the site could damage the AONB and allow further development to an area of historic interest.

Mr Spiller, the agent for the applicant spoke in support of the application, who stated that this application was small in scale and would only diversify the usage of the current dwellings and not develop the site any further.

In response to questions from members the Lead Project Officer advised that:

- There was no current equine usage of the site, due to there being no operating racehorse training business.
- Possible enforcement proceedings shouldn't impact member's decision making, as they are confidential and separate to the application.
- The ownership of the dwellings would remain the same and the S106 would ensure that the dwellings remain as part of one holding.

In accordance with procedural rule 8.1 a vote was taken, the committee agreed to exceed the 3-hour meeting time limit at 12:55.

One member expressed disappointment that these dwellings were empty and not being used.

Proposed by Cllr Cocking and seconded by Cllr Kimber.

Decision:

(A) That authority be delegated to the Head of Planning and Service Manager for Development Management and Enforcement to grant subject to the completion of a deed of variation of the s106 Agreement attached to permission 1/D/09/001333 and subject to the conditions in the appendix to these minutes.

And

(B) That permission be refused for the reasons set out below if the agreement is not completed by 31 December 2023 or such extended time as agreed by the Head of Planning and Service Manager for Development Management and Enforcement:

The proposal would fail to make provision for variation of the s106 Agreement pertaining to the remaining works under permission 1/E/96/000515 for a further 3 houses on yard 2 outside a defined development boundary. As such the proposal would be contrary to Policy SUS2 of the West Dorset, Weymouth & Portland Local Plan (2015) and paragraph 80 of the National Planning Policy Framework.

19. **Application No P/VOC/2023/00791 - Whitcombe Manor Stables, A352 Came Park Road to Main Road Broadmayne, Whitcombe, DT2 8NY**

Cllr Penfold left the Council Chamber at 14:02.

The Lead Project Officer presented the application for the variation of a planning condition that restricted the usage of the application site.

Members were shown a map of the site and the boundaries of the application were highlighted, in addition to the elevations and side view of the dwelling and photographs of the stables and house.

The Lead Project Officer explained that the applicant demonstrated the site was no longer viable for training racehorses, due to being too far away from racecourses and that the application was supported by policies ECON6 and SUS3 in the local plan.

Oral representation in support of the application was received from the agent for the applicant Mr Spiller.

The Lead Project Officer clarified that the owners accommodation referred to the principal accommodation on site that would be used by the person running the business, rather than the personal dwelling of the owner.

Proposed by Cllr Bolwell and seconded by Cllr Cocking.

Decision:

(A) That authority be delegated to the Head of Planning and Service Manager for Development Management and Enforcement to grant subject to a deed of variation of the s106 Agreement attached to permission 1/D/09/001333 and subject to the conditions in the appendix to these minutes.

And

(B) That permission be refused for the reason set out below if the agreement is not completed by 31 December 2023 or such extended time as agreed by the Head of Planning and Service Manager for Development Management and Enforcement:

The proposal would fail to make provision for variation of the s106 Agreement pertaining to remaining authorised works under permission 1/E/94/000295 for the laying of a road to yard 2 outside a defined development boundary. The proposal would be contrary to West Dorset, Weymouth & Portland policy SUS2 of the West Dorset, Weymouth & Portland Local Plan (2015) and paragraph 80 of the National Planning Policy Framework.

20. **Application No P/FUL/2023/01286 - 9-12 Land West Of Tobys Close Portland**

Cllr Penfold returned to the Council Chamber at 14:15.

The Development Management Team Leader presented the application for the erection of a single dwelling. Members were shown the location of the site within Portland and an aerial view showing the grassed area of the application site. The application had come to the committee because of concerns from Portland Town Council due to loss of open space.

Members were shown the proposed floor plan and elevations of the single storey bungalow, as well as photos of the site and the access road to the site.

The Development Management Team Leader summarised the key issues and explained that although there was a loss of open space, it was considered to have limited amenity value due to its small scale and location. The proposed development was considered to be in keeping with the area and there were no concerns around impact on neighbours' amenity and no adverse impact on roads or parking.

In response to a question from one member the Development Management Team Leader responded that there were multiple other nearby dwellings, which also did not contain a parking space and there was no requirement to do so.

Proposed by Cllr Bolwell and seconded by Cllr Clayton.

Decision: That the application was granted subject to conditions contained within the appendix to these minutes.

21. **Application No P/FUL/2023/02025 - Scout Hall, Granby Close, Weymouth, DT4 0SR**

Cllr Penfold returned to the Council Chamber and Cllr Dunseith left the Council Chamber at 14:34.

Proposed by Cllr Shortell and seconded by Cllr Kimber.

Decision: That Cllr Kimber be appointed Vice-Chair for the duration of this item.

The Development Management Team Leader presented the application for a replacement scout hall, which was used by the Weymouth West Air Scout Group. The application had come to the committee for consideration due to the application site being located on Dorset Council owned land.

Members were shown the location of the application site on a map, as well as the floor plan of the proposed development, which would provide better accessibility and increased storage facilities. Dorset Police had expressed concern about a small open area of the proposed building, however this issue had been addressed through significant CCTV presence and external perimeter fencing.

The existing and proposed elevations were shown, in addition to photos of the existing scout hall and the access road and surrounding area. There would be no impact on neighbouring amenity as a result of this application and the application had received support from several neighbours, the Ward Member and other consultees.

Public representation was heard from Mr Clothier, who spoke on behalf of the applicant in support of the application. He highlighted the need for a new scout hall in order to provide better accessibility and storage facilities for the scouts.

The Development Management Team Leader responded to a question from one member and explained that a condition around a heat pump had been included, as a result of a comment from Environmental Health about potential noise issues.

Proposed by Cllr Wheller and seconded by Cllr Williams.

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

22. **Urgent items**

There were no urgent items.

23. **Exempt Business**

There was no exempt business.

Decision List

Duration of meeting: 10.05 am - 2.50 pm

Chairman

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Western & Southern Area Planning Committee 15 June 2023 Decision List

Application Reference: 1/D/11/002012

Application Site: South West Quadrant, St Michaels Trading Estate, Bridport

Proposal: Develop land by the erection of 83 dwellings (48 houses and 35 apartments), new and refurbished commercial floor space, associated car parking and new vehicular and pedestrian accesses following demolition of some commercial units. Make repairs to flood wall immediately west of 'Tower Building'. Appearance and landscaping reserved for further approval. (Further revised scheme).

Recommendation A: Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to grant subject to the completion of a S106 Legal Agreement with the following heads of terms:

- 1) 14 affordable dwellings (a minimum of 70% social / affordable rent and a maximum of 30% intermediate affordable housing) to be provided in accordance with an agreed Affordable Housing Scheme with the phasing of 1/D/11/002012 and WD/D/16/002852 interlinked via a phasing plan in the Section 106 Agreement based broadly on Phasing Plan Ref. SM1 Rev A received April 2023 and Phasing Breakdown dated June 2022;
- 2) Agreement and subsequent implementation of an "Employment Buildings Refurbishment Scheme", (based broadly upon Appendix C Regeneration of Commercial Estate of the Design and Access Statement submitted in support of the application) with the phasing of 1/D/11/002012 and WD/D/16/002852 interlinked via a phasing plan in the Section 106 Agreement based broadly on Phasing Plan Ref. SM1 Rev A received April 2023 and Phasing Breakdown dated June 2022;

And subject to the planning conditions detailed at Section 17 of this report.

