

Public Document Pack



WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 12 AUGUST 2020

A recording of the meeting can be found on the committee page by using the following link:- [Link to committee page](#)

Present: Cllrs Simon Christopher (Chairman), Kelvin Clayton, Susan Cocking, Jean Dunseith, Nick Ireland, Louie O'Leary, David Shortell (Vice-Chairman), Sarah Williams and Kate Wheller

Also present: Cllr David Walsh, Cllr Dave Bolwell and Cllr Rebecca Knox

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

Penny Canning (Lead Project Officer), Ann Collins (Area Manager – Western and Southern Team), Philip Crowther (Legal Business Partner - Regulatory), Jo Riley (Senior Planning Officer), Darren Rogers (Enforcement Manager), Allison Sharpe (Business Support Officer), Guy Tetley (Engineer (Development Liaison)) and Denise Hunt (Democratic Services Officer)

139. Apologies

Apologies for absence were received from Cllrs Peter Barrow and David Gray.

140. Declarations of Interest

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

141. Election of Vice-Chairman for the meeting

Proposed by Cllr Susan Cocking, seconded by Cllr Nick Ireland

Decision: That Cllr David Shortell be elected as Vice-Chairman for the meetings on 12 and 13 August 2020.

142. Minutes

The minutes of the meeting held on 9 July 2020 were confirmed and signed.

143. Planning Applications

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

144. WP/20/00150/OBL - Field South of Nottingham Lane, Nottingham Lane, Weymouth

The Committee considered an application for the modification of planning obligations on a Section 106 Agreement dated 26th June 2017 of planning application WP/17/00271/OUT which granted permission for 340 dwellings.

The Lead Project Officer presented the application, informing members that the modification related to a reduction in the area of public open space from 4.75 to 4.7 hectares. Given that a development of this site would ordinarily require 1.53 hectares of open space, 4.7 hectares remained a significant over provision of open space.

The modification also sought a change in how the open spaces were to be provided from 4 large play spaces to 12 smaller play areas of 250 square metres.

The key issue was highlighted as being the reduction in public open space by 0.05 hectares.

Members sought clarification on the nature of the smaller play areas and impact on future maintenance schedules given that larger play areas were easier to maintain.

It was confirmed that not all of the 12 play areas would comprise fully equipped play equipment in the traditional sense and that some of the areas would involve natural play.

Proposed by Cllr Nick Ireland, seconded by Cllr Susan Cocking.

Decision

That authority be delegated to the Head of Planning to modify the S106 agreement dated 26th June 2017 of planning application WP/17/00271/OUT to:

- Modify the public open space provision to a total of 4.70ha

145. Public Participation

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

146. WD/D/20/000228 - Land at Jesmond Farm, Monmouth Gardens, Beaminster

The Committee considered an application to erect a dwelling on land at Jesmond Farm.

The Lead Project Officer presented the application and an aerial photo of the site showed a paddocked area within a wider agricultural field accessed by an existing access along Monmouth Gardens.

The location was just outside the Defined Development Boundary (DDB) and the high risk flood area although the access was just within the flood area.

The key planning issues were highlighted, including:-

- Principle of development
- Visual impact and the AONB
- Flood risk

The applicant had submitted an evacuation plan to deal with a flood event. The property was easily accessed from the town and added to the housing supply.

A written representation by the Agent in support of the application was read out by the Administration Assistant and is attached to these minutes.

Members highlighted that there was no mention in the report of possible contamination and were informed that a condition could be added to require the applicants to notify the Planning Authority if contamination was found. The addition of such a condition was supported by the Committee.

The Chairman highlighted that the proposal was not in the Local or Neighbourhood Plans nor was this an affordable dwelling.

Proposed by Cllr Nick Ireland, seconded by Cllr Kate Wheller.

Decision: That the application be approved subject to the conditions, including an additional condition in relation to contamination, as outlined in the appendix to these minutes.

147. WD/D/20/000583 - 82 East Street, Beaminster, DT8 3DT

The Committee considered an application for the demolition of an existing bungalow and erection of 5 dwellings that had been deferred for a site visit at the meeting on 9 July 2020.

The Enforcement Manager updated the committee that a further representation had been received from Mr Dixon objecting on grounds of highways and access, details of which he had e-mailed to all members of the Area Planning Committee.

An additional plan submitted showed the proposed pedestrian and vehicular access proposals 'as existing' and 'as proposed' for clarification purposes as requested by the Chairman at the previous meeting.

A short video of the site had been circulated to members in lieu of a physical site visit due to the restrictions imposed by the COVID 19 Pandemic in relation to group gatherings.

Members were given a similar presentation that was received at the meeting on 9 July 2020. Extra slides had been added at the request of the Chairman showing the existing and proposed wider site access with the footpath running alongside and bollards along the gable wall at No 80 East Street; and similarly for the existing and proposed pedestrian access with a kissing gate onto East Street.

The key planning points were highlighted, including :-

- Principle of development
- Design
- Conservation Area and AONB
- Neighbouring amenity
- Highways
- Biodiversity/nature conservation
- Community Infrastructure Levy (CIL)

The Chairman reminded members that they would have needed to have seen the video, attended the site, or have good knowledge of East Street in order to participate in the debate on this application.

The Vice-Chairman stated that he was concerned with the narrowness of East Street and referred to the NPPF which stated that development should only be refused on highway grounds if there was an unacceptable impact on highway safety which he felt to be the case in this instance. Even with the increased width of the vehicular access, he considered that vehicles would need to pull out across the road in order to see and there was no pavement along East Street to offer protection to pedestrians. He referred to a previous objection to an application at Hollymoor Gardens due to the highways impact on East Street and that this, and the narrowness of the street should be taken into consideration in this proposal.

Other members expressed similar serious concerns in relation to highway safety. They considered that the single vehicular access from this development onto East Street was potentially hazardous, given the nature of East Street and lack of visibility splay due to the buildings either side of this access. It was noted that there was some inconsistency with the advice given by the highways authority in relation to viewing mirrors.

Referring to comments made about a previous application at Hollymoor Gardens for a single dwelling and vehicular access, the Enforcement Manager advised that this application had initially been refused, but then allowed on appeal. At that time, the Planning Inspector addressed the main issue of impact on the highway network in that area and explained why the proposal would not result in an unacceptable impact on the highway and complied with Local Plan policy as not being so severe as to warrant refusal.

