

Western and Southern Area Planning Committee
Thursday 11 December 2025
Decision List

Application: P/OUT/2025/01234

Application Site: Land west of West Link Road Crossways

Proposal: Hybrid planning application comprising outline application for up to 145 no. dwellings, open space, landscaping & associated infrastructure with all matters reserved except principal means of access to the highways. Full application for a Suitable Alternative Natural Greenspace (SANG) and associated landscaping

Summary of Recommendation:

Recommendation A: Delegate authority to the Service Manager for Development Management and Enforcement and the Area Manager Southern and Western Team to grant, subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) and conditions.

Recommendation B: Refuse permission if the agreement is not completed within 6 months from the date of committee or such extended time as agreed by the Service Manager for Development Management and Enforcement:

Decision:

- A) That authority be delegated to the Service Manager for Development Management and Enforcement and the Area Manager Southern and Western Team to grant, subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

Provision of 35% affordable housing, including 35% provision in respect of the 89 units that may be completed before 2030;

Suitable Alternative Natural Greenspace (SANG);
Bus Stop with shelter;
Local Area of Play (LAP);
Local Equipped Area of Play (LEAP);
Pocket Park;

The nitrogen neutrality scheme, which secures the following:

- Limiting the number of dwellings completed before 2030 to 89 units.
- Ensuring that the land to be developed in the latter phase is temporarily fallowed until the improvements at the wastewater treatment works are completed in 2030.

- Ensuring the final scheme delivers the areas of open space, open water (SuDS) etc used in the nitrogen budget calculations.
- The provision and maintenance of the SuDS scheme.
- SuDS management trains consisting of swales and an infiltration to be designed in line with CIRIA C815 and CIRIA C753 as set out at paragraphs 2.1.2-2.1.4 of the Brookbanks Technical Note 02 Rv0: Response to comments of the Senior Environmental Assessment Officer of Dorset Council dated 25th June 2025 and Flood Risk & Drainage Assessment (26552-FLD-0101 Rev D).

And subject to the following conditions:

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

1000 G Location plan
 001 P8 Proposed access arrangements
 4010 Land use & landscape parameter plan
 4040 Access & movement parameter plan
 4030 Building heights parameter plan
 4020 Density parameter plan
 edp7174_d011 K SANG proposal
 edp7174_d011 K edp7174_d011-K-Detailed SANG Proposal_2
 edp7174_d011 K edp7174_d011-K-Detailed SANG Proposal_3
 edp7174_d011 K edp7174_d011-K-Detailed SANG Proposal_4
 edp7174_d011 K edp7174_d011-K-Detailed SANG Proposal_5

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

2. The full element of this planning permission comprises: (1) a Suitable Alternative Natural Greenspace (SANG), and (2) associated landscaping for the SANG. These aspects of the development 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 & Country Planning Act 1990 (as amended).

3. The outline element of this planning permission comprises: (1) Up to 145 dwellings, (2) open space (excluding the SANG), (3) associated landscaping (excluding the SANG), and (4) associated infrastructure (excluding the SANG). No development hereby approved under the outline element of this planning permission shall commence until approval of the details of the (1) appearance; (2) landscaping; (3) layout; and (4) scale of development – the ‘reserved matters’ - have been approved by the local planning authority for the outline element of this planning permission.

Reason: To ensure the satisfactory development of the site.

4. Application 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 (as amended).

5. Development within any phase of development forming part of the outline element of this planning permission 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. There shall be no more than a total of 145 dwellings constructed on the site.

Reason: To define the permission and to ensure adequate space remains for the access, parking and landscaping in the interests of visual amenity and highway safety

7. The details of landscaping as referred to in condition 3 shall include landscaping plans for those landscaping details shown on the illustrative masterplan, namely:

- The set back from West Link Road;
- The focal public open space;

- The structural planting to provide screening of the hangars;
- The retained vegetation along site boundaries;
- The tree planted grass verge within primary street;
- The pocket park.
- The LEAP; and,
- The LAP.

The Landscaping details shall include (i) planting plans; (ii) written specifications and schedules of proposed plants noting species, planting sizes and proposed numbers/densities; (iii) full details of the positions, materials and proposed construction methods for all paths and other hard surfaces; (iv) an implementation timetable; and (v) a schedule of landscape maintenance proposals for a period of not less than five years.