Recommendation B: Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to refuse planning permission for the reasons set out below if the S106 Legal Agreement is not completed by 15th December 2023 (6 months from the date of committee) or such extended time as agreed by the Head of Planning and the Service Manager for Development Management and Enforcement:

- 1) In the absence of a satisfactory completed legal agreement to secure affordable housing and an employment buildings refurbishment scheme, the development would be contrary to Policies HOUS1 and BRID5 of the West Dorset, Weymouth and Portland Local Plan (2015) and Policies H1, H2 and COB4 of the Bridport Neighbourhood Plan.

Decision: That Delegated Authority be granted to the Head of Planning and Service Manager for Development Management & Enforcement to grant subject to the completion of a S106 Legal Agreement with the following heads of terms:

- 1) 14 affordable dwellings (a minimum of 70% social / affordable rent and a maximum of 30% intermediate affordable housing) to be provided in accordance with an agreed Affordable Housing Scheme with the phasing of 1/D/11/002012 and WD/D/16/002852 interlinked via a phasing plan in the Section 106 Agreement based broadly on Phasing Plan Ref. SM1 Rev A received April 2023 and Phasing Breakdown dated June 2022;
- 2) Agreement and subsequent implementation of an “Employment Buildings Refurbishment Scheme”, (based broadly upon Appendix C Regeneration of Commercial Estate of the Design and Access Statement submitted in support of the application) with the phasing of 1/D/11/002012 and WD/D/16/002852 interlinked via a phasing plan in the Section 106 Agreement based broadly on Phasing Plan Ref. SM1 Rev A received April 2023 and Phasing Breakdown dated June 2022;

And subject to the planning conditions below.

Planning Conditions

Approved Plans

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

Site Location Plan - 10155 PL 001

Masterplan Showing Demolition - 10155 PL 002

Proposed Site Plan - 10155 PL101 Rev D

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

Procedural Conditions

2. Approval of the details of the appearance of the buildings and the landscaping of the site (hereinafter called the Reserved Matters) shall be obtained from the Local Planning Authority in writing before any development is commenced.

Plans and particulars of the Reserved Matters shall be submitted to the Local Planning Authority and shall be carried out as approved.

REASON: To ensure the satisfactory development of the site.

3. The scale of buildings shall comply with the storey and building heights shown on the below plans:

Proposed Layout (new build) - Stover Building - 10155 PL110

Proposed St Michael's Lane - Residential - 10155 PL111 Rev A

Proposed New Housing-Proposed Plans, Sections & Elevations – Types C, D, E and F - 10155 PL112 Rev A

Proposed Aerial View - 10155 PL201

Proposed Site Sections Sheet 1 - 10155 PL202

Proposed Site Sections Sheet 2 - 10155 PL203

Proposed Site Sketches Across Cattlemarket Square - 10155 PL204

REASON: To ensure the satisfactory development of the site.

1. Application(s) for approval of any 'reserved matter' must be made 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 92 of the Town and Country Planning Act 1990.

5. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990 (as amended).

The Stover Building

6. No demolition of the Stover Building (building no. 11 on drawing no. PL 002) shall take place until a contract for the subsequent and immediate implementation of the redevelopment of that part of the site as approved by this permission has been entered into. .

REASON: To avoid the premature demolition of the Stover Building in the interests of preserving the character of the Bridport Conservation Area.

7. No demolition of the Stover Building (building no. 11 on drawing no. PL 002) shall take place until a scheme for recording the building's heritage significance during the process of demolition has been submitted to, and approved in writing by, the local planning authority. Thereafter demolition shall proceed in accordance with such scheme as is agreed.

REASON: To ensure a complete record of the heritage significance of the building.

The "Tin Shed"

8. No demolition of the "Tin Shed" (the northernmost building marked as no. 20 on drawing no. PL 002) shall take place until a scheme for the storage, re-use and relocation of the structure including timetable, shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter demolition and/or relocation shall proceed in accordance with such scheme and timetable as is approved unless otherwise agreed by the Local Planning Authority in writing.

REASON: To ensure that the structure is retained as part of the redevelopment proposals.

Residential Amenity

9. The ground floor of the new Stover Building and the two structures marked as "Cattlemarket small business units" on drawing PL101 Revision D shall only be used for purposes falling within Classes B1 (Business) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

REASON: In order to protect the amenity of nearby residential properties.

10. Before installation of plant or similar equipment, a noise report from a suitably qualified/experienced person shall be submitted to and agreed in writing by the local planning authority. The written report shall follow the BS4142 format and contain details of background sound measurements at times when the plant is likely to be in operation, against the operational plant sound level(s). The report should predict the likely impact upon sensitive receptors in the area; all calculations, assumptions and standards applied should be clearly shown. Where appropriate, the report should set out appropriate measures to provide mitigation to prevent loss of amenity and prevent creeping background noise levels. The agreed mitigation measures shall be fully implemented and permanently retained thereafter.

Reason: In order to protect the amenity of nearby residential properties.

Biodiversity

11. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 11 November 2022 must be implemented in accordance with any specified timetable and completed in full for the relevant phase (including the submission of compliance measures to the Local Planning Authority in accordance with section J of the Biodiversity Plan) prior to the substantial completion, or the first bringing into use of the development within the relevant hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained.

REASON: To enhance biodiversity.

St Michael's Island

12. Unless agreed otherwise in writing by the Local Planning Authority, none of the dwellings hereby approved shall be first occupied until a Management Plan for the enhancement and long-term management of St Michael's Island (marked as no. 8 on drawing no. PL 101 Revision D) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall

include the features identified at Section G of the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 11 November 2022 and shall include: (a) timetabled proposals for enhancements to biodiversity and long term management; (b) details of arrangements for public access; and (c) details of the body/organisation charged with long-term maintenance. Thereafter, enhancement and long-term management shall proceed in accordance with such scheme as is agreed.

REASON: To comply with the specific requirements of West Dorset, Weymouth & Portland Local Plan policy BRID5.

Riverside Walk

13. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be commenced until a scheme for a riverside walk, incorporating the Environment Agency's 8m wide maintenance strip east of the River Brit, has been submitted to, and approved in writing by, the local planning authority. The scheme shall include: (1) full details of hard and soft landscaping; (2) timetable for provision and phased construction arrangements, if appropriate; (3) proposals for limiting vehicle access; and (4) proposals for long-term maintenance and public access. Thereafter, the development shall be implemented and maintained in accordance with such scheme as is agreed.

REASON: To comply with the specific requirements of West Dorset, Weymouth & Portland Local Plan policy BRID5.

Cattlemarket Square

14. Unless agreed otherwise in writing by the Local Planning Authority, none of the dwellings hereby approved shall be first occupied until a scheme for the enhancement and future use of Cattlemarket Square (as identified on approved drawing PL 101 Revision D) has been submitted to, and approved in writing by, the local planning authority. The scheme shall include: (1) full details of hard and soft landscaping; (2) proposals for long-term maintenance and public use/access (3) a timetable for implementation. Thereafter, the proposals for Cattlemarket Square shall be implemented and maintained in accordance with such scheme as is agreed.