The Highways Officer stated that taking into account the outcome of the appeal decision in the vicinity, the low speed environment, the presence of multiple accesses onto East Street without onsite turning and the likely amount of vehicular trips generated as a result of this scheme, he did not consider that this formed a reason for refusal that would be sustainable on highway grounds on appeal.

The Chairman stated that the majority of houses in East Street were built in stone and, whilst the new dwellings would not be totally stone faced, they would be outside the DDB, at odds with the majority of houses in this street

and were not affordable housing. Recent homes built in East Street had a much wider access and were entirely stone faced. He therefore also had severe concerns in relation to materials as well as access that had been described by officers as "sandwiched".

The Enforcement Manager explained that the term "sandwiched" had been used to describe the position of the access between 2 gable walls that provided no visibility splay whatsoever. This would mean that vehicles would need to come out of the access at very low speeds as indicated by the Planning Inspector for a development on Portland, also referred to in the report. In terms of the materials, a condition could be included that the properties shall all be stone in accordance with details to be submitted and approved.

The Vice-Chairman remained concerned about the narrowness of the street and lack of pavements, despite comments made by the Highways Officer and that this development could add to the problem.

Cllr Susan Cocking raised further concern with the comparison made with the application on Portland as parking implications were a significant issue on Portland and that the access for this proposal was onto a narrow street with parked cars which was dangerous.

The Chairman highlighted that the proposal was outside the DDB and the Local Plan and Neighbourhood Plan and would affect residential amenity, and that the Committee could refuse the application on highways grounds.

The Solicitor advised that the Committee should have regard to previous appeal decisions if minded to refuse this application. However, if members considered that there were differences in circumstances that meant that members could differentiate on highways grounds from previous appeal decisions then this would be appropriate, provided that the reasons were drafted comprehensively and reasonably. However, there remained a possibility that the Council could face costs on appeal.

Cllr Sarah Williams agreed that the access was dangerous, onto a narrow street with no pavements, parked cars and an access point opposite leading to more homes. She did not view this access as being suitable for this number of houses and potential number of cars given that the road was heavily used by pedestrians walking into the centre of Beaminster.

Cllr Susan Cocking proposed that the application be refused under paragraph 109 of the NPPF due to the unacceptable impact on highway safety. This was seconded by Cllr Sarah Williams.

The meeting adjourned from 11:18 -11:33am in order that officers could draft the reasons for refusal based on the highways concerns raised by members.

The meeting reconvened and the Chairman wished to consider some further reasons for refusal. The Solicitor advised that any additional reasons for

refusal should be agreed by the proposer and seconder of the motion to refuse the application.

Some additional reasons for refusal were debated, including materials, the lack of affordable housing and that the site was outside the DDB and not in the Local Plan.

The Area Manager - Western and Southern read out the reasons for refusal on highways grounds.

The meeting was adjourned for a further period from 11.42am to 11.50am in order that officers could draft the further reasons for refusal.

The following reasons for refusal were shared by way of a presentation slide for the benefit of members of the Committee and the public.

1. The application site is outside of the defined development boundary for Beaminster and the proposal is not for affordable housing and as such it does not form an exception site. As such the proposed development is contrary to Policy SUS2 of the West Dorset, Weymouth and Portland Local Plan (2015) which seeks to strictly control development outside defined development boundaries. The benefits of the proposal (the addition of a net increase in 4 dwellings to the housing supply) would not outweigh the harm in permitting a development outside the defined development boundary in the planning balance.

2. The proposed development will generate further traffic and pedestrian movements along East Street, a County highway with variable and limited carriageway and footway widths. Furthermore the vehicular access to the site is narrow and lacking any visibility splays. In the absence of the construction of, or programme for, a detailed improvement scheme designed to provide suitable and appropriate traffic management and safety enhancements for this street or to improve the width and visibility splays of the access, this development would be likely to cause danger and inconvenience to all highway users resulting in a severe impact on highway safety. Hence the scheme would be contrary to policy COM7 of the West Dorset, Weymouth and Portland Local Plan (2015) and Para 109 of the National Planning Policy Framework (2019).

3. In the absence of a S106 agreement to secure a financial contribution to off-site ecological mitigation it is considered that the proposed development would result in the unacceptable loss of semi-improved grassland in which are present Dorset Notable species and as such the development would adversely impact on biodiversity contrary to Policy ENV2 of the West Dorset, Weymouth and Portland Local Plan (2015), Dorset Biodiversity Compensation Framework and paragraph 170 of the National Planning Policy Framework (2019) (NPPF) and as such the refusal of the planning application accords with paragraph 175 of the NPPF.

The proposer and seconder of the motion to refuse the application confirmed that they were content with the reasons as set out.

Proposed by Cllr Susan Cocking, seconded by Cllr Sarah Williams.

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

148. **WD/D/19/000797 - St Andrews House, St Andrews Trading Estate, Shoe Lane, Bridport, DT6 3EX**

The Committee considered an application for the formation of a first floor walkway and seating area which users of the facility could use as outdoor amenity space.

Members received a presentation on the proposal that was within the DDB and ancillary to leisure facilities, cafe and day nursery. The site was on an industrial estate with no nearby residential houses.

An objection had been received from the Parish Council on the grounds that the walkway overlooked the Area of Outstanding Natural Beauty (AONB) of the river and Asker Valley.

The main planning issues were outlined including:-

- a small scale development within the DDB
- no nearby residential use
- use as an outside seating space for staff
- no change of use
- noise impact minimal within the trading estate
- no impact on parking or trees
- hours of use controlled 0800 to 2000 (*a typographical error that stated 2200 in the presentation was corrected*)

In response to questions, the Senior Planning Officer advised that the existing uses of the building was covered in condition 5 of the proposal.

Members highlighted that a licence to sell alcohol had recently been granted for the building, however, given the hours of operation of the building some members did not consider this to be unduly concerning. An alternative view was expressed that the impact of the licensing on the overall use of the building was not favourable.

Proposed by Cllr Jean Dunseith, seconded by Cllr Kelvin Clayton.

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

149. **WD/D/19/003186 - Homestead Farm, Main Street, Bothenhampton, Bridport, DT6 4BJ**

The Committee considered an application for the demolition of an original farmhouse in the Conservation Area and the erection of a new 4 bed low

carbon house (with variation of condition 1 of planning approval WD/D/17/002888 to amend approved plans).

