

Western & Southern Area Planning Committee

12 December 2024

Decision List

Application: 1/D/11/002012

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

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

Recommendation:

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

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

And subject to planning conditions and if the revised NPPF has been published prior to the issuing of the planning decision not to issue the planning decision unless and until officers have agreed with the chair of the Western and Southern Area Planning Committee that there are no changes in the revised NPPF which could have led to members reaching a materially different conclusion on the application.

Recommendation B: Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to refuse planning permission for the reasons set out below if the S106 Legal Agreement is not completed by 12th June 2025 (6 months from the date of committee) or such extended time as agreed by the Head of Planning and the Service Manager for Development Management and Enforcement:

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

Decision:

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

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

And subject to planning conditions set out below and if the revised NPPF has been published prior to the issuing of the planning decision not to issue the planning decision unless and until officers have agreed with the chair of the Western and Southern Area Planning Committee that there are no changes in the revised NPPF which could have led to members reaching a materially different conclusion on the application.

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

Site Location Plan - 10155 PL 001

Masterplan Showing Demolition - 10155 PL 002

Proposed Site Plan - 10155 PL101 Rev D

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

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

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

REASON: To ensure the satisfactory development of the site.

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

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

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

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

Proposed Aerial View - 10155 PL201

Proposed Site Sections Sheet 1 - 10155 PL202

Proposed Site Sections Sheet 2 - 10155 PL203

Proposed Site Sketches Across Cattlemarket Square - 10155 PL204

REASON: To ensure the satisfactory development of the site.

4. Application(s) for approval of any 'reserved matter' must be made not later than the expiration of three years beginning with the date of this permission.

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

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

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

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

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

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

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

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

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

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

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

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

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

11. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 11 November 2022 must be implemented in accordance with any specified timetable and completed in full for the relevant phase (including the submission of compliance measures to the Local Planning Authority in accordance with section J of the Biodiversity

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

REASON: To enhance biodiversity.

12. None of the dwellings hereby approved shall be first occupied until a Management Plan for the enhancement and long-term management of St Michael's Island (marked as no. 8 on drawing no. PL 101 Revision D) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include the features identified at Section G of the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 11 November 2022 and shall include: (a) timetabled proposals for enhancements to biodiversity and long term management; (b) details of arrangements for public access; and (c) details of the body/organisation charged with long-term maintenance. Thereafter, enhancement and long-term management shall proceed in accordance with such scheme as is agreed.

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

13. Prior to the commencement of development a plan including a timetable for the protection and/or mitigation of damage to populations of water voles, a protected species under Wildlife and Countryside Act 1981, or associated habitat during construction works and once the development is complete shall be submitted to and approved in writing by the Local Planning Authority. The water vole protection plan shall be carried out in accordance with the timetable for implementation as approved.

Reason: This condition is necessary to protect the water vole and its habitat within and adjacent to the development site. Without it, avoidable damage could be caused to the nature conservation value of the site.

14. Prior to the commencement of development, a detailed method statement for the removal or long-term management /eradication of Japanese knotweed, Himalayan balsam and Giant Hogweed which may be present shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures to prevent the spread of Japanese knotweed, Himalayan balsam and Giant Hogweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

REASON: Japanese knotweed, Himalayan balsam and Giant Hogweed are invasive plants, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment occurring.

15. The development hereby permitted shall not be commenced until a scheme for a riverside walk, incorporating the Environment Agency's 8m wide maintenance strip east of the River Brit and the Environment Agency Flood Alleviation Scheme and associated infrastructure as set out under Section 4 of the Flood Risk Assessment (Such Salinger Peters, Second Issue, Rev A - May 2017), has been submitted to, and approved in writing by, the local planning authority. The scheme shall include: (1) full details of hard and soft landscaping; (2) timetable for provision and phased construction arrangements, if appropriate; (3) proposals for limiting vehicle access; and (4) proposals for long-term maintenance and public access. Thereafter, the development shall be implemented and maintained in accordance with such scheme as is agreed.

REASON: To comply with the specific requirements of West Dorset, Weymouth & Portland Local Plan policy BRID5 and ensure the integrity of and access to the Environment Agency Flood Alleviation Scheme thereby reducing flooding.

