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WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 20 JUNE 2024

Present: Cllrs Dave Bolwell (Chair), Chris Kippax (Vice-Chair), Belinda Bawden, Neil Eysenck, Paul Kimber, Craig Monks, David Northam, Louie O'Leary, Pete Roper, David Shortell and Kate Wheller

Present remotely: Cllrs Simon Christopher

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

Ann Collins (Area Manager – Western and Southern Team), Philip Crowther (Legal Business Partner - Regulatory), Joshua Kennedy (Democratic Services Officer), James Lytton-Trevers (Lead Project Officer), Robert Parr (Planning Officer), Elaine Tibble (Senior Democratic Services Officer), Katrina Trevett (Development Management Team Leader) and Nicola Yeates (Conservation and Design Officer)

1. **Apologies**

No apologies for absence were received at the meeting.

2. **Declarations of Interest**

Cllr Kimber declared an interest in item 5g as he knew the applicant and therefore, stated that he would not take part in the debate or vote.

Cllr Wheller declared that she was predetermined on application 5a and would not take part in the debate or vote.

Cllr Roper declared that item 5g had been considered by the Portland Town Council Planning Committee, however he had not taken part in the meeting during that item, so was not predetermined.

Cllr Northam declared an interest in item 5a, because he had previously spoken on this item as a Town Council Member and therefore, would not take part in the debate or vote.

3. **Minutes**

The minutes of the meeting held on 18 April 2024 were confirmed and signed.

4. **Planning Applications**

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

5. **Application P/MPO/2023/03270 Phases 2-4 Curtis Fields Land south of Chickerell Road Weymouth DT4 0TR**

The Lead Project Officer introduced the application and explained that it was coming to the committee after being deferred at a previous meeting to allow negotiations with the applicant to take place. The details of the application were summarised, with the main issue being the reduction in affordable housing provision from 30% to 26.24%.

It was explained that the applicant contended that due to abnormal and unforeseen costs associated with the development they were unable to meet the affordable housing contribution. Following an independent report from the District Valuer it was concluded that a contribution of 26.24% would allow the developer to make a profit of 17.5%, which was considered within the reasonable range of 15% - 20%.

Public representation was received from Cllr Sutton, who spoke in objection to the application, noting that there was not a significant difference between the two figures and emphasised the importance of the 18 affordable homes that would be lost, should the application be approved.

Cllr Northam also spoke, as a representative of Weymouth Town Council. He felt that it was wrong that the developers' profits were protected in this phase of the development, while they were still able to make profit from the other phases. He also noted that the District Valuer had stated in their report that it was surprising that the applicant did not foresee the abnormal costs that arose, causing the reduction in affordable housing.

Cllr Northam and Cllr Wheller left the meeting at 10:24.

In response to a question from one member the Lead Project Officer explained that the NPPF didn't exist in its current form when the original application was made and the applicant was able to contest viability now.

Having had the opportunity to discuss the merits of the application, several members expressed concerns over the loss of affordable housing and did not come to the same conclusions that had been expressed within the report. Members were also concerned that approval of this application would set a precedent for reducing affordable housing provision going forward and were reluctant to do this.

The Lead Project Officer reiterated that the applicant had originally sought to reduce affordable housing provision and financial contributions to 0, however following the report from the District Valuer, had come to an agreement to provide the full financial contributions and 26.24% affordable housing provision.

The Committee adjourned from 10:50 – 11:02 to allow officers to find out further information to assist members.

In response to one member's question, the Development Management Area Manager explained that they did not know the number of affordable houses that could still be provided, if the scheme were to be based on achieving a 15% profit rather than the 17.5% that was calculated in the District Valuers report.

It was considered, that having regard to policy HOUS1, part iii in the Weymouth and Portland Local Plan and based on the information provided by the applicant, that it had not been proven that the development was economically unviable, while providing the 30% affordable housing contribution.

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

Decision: That the application be refused.

Cllr Northam and Cllr Wheller returned to the meeting at 11:09.

