

Council Offices, Commercial Road, Weymouth, Dorset, DT4 8NG

01305 239839 - office@weymouthtowncouncil.gov.uk

**Minutes of Meeting**

**MEETING:** Planning and Licensing Committee

**DATE & TIME**: Tuesday 8th March 2022 at 7.00pm

**PLACE:** Council Offices, Commercial Road, Weymouth, DT4 8NG

Members were asked to notify the Democratic Officer of any planning applications they wished to discuss by no later than midday on Tuesday 1st March 2022 in order that they could be included in Item 6 of the agenda.

Present

Councillors: Peter Dickenson (C Jon Orrell Gill Taylor

David Harris Graham Winter Christine James (VC)

Apologies: Ann Weaving Jan Bergman Lucy Hamilton

Officers: Charmaine Denny (Assistant Town Clerk)

 Niki Ayles (Democratic Officer)

**P00465 Apologies for absence**

**Resolved:**

Proposer: Cllr Winter Seconder: Cllr James

Apologies were unanimously approved from Cllr Hamilton, Cllr Weaving and Cllr Bergman.

**P00466 Declaration** **of Interests**

There were no declarations of interest.

**P00467 Minutes of the last meeting**

**Resolved:**

Proposer: Cllr Harris Seconder: Cllr Orrell

Members voted unanimously in favour of agreeing the minutes of the last meeting as a true record, and these were duly signed.

**P00468 Public Participation**

**P/OUT/2022/00852 Land At Newton's Road, Weymouth, DT4 8UR**

James Dean, Juno Developments, and Beth Lambourne, Pegasus Group, were in attendance with regards to the above application, which is a mixed-use scheme predominantly made up as apartments, town houses and a care home.

Beth Lambourne confirmed that no affordable units have been included in the scheme, on the basis of the viability case that has been put forward. However, feedback has been received regarding this and the provision of affordable units is being looked in to.

With regards to the proposed care home, James Dean reported that the development had been approached by Agincare who asked whether they could replace their current stock.

Four members of the public were in attendance and raised concerns regarding the possibility of the town houses and apartments becoming second homes for people from outside of the area.

Beth Lambourne confirmed that a discussion can be held with the Case Officer to ascertain whether there is a way of specifying that the dwellings cannot be purchase as second homes, and so that the dwellings are designed for people from Weymouth and is the type of housing that Weymouth needs.

Concerns were also raised regarding the impact on the heritage coastline which, as well as being a World Heritage Site (the Jurassic Coast), is a site of special scientific interest (SSSI).

Beth Lambourne explained that feedback has been received that the care home is too high. This is an outline application therefore the developer has set the parameters for designs coming forward later. The development has been designed to not affect the SSSI at the top and mitigation has been done to protect the coastline.

With regards to traffic generation and parking, the development has been designed to try and provide the right amount of parking without it taking up the majority of the site. The developer feels that there will not be a peak rush for the whole of the development and that there will be fluctuations throughout the day. Many comments have been received regarding the impact of traffic generation on Boot Hill and this is to be explored with a transport consultant to ensure that it is properly assessed.

A member of the public was concerned that the designs appear to show one large façade of apartments. However, if the site was mixed use, this could include maritime activities which would bring employment and meet the needs of visitors to the town who do not want to just visit the beach. The development, as presented, is called mixed use, however it appears to be predominantly residential.

Beth Lambourne reassured residents that they have been liaising with Dorset Council with regards to other proposed developments that should be taken in to account when considering traffic generation. Dorset Council have suggested the brewery scheme and, unfortunately, the developer cannot take into account sites that have not come forward or do not have planning permission. Comments have been received regarding the scale of the development and this will be explored with the Case Officer. Regular meetings are also held with Dorset Council and comments are considered as they are received.

**P00469 Valid objections to planning applications**

The agenda documentation set out the material planning considerations taken into account by the Local Planning Authority. Members of the public are reminded that Weymouth Town Council acts only as a consultee in planning matters. Dorset Council is the local planning authority and members of the public are encouraged to make representations through the Dorset Council planning website.