The Enforcement Manager presented the Section 73a application that sought to vary the plans list condition for the previously approved planning permission for the site. A number of Non-Material Amendment applications (NMAs) had subsequently been approved, but the latest received in 2019 was refused. This was due to the cumulative changes sought not being accepted as an NMA which left the only option to regularise the building as now built and to be completed in the form of a Section 73a application.

Members were shown a site location plan, showing a red line dividing the built form and garden/ allotment areas and terraced properties on the north side accessed by a higher footpath level to the road; the site location in relation to the village centre and nearby listed buildings, Conservation Area (CA) and DDB; an aerial photo of the land before development and former farmhouse buildings along Main Street sloping downwards and Village Hall; google views before redevelopment of the farmhouse at right angles to other buildings down the slope of the land and access footway to the properties along Main Street.

Members were also shown various plans of the "Y" shape development and lower level garage accessed via Main Street and the garden area / private allotment with an access off Duck Street.

A number of photos were shown of the development including the structure as built, the garage set at a lower level off Main Street; the Main Street and Duck Street accesses and the general vicinity of the development.

He confirmed that no Highways objection had been made in relation to the slope of the driveway leading to the garage.

Slides were shown of the as built and as approved floor plans which showed a similar building in terms of its footprint and accommodation, however, the building had been "tweaked" on the various levels and was now further towards Main Street showing how it had not been built in accordance with the approved plans. Comparisons were also shown of the as approved and as built elevations showing the differences in height of various elements of the building.

The key planning points were highlighted including:-

- Principle of development
- Design
- CA / AONB
- Neighbouring amenity
- Highways
- Community Infrastructure Levy (CIL)

A number of written representations objecting to the application and one in support by the Agent were received and are attached to these minutes. Some of these were read out at the meeting by the Administration Assistant in

accordance with the revised Public Speaking Protocol for Area Planning Committee meetings.

Cllr David Bolwell - Dorset Council - Bridport, addressed the Committee stating that many changes had been made to the original plans approved by West Dorset District Council, which had already been reduced in size further to comments by the Conservation Officer. A survey paid for by residents revealed that the positioning and heights of the development were wrong and the heights contained in paragraph 6.17 of the report were different to those submitted in the NMAs. Approximately 10 metres of hedgerow along Duck Street had also been removed. The fallback position was that this development was not built to the original specification and both residents and the Parish Council had lost faith in the planning system. The development had been littered with non-compliance issues and he asked the Committee to refuse the application based on mass, height, ENV16 and Bridport Neighbourhood Plan D1 and D8.

Cllr Nick Ireland stated that he had visited the site the previous evening and was mostly concerned with the huge discrepancy in the heights and that moving the wings further up the slope had served to increase the impact in terms of height.

The Enforcement Manager advised that the height discrepancy in the report relied on hand drawn plans provided by applicant and the reasons for the discrepancy in heights was set out in paragraph 6.19 of the report.

The Solicitor advised that members should consider the building "as built" and whether its height had a planning impact which was unacceptable, and provide reasons.

Cllr Kelvin Clayton read an extract from the original design and impact statement and queried the absence of green roofing in the development. He said that the plans for the original wings were downslope and barely visible and that he had stood in the same spot where the wings now obliterated the views. He therefore considered that the application went against a number of material considerations. He asked whether there was any independent verification between surveys provided by the applicant and residents and referred to the lack of comment by the Conservation Officer and Historic England in the report.

The Enforcement Manager stated that he could not confirm whether the Conservation Officer had visited the site, however, he had done so as the case officer and it was his responsibility to balance the concerns of all representatives with the planning considerations. He confirmed that there was no independent survey and that he had relied on the applicants to provide details in relation to heights.

He emphasised that members needed to look at the building "as built" and assess the resultant planning harm if members felt that the building was too dominating and overbearing.

Cllr Kate Wheller stated that she was incensed by this application and that it was not appropriate for in the centre of a Conservation Area. She drew attention to comments made by the agent and that there were appreciable differences in height and the development was much nearer to Main Street than what was approved. She questioned the lack of accurate plans and how the building was almost completed when it was known that there were significant differences from the approved plans. She considered that this showed a lack of respect and total disregard for the planning process that had not happened accidentally in her view.

Cllr Jean Dunseith agreed with this view and expressed her concern in relation to roof heights on both wings due to the need to accommodate services, that the wings were closer to Main Street and higher when viewed from the road. She felt that the technical considerations in relation to the roof heights should have been resolved before the original permission had been granted and viewed the way in which this development had taken place as being very sloppy.

The Solicitor stated that he understood why members should feel that the development proceeding in this way showed disrespect to the planning system, however, the legislation allowed retrospective permission in respect of such scenarios which legislators envisaged might happen. Any decision to refuse the application on the basis of roof heights would require valid planning reasons.

Other members agreed with the views already expressed and that the height of the building affected the Conservation Area and neighbour amenity, the repositioning of the wing causing a considerable difference to the closeness to homes on Main Street. The Chairman further commented that the building contrasted with the great character and charm of the village and the street scene in the Conservation Area and village hall.

Cllr Kelvin Clayton referred to the 2 main planning issues highlighted in paragraph 16.1 of the report and proposed refusal of the application on the basis of the Neighbourhood Plan HT2; Local Plan ENV10.1 and NPPF 127c. This was seconded by Cllr Kate Wheller.

The meeting was adjourned from 15.42am to 15.45am in order that officers could draft the wording of the reasons for refusal based on the concerns of the Committee.

The following reasons for refusal were shared by way of a presentation slide for the benefit of members of the Committee and the public.

1 The proposal is a visually dominating and prominent built form of development, out of character to the area. The site is located within the Conservation Area and where the wider setting of that area is affected such that the proposal does not 'preserve' or 'enhance' that area as is required and set out given the statutory Section 72 test of the Planning (Listed Buildings and Conservation Areas) Act 1990. On that basis it has an adverse impact on the existing Conservation Area character and harms the Conservation Area

character and appearance. That harm would be less than substantial but there are no wider public benefits arising from the proposal that would outweigh that harm in the planning balance. As such the proposal would not be in accordance with Policies ENV4, ENV10 or ENV12 of the West Dorset, Weymouth & Portland Local Plan (2015) ; Policies HT2, D1 & D8 of the Bridport Neighbourhood Plan; nor paragraph 127 and section 16 of the National Planning Policy Framework (2019) and in particular para 192 which states:

In determining applications, local planning authorities should take account of:
c) the desirability of new development making a positive contribution to local character and distinctiveness.

