

Western & Southern Area Planning Committee

05 September 2024

Decision List

Application: P/RES/2024/03002

Site Address: Phases 1C (II) and 1C (III) Land at Foundry Lea Vearse Farm
Bridport

Proposal: Outline application WD/D/17/000986 was an EIA application and an Environmental Statement was submitted with that application.

Reserved matters approval is subsequently sought for appearance, landscaping, layout and scale for:

"the construction of 136 dwellings, pedestrian, cycle and vehicular links, drainage works, landscaping, and associated infrastructure"

Recommendation: That authority be delegated to the Head of Planning and the Service Manager for Development Management and Enforcement for the approval of reserved matters, subject to the discharge of any outstanding conditions on the outline planning permission (WD/D/17/000986) which are required to be discharged prior to the approval of the reserved matters (conditions 2 for the phasing, 7 for the LEMP, and 39 for floor levels of the dwellings) and subject to planning conditions.

Decision: That authority be delegated to the Head of Planning and the Service Manager for Development Management and Enforcement for the approval of reserved matters, subject to the discharge of any outstanding conditions on the outline planning permission (WD/D/17/000986) which are required to be discharged prior to the approval of the reserved matters (conditions 2 for the phasing, 7 for the LEMP, and 39 for floor levels of the dwellings) and subject to planning conditions as set out below.

17.1 That authority be delegated to the Head of Planning and the Service Manager for Development Management and Enforcement for the approval of reserved matters, subject to the discharge of any outstanding conditions on the outline planning permission (WD/D/17/000986) which are required to be discharged prior to the approval of the reserved matters (conditions 2 for the phasing, 6 for a Design Code, 7 for the LEMP, and 39 for floor levels of the dwellings) and subject to the following planning conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 10042-DR-L-0100 P03 Sheet layout plan
 - 10042-DR-L-0101 P03 Detailed planting plan 1 of 8
 - 10042-DR-L-0102 P03 Detailed planting plan 2 of 8
 - 10042-DR-L-0103 P03 Detailed planting plan 3 of 8