**P00470 Planning applications for discussion**

Members had expressed a desire to discuss the following planning applications:

**P/OUT/2022/00852 Land At Newton's Road, Weymouth, DT4 8UR**

When asked how much of the building will be seen when looking out from the Buxton Memorial, Beth Lambourne responded that a visual impact assessment has been undertaken as part of the application. However, it is an outline application and therefore an indicative image has been put forward. There are two points at which the building may reach the cliff edge however the developer is exploring lowering it.

Cllr Northam referred to the West Dorset, Weymouth and Portland Local Plan 2015, which sets out strategic objectives. The first three are important – enable quality, high paid employment; meeting housing needs as much as possible, and regenerating the area. It also includes policies that address these things. HOUS1 sets out the need for affordable housing and sets a quota of 35%. Where this is not possible, there should be a financial contribution towards providing this elsewhere. The design and access statements does not mention HOUS1 as being applicable but does mention HOUS5, care homes. The economic viability assessment sets out that it is economically unviable and concludes that this application will not go forward with any affordable homes or a contribution for the provision of these elsewhere. Cllr Northam felt that this was not acceptable and urged the Committee to object to the application in that it does not meet HOUS1 of the Local Plan.

Cllr Northam felt that the care home is not required and it will not provide new jobs; if it results in the closing down of one care home for residents to move in to this one. He welcomed the 6 commercial units but felt that it is not enough, and highlighted that policy WEY8 of the Local Plan states that the scheme should wholly replace the jobs lost from the closure of Bincleaves, which was considerable. Cllr Northam therefore recommended that the Committee object to the application on these grounds. ECON2 mentions the protection of employment sites and this refers to the protection of the Bincleaves site.

Cllr Luke Wakeling highlighted the following concerns:

* Missed opportunity to possibly provide more parking under care home.
* There are already many parking issues in the surrounding area. Rodwell Road, Harbourside, Horsford St, Newberry Road. Parking on this site must be self-contained, and not overspill parking into surrounding areas.
* 25 spaces are allocated to the office, reducing the number available to residents and the restaurant. There are just 259 spaces, if 10% are reserved for the office, that leaves 234 spaces for 189 flats (many of whom may have 2 vehicles), the staff and visitors of the 60-bed care home, the staff and customers for the restaurant. This is plainly inadequate, the scale of the development cannot exceed the available parking provision on the site.
* The Developer claims that they are encouraging active travel. With the lack of parking they need to do more. The 3m shared path to the site is absolute minimum width, and not connected to existing cycle routes. (NB. Nothe Gardens has a by-law preventing cycling in the gardens). Can CIL money be used to connect the developer’s proposed cycle lane to Spring Road roundabout and Hope Square route to town?
* Concerns about construction traffic going through the harbourside and Hope Square. This is a conservation zone, and popular tourism area with many restaurants having sitting out areas. Could the Committee request to Dorset Council that a planning condition be put in place, that all construction traffic access site via Rodwell Road?
* Residents have concerns about long-term increasing volumes of traffic on Rodwell Avenue and Boot Hill. There are already environmental concerns in this area due to pollution from traffic.
* Rodwell Road has issues with speeding. Request Town Council deploy SID to this site. Residents would not like to see speed bumps.
* There are 180 flats proposed with zero gardens. These residents will utilise local Town Council assets including Nothe Gardens and Bincleaves Green for recreation. WTC could request s106 contribution for improving/maintenance of facilities at Nothe Gardens, Bincleaves Green and Rodwell Allotments.
* Parts of this development is in an SSSI and a World Heritage Site (WHS) (the access road and the slope). The WHS is of great importance to the local economy and area. Any development here must have the endorsement of Natural England.
* The adopted local plan states “Development will not be permitted if it would compromise the nature conservation interest of the surrounding marine area, have an adverse impact on the management and enjoyment of the World Heritage Site”.
* Concerns about the scale of these buildings, and the visual impact on the WHS. Note that Liverpool Historic Dockyard was stripped of its WHS status last summer, as over-development devalued the Victorian Dockyard. The Jurassic Coast WHS is in greater risk than Liverpool WHS, as that was listed for its industrial past, whereas the Jurassic Coast is listed for its untouched natural environment. The pre-application advice recommended the application be transparent and declare exact building heights, to allow comparison with the cliff and allow the impact of it to be accurately assessed – this has not happened. “7 stories” could be any number between 22m and 35m high. Suggest WTC request that building heights are reserved matters, pending detailed plans and accurate elevations showing visual impact from all side and the effect on the WHS and local listed buildings such as Nothe Fort.
* The applicant’s Economic Viability Assessment (EVA) shows it is impossible to provide any affordable housing whatsoever.
* The comparison construction projects are not high-rise flats in Weymouth, they are mostly low-rise flats or detached buildings in Bournemouth. The sales comparisons are flats in Weymouth (although mostly conversions, not new-build). This has led to a conclusion that the developer cannot afford a single affordable unit (1 out of 189 would be 0.53%) where the local plan calls for a minimum of 35% in large developments.
* Service charges – the “high quality landscaping” and the residents-only gym and pool will be an expensive on-going charge on these dwellings. Presumably, if the properties are sold, there will be a positive covenant enforcing these service charges. Concern is that in other developments the right to levy this extra service charge, has been sold on to a third party who has a monopoly and can increase the charges without challenge. It is understood that because the residents would not own the flowerbeds/pool they would have zero rights to challenge the cost nor to dismiss the management company if they are unhappy (unlike the service charge on the communal areas of the blocks, where the tenants do have rights if they are not happy with the management company). Recommend that DC consider planning conditions to ensure that residents have rights to change management company in future.
* Concern about excess Second Homes and Furnished Holiday Lets (FHL) in the area. There are too many holiday lets in the immediate local area. Would suggest a similar restrictive covenant to other local flats (e.g.flat conversions of Grove’s Malthouse) prohibiting use as a business (holiday lets).
* The 1-bed flats are 43m2 - that must include bathroom, bedroom, kitchen and living space and these aren’t even affordable. Even in comparable builds in the developer’s EVA, the smallest 1-bed flat is 57m2 – 33% larger than the flats in this development.
* Only the landscaping and the external finish is reserved matters. Other elements including layout, height, parking and mass would be approved, if this application is approved in its current form.
* On Bincleaves Green there is a Coastguard observation point. This is a two storey structure, but is not at the high point on the green. This 7-storey development is along the outer wall of the area; this means the obstruction of the observable ocean from the observation point is maximised. This new proposal has the tallest building located along the outer edge of the development, which makes the maximum visual block. Loss of view is not a material planning consideration but obstructing the emergency services is.
* Combined with the lack of available parking, concerns for the WHS and the need for the Coastguard to see the sea, this proposal is over-developing the site
* Not specific to this application, but this proposal highlights the issues with the local plan. This application in many ways “ticks boxes” on the local plan, yet it fails to provide a single dwelling that will meet local needs, and as it provides a care-home to replace aging facilities, and the Weymouth restaurant market is saturated, it fails to provide many new jobs in the area. The Committee is urged to continue to make representation to Dorset in the strongest possible terms about the unsuitability of the local plan and the need for local policy that genuinely provides housing and amenities that the local community so badly need.

Cllr Wakeling continued that the adopted Local Plan states:

BINCLEAVES

7.3.27 The redevelopment of the QinetiQ site at Bincleaves Cove has been discussed for a number of years. In 2008 permission was given for a mixed use development of flats, a hotel and employment, which has now lapsed.

7.3.28 The coastal location and heritage of the site, with its links to the breakwaters and wartime defences, are unique and should be valued in the development of the site. Public access around the seaward edge of site is seen as an essential requirement. The impact of the design in terms of its views from coastal waters in the wider context of the bay (as part of the World Heritage Site) will also be a key consideration, as will how the history of the site and its links to adjoining areas (such as the breakwaters and defence buildings) can be reflected. These values also place limits on the possibilities for development, particularly the nature conservation value of the adjoining waters. And given its location below the cliff, it is not an easy site to develop, and issues such as sunlight / daylight will also be a key consideration to any occupied buildings and public or private amenity spaces. There is also the current requirement for the breakwater beyond the site to be accessible by HGVs and other traffic.

