

Planning Committee – Update Sheet

Western and Southern Area Planning Committee 3rd October 2024

Planning Applications

Application Ref.	Address	Agenda ref.	Page no.
P/FUL/2023/06930	New Look Site including areas off Chandler Close and Souter Way, Mercery Road, Weymouth, DT3 5FU	Item 5a	P. 29-70

Consultation responses

Economic Development and Tourism confirmed they had no objection to the proposed development in March 2024. Reference to “no comments received” at p39 of Committee Report should be updated to “no objection”.

Amended Travel Plan

The applicant has submitted an updated Travel Plan (Rev A dated September 2024). The updated Travel Plan makes a series of minor changes to the Framework Travel Plan (dated November 2023) considered via the Committee Report. The changes do not affect the assessment and conclusions set out within the Committee Report and a finalised Travel Plan is still considered necessary to secure via planning condition given Table 8.1 confirms that a Travel Plan will be developed and submitted to Dorset Council within 6 months of occupation following appointment of a Travel Plan Co-ordinator, site audit and travel surveys and production of baseline staff travel information.

Updated marketing information

The applicant has provided an up-to-date schedule of marketing inquiries since the application site was levelled in March 2023 in accordance with the Phase 2 permission to try and make it more attractive to an employment occupier. The schedule shows that a series of inquiries have been received for various B-Class employment and non-employment development of the site ranging from 1-2 acres to 30,000sq.ft. No inquiry has been progressed by interested parties, indicating limited/no viable interest in the current market. The schedule of marketing inquiries does not affect the assessment or conclusions set out in the Committee Report.

Planning conditions

Correct typo (missing ‘with’) within condition 9, as follows:

9. No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition, are submitted to and approved in writing by the Local Planning Authority. The rating level of the

sound emitted from the site shall not exceed 43 dBA between 0700 and 2300 hours and 35 dBA at all other times. The sound levels shall be determined by measurement or calculation at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS 4142:2014+A1:2019. Thereafter the fixed plant and/or machinery shall be operated strictly in accordance **with** any approved mitigation measures which shall be retained, maintained and operated for the lifetime of the fixed plant and/or machinery.

Reason: In the interests of residential amenity.

Update Condition 15 to reflect the revised Travel Plan:

15. "A **finalised** Travel Plan must be submitted to and approved in writing by the Local Planning Authority in strict accordance with the agreed timescales presented in Table 8.1 of the Travel Plan prepared by Exigo (**Rev A** dated **September 2024**). Thereafter the measures of the agreed Travel Plan shall be implemented upon commencement of the development hereby approved and in line with the provisions and timescales set out within the approved Travel Plan and maintained for the lifetime of the development.

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

Correspondence with Members

The applicant has issued a letter to Councillors on 29 September 2024. The letter provides an overview of: the proposals; intended occupation by M&S; socio-economic and sustainable transport benefits; and consultation.

Points of clarification from Officers:

- i. The floorspace of the proposed retail unit is 4,059sq.m (GIA), not 3,886sq.m as stated in the letter.
- ii. Whilst M&S is stated to be the intended occupier, if approved, the unit could be occupied by any retail operator that complies with the restrictive planning conditions.
- iii. The letter states that "We are delighted that Weymouth Town Council fully supports these proposals - as do local residents...". As set out at Para. 9.21 of the Committee Report, three third-party comments were received from local residents during the formal consultation process. One is an objection.

The letter has been published on the Council's Planning Register.

P/RES/2022/04434	Land to the north and west of Cockroad Lane, Beaminster	Item 5b	P. 71-102
No updates to report.			
P/FUL/2023/07313	528 Littlemoor Road, Weymouth, Dorset, DT3 5PA	Item 5c	P. 103-118
<p>Para 16.3 of the officer's report refers to the published housing land supply position of 5.28 years for the West Dorset, Weymouth & Portland area, which means the tilted balance in paragraph 11 of the NPPF is not engaged.</p> <p>On the 26th September 2024, The Planning Inspectorate issued the Inspector's report confirming the Council's Annual Position Statement (APS). The APS confirms that the whole of the Dorset Council area can demonstrate a 5-year supply of housing of 5.02 years, and that this figure is fixed until 31 October 2025. An updated APS that reflects the Inspector's findings is available on the Council's website.</p> <p>The APS confirms that the Council can demonstrate a 5-year supply of housing. As such, the 'tilted balance' in paragraph 11(d) of the NPPF is not engaged so that the usual planning balance applies. Full weight can therefore be given to the spatial strategy policies, which are not out of date.</p> <p>The APS is a material consideration that should be taken into account, but it does not change the recommendation for this application given that "a flat balance" still has to be applied and in the case of this application the conflicts with the development plan, identified in the committee report, remain.</p>			
P/FUL/2024/04204	Highlands Greenway, Lyme Regis, DT7 3EY	Item 5d	P. 119-136
<p>Update 1:</p> <p>On the 26th September 2024, The Planning Inspectorate issued the Inspector's report confirming the Council's Annual Position Statement (APS). The APS confirms that the whole of the Dorset Council area can demonstrate a 5-year supply of housing of 5.02 years, and that this figure is fixed until 31 October 2025. An updated APS that reflects the Inspector's findings is available on the Council's website.</p> <p>The APS confirms that the Council can demonstrate a 5-year supply of housing. As such, the 'tilted balance' in paragraph 11(d) of the NPPF is not engaged so that the usual planning balance applies. Full weight can therefore be given to the spatial strategy policies, which are not out of date.</p> <p>The APS is a material consideration that should be taken into account, but it does not change the recommendation for this application given that "a flat balance" still has to</p>			

be applied and in the case of this application the proposed development is considered to accord with the policies of the development plan.

Update 2:

An additional planning condition is recommended in respect of surface water management following a discussion with the Council's flood risk management team and having regard to the location of the site surrounded by existing properties. The condition is as follows:

Prior to commencement of development details of the surface water drainage works and management scheme, including drainage calculations in respect of the existing situation and surface water arising from the development, shall be submitted to and approved in writing by the Local Planning Authority and the approved drainage scheme shall be completed in full before first occupation of the development.

Reason: To avoid drainage problems as a result of the development with consequent flood risk.