REASON: To ensure that the potential of Cattlemarket Square to serve a number of uses is fully realised.

Flood Risk

15. The development hereby permitted shall not be commenced until such time as a scheme to incorporate flood resistance and resilience measures into the proposed development has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To reduce the impact of flooding on the proposed development and future occupants.

16. The development hereby permitted shall not be commenced until such time as a scheme to ensure the finished ground floor levels of all new buildings (with the exception of the new Stover building) are set at least 300mm above the adjacent / corresponding present day 1 in 100 year flood level has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To reduce the impact of flooding on the proposed development and future occupants.

17. The development hereby permitted shall not be commenced until such time as a scheme to ensure no raising of existing ground levels other than beneath the new building footprints and necessary (minimal) access footways has been submitted to and approved in writing by the Local Planning Authority. All other site levels must not be higher than those prior to the development. The scheme must include clear assessment and evidence demonstrating no increase in overland flow flood risk to the site or surrounding area (pre and post development), and safe management of flows across site. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To reduce the impact of flooding on the proposed development and surrounding areas.

18. The development hereby permitted shall not be commenced until such time as a detailed scheme to ensure the protection of and access (for maintenance) to the Environment Agency's Flood Alleviation Scheme and associated infrastructure as set out under Section 4 of the FRA has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON: To ensure the structural integrity of and access to the existing Flood Alleviation scheme thereby reducing the risk of flooding.

19. The development hereby permitted shall not be commenced until such time as a scheme to ensure adequate replacement river wall and flood defence wall in the location between Red Brick Buildings and Tower Buildings has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of any drainage infrastructure and highway works

immediately adjacent to the replacement river wall and flood defence wall which are proposed to be carried out simultaneously with the flood defence works. The replacement walls must meet the Environment Agency's flood defence asset standards and must be completed prior to commencement of all other development works on the site excluding any drainage and highway works included within the approved scheme. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON: To ensure the long term structural integrity of the river wall and flood wall thereby reducing the risk of flooding.

Surface Water

20. No development shall take place on any phase of development until a detailed surface water management scheme for each phase of development has been submitted to and approved in writing by the Local Planning Authority. The detailed surface water management scheme is to be based upon:
- a) The hydrological and hydrogeological context of the development.
 - b) Provide clarification of how surface water is to be managed during construction for each phase.
 - c) Liaison with the Lead Local Flood Authority, and current industry best practice, guidelines and legislation.

The surface water scheme for each phase of development shall be fully implemented in accordance with the submitted details before each phase of the development is completed.

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

21. For each phase of development, no development shall take place until details of maintenance and management of both the surface water sustainable drainage scheme and any receiving system have been submitted to and approved in writing by the local planning authority. The scheme for each phase 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.

Land Contamination

22. Prior to the commencement of the development hereby approved the following information shall be submitted to and agreed in writing by the Local Planning Authority: 1) a 'desk study' report documenting the site history. 2) a site investigation report detailing ground conditions, a 'conceptual model' of all

potential pollutant linkages, and incorporating risk assessment. 3) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed. 4) a detailed phasing scheme for the development and remedial works (including a time scale). 5) a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time. The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development hereby permitted first comes in to use or is occupied. On completion of the remediation works written confirmation that all works were completed in accordance with the agreed details shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed.

23. Prior to the first occupation or use of a relevant phase of development a verification report to confirm that the relevant phase is fit for purpose following remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall be prepared in accordance with the latest Environment Agency guidance, currently Land Contamination Risk Management: Stage 3 Remediation and Verification (19 April 2021).

Reason: To ensure potential land contamination is addressed.

24. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, 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. 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.

Estate Road

25. Before the development is first occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number PL-101 Rev D must be constructed, unless otherwise agreed in writing by the Local Planning Authority. 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.

Cycle Parking

26. The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities has

been submitted to and approved in writing by the Local Planning Authority. The approved scheme for the relevant phase must be constructed before the relevant phase of development is occupied and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

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

Travel Plan

27. Before the development hereby approved is occupied or utilised, a Travel Plan must be submitted to and approved in writing by the Planning Authority. The Travel Plan, as submitted, will include the Travel Plan measures identified at Section 5.2 of the Transport Assessment Addendum (ref. L06221/TAA02 dated 13 April 2023) together with:

- a) Targets for sustainable travel arrangements.
- b) Effective measures for the on-going monitoring of the Travel Plan.
- c) A commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development.
- d) Effective mechanisms to achieve the objectives of the Travel Plan by the occupiers of the development.

The development must be implemented only in accordance with the approved Travel Plan.

Reason: In order to reduce or mitigate the impacts of the development upon the local highway network and surrounding neighbourhood by reducing reliance on the private car for journeys to and from the site.

Construction Traffic Management Plan

28. For each phase of development, no development shall take place within the relevant phase until a Construction Traffic Management Plan (CTMP) is submitted to and approved in writing by the Local Planning Authority. The CTMP must include:

- a) construction vehicle details (number, size, type and frequency of movement);
- b) a programme of construction works and anticipated deliveries;
- c) timings of deliveries so as to avoid, where possible, peak traffic periods;
- d) a framework for managing abnormal loads;
- e) contractors' arrangements (compound, storage, parking, turning, surfacing and drainage);
- f) wheel cleaning facilities;
- g) Inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase;
- h) a scheme of appropriate signing of vehicle route to the site;

- i) a route plan for all contractors and suppliers to be advised on;
- j) temporary traffic management measures where necessary;

The development of the relevant phase must be carried out strictly in accordance with the approved CTMP.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

Sustainability

29. Prior to commencement of development, an Energy Strategy setting out how the new residential and non-residential uses hereby permitted shall secure at least 10% (or such other percentage as may be agreed by the Local Planning Authority) of total unregulated energy from decentralised and renewable or low carbon sources, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be fully implemented and permanently retained thereafter.

Reason: In the interest of addressing climate change and securing sustainable development.

30. The new non-residential space within the Stover Building and Cattlemarket Small Business Units as identified on drawing PL101 Revision D, shall be registered with Building Research Establishment (BRE), and shall achieve BREEAM Rating Excellent.

(A) Within six months of the completion of the new non-residential space, an Interim BREEAM (or subsequent scheme) Assessment, copy of the summary score sheets and related Interim Design Certificates all verified by the BRE shall be submitted to and approved in writing by the Local Planning Authority.

(B) Within six months from the date of first use of the new non-residential spaces commencing, a Post Construction Stage (or subsequent scheme) Assessment, copy of the summary score sheets and related Certification all verified by the BRE shall be submitted to the Local Planning Authority for written approval confirming the BREEAM standard and measures have been implemented.

Following any approval of a 'Post Construction Stage' assessment and certificate of the new non-residential spaces, the approved measures and technologies to achieve the BREEAM Rating shall be retained in working order for the lifetime of the development.

Reason: In the interest of addressing climate change and securing sustainable development in accordance with Bridport Area Neighbourhood Plan Policy CC2.

Informatives:

1. This permission should be read in association with the agreement made under Section 106 of the Town and Country Planning Act 1990 and dated #####.