6. **Application P/HOU/2023/06594 18 Osbourne Road, Bridport, Dorset, DT6 3AN**

The application was presented by the Development Management Team Leader, who explained that the application was for the erection of an annex within a residential garden, located in Bridport. The application site was shown to members, with the boundary of the site highlighted and an aerial photograph was also provided to show the relation of the site to the surrounding area.

Photographs of the front of the property showed that the annex would not be visible from the street and photographs of the garden were provided to give members an idea of the location and surroundings of the proposed annex. There was currently a garden room situated in the location of the proposed annex. Photographs of the boundary of the garden were shown to members, which indicated that there was sufficient screening from neighbouring properties to prevent overlooking.

The presenting officer summarised the key considerations of the application, noting that the proposed annex was supported by planning policy and that there would be no impact on neighbouring amenity due to the screening in place and the elevation changes in the garden. It was explained that usage of the annex would be conditioned to be ancillary to the residential property and it was not proposed to be used as a holiday let.

Public representation was received from Mr McCormick, whose statement was read by the Democratic Services Officer and contained concerns about overlooking onto the neighbouring properties.

The applicant, Mr Wright, also spoke in support of the application, stating that the intended use of the annex was for his son, so that he could live more independently and mature boundary features meant that there wouldn't be any overlooking onto the neighbouring properties.

In response to members questions the Development Management Team Leader explained that the current garden room was 18sqm, while the proposed annex

would be 33 sqm and that the usage of the annex would be conditioned to prevent holiday lettings.

Members discussed the merits of the application and felt that the application complied with the neighbourhood plan, although recognised objections that had been submitted by the Town Council.

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

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

7. Application P/LBC/2024/01189 Weymouth Seafront, The Esplanade, Weymouth

The application was presented by the Conservation and Design Officer, who explained that it had been brought to the committee for determination because the structures relating to the application were owned by Dorset Council. The application related to the installation of downlighters in the roofs of shelters situated on Weymouth seafront.

Members were shown the location of the shelters, as well as photographs of the existing structures and it was explained that the shelters held historical and architectural significance. It was considered that the installation of the downlighters would enhance the appearance of the shelters and encourage usage of them in the evenings and that this would outweigh the less than substantial harm caused by the loss of historic material.

Members were in agreement that this application would have a positive impact on the area.

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

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

8. Application P/LBC/2024/01599 9 The Esplanade, Weymouth, DT4 8EB

Using the aid of a visual presentation, the Conservation and Design Officer presented the application for the modification of the internal layout of a listed building, which included the relocation of the bathroom and kitchen.

A summary of the application was provided to members and photographs of the Georgian listed building, that was located within the Weymouth Town Conservation Area, were shown.

The case officer explained that there would be no loss of historic fabric and that the proposed works would not impact on other nearby listed buildings or the Conservation Area.

In response to a question from one member, the Conservation and Design Officer explained that the rear door would still be functional and provide access from the utility room to the courtyard.

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

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

9. **Application P/FUL/2024/01216 Charmouth Road Car Park, Charmouth Road, Lyme Regis**

The Planning Officer presented the application for the installation of a 15m tall CCTV mast in the skate park located within the Charmouth Road Car Park. The application had come to the committee for determination because the applicant was Lyme Regis Town Council and the land was owned by Dorset Council.

An aerial image of the skate park and surrounding car park was shown to members, with the proposed location of the mast highlighted, as well as plans detailing the size and specifications of the mast.

Several members expressed approval of the application and noted that the application was supported by the Town Council.

Proposed by Cllr Bawden and seconded by Cllr Northam.

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

10. **Application P/ADV/2024/01585 Fence on land running adjacent to the entrance to Bradford's Building Supplies, Sea Road South, Bridport, DT6 3DW**

The Planning Officer presented the application for the installation of a non-illuminated banner, advertising the Bridport Leisure Centre. The application had come to the committee for determination because the land was owned by Dorset Council.

Members were shown the location of the application site, photographs of the site and views from the road towards the proposed location of the advertising board. The Planning Officer summarised the key constraints of the application and noted that Dorset and National Highways had been consulted and no objections had been raised.