2 The proposed development by reason of its mass, scale and bulk has an unduly dominating and overbearing impact when viewed from existing neighbouring properties in Main Street and Duck Street. As a result it sits uncomfortably in relation to those neighbouring occupiers and is detrimental to their amenity (outlook). Its mass, scale and bulk is also detrimental to the character and appearance of the area. As such the proposed development would be contrary to Policies ENV10; ENV12 & ENV16 of the West Dorset, Weymouth & Portland Local Plan (2015); Policies D1 & D8 of the Bridport Neighbourhood Plan; and Section 12 of the National Planning Policy Framework (2019) and in particular paragraph 127 which states amongst other things that decisions should ensure that developments provide a high standard of amenity for existing and future users.

The proposer and seconder of the motion to refuse the application confirmed that they were content with the wording of the reasons.

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

150. **WD/D/20/000253 - Beach Chalet adjacent car park, Charmouth Beach, Lower Sea Lane, Charmouth**

The Committee considered an application to vary Condition 1 of Planning Permission 1/D/13/000282 amending the occupancy condition in relation to a Beach Chalet that had been converted from former toilets to a chalet in 2002.

The Senior Planning Officer outlined the planning history with regard to conditions. This application represented a further relaxation to allow use as holiday accommodation between 1 March and 31st October each year but not for ancillary sales or serving of food and/or drink.

An additional representation had been received in objection of the scheme following publication of the agenda wishing the chalet to be returned to its former use as a toilet block and raising issues of ownership. This was included in the update sheet circulated to members prior to the meeting.

The Senior Planning Officer advised that the change of use had happened in 2013 and was not relevant to this application. She had also checked

ownership and the applicant had signed the relevant certificate which was satisfactory to validate this application.

A written objection by Charmouth Parish Council was read out by the Administration Assistant and is attached to these minutes.

In response to questions it was confirmed that the new condition would allow the chalet to be let out to people outside of friends and family within the timeframe of 1 March to 31 October.

Some members agreed with the view expressed by Charmouth Town Council that the current conditions were adequate.

The Area Manager - Western & Southern explained that if minded to refuse, members should consider the harm caused by the variation in the condition, particularly given recent ministerial advice on a more flexible and relaxed approach to extending the season to help the UK economy.

The Solicitor explained that the test for imposing conditions must be for a planning purpose and be reasonable, proportionate and enforceable. Members should therefore consider the planning harm in letting the chalet on a commercial basis as opposed to friends and family.

Concerns were also raised in relation to increased lighting, however, members were informed that the proposal did not include any physical changes and that lighting would comprise development.

Proposed by Cllr Susan Cocking, seconded by Cllr David Shortell.

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

151. Urgent items

There were no urgent items.

152. Update Sheet

Application Ref.	Address	Agenda ref.	Page no.
WD/D/20/000583	82 EAST STREET, BEAMINSTER, DT8 3DT	Item 6a	43-74
Update(s): 1 further representation from occupiers Mr Dixon objecting on grounds of highways and access, details of which he has emailed to all Planning Cttee Members. 1 additional plan submitted (Site Access Plan - Drawing Number 11352 - 10 Rev A) showing the proposed pedestrian and vehicular access proposals 'as existing' and 'as proposed' for clarification purposes			

.			
Application Ref.	Address	Agenda ref.	Page no.
WD/D/20/00253	Beach Chalet, Charmouth	Item 6f	115 - 121
Update(s): 1 representation received 11.8.20 from Dr Anthony Farmer, objection. Due to shortage of toilets at the beach. Raised issue about land ownership when the toilet block was built that is not on Evans land.			
.			

Appendix - Decision List

Duration of meeting: 10.00 am - 4.10 pm

Chairman

.....

This page is intentionally left blank

Western & Southern Area Planning Committee - 12 August 2020

Written Submissions

WD/D/20/000228 - Land at Jesmond Farm, Monmouth Gardens, Beaminster

Rachel Bird (Agent)

Morning Councillors. This statement is made by the Agent for the application in support of the proposals.

This application has been carefully prepared by the Applicant and the project team. We are pleased to read that the proposal has been recommended for approval subject to conditions by your Authority's Case Officer.

Concerns have been raised by the Town Council with regard to potential flooding on the site. Both the Environment Agency and your Authority's Technical Services team however raise no objection to the proposals in this regard. The proposed dwelling is sited on land within Flood Zone 1, which is the least liable to flooding, with only a short section of the access track being within Flood Zones 2/3. The consultee responses note that there is a higher level of surface water flood risk to the west of the site area however this can be managed on site, so that the flood risk is not exacerbated locally. A detailed surface water management scheme is recommended as condition 7, which will be submitted to your officers for consideration prior to the commencement of development.

The Applicant had instructed a Landscape Assessment which concludes that the site is visually well contained and would not harm the character of the Dorset AONB. The proposed landscaping scheme will include substantial reinforcement and thickening of the existing field boundary and include improvements to the roadside setting, resulting in minor beneficial improvements. The detailing of this scheme and maintenance will be secured by recommended condition 3.

Whilst it is acknowledged that the site lies outside the defined development boundary of Beaminster (Local Plan Policy SUS2), the council cannot currently demonstrate a five-year supply of housing land and thus the policies for the supply of housing are considered to be out-of-date and the NPPF Paragraph 11d) is invoked. The site is considered to be a sustainable and suitable location for development, adjacent to the current settlement boundary, and close to the existing services which the town offers. The proposed 3bed dwelling of one and a half storeys is a modest proposal with larch boarding and brick detailing.

There have been no third-party objections to the proposal during the course of the application. The Applicant is keen to secure a well-designed permanent residence on the site, following a spate of burglaries and break-ins at the adjacent business to the

north (Fox Joinery), which is in the Applicants' ownership. It is anticipated that the natural surveillance from a dwelling in this location will significantly reduce the level of crime in the local area.