2. Surface water

The surface water drainage scheme required by conditions 20 and 21 must meet the following criteria:

Any outflow from the site must be limited to run-off rates identified in the FRA and discharged incrementally for all return periods up to and including the 1 in 100 year storm;

The surface water drainage system must incorporate enough attenuation to deal with the surface water run-off from the site up to the 1 in 30 year flood event (as agreed in the FRA);

If there is any surcharge and flooding from the system, overland flood flow rates and "collection" areas on site (e.g. car parks, landscaping etc.) must be shown on a drawing. CIRIA good practice guide for designing for exceedance in urban drainage (C635) should be used. The run-off from the site during a 1 in 100 year storm plus an allowance for climate change must be contained on the site and must not reach unsafe depths on site.

The adoption and maintenance of the drainage system must be addressed and clearly stated.

3. Flood defence consent (recommended by the Environment Agency)

The applicant is reminded that in addition to planning permission, all works in, under, over or within 8 metres of a Main River channel such as the River Brit, or formal flood defence assets, will require prior Flood Defence Consent (FDC) from the Environment Agency. Such consent is required in accordance with the Water Resources Act 1991 and Byelaws legislation, and relates to both permanent and temporary works. Further guidance in this respect is available from the Environment Agency's Development and Flood Risk Officer (Tel. 01258 483351).

4. Sustainable Construction (recommended by the Environment Agency)

Sustainable design and construction should be implemented across the proposed development. This is important in limiting the effects of and adapting to climate change. Running costs for occupants can also be significantly reduced.

5. Pollution prevention during construction (recommended by the Environment Agency)

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:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.

6. Waste Management (recommended by the Environment Agency)

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 off site incineration and disposal to landfill during site construction. If any controlled waste is to be removed off site, then site operator must 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 www.environment-agency.gov.uk/subjects/waste/.

7. Site waste management plan (recommended by the Environment Agency)

In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty of care. Further information can be found at <http://www.netregs-swmp.co.uk>

8. 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.

- The applicant was provided with pre-application advice.

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

9. Biodiversity Plan

In addition to the suitable tree species identified at Section H of the approved Biodiversity Plan (certified by the Dorset Council Natural Environment Team on 11 November 2022) Alder (*Alnus glutinosa*) is recommended by the Environment Agency. Dorset apple varieties are also recommended for the 75% fruit trees within Cattle Market Square.

Recommendation B: Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to refuse planning permission for the reasons set out below if the S106 Legal Agreement is not completed by 15th December 2023 (6 months from the date of committee) or such extended time as agreed by the Head of Planning and the Service Manager for Development Management and Enforcement:

1. In the absence of a satisfactory completed legal agreement to secure affordable housing and an employment buildings refurbishment scheme, the development would be contrary to Policies HOUS1 and BRID5 of the West Dorset, Weymouth and Portland Local Plan (2015) and Policies H1, H2 and COB4 of the Bridport Neighbourhood Plan.

Application Reference: WD/D/16/002852

Application Site: Lilliput Buildings Adjoining 40 St Michael's Lane, St Michaels Estate, Bridport, DT6 3TP

Proposal: Redevelopment, including part demolition of listed and unlisted structures and refurbishment of retained structures to provide: (a) 9 residential units (including refurbishment of one existing unit); and (b) a net decrease of 47 sq. m. of light industrial floorspace.(Revised scheme)

Recommendation:

Recommendation A:

Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to grant subject to the completion of a S106 Legal Agreement with the following heads of terms:

- 1) 14 affordable dwellings (a minimum of 70% social / affordable rent and a maximum of 30% intermediate affordable housing) to be provided in accordance with an agreed Affordable Housing Scheme with the phasing of 1/D/11/002012 and WD/D/16/002852 interlinked via a phasing plan in the Section 106 Agreement based broadly on Phasing Plan Ref. SM1 Rev A received April 2023 and Phasing Breakdown dated June 2022;
- 2) Agreement and subsequent implementation of an "Employment Buildings Refurbishment Scheme", (based broadly upon Appendix C Regeneration of Commercial Estate of the Design and Access Statement submitted in support of the application) with the phasing of 1/D/11/002012 and WD/D/16/002852 interlinked via a phasing plan in the Section 106 Agreement based broadly on Phasing Plan Ref. SM1 Rev A received April 2023 and Phasing Breakdown dated June 2022;

Recommendation B:

Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to refuse planning permission for the reasons set out below if the S106 Legal Agreement is not completed by 15th December 2023 (6 months from the date of committee) or such extended time as agreed by the Head of Planning and the Service Manager for Development Management and Enforcement:

- 1) In the absence of a satisfactory completed legal agreement to secure affordable housing and an employment buildings refurbishment scheme, the development would be contrary to Policies HOUS1 and BRID5 of the West Dorset, Weymouth and Portland Local Plan (2015) and Policies H1, H2 and COB4 of the Bridport Neighbourhood Plan.

Decision: That Delegated Authority be granted to the Head of Planning and Service Manager for Development Management & Enforcement to grant subject to the completion of a S106 Legal Agreement and the conditions set out below:

- A) Grant, subject to the 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 following:
- 1) 14 affordable dwellings (a minimum of 70% social / affordable rent and a maximum of 30% intermediate affordable housing) to be provided in accordance with an agreed Affordable Housing Scheme with the phasing of 1/D/11/002012 and WD/D/16/002852 interlinked via a phasing plan in the Section 106 Agreement based broadly on Phasing Plan Ref. SM1 Rev A received April 2023 and Phasing Breakdown dated June 2022;
 - 2) Agreement and subsequent implementation of an “Employment Buildings Refurbishment Scheme”, (based broadly upon Appendix C Regeneration of Commercial Estate of the Design and Access Statement submitted in support of the application) with the phasing of 1/D/11/002012 and WD/D/16/002852 interlinked via a phasing plan in the Section 106 Agreement based broadly on Phasing Plan Ref. SM1 Rev A received April 2023 and Phasing Breakdown dated June 2022;

And subject to the planning conditions below.

Planning Conditions

Approved Plans

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

Location Plan and Proposed Site Plan – 10064 PL201

Demolitions – Ground Floor Layout – 10064 PL202

Demolitions – First Floor Layout – 10064 PL203

Proposed Ground Floor Layout – 10064 PL204

Proposed First Floor Layout – 10064 PL205

Proposed Second Floor Layout – 10064 PL206

Proposed Roof Plan – 10064 PL207

Proposed North & East Elevations – 10064 PL210

Proposed South & West Elevations – 9613 PL211

Proposed North and South Section – 9613 PL212

Proposed Elevation Study – Part West Elevation – 9613 PL213

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

Time limit

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).

Materials

3. The external materials to be used in the development hereby approved (including doors and windows) shall accord with details, including colours, (and samples where appropriate) which shall first have been submitted to, and approved in writing by, the local planning authority prior to the commencement of development.

REASON: In order to safeguard the character of the listed building.

Residential Amenity

4. The areas of the ground floor of the building proposed for commercial use (all those areas not providing access to the upper floor flats) shall only be used for purposes falling within Classes B1 (Business) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

REASON: In order to protect the amenity of nearby residential properties.