16. As part of any relevant reserved matter application a scheme for the provision and management of a buffer zone alongside the Rivers Brit and Asker shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include:
- a) plans showing the extent and layout of the buffer zone
 - b) details of the planting scheme (for example, native species)
 - c) details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
 - d) details of any footpaths, fencing, lighting and other minor artifacts
 - e) timetable for implementation

Thereafter the development of the relevant phase shall be carried out in accordance with the approved scheme.

Reason: Development that encroaches on watercourses has a potentially severe impact on their ecological value. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Article 10 of the Habitats Directive also stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.

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

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

18. As part of any reserved matter application, a scheme to incorporate flood resistance and resilience measures into the proposed development in accordance with the approved Flood Risk Assessment (Such Salinger Peters, Second Issue, Rev A - May 2017), Flood Risk Assessment Addendum (Such Salinger Peters 27th June 2017) and Flood Risk Assessment Addendum (Such Salinger Peters, 28th October 2024) will be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be fully implemented prior to occupation and subsequently maintained thereafter throughout the lifetime of the development.

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

19. The development hereby permitted shall not be commenced until such time as a scheme to ensure:

a) the finished ground floor levels of all new buildings are set at least 300mm above the adjacent / corresponding present day 1 in 100 year flood level plus an appropriate allowance for climate change has been submitted to, and approved in writing by, the local planning authority. The proposed new Stover Building finished ground floor should be set no lower than 7.40mAOD as set out in the Flood Risk Assessment Addendum (Such Salinger Peters 27th June 2017).

b) As proposed under the Flood Risk Assessment (Such Salinger Peters, Second Issue, Rev A - May 2017) and subsequent two Flood Risk Assessment Addendums (Such Salinger Peters 27th June 2017 and 28th October 2024), the ground floors of the new Stover Building and all proposed refurbished existing buildings shall be restricted to non-residential use only.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

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

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

21. The development hereby permitted shall not be commenced until such time as a detailed scheme to ensure the protection of and access (for maintenance) to the Environment Agency's Flood Alleviation Scheme and associated infrastructure as set out under Section 4 of the Flood Risk Assessment (Such Salinger Peters, Second Issue, Rev A - May 2017), addressing all phases of development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

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

22. The development hereby permitted shall not be commenced until such time as a scheme to ensure adequate replacement river wall and flood defence wall in the location between Red Brick Buildings and Tower Buildings has been submitted to, and approved in writing by, the Local Planning Authority. The replacement walls must meet the Environment Agency's flood defence asset standards and must be completed prior to commencement of all other development works on the site excluding any drainage and highway works included within the approved scheme. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

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

23. No development shall take place on any phase of development until a detailed surface water management scheme for each phase of development has been submitted to and approved in writing by the Local Planning Authority. The detailed surface water management scheme is to be based upon the hydrological and hydrogeological context of the development and include clarification of how surface water is to be managed during construction for each phase. The detailed surface water management scheme shall not include the pumping of surface water unless specifically approved in writing by the Local Planning Authority. The surface water scheme for each phase of development shall be fully implemented in accordance with the submitted details before each phase of the development is completed.

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

24. For each phase of development, no development shall take place until details of maintenance and management of both the surface water sustainable drainage scheme and any receiving system have been submitted to and approved in writing by the local planning authority. The scheme for each phase shall be implemented and thereafter managed and maintained in accordance with the approved details. These shall include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

REASON: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

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

- 1) a 'desk study' report documenting the site history.
- 2) a site investigation report detailing ground conditions, a 'conceptual model' of all potential pollutant linkages, and incorporating risk assessment.
- 3) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed.
- 4) a detailed phasing scheme for the development and remedial works (including a time scale).

5) a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time.

The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development hereby permitted first comes in to use or is occupied. On completion of the remediation works written confirmation that all works were completed in accordance with the agreed details shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed.

26. Prior to the first occupation or use of a relevant phase of development a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation for the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure potential land contamination is addressed and to protect controlled waters.

27. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. Remediation shall then be carried out in accordance with the approved scheme and on completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

28. Before the development is first occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number PL-101 Rev D must be constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

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

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

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

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

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

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

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

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

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

- h) a scheme of appropriate signing of vehicle route to the site;
- i) a route plan for all contractors and suppliers to be advised on;
- j) temporary traffic management measures where necessary;

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

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

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

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

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

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

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

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

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

Informatives:

1. 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: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated [## ##] relating to affordable housing and implementation of an Employment Buildings Refurbishment Scheme.