Thank you for your time Councillors. It is hoped that you can support your officers' recommendation and consideration of technical consultees on this proposal.

**WD/D/19/003186 - Homestead Farm, Main Street, Bothenhampton,
Bridport, DT6 4BJ**

Simon Brody

Firstly, thank you for allowing me to speak. I object to this application.

The original planning application in 2018 contained photomontages – as an aid to interpreting the formal drawings – which showed the existing buildings being re-built with additional wings down slope which were barely visible. Quite reasonably this was granted permission.

What was built, and which this current application purports to show is completely different. Buildings have not been rebuilt as before, the wings are 1.3m higher, are up to 3m closer to the road and materials used are alien to the Bothenhampton Conservation Area.

I carried out some rough surveys of the as built structure, and established the extent of the non-compliance. Having worked with your officers in the past, planners, conservationists, building control, engineers, highways, (public servants all) I felt very strongly that I would do all I could to make them aware of what appeared to be a flagrant breach of the original permission.

I engaged four consultants who proved the point, and they, very honourably, have produced damning reports which are included in my written submission.

These reports were made available to your officers, and it would be presumptuous to assume they had any great influence, but in October 2019, your officers concluded that the project, as built, did not enjoy the benefit of planning permission, and as a consequence any previously granted NMAs were invalid. A retrospective application would be required.

Does this current application have the same features as those shown in the original application - in particular the photomontages? No it does not. The pre-existing buildings have not been replicated, the wings are highly visible, the garage drive is dangerous, the materials of construction have no place in this conservation area, to name but a few transgressions. A number of listed properties in Main Street are now compromised, as indeed is your Council's own Conservation Report.

Had this application been presented in 2018 it would have been rejected out of hand. To grant permission now would be to endorse a witting breach of the original planning permission. I recommend that this committee rejects the current application.

Graham Styles

I object to the above application. The building is completely out of scale and sympathy with its surroundings, and has greatly damaged the centre of a historic village.

I welcome the Committee's scrutiny of this case, and appreciate the chance to comment.

This extremely large development is surrounded by listed buildings, and is in a conservation area in an Area of Outstanding Natural Beauty.

In the original Design and Access Statement, on which planning approval in April 2018 was based, certain assurances were made; for example, that the building would respect the conservation area and would not impact existing views; that existing building materials would be re-used; and even that apple trees would be carefully re-located.

None of the assurances were respected. Our conservation area has been damaged by the sheer size and scale of the building; the materials used jar with the surroundings (hardly a single stone appears to have been re-used); and as for the poor apple trees, it seems they were "relocated" to the great orchard in the sky a long time ago.

Why give these assurances in the first place, I wonder?

Of even more concern is the fact - established through the persistence and money of local residents - that the building is substantially higher and closer to the road than it should be; and is thus all the more overbearing in relation to its surroundings. It's striking that even casual visitors to the village genuinely believe the building is a hotel.

Any application for alterations to listed buildings in the vicinity of Homestead Farm is rightly scrutinised, and rejected if it doesn't comply with the regulations. It would be wholly inconsistent and unfair, therefore, to permit such glaring departures from the agreed scheme in this case, given the damage caused to the area.

To do so would also be inconsistent with the relevant local plans, given the weight these attach to enhancing and preserving the local environment.

I very much hope therefore that the Committee will reject the application.

Sarah Butcher

I am writing to express my objections to the development at Homestead Farm (WD/D/19/003186) before the coming planning meeting on August 13th.

You will be aware that there is strong feeling against this development. I wish to stress that this is not simply a reflection of retrograde nimbyism: this is a hugely substantial and dominant site in the centre of an historic village. Any building constructed risked altering the character of its surroundings. Had the building been constructed in adherence with the plans, this building would have been sympathetic and the impact mitigated. Instead, the building is far more intrusive than planners condoned and is to the considerable detriment of historic Bothenhampton.

When taking the many infringements into account, including -most significantly - buildings well over 1m higher than planned and 3m closer to the road than permitted, councillors should know that this is not an ordinary development. This is no average residential building for family occupation: it is a £4m development (according to the website of Hart Design and Construction, which constructed the building) on a 5,000 square metre site.

It is a hugely significant development for Bridport, let alone Bothenhampton. Given its pivotal village centre location it should have been constructed as sensitively as possible.

Instead, we have a situation where the historic centre of a village, changed very little for hundreds of years, has suddenly been altered overnight by a construction resembling a municipal leisure centre. It's not just residents who object: visitors to the village are aghast and stop to gape.

The excessive height of the construction combined with its proximity to the road, both of which contravene stipulations made in the original planning permission to ensure the building blended into its surroundings, have made this building substantially different to that originally envisaged by the council.

The architects and the owners were made aware of villagers' realisation that the construction of Homestead Farm contravened the plans as early as February 2019. So too was Dorset Council's planning enforcement team. However, villagers' complaints were initially dismissed by all three parties and it was only after the village employed its own team of architects and planning consultants at some expense that the architects finally conceded that the building did not adhere to the plans.

Having finally made this admission, the subsequent argument of the architects and owners has been that the changes are so negligible as to be immaterial. This is absolutely not the case. With a building of this size, in a location of this sensitivity, the changes have entirely altered the landscape and will damage Bothenhampton in perpetuity unless rectified.

Pat Brody

Thank you for this opportunity to address the Committee. In support of my letter dated 19th February 2020 I wish to stress the following in objection:

In this current submission there is a drawing 1702L 004 Rev A which is listed "As Approved". That drawing shows the proposed ridge height of the Clay Roof part of the Farmhouse at the same level as the pre-existing Farmhouse ridge. The surveyed level of the Farmhouse ridge was on a survey drawing supplied by the Applicant as 31.97 AOD. Therefore in accordance with that "Approved" drawing the proposed ridge height for the Farmhouse is the same level ie 31.97 AOD. This drawing is indeed an Approved Drawing under the terms of the original Planning Permission. It was also submitted under application WD/D/19/000355/NMA which the Planning Officer advises in his report was Approved.

However in contradiction, in the Design, Access and Planning Statement for this current application there is a table of levels, which your Planning Officer has accepted, and commented on. This shows the Farmhouse approved ridge level at 32.472. This demonstrates that the table of levels, which your Officer has relied upon for comment, is actually grossly in error.