5. Before installation of any plant or similar equipment to any unit, a noise report from a suitably qualified/experienced person shall be submitted to and agreed in writing by the local planning authority. The written report shall follow the BS4142 format and contain details of background sound measurements at times when the plant is likely to be in operation, against the operational plant sound level(s). The report should predict the likely impact upon sensitive receptors in the area; all calculations, assumptions and standards applied should be clearly shown. Where appropriate, the report should set out appropriate measures to provide mitigation to prevent loss of amenity and prevent creeping background noise levels. The agreed mitigation measures shall be fully implemented in accordance the agreed scheme prior to the plant or equipment being first brought into use and shall be permanently retained thereafter.

Reason: In order to protect the amenity of nearby residential properties.

1. Before Flats 1.1 and 1.4 as identified on drawing PL205 are first occupied the two lower rows of window panes on the north-facing windows serving the bedrooms shall be fitted with obscure glass to a minimum industry standard privacy level 3. Thereafter the obscure glass shall be maintained for the lifetime of the development.

REASON: To preserve the amenity and privacy of occupiers.

Security and Secure by Design

2. The development hereby permitted shall incorporate Secured by Design security measures for the doors serving the residential communal areas, each residential unit and each commercial unit to minimise the risk of crime and to meet the security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority prior to construction above damp course level and shall be implemented in accordance with the approved details prior to occupation and maintained for the lifetime of the development.

REASON: In the interests of security and reducing the risk of crime.

3. Prior to construction above damp coarse level details of external lighting along (1) the access/service route to the flats and rear of the commercial units and (2) the pedestrian route between St Michael's Lane and Unit 3 as shown on drawing PL204 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the external lighting shall be implemented in accordance with the approved details prior to occupation and maintained in accordance with the approved details for the lifetime of the development.

REASON: In the interests of security and reducing the risk of crime.

Flooding

4. The development hereby permitted shall not be commenced until such time as a scheme to incorporate the finished ground floor levels, flood resistance and resilience measures into the proposed Lilliput Building re-development in accordance with the Flood Risk Assessment (FRA) and FRA Addendum (Such Salinger Peters 27th June 2017) has been submitted to, and approved in writing by, the Local Planning Authority. As detailed within the FRA and FRA Addendum, the ground floors of the proposed refurbished Lilliput building shall be restricted to non-residential use only other than for communal access, bin and cycle storage areas. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON: To reduce the impact of flooding on the proposed development and future occupants.

5. The development hereby permitted shall not be commenced until such time as a scheme to ensure no raising of existing ground levels has been submitted to and approved in writing by the Local Planning Authority. The scheme must include clear assessment and evidence demonstrating no

increase in overland flow flood risk to the site or surrounding area (pre and post development), and safe management of flows across site. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON: To reduce the impact of flooding on the proposed development and surrounding areas.

Surface Water

6. No development shall take place on any phase of development until a detailed surface water management scheme for each phase of development has been submitted to and approved in writing by the Local Planning Authority.

The detailed surface water management scheme is to be based upon:

- a) The hydrological and hydrogeological context of the development.
- b) Provide clarification of how surface water is to be managed during construction for each phase.
- c) Liaison with the Lead Local Flood Authority, and current industry best practice, guidelines and legislation.

The surface water scheme for each phase of development shall be fully implemented in accordance with the submitted details before each phase of the development is completed.

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

7. For each phase of development, no development shall take place until details of maintenance and management of both the surface water sustainable drainage scheme and any receiving system have been submitted to and approved in writing by the Local Planning Authority. The scheme for each phase 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

Land Contamination

8. Prior to the commencement of the development hereby approved the following information shall be submitted to and agreed in writing by the Local

Planning Authority: 1) a 'desk study' report documenting the site history. 2) a site investigation report detailing ground conditions, a 'conceptual model' of all potential pollutant linkages, and incorporating risk assessment. 3) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed. 4) a detailed phasing scheme for the development and remedial works (including a time scale). 5) a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time. The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development hereby permitted first comes in to use or is occupied. On completion of the remediation works written confirmation that all works were completed in accordance with the agreed details shall be submitted to the Local Planning Authority.
Reason: To ensure potential land contamination is addressed.

9. Prior to the first occupation or use of a relevant phase of development a verification report to confirm that the relevant phase is fit for purpose following remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall be prepared in accordance with the latest Environment Agency guidance, currently Land Contamination Risk Management: Stage 3 Remediation and Verification (19 April 2021).
Reason: To ensure potential land contamination is addressed.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, 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. 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.

Biodiversity

11. The relevant works within the boundary of the application site (as shown on drawing PL201) including detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 11 November 2022 must be implemented in accordance with any specified timetable and completed in full (including the submission of compliance measures to the

Local Planning Authority in accordance with section J of the Biodiversity Plan) prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained.

REASON: To enhance biodiversity.

Sustainability

12. Prior to commencement of development an Energy Strategy setting out how the new residential and non-residential uses hereby permitted shall secure at least 10% (or such other percentage as may be agreed by the Local Planning Authority) of total unregulated energy from decentralised and renewable or low carbon sources shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be fully implemented and permanently retained thereafter.

Reason: In the interest of addressing climate change and securing sustainable development.

13. The new non-residential space shall be registered with Building Research Establishment (BRE) and shall, achieve BREEAM Rating Excellent.

(A) Within six months of the completion of the new non-residential space, an Interim BREEAM (or subsequent scheme) Assessment, copy of the summary score sheets and related Interim Design Certificates all verified by the BRE shall be submitted to and approved in writing by the Local Planning Authority.

(B) Within six months from the date of first use of the new non-residential spaces commencing, a Post Construction Stage (or subsequent scheme) Assessment, copy of the summary score sheets and related Certification all verified by the BRE shall be submitted to the Local Planning Authority for written approval confirming the BREEAM standard and measures have been implemented.

Following any approval of a 'Post Construction Stage' assessment and certificate of the new non-residential spaces, the approved measures and technologies to achieve the BREEAM Rating shall be retained in working order for the lifetime of the development.

Reason: In the interest of addressing climate change and securing sustainable development.

Car Parking

14. The dwellings hereby permitted must not be occupied or utilised until the associated car parking spaces serving the dwellings have been provided and

details of their location submitted to and approved in writing by the Local Planning Authority. Thereafter, the car parking spaces must be maintained, kept free from obstruction and available for the purposes specified for the lifetime of the development.

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

15. Before the development hereby approved is occupied or utilised, a Travel Plan must be submitted to and approved in writing by the Planning Authority. The Travel Plan, as submitted, will include the Travel Plan measures identified at Section 5.2 of the Transport Assessment Addendum (ref.

L06221/TAA02 dated 13 April 2023) together with:

- e) Targets for sustainable travel arrangements.
- f) Effective measures for the on-going monitoring of the Travel Plan.
- g) A commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development.
- h) Effective mechanisms to achieve the objectives of the Travel Plan by the occupiers of the development

The development must be implemented only in accordance with the approved Travel Plan.

Reason: In order to reduce or mitigate the impacts of the development upon the local highway network and surrounding neighbourhood by reducing reliance on the private car for journeys to and from the site.

Informatives:

1. This permission should be read in association with the agreement made under Section 106 of the Town and Country Planning Act 1990 and dated #####.