Reason: To ensure that the development provides sufficient hard and soft landscaping to successfully integrate with the character of the site and its surrounding area.

8. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in accordance with the approved

implementation timetable and maintenance proposals and any plants which within a period of five years from the completion of the landscaping scheme, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards.

Reason: To ensure proper implementation of the agreed landscape details in the interests of the amenity value of the development.

9. Prior to development of the SANG commencing, a scheme for the protection of the retained trees, in accordance with BS 5837:2012 (as amended), including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Specific issues to be dealt with in the TPP and AMS

a) Location and installation of services/ utilities/ drainage.
b) Methods of demolition within the root protection area (RPA as defined in BS 5837:2012) of the retained trees.

c) Details of construction within the RPA or that may impact on the retained trees.

d) Boundary treatments within the RPA and a full specification for the installation of boundary treatment works.

e) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.

f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.

g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.

h) a specification for scaffolding and ground protection within tree protection zones.

i) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires

j) Arboricultural supervision and inspection by a suitably qualified tree specialist

k) Reporting of inspection and supervision

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.

10. The development hereby permitted shall be delivered in accordance with the Minerals Resource Method Statement submitted on 12th May 2025. The Method Statement sets out the measures to be taken to ensure the re-use of all suitable sands or gravels raised during site preparation and construction of buildings and infrastructure (including provision for management of water on or under the site) wherever such re-use is viable, environmentally feasible and practicable. Authority.

Reason: To ensure that the mineral resource on the site is safeguarded and that any suitable materials raised during construction are put to their highest and best use, while minimising the need to import aggregate materials from beyond the site, in the interests of sustainability.

11. 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 site investigation report detailing ground conditions, a 'conceptual model' of all potential pollutant linkages, and incorporating risk assessment.

2) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed, including a timetable for implementation.

3) 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 in accordance with the approved timetable for implementation. On completion of the development a report detailing the work that has been carried out in accordance with the agreed details shall be submitted to the Local Planning Authority and the monitoring and maintenance of the scheme shall be carried out in accordance with the agreed details. On.

Reason: To ensure potential land contamination is addressed.

12. 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). If 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. The approved remediation shall be carried out in accordance with the approved timescale 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.

13. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on drawing 001 rev P8 must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

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

14. Notwithstanding the information shown on the plans approved by this application, before the development is occupied or utilised precise details of the access, geometric highway layout, turning and parking areas must have been submitted to and agreed in writing by the Planning Authority.

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

15. No works shall commence on site on the development hereby permitted until the first 15.00m of the proposed access road, including the junction with the existing public highway, has been completed to at least binder course level.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

16. Before the development hereby approved commences a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Planning Authority. The CTMP must include:

- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads
- location of construction site access
- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities

- 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

- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary
- A sweeper will be required periodically to ensure the public highway is kept clear of loose debris that maybe transferred from the site.

- Any site entrance gate that may need to be erected, will need to be set back a minimum of 15m from the edge of the carriageway.

- No bonfires
- Protection of nearby receptors from dust arising from construction and vehicle movements and storage of waste materials prior to removal from site, including the incorporation of dust emission mitigation measures as identified in Table 5.1 of the Air Quality Assessment produced by Acoustic Air and submitted as part of the application.

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

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

17. Construction works at the site shall not take place outside of the following times; 08.00 - 18.00 on Mondays to Fridays inclusive, 09.00 - 13.00 on Saturdays, and at no time on Sundays or public holidays.

Reason: In the interests of the living conditions of surrounding residential properties.

18. Before the development hereby approved is occupied or utilised the following works must have been constructed to the specification of the Planning Authority:

2m wide footways on both sides of the new proposed site access as shown on drawing number 001P8 with dropped kerbs / tactile paving to facilitate crossing movements at Moynton Close, the new proposed access and the rural access (as shown on drawing number 001P8).

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

19. 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 SuDS shall comprise swales and an infiltration basin arranged in a management train in accordance with the CIRIA C815 and CIRIA C753 documents. The surface water scheme shall be fully implemented in accordance with the submitted details and timetable.

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

20. Prior to occupation 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 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.