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

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

11. **Application P/FUL/2023/02429 Part of Tout Quarry, Prior Road, Portland**

The Planning Officer explained that the application had come to the committee for determination because Dorset Council owned the land on the application site. The details of the application were summarised for members and included the relocation of a Portland stone archway from a Grade II listed building in London and various other works throughout the site.

The application was considered acceptable and it was noted that the work would be in keeping with the character of the area and there would be no adverse impacts as a result of the application.

Public representation was received from Cllr Kimber who expressed support for the application and was pleased to see Portland stone being returned to the local area, he subsequently left the Council Chamber at 12:28. The applicant Ms Sofaer, also spoke in support of the application and expressed the importance of the application for the Quarry Trust for delivering educational opportunities to visitors.

In response to a question from one member, the Planning Officer explained that the structural stability of the arch was not considered within the planning application, as it would be covered by other legislation, but assured the committee that the applicant had been working with structural engineers to ensure the arch would be structurally sound.

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

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

12. **Urgent items**

There were no urgent items.

13. **Exempt Business**

There was no exempt business.

14. **Update Sheet**

Appendix

Duration of meeting: 10.00 am - 12.33 pm

Chairman

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Western & Southern Area Planning Committee 20 June 2024 Decision List

Application: P/MPO/2023/03270

Site Address: Phases 2-4 Curtis Fields Land South of Chickerell Road Weymouth DT4 0TR

Proposal: Modify section 106 agreement dated 17 August 2016 - Relating to Phases 2-4 at Curtis Fields (WP/14/00777/OUT) - to modify a portion of the affordable housing requirements from 30% to 26.24% following receipt of independent viability report (revised description)

Recommendation: Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to approve subject to the completion of a deed of variation of the s106 dated 17th August 2016 to secure 26.24% affordable housing.

Decision: That the application be refused for the following reason:

Having regard to Policy HOUS1 (iii) of the West Dorset, Weymouth & Portland Local Plan (2015) and the information submitted with the application, it is considered that requiring 30% affordable housing and financial contributions in accordance with the extant permission and legal agreement would not make the development economically unviable and hence the proposal is contrary to Policy HOUS1 of the adopted local plan.

Application: P/HOU/2023/06594

Site Address: 18 Osbourne Road Bridport Dorset DT6 3AN

Proposal: Erect residential annexe.

Recommendation: Grant subject to conditions.

Decision: That the application be 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:

Block Plan Rev 7 - 05/06/2024

Floorplan, Elevation and Roof Drawings Rev 07 - 05/06/2024

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

3. The development permitted shall not be occupied at any time other than for purposes ancillary to the residential dwelling known currently as 18 Osbourne Road.

Reason: The accommodation is not considered suitable as a separate dwelling, because of the relationship with adjacent dwelling(s), the single point of access to the site and its location outside of a defined development boundary.

4. Prior to first occupation of the development hereby approved, the windows in the north elevation and west elevation that are illustrated as being obscure glazed on the elevation plan titled Floorplan, Elevation and Roof Drawings Rev 07 - 05/06/2024 shall obscure glazed to a minimum Pilkington glazed obscurity level of 3 and shall be retained as such thereafter.

Reason: To protect residential amenity.

Informative:

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 applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

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

Application: P/LBC/2024/01189

Site Address: Weymouth Seafront, The Esplanade, Weymouth

Proposal: Installation of 6 downlighters to each of the 7 Victorian shelters along the Esplanade.

Recommendation: Grant subject to conditions.

Decision: That the application be granted subject to the following conditions.

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

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

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

2024 03 01 Location site plan

2024 03 02 Location site plan, floor plan and elevations

2024 03 03 Proposed details plan

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

Informative Notes:

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In this case:

- The applicant was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.

Application: P/LBC/2024/01599

Site Address: 9 The Esplanade, Weymouth, Dorset DT4 8EB

Proposal: Modifying internal basement layout; relocation of bathroom and kitchen; creating utility/laundrette; creating access through doorway to coal shed from kitchenette; changes to electrical lines and water pipes.