As a Committee you need to ask yourselves are you prepared to endorse gross inaccuracies submitted as part of the application. I would venture to suggest that you would not wish to do this and therefore you should reject this application.

Jane Paterson

Many years ago I was a Community Nurse/Midwife in Dorset. Bothenhampton was on my Patch. Many an hour was spent visiting folk on the high pavement, from which we could gaze across the valley with uninterrupted views over a quintessentially English landscape towards the sea.

I am appalled that such a blot on this village, which is a unique example of what we are good at preserving in England, has been allowed. Natural Forest Marble dwellings, mingling along meandering lines throughout the village have been spoiled by this ugly edifice which is out of place in a Conservation area. That the Masonry alteration on Main Street alone has drawn 'No Comment' from the very organisations that serve to preserve our Heritage, is both concerning and perplexing.

I like many others who object to this dwelling, am passionate about keeping our country special. England is the envy of the world for our quaint and beautiful villages. New housing of grand design is of course a novel concept, but totally unsuitable in this place. What set out to be an 'Eco' house has probably produced enough carbon in the making thereof, to make that claim a joke.

I have noted the trajectory (I can't call it progress) of this application, with both interest and sadness. Change after change under the guise of Non Material Amendment, has seemingly been allowed to sail through, it would seem with simply a nod. Heights have been drastically changed, the driveway access to the property from Main Street is dangerous and one doesn't have to be a Highways engineer to work that out. To argue that point is an insult to anyone's intelligence.

The removal of so much hedge in Duck street is a travesty. In a Conservation Area such as Bothenhampton, under the Planning (Listed Buildings and Conservation Areas) Act of 1990, permission should be sought for this. It is mandatory for the local authority to be notified *six weeks in advance* of work being carried out, so that the authority can consider whether or not to impose a tree preservation order. It is a criminal offence to undertake work in a Conservation Area without consent, and as I understand it, the local planning authority can insist that the work is reversed. I cannot find evidence of consent having been given, and since hedges are but small trees, permission should have been obtained before the hedge was ripped out. Putting in a pond and a bog garden is probably not going to stop flooding.

Over 40 residents, many of whom have lived in the village for decades, are distraught at losing their views and their dark skies. I join them in voicing my strong opposition.

Brian Cattell

The original Planning Application for these works were revised to apply size reduction and height reduction and also specific materials in keeping with the village Conservation Area.

The Applicant has deliberately presented vague drawings and information, which should never have been accepted by Planning Dept for a development of this size in such a prominent location, and had successfully conned Dorset Planning Dept. to agree with NMA's These were later rightfully rejected!

This whole development has been an exercise in blindsiding the Planners who who have taken no notice of their own Conservation Area, ANOB Area and Local Plan regulations and requirements.

The report from Darren Rogers (I question if he has ever visited the site) does not go any way to addressing the problems and effort put in by residents to get this building built to Planning requirements and Planners to implement their own regulations. He does point out the fact that there are over 40 objections listed against this Application - please read and note! After all - what is the Planning Dept. for. Going on this Application it is not fit for purpose and a waste of Council Tax Payers money

This is a 4 bedroom - £4,000,000 development which is way out of keeping with the locale and Local Plan, and as built Totally out of character with the Conservation Village.

I fear the Planning Dept. was duped by the Eco-friendly "low carbon" quote in the Application!

There is no Environmental/ecological conservation in stripping out over 15 metres of existing historic hedgerow to create an access to the "Agricultural area" , over a private road which there is no proven authority to use, when access is perfectly feasible through the site (as is being used by the applicant and all contractors at present and during the last 2&1/2 years of construction). Or stripping out all existing Flora and fauna and raising levels by some 2 mtrs (is planning permission needed to raise levels?),and putting up innumerable sheds, housings and structures on same area.

The amendments to the **original** Planning are NOT "minor"

Enforce the **original** Planning or Demolish!

David Pencheon

You will have no shortage of reading with respect to the Homestead Farm debacle in Bothenhampton (WD/D/19/003186) so I will be as succinct as I can in highlighting the most obvious, the most important and the most factual discrepancies and inaccuracies within the report due to be presented on Wednesday.

I simply cannot understand why is the planning officer's report that is understating the height increases *that the applicants have already admitted to exceeding by much more*. Not 0.04m for the 'old barn' or 0.68m for 'bedroom cottage' but, according to the independent architect's report a height excess of this building at over 1.3m.

You will have read about a whole series of contraventions that the applicant is responsible for that, when looked at together have made a mockery of the planning process, even more so considering this is a sensitive conservation area.

It beggars belief that an enormous £4m building which now dominates the centre of this historic village could ever be described as a family home – I don't know how many visitors to the village have stopped and asked me if it is an hotel or a sports centre? It is grotesquely incongruous the listed buildings it now dominates.

Any reasonable person is bound to ask that, if the height and other contraventions to the original plans are now considered insignificant, what then will Dorset Council say to other planning infringements in less sensitive sites? Are we to believe that a 1 metre height difference is now an acceptable variation in semi completed structures? Can we now expect that any variations in a near completed built structure can be forgiven on the grounds that the initial drawing was only really an approximation anyway?

I am afraid that if these plans proceed, then it will be clear that there is a failure of due process at every level and at every stage of this planning that has so blighted this part of Bridport. As anyone got the courage to stand up and formally scrutinise this bulldozing of proper procedures?

Fortunately, this Wednesday offers a last chance for the planning committee to put matters right, draw a line in the sand, and uphold the probity and governance that citizens have a right to expect.

Bothenhampton and Walditch Parish Council

Bothenhampton and Walditch Parish Council objects strongly to this current development.

The original, agreed plans have not been respected; on the contrary, there have been very significant divergences. Independent surveys commissioned by local residents have shown that the building is over one metre too high; and that the two wings are up to three metres closer to Main Street than they should be, and thus all the more intrusive. Nor is the building composed of local materials.

In every respect, therefore, it is overbearing and unsympathetic in relation to the surrounding buildings and its setting.

The sensitive location of this exceptionally large development, in a conservation area surrounded by listed buildings, would demand stringent compliance with the agreed, original planning application. Unfortunately, this has not happened.

The development has not only damaged the centre of a historic village, to the consternation of many local residents, but it is also surely contrary to the relevant provisions of local plans and the importance these attach to conserving and enhancing the local environment.