3. Informative: Surface water

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

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

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

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

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

4. Informative: Flood defence consent (recommended by the Environment Agency)

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

5. Informative: Sustainable Construction (recommended by the Environment Agency)

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

6. Informative: Pollution prevention during construction (recommended by the Environment Agency)

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site.

Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at:

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

7. Informative: Waste Management (recommended by the Environment Agency)

Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to off site incineration and disposal to landfill during site construction. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website www.environmentagency.gov.uk/subjects/waste/.

8. Informative: Site waste management plan (recommended by the Environment Agency)

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

9. Informative - Biodiversity Plan

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

10. Informative – Surface Water

If the applicant wishes to offer for adoption any highways drainage to DC, they should contact DC Highway's Development team at DLI@dorsetcouncil.gov.uk as soon as possible to ensure that any highways drainage proposals meet DCC's design requirements

11. Informative – EA Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environmentagency.gov.uk

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity

12. Informative: Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan. The application for planning permission was made before 12 February 2024.

B) That authority be delegated to the Head of Planning and the Service Manager for Development Management and Enforcement to refuse planning permission for the reasons set out below if the S106 Legal Agreement is not completed by 12th June 2025 (6 months from the date of committee) or such extended time as agreed by the Head of Planning and the Service Manager for Development Management and Enforcement:

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

Application: WD/D/16/002852

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

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

Recommendation:

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

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

WD/D/16/002852 interlinked via a phasing plan in the Section 106 Agreement based broadly on Phasing Plan Ref. SM1 Rev A received April 2023 and Phasing Breakdown dated June 2022;

And subject to planning conditions and if the revised NPPF has been published prior to the issuing of the planning decision not to issue the planning decision unless and until officers have agreed with the chair of the Western and Southern Area Planning Committee that there are no changes in the revised NPPF which could have led to members reaching a materially different conclusion on the application.

Recommendation B: Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to refuse planning permission for the reasons set out below if the S106 Legal Agreement is not completed by 12th June 2025 (6 months from the date of committee) or such extended time as agreed by the Head of Planning and the Service Manager for Development Management and Enforcement:

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

Decision:

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

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

And subject to the planning conditions set out below and if the revised NPPF has been published prior to the issuing of the planning decision not to issue the planning decision unless and until officers have agreed with the chair of the Western and Southern Area Planning Committee that there are no changes in the

revised NPPF which could have led to members reaching a materially different conclusion on the application.

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

Location Plan and Proposed Site Plan – 10064 PL201

Demolitions – Ground Floor Layout – 10064 PL202

Demolitions – First Floor Layout – 10064 PL203

Proposed Ground Floor Layout – 10064 PL204

Proposed First Floor Layout – 10064 PL205

Proposed Second Floor Layout – 10064 PL206

Proposed Roof Plan – 10064 PL207

Proposed North & East Elevations – 10064 PL210

Proposed South & West Elevations – 9613 PL211

Proposed North and South Section – 9613 PL212

Proposed Elevation Study – Part West Elevation – 9613 PL213

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

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

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

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

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

5. Before installation of any plant or similar equipment to any unit, a noise report from a suitably qualified/experienced person shall be submitted to and agreed

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

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

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

REASON: To preserve the amenity and privacy of occupiers.

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

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

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

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

9. The development hereby permitted shall not be commenced until such time as a scheme to incorporate the finished ground floor levels, flood resistance and

resilience measures into the proposed Lilliput Building re-development in accordance with the Flood Risk Assessment (FRA), FRA Addendum (Such Salinger Peters 27th June 2017) and Flood Risk Assessment Addendum (Such Salinger Peters, 28th October 2024) has been submitted to, and approved in writing by, the Local Planning Authority. As detailed within the FRA and FRA Addendums, the ground floors of the proposed refurbished Lilliput Building shall be restricted to non-residential use only other than for communal access, bin and cycle storage areas. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

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

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

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

11. No development shall take place on any phase of development until a detailed surface water management scheme for each phase of development has been submitted to and approved in writing by the Local Planning Authority. The detailed surface water management scheme is to be based upon the hydrological and hydrogeological context of the development and include clarification of how surface water is to be managed during construction for each phase. The detailed surface water management scheme shall not include the pumping of surface water unless specifically approved in writing by the Local Planning Authority. The surface water scheme for each phase of development shall be fully implemented in accordance with the submitted details before each phase of the development is completed.