Recommendation: Grant subject to conditions.

Decision: That the application be granted subject to the following conditions.

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

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

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

PP-12908829v1 Location Plan
Basement existing and proposed floorplans

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

Informative Notes:

1. Informative: National Planning Policy Framework Statement

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In this case:

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

2. Informative: Vents and Flues

If during the works the need for any new vents or flues is found, an application for Listed building consent will be required and the applicant should consider whether planning permission will also be required.

Application: P/FUL/2024/01216

Site Address: Charmouth Road Car Park Charmouth Road Lyme Regis

Proposal: Erect 15m mast for CCTV.

Recommendation: Grant subject to conditions.

Decision: That the application be 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:

Location and Block Plan C2405.01

Proposed Site Plan C2405.02

Proposed Elevations C2405.04

Proposed Mast Details C2405.05

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

Informative Notes:

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In this case:

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

Application: P/ADV/2024/01585

Site Address: Fence on land running adjacent to the entrance to Bradford's Building Supplies Sea Road South Bridport DT6 3DW.

Proposal: Display a non-illuminated vinyl banner on a hard backed board advertising Bridport Leisure Centre and what it offers - Swim, Gym, Classes. It will display the Centre logo along with what exit to take at the approaching Crown Roundabout.

Recommendation: Grant subject to conditions.

Decision: That the application be granted subject to the following conditions.

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

TQRQM24103113811852 V01 Location and Block Plan
Proposed banner
01 V01 Banner Elevation Dimensions

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

2. The permitted advert must be static, have no moving parts, no flashing lights, no animation, no reflective material and no images that could lead it to being confused with a formal road sign.

Reason: To prevent possible distraction and confusion to drivers.

3. No associated external lighting and/or floodlighting shall be installed at the site.

Reason: To ensure that drivers aren't dazzled or distracted by the light, and that there is no harm to residential amenity.

4. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

8. No advertisement shall be sited or displayed so as to; a)danger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

b)obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or c)hinder the operation of any device used for the purposes of security or surveillance or for measuring the speed of any vehicle.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

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- offering a pre-application advice service, and
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In this case:

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

Application: P/FUL/2023/02429

Site Address: Part Of Tout Quarry Priory Road Portland

Proposal: Enhancement of existing aggregates pathway in the Tout Quarry Sculpture Park & Nature Reserve with geological interpretation spaces & erection of Portland stone archway to be relocated from Grade II listed building at 81 Fleet Street, London.

Recommendation: Grant subject to conditions.

Decision: That the application be 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:

Location plan – Dwg No. PSQT_001 Rev: D

Arch details, Elevation and Plan - Dwg No. PSQT_002 Rev: B
Proposals Plan – Dwg No. PSQT_003 Rev: D

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

3. Before the development hereby approved commences a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Planning Authority. The CTMP must include:
- construction vehicle details (number, size, type and frequency of movement)
 - a programme of construction works and anticipated deliveries
 - a framework for managing abnormal loads
 - contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
 - wheel cleaning facilities
 - vehicle cleaning facilities
 - a scheme of appropriate signing of vehicle route to the site
 - a route plan for all contractors and suppliers to be advised on
 - temporary traffic management measures where necessary

The development must be carried out strictly in accordance with the approved Construction Traffic Management Plan.

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.

4. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan or Landscape Ecological Management Plan (LEMP) certified by the Dorset Council Natural Environment Team on 02/02/2024 must be implemented in accordance with any specified timetable and completed in full (including photographic evidence of compliance being submitted to the Local Planning Authority in accordance with section J of the Biodiversity Plan/ the LEMP) 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 mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

5. Scrub clearance required to be carried for the development hereby approved must be undertaken outside the nesting season of March to August.

Reason: To enhance or protect biodiversity.

Informatives

Informative: National Planning Policy Framework Statement

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In this case:

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

Informative Note: Contact Dorset Highways

The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway, to ensure that the appropriate licence(s) and or permission(s) are obtained.

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