10042-DR-L-0104 P03 Detailed planting plan 4 of 8

10042-DR-L-0105 P03 Detailed planting plan 5 of 8

10042-DR-L-0106 P03 Detailed planting plan 6 of 8

10042-DR-L-0107 P03 Detailed planting plan 7 of 8

P7351 P04 Bridge Sections and Flood Compensation Calculations Eastern Structure

2000 Location plan

80 Phasing plan

2115 B Affordable housing plan

2121 Site wide affordable housing plan

10042-L-109 P02 Landscape & ecological strategy plan

P3120 P2 Proposed impermeable area plan

P3500 P2 Drainage layout sheet 1

P3501 P3 Drainage layout sheet 2

P3502 P3 Drainage layout sheet 3

P3503 P3 Drainage layout sheet 4

P3504 P3 Drainage layout sheet 5

P3505 P3 Drainage layout sheet 6

P3600 P3 External Works Layout sheet 1

P3601 P3 External Works Layout sheet 2

P3602 P3 External Works Layout sheet 3

P3603 P3 External Works Layout sheet 4

P3604 P1 External Works Layout sheet 5

P3605 P2 External Works Layout sheet 6

P3700 P2 Highways Engineering Layout sheet 1

P3701 P2 Highways Engineering Layout sheet 2

P3702 P2 Highways Engineering Layout sheet 3

P3703 P2 Highways Engineering Layout sheet 4

P3704 P2 Highways Engineering Layout sheet 5

P3705 P2 Highways Engineering Layout sheet 6

P3720 P2 Highways Surfacing Specification sheet 1

P3721 P2 Highways Surfacing Specification sheet 2

P3722 P2 Highways Surfacing Specification sheet 3

P3723 P2 Highways Surfacing Specification sheet 4

P3724 P2 Highways Surfacing Specification sheet 5

P3725 P2 Highways Surfacing Specification sheet 6

P3726 P1 Highways Surfacing Specification sheet 7

P3750 P1 Highways Construction Details

P3800 P2 Vehicle Swept Path Analysis sheet 1

P3801 P2 Vehicle Swept Path Analysis sheet 2

P3802 P2 Vehicle Swept Path Analysis sheet 3

P3803 P2 Vehicle Swept Path Analysis sheet 4

P3804 P2 Vehicle Swept Path Analysis sheet 5

P3805 P2 Vehicle Swept Path Analysis sheet 6

P3900 P1 Highways Long Sections sheet 1
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P3902 P1 Highways Long Sections sheet 3
P3903 P1 Highways Long Sections sheet 4
P3904 P1 Highways Long Sections sheet 5
P3905 P1 Highways Long Sections sheet 6
2100 B Planning Layout
2101 B Planning Layout 1 of 3
2102 B Planning Layout 2 of 3
2103 B Planning Layout 3 of 3
2116 B External Works Plan
2117 B Waste Collection Plan
2118 B Enclosures Plan
2119 B Acoustic Mitigation Plan
2150 Sections
2170 A Streetscenes A-C
2105 B Masterplan
2110 B Roof Materials, Front Door Colours & Chimney Placement Plan
2111 B Materials Plan
2112 B Storey Heights Plan
2113 B Parking Plan
2114 B Land Ownership Plan
2204 Spyway Elevations
2210 Askerswell Floor Plans
2211 Askerswell Elevations
2212 Askerswell Elevations
2213 Askerswell Elevations
2220 Northay Floor Plans
2221 Northay Elevations
2222 Northay Elevations
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2230 Yonderover Floor Plans
2231 Yonderover Elevations
2240 Westhay Floor Plans
2241 Westhay Elevations
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2243 Westhay Elevations
2244 Westhay Elevations
2250 Hoyton Floor Plans
2251 Hoyton Elevations
2260 Watton Floor Plans
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2270 Maperton Floor Plans
2271 Maperton Elevations
2400 Littlebredy Floor Plans
2401 Littlebredy Elevations

2410 Abbotsbury Floor Plans
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2412 Abbotsbury Elevations
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2620 Gabriel Floor Plans
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2630 Oakes Floor Plans - Bespoke
2631 Oakes Elevations - Bespoke
2640 Portesham Floor Plans

2641 Portesham Elevations
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Reason: For the avoidance of doubt and in the interests of proper planning.

2. No development above damp proof course level for each phase of development as shown on Plan 2026-80 (or any subsequent phasing plan approved by the Local Planning Authority pursuant to Condition 2 of planning permission WD/D/17/000986) shall take place until detailed drawings (at a scale of not less than 1:20) showing the design, materials and construction specifications of external doors and windows for that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved scheme.

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

3. No development above damp proof course level for each phase of development as shown on Plan 2026-80 (or any subsequent phasing plan approved by the Local Planning Authority pursuant to Condition 2 of planning permission WD/D/17/000986) shall take place until a scheme showing details of all external vents, flues and utility meter boxes for that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved scheme.

Reason: To safeguard the character of the locality.

4. The development hereby approved shall proceed only in strict accordance with the details set out in the Arboricultural Method Statement dated: April 2024.

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

5. No development above damp proof course level shall take place within a sub-phase of development, until a plan showing the sub-phasing arrangements for the development hereby approved in relation to the visibility splay areas shown on Drawing Number P3600-P3 has been submitted to and approved in writing by the Local Planning Authority. Prior to the occupation or the utilisation of each agreed sub-phase, the approved visibility splays as per Drawing Number P3600-P3 shall be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

6. The parking spaces shown on the plan P3600-P3 and on Detailed planting plan 10042-DR-L-0101 P2 near to the showroom shall only be temporary in nature and must be removed and the land reinstated with grass when the showroom is no longer in place.

Reason: To prevent danger to road users.

Informative Notes:

1. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated 1 May 2019.
2. Informative: There is a requirement for condition 22 of the outline planning permission to provide a plan showing the sub-phasing arrangements for the development hereby approved in relation to the access, geometric highway layout, turning and parking areas shown on Drawing Number 1859 1100 Rev E.
3. Informative: The Council is responsible for street naming and numbering within our district. This helps to effectively locate property for example, to deliver post or in the case of access by the emergency services. You need to register the

new or changed address by completing a form. You can find out more and download the form from our website www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering.

4. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

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

Application: P/FUL/2024/01407

Site Address: Folly Mill Lodge South Street Bridport

Proposal: Replace all existing timber-framed windows with UPVC framed windows

Recommendation: Refuse

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

The site is located within Bridport Town Centre Conservation Area, and it is highly visible from the public domain. It is also experienced within the setting of the adjoining grade II* Bridport Museum and its existing timber windows complement the detailing of this historic building. The proposal to replace the windows with UPVC would be inappropriate for the site and locality, failing to conserve or enhance the character and appearance of the conservation area. This is on the basis of UPVC windows being overly modern, unageing, glossy/reflective plastic and of thicker proportions which would result in poor visual features within the historic/traditional area/building. The development would lead to less than substantial harm to designated heritage assets, including the setting of a grade II* listed building, which would not be outweighed by any public benefits, in conflict with policies ENV4, ENV10 and ENV12 of the West Dorset, Weymouth & Portland Local Plan (2015); policy HT2 of the Bridport Neighbourhood Plan 2020-2036 (made 5/5/2020) and paragraphs 205, 206 and 208 of the NPPF (2023).

Application: P/HOU/2024/02253

Site Address: 9 Sea View Portland DT5 1AA

Proposal: External alterations to include the provision of external insulation and solar panels and replacement doors and windows.

Recommendation: Refuse

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

Application: P/HOU/2024/02788

Site Address: 24 Beech Road Weymouth Dorset DT3 5NP

Proposal: Proposed addition of first floor storey

Recommendation: Refuse

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

Application: P/VOC/2024/02912

Site Address: Lyme Regis Industrial Estate Uplyme Road Lyme Regis

Proposal: Construction of 13 Storage Units (with variation of condition 2 of Planning permission P/FUL/2023/06865 - amended plan to reposition footprint of storage units).

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:

C2344.01B: location and block plan

C2344.02C: storage buildings A and B floorplan, roof plan and elevations.

C2344.03B: storage building C floorplan, roof plan and elevations (version received 25/07/24).

C2344.04A: proposed site plan.

C2344.05C: proposed sections 1.

C2344.06B: proposed sections 2.

C2344.07B: proposed sections 3.

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

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, and the Town & Country Planning Use Classes Order 1987 as amended (or any order revoking and re-enacting those Orders with or without modification) the premises the subject of this permission shall not be used other than for storage uses falling within Use Class B8 and shall not be used for distribution.

Reason: In the interests of amenity and to ensure that the use remains compatible with surrounding land uses in the area.

3. The premises shall not be accessed for storage use and no vehicle movements shall be permitted on the site outside the hours of 0700 to 2200 on Mondays to Fridays and 0800 to 2000 on Saturdays, Sundays and Public Holidays.

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

4. There shall be no external storage of items or materials at the site.

Reason: In the interests of residential and visual amenity.

5. There shall be no external lighting at the site, including security lighting, without details of the proposed lighting scheme, including details of the number of lights, location, design and luminance having first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the lighting shall be installed in accordance with the approved scheme.

Reason: In the interests of visual and residential amenity.

6. Prior to the units hereby approved being first brought into use, a soft landscaping and planting scheme shall be submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the first planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and

shrubs for a period of not less than five years and shall thereafter be carried out in accordance with it.

Reason: In the interest of visual amenity.

7. Before the development hereby approved is occupied or utilised the turning/manoeuvring and parking shown on the approved site plan 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.

8. Prior to first use of the development hereby approved, the cycle parking facilities shown on the approved site plan shall be constructed and made available. Thereafter, these shall be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure provision of adequate cycle parking to support sustainable transport.

9. All surface water from the development hereby approved shall be discharged to a piped drainage system and not to a soakaway.

Reason: in the interests of ground stability and flood risk.

Informatives

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating 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.

2. Informative: Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan

The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024

* “original planning permission means the permission to which the section 73 planning permission relates” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Application: P/FUL/2024/01817

Site Address: Mobile Home Watery Lane From Tincleton Cross To Junction Woodsford Road Tincleton Dorset

Proposal: Replacement of mobile home (former railway carriage) with new dwelling with a detached double garage. Install ground mounted PV panels and ground source heat pump.

Recommendation: Recommendation A: Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to grant planning permission subject to the completion of a S106 agreement to restrict land within the applicant’s ownership, and subject to planning conditions.