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

12. For each phase of development, no development shall take place until details of maintenance and management of both the surface water sustainable

drainage scheme and any receiving system have been submitted to and approved in writing by the Local Planning Authority. The scheme for each phase shall be implemented and thereafter managed and maintained in accordance with the approved details. These shall include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

REASON: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

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

- 1) a 'desk study' report documenting the site history.
- 2) a site investigation report detailing ground conditions, a 'conceptual model' of all potential pollutant linkages, and incorporating risk assessment.
- 3) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed.
- 4) a detailed phasing scheme for the development and remedial works (including a time scale).
- 5) a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time.

The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development hereby permitted first comes in to use or is occupied. On completion of the remediation works written confirmation that all works were completed in accordance with the agreed details shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed.

14. Prior to the first occupation or use of a relevant phase of development, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation for the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON: To ensure potential land contamination is addressed and to protect controlled waters.

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. Remediation shall then be carried out in accordance with the approved scheme and on completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

REASON: To ensure risks from contamination are minimised.

16. The relevant works within the boundary of the application site (as shown on drawing PL201) including detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 11 November 2022 must be implemented in accordance with any specified timetable and completed in full (including the submission of compliance measures to the Local Planning Authority in accordance with section J of the Biodiversity Plan) prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained.

REASON: To enhance biodiversity.

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

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

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

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

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

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

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

19. The dwellings hereby permitted must not be occupied or utilised until the associated car parking spaces serving the dwellings have been provided and details of their location submitted to and approved in writing by the Local Planning Authority. Thereafter, the car parking spaces must be maintained, kept free from obstruction and available for the purposes specified for the lifetime of the development.

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

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

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

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

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

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: 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: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated [## ##] relating to affordable housing and implementation of an Employment Buildings Refurbishment Scheme.

4. Surface water

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

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

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

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

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

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

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

6. Sustainable Construction (recommended by the Environment Agency)

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

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

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site.

Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at:

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

8. Waste Management (recommended by the Environment Agency)

Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to off site incineration and disposal to landfill during site construction. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website www.environmentagency.gov.uk/subjects/waste/

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

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

10. Biodiversity Plan

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

11. Informative – Surface Water

If the applicant wishes to offer for adoption any highways drainage to DC, they should contact DC Highway's Development team at DLI@dorsetcouncil.gov.uk as soon as possible to ensure that any highways drainage proposals meet DCC's design requirements

12. Informative – EA Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environmentagency.gov.uk

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity

13. Informative: Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan. The application for planning permission was made before 12 February 2024.

B: That authority be delegated to the Head of Planning and the Service Manager for Development Management and Enforcement to refuse planning permission for the reasons set out below if the S106 Legal Agreement is not completed by 12 June 2025 (6 months from the date of committee) or such extended time as agreed by the Head of Planning and the Service Manager for Development Management and Enforcement:

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

Application: P/FUL/2024/02884

Site Address: Redlands Community Sports Hub Dorchester Road Weymouth DT3 5AW

Proposal: Refurbishment of existing floodlit Artificial Grass Pitch & construction of a new floodlit Artificial Grass Pitch. Erection of maintenance building with toilet, spectator area, new pedestrian perimeter path, relocation of practise cricket nets & new cricket match wicket. Construct reinforced grass matting overflow parking area and landscaping works.

Recommendation: Delegate authority to the Head of Planning and Service Manager for Development Management and Enforcement to approve the application subject to planning conditions and if the revised NPPF has been published prior to the issuing of the planning decision not to issue the planning decision unless and until officers have agreed with the chair of the Western and Southern Area Planning Committee that there are no changes in the revised NPPF which could have led to members reaching a materially different conclusion on the application.

Decision: That authority be delegated to the Head of Planning and Service Manager for Development Management and Enforcement to approve the application subject to planning conditions set out below and if the revised NPPF has been published prior to the issuing of the planning decision not to issue the planning decision unless and until officers have agreed with the chair of the Western and Southern Area Planning Committee that there are no changes in the revised NPPF which could have led to members reaching a materially different conclusion on the application.