The Parish Council therefore trusts the Committee will reject the current application.

Andy Partridge (Agent)

As this application was made under Section 73, the original planning permission remains unaffected by today's decision. The original planning permission (and approved alterations) is *the* baseline by which to assess the proposal. It is essentially the fall-back position.

The as-approved dwelling is a substantial, complex house (consisting of multiple and angled façades of differing heights) set in a large plot. The changes to the design should be considered in this planning context.

The modifications, including increases and decreases in the dimensions of the elements making up the building, and the change to the angle of the southwest wing, are slight. This is confirmed by your conservation officer who has stated that the changes are minor in nature. There is also some local support for the changes.

Looking at the design changes, no two views are the same. Views across the valley were partly contained pre-development. The as-built scheme also contains views across the valley.

Thus, the changes to the heights of Winter Garden, Dairy Barn and Bedroom Cottage elements do not make any appreciable difference, while the shortening of Dairy Barn, Bedroom Cottage and the Farmhouse compensates for any small loss of view above the buildings. When viewed from the far side of the valley changes are imperceptible. Also, the cranking of the southwest wing by 2 degrees is unnoticeable.

The evidence from the experts is clear. In considering the impact on the Conservation Area and Listed Buildings and, by extension the AONB, there have been no adverse comments from Historic England, Natural England, Highways (to any element of the scheme) or the Conservation Officer.

The Officer's Report identifies no impact on neighbours' amenity in terms of overlooking and loss of privacy, particularly bearing in mind that the dwelling is sited centrally in its plot and the very large gaps between the properties that border it.

By relocating the entrance of Duck Street by 175cm south, it avoids utility services and is again a minor change.

The improvement to the ecological credentials of this low carbon house now including a pond will improve biodiversity and is endorsed by policy of the Dorset Natural Environment Team.

If in the event committee are minded to refuse the application, we would request a COVID secure site visit.

We ask you to follow the expert evidence and approve this application.

**WD/D/20/000253 - Beach Chalet adjacent car park, Charmouth
Beach, Lower Sea Lane, Charmouth**

Charmouth Parish Council

The Parish Council objects to this application as it is felt that the original approval in 2013 is adequate and it would not want to see the conditions relaxed any further.

APPLICATION NUMBER: WP/20/00150/OBL

APPLICATION SITE: Field South of Nottingham Lane, Nottingham Lane, Weymouth

PROPOSAL: Modification of planning obligations on Section 106 Agreement dated 26th June 2017 of planning application WP/17/00271/OUT.

DECISION: Delegate authority to the Head of Planning to modify the S106 agreement dated 26th June 2017 of planning application WP/17/00271/OUT to:

- Modify the public open space provision to a total of 4.70ha

Reason for Decision

It is considered that the proposed modification to the S106 would have an acceptable impact. The modification would involve the overall reduction in the provision of public open space from 4.75ha to 4.70ha resulting in an overall loss of 0.05ha. How the open space is provided would also change, the 4 play outposts (smaller defined play spaces) would be reduced in size individually from 400sqm to 250sqm but the number of play spots (incidental play spaces) would be increased from 4 to 12. The proposed provision as part of the outline application was in excess of that required. The proposed reduction in provision of 0.05ha to an overall provision of 4.70ha is still in excess of that required and therefore in this case the reduction in the public open space provision is considered acceptable.

APPLICATION NUMBER: WD/D/20/000228

APPLICATION SITE: Land at Jesmond Farm, Monmouth Gardens, Beaminster

PROPOSAL: Erect dwelling.

DECISION: Grant subject to conditions

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

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

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

Location Plan - Drawing Number 2726-03 - Rev A received on 29/01/2020

New House Ground Lines - Drawing Number 2726 -05 Rev A received on 29/01/2020

Proposed Floor plans and Elevations - Drawing Number 2726-01 received on 29/01/2020

Proposed Floor plans and Elevations - Drawing Number 2726-01 Rev A received on 29/01/2020

Site Plan - Drawing Number 2726-02 Rev C received on 29/01/2020

Site Plan - Drawing Number 2726-04 received on 29/01/2020

Proposed Landscape Strategy - Drawing Number 1107.02 A received on 22/06/2020

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

3) Prior to the commencement of development above damp course level, a landscaping and tree planting scheme in accordance with the Proposed Landscape Strategy plan 1107.02 A, shall have been submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March inclusive, immediately following commencement of the development. The scheme shall include details of species, provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years and thereafter the maintenance and replacement shall be carried out on accordance with the approved scheme.

REASON: In the interest of visual amenity.

4) No development above Damp Proof Course (DPC) level shall be commenced until details and samples of all external facing materials for the walls and roofs shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, unless otherwise agreed in writing by the Local Planning Authority the development shall proceed in strict accordance with such materials as have been agreed.

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

5) Prior to first occupation of the dwelling a Flood Warning and Evacuation Plan shall be submitted and agreed in writing with the Local Planning Authority. Thereafter, the Flood Warning and Evacuation Plan shall be retained on site in accordance with the agreed details.

REASON: In order to safeguard the accommodation from unnecessary flood risk.

6) Before the development hereby approved is occupied the turning and parking shown on the submitted plans must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

7) No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction and a timetable for the implementation of the scheme, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be fully implemented in accordance with the submitted details and timetable for implementation.

Reason: To prevent the increased risk of flooding.

8) In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale for implementation, 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 to the Local Planning Authority.

REASON: To ensure the risks from contamination are minimised.

Informatives:

Right of Way –

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.

Pollution Prevention during Construction –

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and

materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>

Waste Management -

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 <https://www.gov.uk/how-to-classify-different-types-of-waste>

Reason for Decision

- Absence of 5 year housing land supply.
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- It is not considered to result in any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application.

APPLICATION NUMBER: WD/D/20/000583

APPLICATION SITE: 82 East Street, Beaminster, DT8 3DT

PROPOSAL: Demolition of existing bungalow and erection of 5.no dwellings.