2. Surface water

The surface water drainage scheme required by conditions 11 and 12 must meet the following criteria:

Any outflow from the site must be limited to run-off rates identified in the FRA and discharged incrementally for all return periods up to and including the 1 in 100 year storm;

The surface water drainage system must incorporate enough attenuation to deal with the surface water run-off from the site up to the 1 in 30 year flood event (as agreed in the FRA);

If there is any surcharge and flooding from the system, overland flood flow rates and "collection" areas on site (e.g. car parks, landscaping etc.) must be shown on a drawing. CIRIA good practice guide for designing for exceedance in urban drainage (C635) should be used. The run-off from the site during a 1 in 100 year storm plus an allowance for climate change must be contained on the site and must not reach unsafe depths on site.

The adoption and maintenance of the drainage system must be addressed and clearly stated.

3. Flood defence consent (recommended by the Environment Agency)

The applicant is reminded that in addition to planning permission, all works in, under, over or within 8 metres of a Main River channel such as the River Brit, or formal flood defence assets, will require prior Flood Defence Consent (FDC) from the Environment Agency. Such consent is required in accordance with the Water Resources Act 1991 and Byelaws legislation, and relates to both permanent and temporary works. Further guidance in this respect is available from the Environment Agency's Development and Flood Risk Officer (Tel. 01258 483351).

4. Sustainable Construction (recommended by the Environment Agency)

Sustainable design and construction should be implemented across the proposed development. This is important in limiting the effects of and adapting to climate change. Running costs for occupants can also be significantly reduced.

5. Pollution prevention during construction (recommended by the Environment Agency)

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:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.

6. Waste Management (recommended by the Environment Agency)

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 off site incineration and disposal to landfill during site construction. If any controlled waste is to be removed off site, then site operator must 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 www.environment-agency.gov.uk/subjects/waste/.

7. Site waste management plan (recommended by the Environment Agency)

In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty of care. Further information can be found at <http://www.netregs-swmp.co.uk>

8. Biodiversity Plan

In addition to the suitable tree species identified at Section H of the approved Biodiversity Plan (certified by the Dorset Council Natural Environment Team on 11 November 2022) Alder (*Alnus glutinosa*) is also recommended by the Environment Agency.

And

B) That authority be delegated to the Head of Planning and the Service Manager for Development Management and Enforcement to refuse planning permission for the reasons set out below if the S106 Legal Agreement is not completed by 15th December 2023 (6 months from the date of committee) or such extended time as agreed by the Head of Planning and the Service Manager for Development Management and Enforcement:

1. In the absence of a satisfactory completed legal agreement to secure affordable housing and an employment buildings refurbishment scheme, the development

would be contrary to Policies HOUS1 and BRID5 of the West Dorset, Weymouth and Portland Local Plan (2015) and Policies H1, H2 and COB4 of the Bridport Neighbourhood Plan.

Application Reference: P/RES/2021/04848

Application Site: Land at Foundry Lea Vearse Farm Bridport

Proposal: Construction of 760 dwellings, public open space (including play space and landscape planting), allotments, an orchard, sports pitch provision, with associated changing rooms and car parking, pedestrian, cycle and vehicular links, drainage works and associated infrastructure (Reserved matters application to determine appearance, landscaping, layout and scale following the grant of Outline planning permission number WD/D/17/000986)

Recommendation: Grant reserved matters subject to conditions as set out in this report.

Decision: That the application be granted subject to the conditions set out below.

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

Arboriculture

Veteran Tree Assessment and Management Plan Dated March 2023

Arboricultural Assessment and Method Statement Dated March 2023

Architecture

Acoustic Mitigation Plan 1859 1119 Rev B

Design Compliance Statement Addendum DCSA_01

Location Plan 1859 1000 Rev D

Phasing Plan 1859 80 Rev D

Roof Materials, Front Door Colours and Chimney Placement Plan 1859 1140 Rev B

Planning Layout 1859 1100 Rev E

Planning Layout (1 of 3) 1859 1101 Rev E

Planning Layout (2 of 3) 1859 1102 Rev E

Planning Layout (3 of 3) 1859 1103 Rev E

Masterplan 1859 1105 Rev E

Materials Plan 1859 1111 Rev E

Storey Heights Plan 1859 1112 Rev D

Parking Plan	1859 1113 Rev D
Land Ownership Plan	1859 1114 Rev D
Affordable Housing Plan	1859 1115 Rev D
External Works Plan	1859 1116 Rev D
Waste Collection Plan	1859 1117 Rev D
Enclosures Plan	1859 1118 Rev D
Site Sections	1859 1150 Rev B
Site Sections	1859 1151 Rev B
Central Vearse Streetscenes	1859 1170 Rev B
Core Neighbourhood and Countryside Edge Streetscenes	1859 1171 Rev B
Park Edge and West Mead Streetscenes	1859 1172 Rev B
House Type Elevational Key	1859 3000 Rev A
House Type Elevational Key Central Vearse	1859 3001 Rev A
House Type Elevational Key Core Neighbourhood	1859 3002 Rev A
House Type Elevational Key Park Edge	1859 3003 Rev A
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Section 38 Agreement Layout Sheet 15 of 26 P7114 Rev P3

Section 38 Agreement Layout Sheet 16 of 26 P7115 Rev P3

Section 38 Agreement Layout Sheet 17 of 26 P7116 Rev P4

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Section 38 Agreement Layout Sheet 19 of 26 P7118 Rev P3

Section 38 Agreement Layout Sheet 20 of 26 P7119 Rev P3

Section 38 Agreement Layout Sheet 21 of 26 P7120 Rev P3

Section 38 Agreement Layout Sheet 22 of 26 P7121 Rev P4

Section 38 Agreement Layout Sheet 23 of 26 P7122 Rev P4

Section 38 Agreement Layout Sheet 24 of 26 P7123 Rev P3

Section 38 Agreement Layout Sheet 25 of 26 P7124 Rev P3

Section 38 Agreement Layout Sheet 26 of 26 P7125 Rev P3

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

2. No development above damp proof course level for each phase of development as shown on Plan 1859 80 Rev D (or any subsequent phasing plan approved by the Local Planning Authority pursuant to Condition 2 of planning permission WD/D/17/000986) shall take place until samples of materials to be used in the construction and finish of walls and roofs for that phase have been made available on site for the inspection by the Local Planning Authority and they have been approved in writing by the Local Planning Authority. The samples shall include sample panels measuring 1 metre by 2 metres of each principal facing material, which shall include details of coursing, mortar mix and pointing. The sample panels shall be retained on-site until they have been approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved materials.

Reason: To safeguard the character of the locality.

3. No development above damp proof course level for each phase of development as shown on Plan 1859 80 Rev D (or any subsequent phasing plan approved by the Local Planning Authority pursuant to Condition 2 of planning permission WD/D/17/000986) shall take place until detailed drawings (at a scale of not less than 1:20) showing the design, materials and construction specifications of external doors and windows for that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved scheme.

Reason: In order to ensure that the details are of sufficient standard.

4. No development above damp proof course level for each phase of development as shown on Plan 1859 80 Rev D (or any subsequent phasing plan approved by the Local Planning Authority pursuant to Condition 2 of planning permission WD/D/17/000986) shall take place until a scheme showing details of all external vents, flues and utility meter boxes for that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved scheme.

Reason: To safeguard the character of the locality.