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:
 - SCS-MUK3169-06 B Location plan
 - 700 Tree Constraints Plan
 - 2D & 3D Illustration
 - SCS-MUK3169-01 F Proposed layout with aerial image
 - SCS-MUK3169-02 K Proposed site plan with Grass Pitches
 - SCS-MUK3169-04 C Proposed block plan
 - SCS-MUK3169-09 B New 3G pitch plan
 - SCS-MUK3169-10 A Floodlight & fence Elevations
 - SCS-MUK3169-11 Line marking plan new 3G pitch
 - SCS-MUK3169-13 B Proposed landscape plan
 - SCS-MUK3169-14 B Proposed fence layout
 - SCS-MUK3169-16 Proposed 3G pitch spectator area kerb detail

SCS-MUK3169-17 Maintenance building floor plan
SCS-MUK3169-18 Line marking plan refurbished 3G pitch
SCS-MUK3169-20 Proposed 3G Pitch Path Kerb Detail
SCS-MUK3169-23 Proposed 3G pitch Kerb detail
SCS-MUK3169-24 Proposed 3G pitch to spectator area kerb detail
SCS-MUK3169-25 Proposed 3G pitch infill mitigation entrance grate
SCN2626 01 Base plan
SCN2626 02 Roof plan
SCN2626 03 Gable elevations
SCN2626 04 Front and back elevations
SCN2626 05 Cross Section
SCN2626 06 Front and back elevations
SCN2626 07 Gable elevations

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

3. All hard and soft landscaping shall be carried out in accordance with the approved landscaping plan SCS-MUK3169-13 dated 2 April 2024. The works shall be carried out prior to first use of any part of the proposed development and in accordance with a programme (to include maintenance) which shall have first been submitted to and agreed in writing with the Local Planning Authority. Any trees or plants that within a period of five years after planting are removed, die, or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced as soon as it is reasonably practical with others of species, size and number as originally approved.

Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality.

4. 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 implementation, 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, to improve and protect water quality, and to improve habitat and amenity.

5. Prior to first use of the development, details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These shall include a plan for the lifetime of the development, the arrangements for adoption by any public

body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

6. Before the development hereby approved is first utilised the turning/manoeuvring and parking shown on Drawing Number TA01 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. The development hereby permitted must not be first utilised until a scheme showing precise details of the proposed cycle parking facilities is submitted to and approved by the Planning Authority.. The approved scheme must be constructed before the development is first used and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

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

8. Before the development hereby approved is first utilised, the submitted Travel Plan must be implemented and operational.

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.

9. Development shall proceed in accordance with the Construction Environmental Management Plan S23-316 03 dated 13/05/2024 and the plan shall be adhered to throughout the construction period for the development to the satisfaction of the Local Planning Authority.

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

10. Prior to first use of the replacement and proposed artificial grass pitches a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. This shall include measures to ensure the replacement of the artificial grass pitches within the manufacturer's specified period. It should also include the required testing to comply with FIFA Quality certification. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the 3G artificial grass pitches and thereafter the

artificial grass pitches shall be managed, maintained and replaced in accordance with the approved scheme.

Reason: To ensure that a new facility is capable of being managed and maintained to deliver a facility which is fit for purpose and sustainable and to ensure sufficient benefit of the development to sport.

11. Prior to first use of the additional artificial grass pitch and the new overflow car park area, a community use agreement for the new and replacement facilities shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The agreement shall apply to the proposed outdoor sports facilities, changing and car parking and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. Thereafter the development shall not be used otherwise than in accordance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities and to ensure sufficient benefit to the development of sport.

12. No development shall commence until details of the design and layout of infill containment measures for the refurbished artificial grass pitch have been submitted to and approved in writing by the Local Planning Authority. The refurbishment of the artificial grass pitch shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable.

13. The development hereby approved shall proceed only in accordance with the details set out in the Arboricultural Method Statement JSL5055_770 Redlands Leisure Park, Weymouth AIA V1 dated April 2024 setting out how the existing trees are to be protected and managed before, during and after development.

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

14. The development shall be completed in accordance with approved materials for the 3G pitch dated 13 November 2023.

Reason: To ensure that the external appearance of the completed development is sympathetic to its locality.

15. The floodlights shall be angled and shielded so as not to cause glare, each light must be aligned to ensure that the upper limit of the main beam does not exceed 70 degrees from its downward vertical in accordance with BE EN 12193:2007, shall be in accordance with the Preliminary Ecological Appraisal

Updated November 2024 and thereafter shall be retained as such.

Reason: To protect the amenity of neighbouring properties, reduce the visual impact upon surrounding areas and safeguard biodiversity.

16. The floodlighting shall not be operated outside the hours of 08:00 to 22:00 daily. In any event, the floodlights shall be turned off within 15 minutes of the end of the activities on the floodlit pitch.