DECISION: Refuse for the following reasons:

1. The application site is outside of the defined development boundary for Beaminster and the proposal is not for affordable housing and as such it does not form an exception site. As such the proposed development is contrary to Policy SUS2 of the West Dorset, Weymouth and Portland Local Plan (2015) which seeks to strictly control development outside defined development boundaries. The benefits of the proposal (the addition of a net increase in 4 dwellings to the housing supply) would not outweigh the harm in permitting a development outside the defined development boundary in the planning balance.
2. The proposed development will generate further traffic and pedestrian movements along East Street, a County highway with variable and limited carriageway and footway widths. Furthermore the vehicular access to the site is narrow and lacking any visibility splays. In the absence of the construction of, or programme for, a detailed improvement scheme designed to provide suitable and appropriate traffic management and safety enhancements for this street or to improve the width and visibility splays of the access, this development would be likely to cause danger and inconvenience to all highway users resulting in a severe impact on highway safety. Hence the scheme would be contrary to policy COM7 of the West Dorset, Weymouth and Portland Local Plan (2015) and Para 109 of the National Planning Policy Framework (2019).
3. In the absence of a S106 agreement to secure a financial contribution to off-site ecological mitigation it is considered that the proposed development would result in the unacceptable loss of semi-improved grassland in which are present Dorset Notable species and as such the development would adversely impact on biodiversity contrary to Policy ENV2 of the West Dorset, Weymouth and Portland Local Plan (2015), Dorset Biodiversity Compensation Framework and paragraph 170 of the National Planning Policy Framework (2019) (NPPF) and as such the refusal of the planning application accords with paragraph 175 of the NPPF.

APPLICATION NUMBER: WD/D/19/000797

APPLICATION SITE: St Andrews House, St Andrews Trading Estate, Shoe Lane, Bridport, DT6 3EX

PROPOSAL: Formation of first floor walkway and seating area.

DECISION: Grant subject to the following conditions:-

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

Location Plan and Site Plan - Drawing Number 15/007/300 received on 15/03/2019
Proposed Floor plans and Elevations - Drawing Number 15/007/302 A received on 02/06/2020

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

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

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

3. The materials to be used for the walkway, stair and first floor seating area hereby approved shall be of metal construction finished in a colour to match the existing building.

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

4. The walkway and seating areas hereby approved shall be used between 08:00 and 20:00 only, on any day.

REASON: To safeguard the amenity of residential neighbours.

5. The walkway and seating areas hereby approved shall be used in association with the existing uses of the building as Class D1 for a Creche/Day Nursery and Class D2 – Leisure (Indoor Sports and Recreation together with Ancillary Cafe Facility), as outlined in the Town and Country Planning (Use Classes Order) 1987 (as amended) or any Order revoking or re-enacting that Order, and for no other purposes.

REASON: To define the permission and to safeguard the character and appearance of the development and the surrounding area including the Dorset AONB and adjoining River Asker.

Informative:

The development should take account of standing advice from the Environment Agency regarding surface water management, access and evacuation, floor levels and flood resistance and resilience measures.

Reason for Decision

The proposal is for relatively small scale development on the existing Trading Estate within the DDB and the proposal is acceptable in its design and general visual impact.

There is not considered to be any significant harm to neighbouring residential amenity, flood risk the adjacent green open space or the wider AONB landscape.

There are no material considerations which would warrant refusal of this application.

APPLICATION NUMBER: WD/D/19/003186

APPLICATION SITE: Homestead Farm, Main Street, Bothenhampton, Bridport, DT6 4BJ

PROPOSAL: Demolition of original farmhouse in Conservation Area. Erection of 1.no. new 4 bed low carbon house (with variation of condition1 of planning approval WD/D/17/002888 to amend approved plans).

DECISION: Refuse for the following reasons:

1 The proposal is a visually dominating and prominent built form of development, out of character to the area. The site is located within the Conservation Area and where the wider setting of that area is affected such that the proposal does not 'preserve' or 'enhance' that area as is required and set out given the statutory Section 72 test of the Planning (Listed Buildings and Conservation Areas) Act 1990. On that basis it has an adverse impact on the existing Conservation Area character and harms the Conservation Area character and appearance. That harm would be less than substantial but there are no wider public benefits arising from the proposal that would outweigh that harm in the planning balance. As such the proposal would not be in accordance with Policies ENV4, ENV10 or ENV12 of the West Dorset, Weymouth & Portland Local Plan (2015) ; Policies HT2, D1 & D8 of the Bridport Neighbourhood Plan; nor paragraph 127 and section 16 of the National Planning Policy Framework (2019) and in particular para 192 which states:

In determining applications, local planning authorities should take account of:
c) the desirability of new development making a positive contribution to local character and distinctiveness.

2 The proposed development by reason of its mass, scale and bulk has an unduly dominating and overbearing impact when viewed from existing neighbouring properties in Main Street and Duck Street. As a result it sits uncomfortably in relation to those neighbouring occupiers and is detrimental to their amenity (outlook). Its mass, scale and bulk is also detrimental to the character and appearance of the area. As such the proposed development would be contrary to Policies ENV10; ENV12 & ENV16 of the West Dorset, Weymouth & Portland Local Plan (2015); Policies D1 & D8 of the Bridport Neighbourhood Plan; and Section 12 of the National Planning Policy Framework (2019) and in particular paragraph 127 which states amongst other things that decisions should ensure that developments provide a high standard of amenity for existing and future users.

APPLICATION NUMBER: WD/D/20/000253

APPLICATION SITE: Beach Chalet adjacent car park, Charmouth Beach, Lower Sea Lane, Charmouth

PROPOSAL: Make alterations to convert redundant toilets to beach chalet (with variation of Condition 1 of Planning Permission 1/D/13/000282 amending the occupancy condition).

DECISION:

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

Location Plan received on 30/01/2020

Existing and Proposed plans and elevations - Drawing Number 20/1340/01A received on 07/06/2002

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

2. The beach chalet hereby approved shall not be used as a permanent dwelling, nor for ancillary sales or serving of food and/or drink. Overnight holiday accommodation shall only take place between 1st March and 31st October each year and the owners shall keep a record of the overnight use which shall be made available to the Local Planning Authority on request.

REASON: To control the use of the Chalet in this location where residential and retail use would not be acceptable

Reason for Decision

The continued use of this building as a Beach Chalet is acceptable, but an increase of this use to a residential dwelling would be contrary to policy ENV7. Retail sales and serving food and drink is also considered to be inappropriate in this location. Therefore whilst the existing use is supported a revised, robust and updated condition is recommended to control the future use of the building.

This page is intentionally left blank