21. The recommendations in the Noise Report Ref: 26552-ENV-0401 Rev B shall be incorporated into the design and layout of the reserved matters to the satisfaction of the local planning authority.

Reason: To safeguard amenity.

22. The detailed biodiversity mitigation, compensation and enhancement strategy set out within the approved Biodiversity Plan, certified by the Dorset Council Natural Environment Team on 8 July 2025, 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 Biodiversity Plan have been completed in full, in accordance with any specified timetable, unless any modifications to the approved Biodiversity Plan as a result of the requirements of a European Protected Species Licence have first been submitted to and agreed in writing by the Local Planning Authority, and
- ii) evidence of compliance, including photographic evidence, in accordance with section F of the approved Biodiversity Plan 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 Biodiversity Plan and thereafter the approved mitigation, compensation and enhancement/net

gain 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.

23. The development hereby approved shall not be first occupied until details of the foul drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented prior to the completion of the development and shall include the following:

Details of a capacity appraisal (or information to that effect) to understand the impact of the proposed additional flows for the treatment of foul sewerage from the development; and

Identifying the scope of any improvement works that are deemed necessary to accommodate any additional loading in the system and at the treatment works; A timetable for a scheme of capacity work should it be required.

Thereafter, the means of foul sewerage shall accord with the approved details.

Reason: The proposed site falls within the Catchment for Dorchester Sewage Treatment Works. These works are at or nearing capacity. Adequate provision is needed to enable the development to proceed with adequate means of foul sewerage disposal.

24. Details of measures to limit the water use of the dwelling(s) in accordance with the optional requirement in regulation 36(2)(b) and the Approved Document for Part G2 of the Building Regulations 2010 (or any equivalent regulation revoking and/or re-enacting that Statutory Instrument) shall be submitted to and approved in writing by the Local Planning Authority before the dwellings are occupied. The submitted details shall include a water consumption calculation for each dwelling in accordance with the Approved Documents referred to above. The approved measures shall be implemented prior to occupation and maintained in accordance with the approved details thereafter.

Reason: To ensure nutrient neutrality in the Poole Harbour catchment in the interests of protected habitats.

Informative Notes:

1. This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated ## ## relating to the:

2. On the mains record you may see the low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation.

Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas pipes.

It must be stressed that both direct and consequential damage to gas plant can be dangerous for your employees and the general public and repairs to any such damage will incur a charge to you or the organisation carrying out work on your behalf. Your works should be carried out in such a manner that we are able to gain access to our apparatus throughout the duration of your operations.

3. The free passage of the public on all rights of way must not be obstructed at any time. If the public are unlikely to be able to exercise their public rights on the above path, then a Temporary Path Closure Order must be obtained.

4. 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 DC's design requirements.

Prior Land Drainage Consent (LDC) may be required from DC's FRM team, as relevant LLFA, for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) – in accordance with s23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal under consideration, is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team. LDC enquires can be sent to floodriskmanagement@dorsetcouncil.gov.uk

The applicant is advised to have early discussions with Wessex Water in relation to the possible adoption of SuDS features in order to ensure that the final design of the proposed infiltration features are in line with their design requirements.

5. 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 and Biodiversity Gain Plans at <https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain> and <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

6. 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. The permission which has been granted is for development which is exempt being:

4.1 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).

4.2 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).

4.3 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.

4.4 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).

4.5 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).

4.6 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.

7. This application is subject to Biodiversity Net Gain. A Section 106 Agreement is likely to be required to secure the maintenance and monitoring of any Biodiversity Gain Plan or Habitat Management and Monitoring Plan (HMMP) approved by the Council.

8. The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset Council's Highways Development team. They can be reached by telephone at 01305 225401, by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.

9. The applicant should be advised that the Advance Payments Code under Sections 219-225 of the Highways Act 1980 may apply in this instance. The Code secures payment towards the future making up of a private street prior to the commencement of any building works associated with residential, commercial and industrial development. The intention of the Code is to reduce the liability of potential road charges on any future purchasers which may arise if the private street is not made-up to a suitable standard and adopted as publicly maintained highway. Further information is available from Dorset Council's Highways Development team. They can be reached by email highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.