Reason: In the interests of the amenity of adjacent residents.

17. The existing floodlighting surrounding the existing artificial grass sports pitch shall be upgraded and shrouded to meet BS EN 12193:2007 in accordance with the Preliminary Ecological Appraisal Updated November 2024 prior to the first use of the replacement pitch commencing. The upgraded floodlighting shall thereafter be retained as such for the lifetime of the development.

Reason: To protect the amenity of neighbouring properties, reduce the visual impact upon surrounding areas and safeguard biodiversity.

18. The detailed biodiversity mitigation, compensation and enhancement strategy set out within the approved Preliminary Ecological Appraisal (Rev 3 dated November 2024) certified by the Dorset Council Natural Environment Team on 10 December 2024 must be strictly adhered to during the carrying out of the development.

The development hereby approved must not be first brought into use unless and until:

- i) the mitigation, compensation and enhancement measures detailed in the approved Preliminary Ecological Appraisal (Rev 3 dated November 2024) have been completed in full, in accordance with any specified timetable.
- ii) evidence of compliance including photographic evidence has been supplied to the Local Planning Authority 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 Preliminary Ecological Appraisal (Rev 3 dated November 2024) and thereafter the approved mitigation, compensation and enhancement measures must be permanently maintained and retained in accordance with the approved details.

Reason: To mitigate and compensate for impacts on ecological receptors, and to provide biodiversity gains.

Informative Notes:

1. Informative: Travel Plan monitoring

The applicant is advised that as part of the continued monitoring of the Travel Plan, they are required to regularly liaise, at regular time periods to be agreed,

with Dorset Council's Travel Plan team (emma.andre@dorsetcouncil.gov.uk) for the lifespan of the Travel Plan lifespan. The Travel Plan surveys, and other pertinent information should be submitted to Dorset Council to ensure that continued progress is being made to meet the targets of the Travel Plan.

2. Informative: Electric vehicle charging points

The applicant is advised that prior to the development being brought into use, it must comply with the requirements of Building Regulations Approved Document S: Infrastructure for the charging of electric vehicles.

3. Informative: 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 the development of land in England is deemed to have been granted subject to the condition “(the 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 require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Read more about Biodiversity Net Gain at <https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain>

4. Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

- (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. 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;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
5. Development below the de minimis threshold, meaning development which:
- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
6. Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.
7. Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).
8. Self and Custom Build Development, meaning development which:
- i) consists of no more than 9 dwellings;
 - ii) is carried out on a site which has an area no larger than 0.5 hectares; and
 - iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

9. Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* “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.

5. 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/FUL/2024/04683

Site Address: Bus Shelter Dorset Mount Pleasant Park And Ride Link Road To Park And Ride Weymouth DT3 5GD

Proposal: Relocate temporary wooden workshop to allow erection of additional cabin for use as reception/meeting room.

Recommendation: Delegate authority to the Head of Planning and Service Manager for Development Management and Enforcement to approve the application subject to planning conditions and if the revised NPPF has been published prior to the issuing of the planning decision not to issue the planning decision unless and until officers have agreed with the chair of the Western and Southern Area Planning Committee that there are no changes in the revised NPPF which could have led to members reaching a materially different conclusion on the application.

Decision: That authority be delegated to the Head of Planning and Service Manager for Development Management and Enforcement to approve the application subject to planning conditions and if the revised NPPF has been published prior to the issuing of the planning decision not to issue the planning decision unless and until officers have agreed with the chair of the Western and Southern Area Planning Committee that there are no changes in the revised NPPF which could have led to members reaching a materially different conclusion on the application.

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 dated 04/09/24
- Proposed site plan Sheet 2B
- East elevations Sheet 3A
- North elevations Sheet 4A
- West elevations Sheet 5A
- South elevations Sheet 6A

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

3. The use of the land and structures shall be as shown on the approved site plan, and there shall be no additional overnight accommodation beyond that approved under permission WP/20/00814/FUL. No accommodation unit or other facility shall be stationed on top of another accommodation unit or facility.

Reason: In accordance with the application proposal; to regulate the use of the application site in the interests of visual amenity; and to ensure no net increase in overnight accommodation, as a net increase may require Chesil and the Fleet SAC recreation mitigation.