5. The development hereby approved shall proceed only in strict accordance with the details set out in the Arboricultural Method Statement dated: March 2023, with associated Tree Protection Plans ref: 10042-T-03 C - 10042-T-13 C and details contained within the Veteran Tree Assessment dated: March 2023.

Reason: To ensure thorough consideration of the impacts of development on the existing trees.

6. In implementing the landscape planting hereby permitted, the following species must not be planted within 10m of the A35:

- Blackthorn (*Prunus spinosa*)
- Goat willow (*Salix caprea*)
- Crack willow (*Salix fragilis*)
- Dogwood (*Cornus sanguinea*)
- Italian alder (*Alnus cordata*)
- Bird cherry (*Prunus avium*)
- Quaking Aspen (*Populus tremulans*)
- Wild Privet (*Ligustrum vulgare*)

In addition, the following trees must not be planted in a position where at maturity they would be within falling distance of the A35 trunk road carriageway or any significant National Highways asset:

- Silver Birch (*Betula pendula*)
- Austrian Pine (*Pinus nigra*)
- Poplar (*Populus alba*, *Populus hybrid*, *Populus lombardii*)
- English Oak (*Quercus robur*)

Reason: To ensure the safe and efficient operation of the strategic road network.

7. No development above damp proof course level shall take place within a sub-phase of development, until a plan showing the sub-phasing arrangements for the development hereby approved in relation to the visibility splay areas shown on Drawing Number 1628 P7150 P4 has been submitted to and approved in writing by the Local Planning Authority.

Prior to the occupation or the utilisation of each agreed sub-phase, the approved visibility splays as per Drawing Number 1628 P7150 P4 shall be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure that a vehicle can see or be seen when exiting the access.

8. Prior to the construction of the vehicular access to the rear of plots 700-707 inclusive as shown on Drawing Number 1859 1100 Rev E, a scheme showing how the vehicular access to the rear of plot 707 will be signposted and marked to ensure the access is used for the purpose of Entry Only, shall be submitted and approved in writing to the Local Planning Authority. The approved scheme shall be implemented prior to the occupation or utilisation of plots 700 to 707 and, thereafter, must be permanently maintained for the purpose specified.

Reason: To ensure safe entry and exit to and from the site onto the highway.

9. Prior to the construction of drainage basins 2, 6, and 7b schemes for the fencing and/or landscaping around the drainage basins and a scheme for the maintenance of the landscaping and fencing shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme for each basin shall be carried out in full prior to first use of each drainage basin and shall be retained thereafter.

Reason: In the interests of health and safety

Informative Notes:

1. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated 1 May 2019.

2. Informative: The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Development team, Infrastructure Service, Dorset Council, County Hall, Dorchester, DT1 1XJ.

3. Informative: The applicant should be advised that the Advance Payments Code under Sections 219-225 of the Highways Act 1980 may apply in this instance. The Code secures payment towards the future making-up of a private street prior to the commencement of any building works associated with residential, commercial and industrial development. The intention of the Code is to reduce the liability of potential road charges on any future purchasers which may arise if the private street is not made-up to a suitable standard and adopted as publicly maintained highway. Further information is available from Dorset Council's Development team. They can be reached by email at dli@dorsetcc.gov.uk, or in writing at Development team, Infrastructure Service, Dorset Council, County Hall, Dorchester, DT1 1XJ.

4. Informative: There is a requirement for condition 22 of the outline planning permission to provide a plan showing the sub-phasing arrangements for the development hereby approved in relation to the access, geometric highway layout, turning and parking areas shown on Drawing Number 1859 1100 Rev E.

5. Informative: The Council is responsible for street naming and numbering within our district. This helps to effectively locate property for example, to deliver post or in the case of access by the emergency services. You need to register the new or changed address by completing a form. You can find out more and download the

form from our website www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering.

6. Informative: Plans of the Skills Academy shall be submitted to and agreed by the Local Planning Authority in the discharge of condition 20 of the outline permission for the agreement of a Construction Traffic Management Plan.

7. 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.
- The applicant was provided with pre-application advice.

Application Reference: P/VOC/2023/00785

Application Site: Whitcombe Manor Stables A352 Came Park Road To Main Road Broadmayne Whitcombe DT2 8NY

Proposal: Erect 4 no. houses to existing yard and 3 no. houses to yard 2 without compliance with condition 4 of planning permission 1/E/96/000515 to remove restriction as to use.

Recommendation:

- (A) Delegate authority to the Head of Planning and Service Manager for Development Management and Enforcement to grant subject to the completion of a deed of variation of the s106 Agreement attached to permission 1/D/09/001333 and subject to conditions.
- (B) Refuse permission for the reasons set out below if the agreement is not completed by 31 December 2023 or such extended time as agreed by the Head of Planning and Service Manager for Development Management and Enforcement:

The proposal would fail to make provision for variation of the s106 Agreement pertaining to the remaining works under permission 1/E/96/000515 for a further 3 houses on yard 2 outside a defined development boundary. As such the proposal would be contrary to Policy SUS2 of the West Dorset, Weymouth & Portland Local Plan (2015) and paragraph 80 of the National Planning Policy Framework.

Decision:

A) That delegated authority be granted to the Head of Planning and Service Manager for Development Management and Enforcement to grant subject to the completion of a deed of variation of the s106 Agreement attached to permission 1/D/09/001333 and subject to conditions.

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

Plans 53-123-10, 11, 12, 13, 14, 15

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

2. The occupation of each of the four dwellings shall be limited to a person solely or mainly working, or last working prior to retirement, in the thoroughbred racehorse training establishment approved under planning reference I/E/87/0775, or the widow or widower of such a person, and to any resident dependants or shall be occupied for holiday purposes only and the owners/operators must maintain an up-to-date register of the names of all owners/occupiers of dwelling(s) and of their main home addresses, and must make this information available at all reasonable hours at the request of a duly authorised officer of the Local Planning Authority.

Reason: In order to ensure that the accommodation remains occupied as equestrian or holiday accommodation only.

Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 relating to rescinding permission for three dwellings.

B) Refuse permission for the reasons set out below if the agreement is not completed by 31 December 2023 or such extended time as agreed by the Head of Planning and Service Manager for Development Management and Enforcement:

The proposal would fail to make provision for variation of the s106 Agreement pertaining to the remaining works under permission 1/E/96/000515 for a further 3 houses on yard 2 outside a defined development boundary. As such the proposal

would be contrary to Policy SUS2 of the West Dorset, Weymouth & Portland Local Plan (2015) and paragraph 80 of the National Planning Policy Framework.

Application Reference: P/VOC/2023/00791

Application Site: Stables Whitcombe Manor A352 Came Park Road To Main Road Broadmayne Whitcombe DT2 8NY

Proposal: Erect 50 stables together with ancillary accommodation & associated car parking and access. Erect owners house with associated car parking and access (with removal of condition 11 of planning permission 1/D/09/001333) - restriction to use.

Recommendation:

(A) Delegate authority to the Head of Planning and Service Manager for Development Management and Enforcement to grant subject to a deed of variation of the s106 Agreement attached to permission 1/D/09/001333 and subject to conditions.