10. The junction works referred to in the recommended condition above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site. The applicant should contact Dorset Council's Highways Development team. They can be reached by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development

team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.

11. In addition to this permission, the highway improvement(s) referred to in the recommended condition above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site. The applicant should contact Dorset Council's Highways Development team. They can be reached by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.

12. The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. The amount of levy due will be calculated at the time the reserved matters application is submitted.

13. The Council is responsible for street naming and numbering within our area. This helps to effectively locate property to deliver post and for access by emergency services. New or changed addresses must be registered with the Council. This link has more information. <https://www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering/street-naming-and-numbering>

14. A statement on surface water discharge can be accessed via the following link: <https://developerservices.wessexwater.co.uk/media/m4rjrfmg/wwds-dev063p-rainwater-drainage-policy.pdf>

15. Any work carried out to comply with conditions relating to land contamination must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

16. In accordance with paragraph 39 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.

17. As part of the discharge of condition no. 19 in respect of surface water drainage please note that twelve months of groundwater monitoring at the actual location of the proposed infiltration SuDS including the proposed basin should be submitted to confirm 1m of clearance between the base of the SuDS feature and the maximum groundwater level as per BRE Digest 365 and CIRIA SuDS manual. The final design for the basin should consider the contours of the site and be designed to minimise cut and fill. Open SuDS with source control features and multi0functional benefits must be prioritised.

B) That permission be refused for the reasons set out below if the agreement is not completed within 6 months from the date of committee or such extended time as agreed by the Service Manager for Development Management and Enforcement:

1. In the absence of a s106 legal agreement to secure the Suitable Alternative Natural Greenspace (SANG) the proposal would result in a likely significant effect on the Dorset Heaths Special Area of Conservation (SAC) and Dorset Heathlands Special Protection Area (SPA) as a result of the proximity of the site and public access to these protected areas. This would be contrary to West Dorset, Weymouth & Portland Local Plan (2015) Policy ENV2 and paragraphs 103 and 193 of the National Planning Policy Framework (2025).
2. In the absence of a s106 legal agreement to secure the provision of affordable housing, the proposal would be contrary to West Dorset, Weymouth & Portland Local Plan (2015) policy HOUS1 and paragraph 66 of the National Planning Policy Framework (2025).
3. In the absence of a s106 legal agreement to secure a Local Area of Play a Local Equipped Area of Play & Pocket Park and the maintenance thereof, the proposal would be contrary to Policy COM1 of the West Dorset, Weymouth and Portland Local Plan and paragraphs 98 and 103 of the National Planning Policy Framework (2025).
4. In the absence of a s106 legal agreement to secure the nitrogen neutrality scheme the proposal would have an adverse effect upon the integrity of the Poole Harbour Special Protection Area (SPA and Ramsar) as a result of nutrient enrichment to the harbour contrary to West Dorset, Weymouth & Portland Local Plan (2015) policy ENV2 and paragraph 193 of the National Planning Policy Framework.
5. In accordance with Paragraph 195 of the National Planning Policy Framework (2025) the presumption in favour of sustainable development does not apply where the project is likely to have a significant effect on a habitats site. For the reasons set out in 1, 4 and 5 above the proposal would have a significant effect on the Dorset Heaths (SAC), Dorset Heathland Special Protected Area (SPA) and the Poole Harbour Special Protection Area (SPA and Ramsar). As such and when applying Paragraph 193 in accordance with Paragraph 11(d)(i) of the NPPF there are strong reasons to refuse the development given that it is contrary to Paragraph 193.

Application: P/RES/2025/02807

Application Site: Land At Newton's Road Weymouth DT4 8UR

Proposal: Reserved matters application to determine appearance and landscaping following the grant of outline planning permission P/OUT/2022/00852 (for mixed use development comprising up to 141 dwellings (Use Class C3) and 60 bed care home (Use Class C2), with up to 340 sqm associated leisure floorspace comprising gym, swimming pool / spa (Sui Generis); up to 1,186 sqm office /light industrial floorspace (Use Class E(g)); up to 328 sqm restaurant floorspace (Class E(b)); with associated car parking, public open space, public realm, cliff stabilisation & sea defence works, with vehicular and pedestrian access from Newton's Road & associated infrastructure - some matters reserved (appearance & landscaping))

Summary of Recommendation: Grant subject to the planning conditions.