7.3.29 Coastal erosion and flooding are also issues for this site and so any proposal will need to be accompanied by appropriate geotechnical reports, vulnerability assessments and flood risk management reports.

7.3.30 As a former employment site it is considered important that any redevelopment of this site retains employment, and that it should be of a type appropriate to and taking advantage of the unique location benefits and constraints. Other complementary uses will also be allowed. An emphasis on good quality design is essential.

WEY9. BINCLEAVES COVE

i) The redevelopment of this former employment site is supported. This may either be through an alternative employment use appropriate to a maritime location or through the comprehensive mixed use re-development of the site to provide community benefits, including sufficient employment uses to ensure no significant loss of potential jobs.

ii) The development will be expected to be of a high quality design appropriate to its water side location and the unique history of the site.

iii) Development will not be permitted if it would compromise the nature conservation interest of the surrounding marine area, have an adverse impact on the management and enjoyment of the World Heritage Site, or be at risk from coastal change.

Concerns were raised by Committee members regarding the size of the units, some of which fall below the national standard, and lack of affordable housing. It was also felt that Weymouth does not require another care home, especially given that one is currently being built in Southill. It was noted that the conclusion in the viability assessment states that the site cannot support provision of affordable housing or additional s106 contributions, and this was felt to be unacceptable. The site lacks appropriate parking provision and the need for a bus service has not been included.

When asked whether the properties will be carbon-zero, Beth Lambourne responded that because the application is an outline application, there is currently no detail regarding how the dwellings will be built, but this is something that can be explored. With regards to the size of the rooms, the layouts are indicative and the developer would be providing dwellings that meet nationally accepted design standards.

Concerns were also raised by Committee members that the development does not meet the Local Plan policies relating to affordable housing and protecting local jobs.

Cllr Dickenson proposed that the Committee produces it objection taking in to account the minutes from the meeting, and that the wording be emailed to Committee members for agreement. Members then voted on each point raised, and whether it should be included in the Committee’s objection to the application.

**Resolved:**

Proposer: Cllr Harris Seconder: Cllr Winter

Members voted unanimously in favour that the Committee objects to the application on the basis that it is over-development of the site.

**Resolved:**

Proposer: Cllr Harris Seconder: Cllr Taylor

Members voted unanimously in favour that the Committee objects to the application on the grounds that it does not meet policy HOUS1 of the Local Plan relating to the provision of affordable housing, and there has been no assessment of need relating to the provision of a care home, HOUS5.

**Resolved:**

Proposer: Cllr Harris Seconder: Cllr James

Members voted unanimously in favour of objecting to the application on the grounds of the considerable concerns about the parking provision for the site.

**Resolved:**

Proposer: Cllr Harris Seconder: Cllr Winter

Members voted unanimously in favour of objecting to the application on the basis that, although it is appreciated that commercial units have been included in the development, it is recommended that they should relate to its waterside location as much as possible, with marine activities available as well as leisure.

**Resolved:**

Proposer: Cllr Harris Seconder: Cllr Taylor

Members voted unanimously in favour of stipulating that the Committee would expect a S106 contribution in order to provide support for local amenities and/or a local bus service.

**Resolved:**

Proposer: Cllr Harris Seconder: Cllr James

Members voted unanimously in favour of objecting to the application on the grounds that the position of the WHS must be recognised as well as the potential loss of the Coastguard Station.

**Resolved:**

Proposer: Cllr Harris Seconder: Cllr Winter

Members voted unanimously in favour of requesting that, should planning permission be granted, a planning condition be put in place stating that no construction traffic should access the site via Hope Square (traffic generation).

**Resolved:**

Proposer: Cllr Harris Seconder: Cllr Winter

Members voted unanimously in favour of requesting that Dorset Council consider policy WEY9 of its local plan, relating to Bincleaves Cove.

**P/FUL/2022/00885 Weymouth Seafront, The Esplanade, Weymouth, DT4 7AA**

Members had no concerns regarding the application other than requesting that the colour scheme match other structures on the seafront.

Richard Gagg, Operations Manager, First Buses, responded that this can be explored and would be easy to achieve. In addition, the structure would be temporary therefore would be dismantled every winter.