4. The occupation of the site shall continue to be in accordance with the Tier 1 & 2 Contaminated Land & Ground Gas Risk Assessment V1, dated May 2021 and discharged under condition 3 of planning permission ref. WP/20/00814/FUL. The development hereby approved shall not result in any penetrative groundworks.

Reason: To ensure that appropriate risk mitigation and avoidance measures are implemented and maintained.

5. The development shall be undertaken in accordance with the agreed biodiversity mitigation and net gain measures under condition 4 of planning permission ref. WP/20/00814/FUL.

Reason: To ensure the delivery of biodiversity mitigation and net gain measures.

6. Unless permitted to remain under a further grant of planning permission, use of the application site for the stationing of mobile accommodation units

and associated ancillary facilities shall cease no later than 31st January 2028.

Reason: To reflect the terms of consent ref. WP/20/00814/FUL.

7. Within 3 months of the permanent cessation of use of the application site, the application site shall be cleared of all structures and associated facilities.

Reason: In the interest of visual amenity and to reflect the terms of consent ref. WP/20/00814/FUL.

Informatives

1. 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. 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. 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 considered to apply.

- Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006);
- and

ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Read more about Biodiversity Net Gain at:
<https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain>

Application: P/FUL/2024/06068

Site Address: Weymouth Beach South West of The Pier Bandstand Opposite The Prince Regent Hotel

Proposal: Change of use of land for the siting of a mobile wild sauna unit and ancillary shed.

Recommendation: Delegate authority to the Head of Planning and Service Manager for Development Management and Enforcement to approve the application subject to planning conditions and if the revised NPPF has been published prior to the issuing of the planning decision not to issue the planning decision unless and until officers have agreed with the chair of the Western and Southern Area Planning Committee that there are no changes in the revised NPPF which could have led to members reaching a materially different conclusion on the application.

Decision: That authority be delegated to the Head of Planning and Service Manager for Development Management and Enforcement to approve the application subject to planning conditions set out below and if the revised NPPF has been published prior to the issuing of the planning decision not to issue the planning decision unless and until officers have agreed with the chair of the Western and Southern Area Planning Committee that there are no changes in the revised NPPF which could have led to members reaching a materially different conclusion on the application.

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

Location Plan (submitted on 18/10/2024)

Block Plan (submitted on 18/10/2024)

Plans and Elevations REV A (submitted on 11/12/2024)

Site Plan (submitted on 26/11/2024)

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

2. The development and ongoing sauna operation shall be undertaken in accordance with the Emergency Flood Plan submitted on the 9 December 2024 and shall do so for each period in which the sauna is operational on the site hereby approved.

Reason: To ensure the safe operation of the sauna in respect to any flood risk.

3. The Sauna unit and ancillary shed hereby approved shall be used as a recreational Sauna only and not for any form of residential use including holiday accommodation; it shall appear in scale and design as approved on the submitted Elevation and Block Plans submitted on 18 October 2024, with only one Sauna unit being permitted by this approval. Furthermore, and notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent revisions to that Order), no other temporary structures/units/caravans/food outlets are permitted within the red line shown on the approved Location Plan, Submitted on 18 October 2024.

Reason: To prevent the Sauna from becoming an unrestricted residential unit and to safeguard amenities within the Heritage Coast/Dorset National

4. The Sauna unit hereby approved shall be removed and the land restored to its former condition on or before 10 years from the date of this permission.

Reason: To enable the ongoing monitoring of flooding/coastal recession/instability issues and to ensure safety of users of the sauna.

5. The sauna and ancillary shed hereby approved shall only remain on the site from 1 November to 28th February in any one calendar year. The sauna, ancillary shed and any decking and steps shall be removed from site by the 1 March each calendar year.

Reason: To ensure that other uses of the site are not in conflict.

6. No lighting shall be installed until details of the lighting scheme have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the lighting scheme shall be installed operated and maintained in accordance with the agreed details.

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

7. No additional paving, decking, verandahs, or other features not shown on the approved plans shall be erected around or on the hut.

Reason: These features would be detrimental to the character and appearance of the conservation area in accordance with policy ENV4 of the West Dorset, Weymouth and Portland Local Plan 2015.

Informative Notes:

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. Due consideration should be given to the holding of events associated with both the Weymouth Cenotaph and Merchant Navy Memorial. The applicant should liaise with Weymouth Town Council in respect of the dates of such events and where the site is leased by Weymouth Town Council the leaser should make arrangements to ensure that the sauna is not operational during the hours of services associated with any such ceremonial/memorial events.