Recommendation B: Refuse permission for the reason set out below, if the legal agreement is not completed by 6 months from the date of committee or such extended time as agreed by the Head of Planning or Service Manager for Development Management and Enforcement:

Decision:

A: That authority be delegated to the Head of Planning and the Service Manager for Development Management and Enforcement to grant planning permission subject to the completion of a S106 agreement to restrict land within the applicant’s ownership, and subject to planning conditions set out below.

Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to grant planning permission subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the legal services manager to secure the following:

- No residential caravans to be sited anywhere within the land owned by the applicant and subject of the lawful development certificate (which would otherwise be allowed by the lawful development certificate)

And subject to the following planning conditions:

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

PL-1684-200 Existing Location and Proposed Block Plan

PL-1684-201 A Proposed Site plan

PL-1684-202 A Proposed Floor plan

PL-1684-203 Proposed Elevations

PL-1684-204 Proposed Garage floor plans & elevations

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

3. Prior to commencement of the development approved details of the finished floor level(s) of all the building(s) hereby approved shall have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be relative to an ordnance datum or such other fixed feature as may be agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and flood risk.

4. Prior to the commencement of development details of proposed flood mitigation measures as included in the Flood Risk Assessment reference 1684-70 FRA shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until such measures have been completed in accordance with the agreed details.

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

5. Prior to commencement of works (including site clearance and any other preparatory works) the scheme for the protection of trees in accordance with the submitted RNapc method statement and tree protection plan RNapc/605/TPP/1 and RNapc/605/1 shall be implemented and at least 5 working day's notice shall be given to the Local Planning Authority that it has been installed. Thereafter, tree protection measures shall be retained throughout the course of the development and only removed once construction works have been fully completed.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

6. Within 2 months of the first occupation of the dwelling hereby approved, the existing mobile home (former railway carriage) and structures and materials arising from demolition shall be permanently removed from the site.

Reason: To safeguard against otherwise inappropriate additional residential development and in the interests of visual amenity.

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

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

8. Before the development hereby approved is first occupied the first 6.0 metres of the vehicular access whether it be concrete, block paving or tarmac, measured from the nearside edge of the highway (see informative note below), shall have been laid out, constructed, and surfaced, to a specification which shall have first been submitted to, and agreed in writing by, the Local Planning Authority.

Reason: In the interests of highway safety.

9. Before the development hereby approved is occupied or utilised, the visibility splay must have 43 metres of clear and unobstructed line of sight in both directions. Any obstruction on the verge both sides of the access must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

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

10. Before the development hereby approved is first occupied or utilised the turning and parking shall be constructed in accordance with the details shown on drawing number PL-1684-201-A. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site in the interest of highway safety.

11. Prior to the development being first brought into use any entrance gates shall be set back a minimum distance of 6.0 m from the edge of the carriageway and hung so that the gates can open inwards only.

Reason: To enable a vehicle to be parked clear of the public highway whilst the gates are opened or closed, preventing possible interruption to the flow of traffic.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no garages, sheds or other outbuildings permitted by Class E of Schedule 2 Part 1 of the 2015 Order shall be erected or constructed.

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

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

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

Informative Notes:

1. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated (date to be completed prior to issuing of decision).

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

3. 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.
- The applicant was provided with pre-application advice.

4. Street Naming and Numbering

The Council is responsible for street naming and numbering within our area. This helps to effectively locate property to deliver post and for access by emergency services. New or changed addresses must be registered with the Council. This link has more information.

<https://www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering/street-naming-and-numbering>

5. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.

6. Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Dorset Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

- Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024.

Read more about Biodiversity Net Gain at

<https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain>

B: That the application be refused for the reason set out below, if the legal agreement is not completed by 6 months from the date of committee or such extended time as agreed by the Head of Planning or Service Manager for Development Management and Enforcement:

1. In the absence of a S106 agreement to ensure a mobile home could not be sited on the land now or in the future, in accordance with lawful development certificate, the proposed development would result in an additional dwelling at the site in an unsustainable location where the future occupier would be reliant on a car to access services and facilities. Hence the development would be contrary to Policies INT1 and SUS2 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (2023).