(B) Refuse permission for the reason set out below if the agreement is not completed by 31 December 2023 or such extended time as agreed by the Head of Planning and Service Manager for Development Management and Enforcement:

The proposal would fail to make provision for variation of the s106 Agreement pertaining to remaining authorised works under permission 1/E/94/000295 for the laying of a road to yard 2 outside a defined development boundary. The proposal would be contrary to West Dorset, Weymouth & Portland policy SUS2 of the West Dorset, Weymouth & Portland Local Plan (2015) and paragraph 80 of the National Planning Policy Framework

Decision:

(A) Delegate authority to the Head of Planning and Service Manager for Development Management and Enforcement to grant subject to the completion of a deed of variation of the s106 Agreement attached to permission 1/D/09/001333 and subject to conditions.

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

Location Plan - Dwg. No: 7475/P001A received on 20/08/2009

Location Plan - Dwg. No: 7475/P002 received on 20/08/2009

Site Plan - Dwg. No: 7475/P003A received on 20/08/2009

Site Plan - Dwg. No: 7475/P004A received on 20/08/2009

Stable Block Floor Plans - Dwg. No: 7475/P010A received on 20/08/2009

Stable Block Elevations and Sections - Dwg. No: 7475/P011A received on 20/08/2009

Proposed House Floor Plans - Dwg. No: 7475/P034 received on 20/08/2009

Proposed House Elevations - Dwg. No: 7475/P040 received on 20/08/2009

Proposed House Elevations - Dwg. No: 7475/P041 received on 20/08/2009

Proposed House Elevations & Section - Dwg. No: 7475/P042 received on 20/08/2009

Proposed House Sections - Dwg. No: 7475/P043 received on 20/08/2009

Proposed Site Section - Dwg. No: 7475/P013A received on 20/08/2009

Landscape Strategy Plan - Dwg. No: 504-2 received on 20/08/2009

Topographical Survey - Dwg. No: 457WC01 received on 20/08/2009

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

2.The occupation of the flat and house shall be limited to a person or persons solely or mainly working, or last working, on a full time, or near full time basis, in the racehorse breeding and/or training facility established on “the holding” as defined within the Section 106 agreement associated with this permission or in the running of the racehorse breeding and/or training facility, or a widow or widower of such a person, and to any resident dependants or shall be occupied for holiday purposes only and the owners/operators must maintain an up-to-date register of the names of all owners/occupiers of dwelling(s)and of their main home addresses, and must make this information available at all reasonable hours at the request of a duly authorised officer of the Local Planning Authority.

Reason: In order to ensure that the accommodation remains occupied as equestrian or holiday accommodation only.

Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 relating to rescinding permission for a road to yard 2.

(B) Refuse permission for the reason set out below if the agreement is not completed by 31 December 2023 or such extended time as agreed by the Head of Planning and Service Manager for Development Management and Enforcement.

The proposal would fail to make provision for variation of the s106 Agreement pertaining to remaining authorised works under permission 1/E/94/000295 for the laying of a road to yard 2 outside a defined development boundary. The proposal would be contrary to West Dorset, Weymouth & Portland policy SUS2 of the West Dorset, Weymouth & Portland Local Plan (2015) and paragraph 80 of the National Planning Policy Framework.

Application Reference: P/FUL/2023/01286

Application Site: 9-12 Land West Of Tobys Close Portland

Proposal: Erection of one dwelling.

Recommendation: Grant subject to conditions.

Decision: Granted subject to the following conditions.

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

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

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

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

3. Details of the means of enclosure to the plot boundaries of the dwelling including height and materials shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the dwelling. The dwelling shall not be first occupied until the agreed means of enclosure for its plot boundaries has been erected and retained thereafter.

Reason: In the interests of visual and residential amenity.

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

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

5. Before the development is occupied or utilised the cycle parking facilities shown on the submitted plans 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.

6. The development hereby approved shall not be commenced until a Construction Method Statement (CMS)

has been submitted to and approved in writing by the Local Planning Authority. The CMS must include details of:

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

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

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no roof enlargement(s) or alteration(s) of the dwellinghouse hereby approved, permitted by Class B and Class C of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

Reason: To protect amenity and the character of the area.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargement(s) of the dwellinghouse hereby approved, permitted by Class A of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

Reason: To protect amenity and the character of the area.

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

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

Informative

Informative: This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.

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 was provided with pre-application advice.

INFORMATIVE NOTE: Dorset Council Waste Services (residential)

The applicant is advised that, notwithstanding this consent, before commencement of any works Dorset Council Waste Services should be consulted to confirm and agree that the proposed recycling and waste collection facilities accord with the "guidance notes for residential developments" document (<https://www.dorsetcouncil.gov.uk/bins-recycling-and-litter/documents/guidance-for-developers-a4-booklet-may-2020.pdf>). Dorset Council Waste Services can be contacted by telephone at 01305 225474 or by email at bincharges@dorsetcouncil.gov.uk.

INFORMATIVE NOTE: 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.

Right of Way

Informative: The applicant is advised that the granting of planning permission does not override the need for existing rights of way affected by the development to be kept open and unobstructed until the statutory procedures authorising closure or diversion have been completed. Developments, in so far as it affects a right of way should not be started until the necessary order for the diversion has come into effect. Permission

must be obtained for any vehicle to drive along the Public Footpath. To drive a vehicle along a public footpath without consent is against the road traffic act.

Application Reference: P/FUL/2023/2025

Application Site: Scout Hall Granby Close Weymouth DT4 0SR

Proposal: Replacement Scout Hall.

Recommendation: Grant subject to conditions.

Decision: Granted subject to the following conditions.

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

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

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

16/237/001 Rev B Location and Site plan

16/237/002 Rev A Proposed floor plans and elevations

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

3. The external materials to be used for the wall(s) and roof(s) shall be as shown on the Proposed elevations drawing no.16/237/002. Thereafter, the building shall be retained as such.

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

4. The soft landscaping works detailed on approved drawing 16/237/001 Rev A must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

5. No external lighting shall be installed until details of the lighting scheme have been submitted to and agreed in writing by the Local Planning Authority.

Thereafter the lighting scheme shall be installed, operated and maintained in accordance with the agreed details.

Reason: To protect visual amenities and avoid nuisance to adjoining properties.

6. All private functions (as in non-scout association functions) and any associated amplified music/microphones shall cease by 23:00 hours.

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

7. The use of the building hereby approved shall be in compliance with the submitted travel plan received on the 13th June 2023.

Reason: In the interests of neighbouring amenity.

8. Before the development is occupied or utilised the cycle parking facilities shown on the submitted plans 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.

9. Before the installation of the air source heat pump (ASHP), the applicant shall identify the specific model of ASHP to be used and demonstrate its acceptability in terms of noise effects on nearby dwellings. This can be achieved by undertaking the calculations laid out in MICROGENERATION INSTALLATION STANDARD: MCS 020 MCS 020.pdf(mcscertified.com); the calculations shall be submitted to and approved in writing by the local planning authority for written approval also prior to the installation of the ASHP. Thereafter, the ASHP model shall be as agreed and retained thereafter.

Reason: to protect the amenity of nearby dwellings in relation to noise from the development.

Informatives:

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

2. It is recommended that the applicant contacts the Dorset Police Crime Prevention Officer to consider the security measures for the site including the placement of CCTV cameras to prevent antisocial behaviour.