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

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

9464/200 Site Location Plan

9464/201 Rev L Proposed Site Plan - Lower Half

9464/202 Rev K Proposed Site Plan - Upper Half

9464/203 Rev H Block 1 - Proposed Floor Plans - Sheet 1

9464/204 Rev F Block 1 - Proposed Floor Plan - Sheet 2

9464/205 Rev F Block 1 - Proposed Elevations

9464/206 Rev G Block 2 - Proposed Floor Plans

9464/207 Rev F Block 2 - Proposed Elevations

9464/208 Rev B Town Houses - Proposed Floor Plans

9464/209 Rev C Town Houses - Proposed Elevations

9464/210 Rev C Office Building - Proposed Floor Plans

9464/211 Rev C Office Building - Proposed Elevations

9464/212 Rev G Care Home - Proposed Floor Plans

9464/213 Rev B Care Home - Proposed Elevations

9464/216 Rev I Outbuildings - Proposed Floor Plans and Elevations

9464/218 Rev A Proposed Roof Plans

PRI24558_11 Sheet 1 Rev L Landscape Proposals

PRI24558_11 Sheet 2 Rev L Landscape Proposals

PRI24558_11 Sheet 3 Rev K Landscape Proposals

PRI24558_11 Sheet 4 Rev K Landscape Proposals

PRI24558_11 Sheet 5 Rev K Landscape Proposals

PRI24558_12 Sheet 1 Rev L Hard Landscape Proposals

PRI24558_12 Sheet 2 Rev L Hard Landscape Proposals

PRI24558_12 Sheet 3 Rev L Hard Landscape Proposals

PRI24558_12 Sheet 4 Rev L Hard Landscape Proposals
PRI24558_12 Sheet 5 Rev L Hard Landscape Proposals
PRI24558_15 Sheet 1 Rev G Landscape Sections
PRI24558_15 Sheet 2 Rev G Landscape Sections
PRI24558_15 Sheet 3 Rev G Landscape Sections
PRI24558_15 Sheet 4 Rev G Landscape Sections

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

2. Balconies of adjoining flats above ground floor level within Block 1 and Block 2, as shown on the relevant approved floorplans (drawings 9464/203 Rev H, 9464/204 Rev F and 9464/206 Rev G) shall be fitted with obscure glazing screens to a height which prevents overlooking between the balconies of adjoining flats. Thereafter, the obscure glazing screens shall be retained for the lifetime of the development.

Reason: In the interests of residential amenity.

3. No development above damp proof course level within a phase of development shall take place until a scheme showing details of all external vents, flues, soil and vent pipes for the relevant phase has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved scheme.

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

4. The approved soft landscaping works for each phase of development must be carried out in full during the first planting season (November to March) following commencement of the relevant phase or within other timescales agreed under the terms of this planning condition. The soft landscaping for each phase shall be maintained in accordance with details to be submitted to and agreed in writing by the Local Planning Authority prior to development above damp proof course level within the relevant phase. Any trees or plants which, within a period of 5 years from the completion of the relevant phase, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the visual amenity and character of the area.

5. The finished ground floor level of the care home building shall be set at least 6.10m AOD.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

6. The basement car park vehicular entrance serving the care home shall include passive failsafe ramped designs with a continuous crest level set no lower than 6.10m AOD. The basement car park shall be fully tanked to at least 6.10m AOD. Pedestrian entrance thresholds and all other entrances to the care home and flow paths (venting/ducting etc.) shall be set on or above the care home ground floor planform level of at least 6.10m AOD. The flood risk mitigation measures for the care home shall not include any operational structures. These measures shall be fully implemented and completed prior to occupation of the care home. The measures shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development, future occupants and elsewhere.

Informatives:

1. Informative: The associated outline permission (P/OUT/2022/00852) is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated 8 March 2023 relating to: Affordable Housing Off Site Contribution; Waterfront pedestrian and cycle route; Public WCs and changing facilities, including provision, public access and management; and Travel Plans.
2. Informative: The applicant is reminded of the need to ensure all relevant conditions on the outline permission (P/OUT/2022/00852) are addressed.
3. 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.
4. Informative: Street Naming and Numbering
The Council is responsible for street naming and numbering within our area. This helps to effectively locate property to deliver post and for access by emergency services. New or changed addresses must be registered with the Council. This link has more information.
<https://www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering/street-naming-and-numbering>

5. All detailed engineering designs, specifications and construction associated with the care home basement shall be approved and overseen by qualified structural/civil engineers.

6. Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

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

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

In this case:

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

Application: P/FUL/2025/04364

Application Site: Boat Park, Boat Shed George Street West Bay DT6 4EY

Proposal: Demolition of existing and erection of replacement boat shed

Summary of Recommendation: Grant subject to conditions.

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

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

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

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

Block/Roof & Location Plan – 22/008/05

Floor and Elevations - 22/008/04

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

3. The colour of the profiled steel sheeting to be used in the construction of the building shall be as submitted in the Design and Access Statement, dated July 2025 - that being olive green for the roof and juniper to the sides.

Reason: To maintain visual amenity, the setting of heritage assets, and character of West Bay Conservation Area.

4. The development shall be carried out in accordance with the submitted Flood Risk Assessment (October 2025) and be retained as such thereafter.

Reason: In the interests of flood risk and minimising impacts.

Informatives:

1. National Planning Policy Framework Statement In accordance with paragraph 39 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 application was acceptable as submitted and no further assistance was required.

2. The applicant is advised that bats are protected in the UK by Schedule 5 of the Wildlife and Countryside Act 1981 and Part 3 of Conservation of Habitats and Species Regulations 2017 (as amended). Work should proceed with caution and if any bats are found, all work should cease, the area in which the bats have been found should be made secure and advice sought from Natural England (tel: 0300 060 3900), website www.naturalengland.org.uk before proceeding.

Further information about the law and bats may be found on the following website <https://www.gov.uk/guidance/bats-protection-surveys-and-licences>

Application: P/FUL/2024/06334

Application Site: Abbotswell Lyme Road Uplyme DT7 3TJ

Proposal: Retention of Shepherds Hut.

Summary of Recommendation: Refuse.

Decision: That the application be deferred to allow for more information to be provided regarding the impending decision on the speed limit and how this would impact the safety of the access.

Application: P/FUL/2025/02951

Application Site: 2-4 Custom House Quay Weymouth DT4 8BE

Proposal: Retain canopies and associated works to frontage for use within the business premises

Summary of Recommendation: Grant subject to conditions.

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

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

Dwg No.01 Rev: B – External floor plan and south elevation

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

2. Within 1 month of the date of this decision a flood warning and response plan (FWRP), which must include an emergency evacuation plan shall be submitted to the Local Planning Authority for approval. The development thereafter shall be carried out in accordance with the approved FWRP and shall be and managed and maintained in accordance with it. If the FWRP is not submitted to the Local Planning Authority within 1 month of this decision or the Local Planning Authority confirms in writing that it does not agree the FWRP within 2 months of its submission the use of the land for the purposes the subject of this planning permission shall immediately cease and shall not re-commence unless and until a FWRP has been submitted to and approved in writing by the Local Planning Authority. If the FWRP is submitted to the LPA in accordance with this condition and the LPA does not respond within 2 months of its submission, the development shall be carried out, managed and maintained in accordance with the submitted FWRP.

Reason: In order to safeguard and minimise the risk posed to the site and its users from flooding.

3. The development hereby approved shall not be used for the purposes hereby permitted outside the hours of 8:00am to 23:00 seven days of a week.

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

4. The retractable canopy hereby approved shall be fully retracted when not in use and outside of the hours of 8:00am to 23:00 seven days of a week.

Reason: To preserve or enhance the character and appearance of the area.

Informatives:

Informative: National Planning Policy Framework Statement

1. In accordance with paragraph 39 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. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway, to ensure that the appropriate licence(s) and or permission(s) are obtained.

Environment Agency - Environmental permit

3. The Environmental Permitting (England and Wales) Regulations 2016 require a permit 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. 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.

Biodiversity Net Gain

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

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

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

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

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

5. 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. The permission which has been granted is for development which is exempt being:

4.1 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).

4.2 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).

4.3 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.

4.4 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).

4.5 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).

4.6 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.