**Resolved:**

Proposer: Cllr James Seconder: Cllr Orrell

Members voted unanimously in favour of returning a comment of “no objection”.

**Planning Applications received shortly before legal despatch**

Members did not wish to discuss any of the applications received shortly before publication of the agenda.

**Resolved:**

Proposer: Cllr Harris Seconder: Cllr Orrell

Members voted unanimously in favour of returning a comment of “no objection” to each of the applications received shortly before publication of the agenda.

**P00471 Planning Applications – no objection**

**Resolved:**

Proposer: Cllr James Seconder: Cllr Winter

Members voted unanimously in favour of returning a comment of “no objection” for the following:

* P/FUL/2022/01128 16 Newstead Road, Weymouth, Dorset, DT4 0AX
* P/FUL/2022/00948 10 Ullswater Crescent, Weymouth, DT3 5HE
* P/HOU/2022/01269 15 Melstock Avenue, Weymouth, DT3 6JX
* P/HOU/2022/01283 30 Fernhill Avenue, Weymouth, Dorset, DT4 7QX
* P/HOU/2022/01314 80 High Street, Wyke Regis, Weymouth, Dorset, DT4 9NX
* P/HOU/2022/01315 8 Norwich Road, Weymouth, DT4 8LQ
* P/HOU/2022/00549 44 Hardy Avenue, Weymouth, DT4 0RJ
* P/FUL/2022/01330 Land adjacent to 13 & 14 Turton Street, Weymouth, DT4 7DU
* P/FUL/2022/01303 3 Melcombe Avenue, Weymouth, Dorset, DT4 7TB
* P/FUL/2022/01358 Weymouth Rowing Club Boatshed, Nothe Parade, Weymouth
* P/MPO/2022/00733 127 Dorchester Road, Weymouth, DT4 7LA
* P/HOU/2022/00737 8 Lyndhurst Road, Weymouth, Dorset, DT4 7QR
* P/HOU/2022/00740 4 Fairview Road, Weymouth, Dorset, DT4 9BN
* P/HOU/2022/00745 1 Wyke Oliver Road, Weymouth, DT3 6BW
* P/FUL/2022/00379 52 St Mary Street, Weymouth, DT4 8BJ
* P/HOU/2022/00785 187 Preston Road, Weymouth, DT3 6BG
* P/HOU/2022/00798 129 Belgrave, Weymouth, DT4 9SN
* P/FUL/2022/00434 48 Rodwell Road, Weymouth, DT4 8QU
* P/LBC/2022/00435 48 Rodwell Road, Weymouth, DT4 8QU
* P/LBC/2021/05393 Manor Stables, Stottingway Street, Weymouth, DT3 5QA
* P/FUL/2021/05374 Manor Stables, Stottingway Street, Weymouth, DT3 5QA
* P/HOU/2022/00828 3 Redcliff View, Weymouth, Dorset, DT4 8RW
* P/HOU/2021/05750 12 Chalbury Close, Weymouth, DT3 6LE
* P/HOU/2022/00773 27 Enkworth Road, Weymouth, DT3 6JT
* P/FUL/2021/05519 1 Beach Court, Melcombe Avenue, Weymouth, DT4 7TF
* P/FUL/2022/00632 46A Old Parish Lane, Weymouth, Dorset, DT4 0HZ
* P/HOU/2022/00883 45 Chafeys Avenue, Weymouth, DT4 0EJ
* P/FUL/2022/00965 Kiosk W7, Rear of 8 Greenhill, Weymouth
* P/HOU/2022/01073 31 Blenheim Road, Weymouth, Dorset, DT3 5AZ
* P/FUL/2022/00843 35 Crescent Street, Weymouth, DT4 7BX
* P/HOU/2022/00530 Millstream Cottage, Mill Street, Weymouth, DT3 5DN
* P/LBC/2022/00531 Millstream Cottage, Mill Street, Weymouth, DT3 5DN
* P/HOU/2022/01079 11 Greenway Road, Weymouth, DT3 5BE
* P/HOU/2022/00964 15 Maunsell Avenue, Weymouth, Dorset, DT3 6PB
* P/MPO/2022/01102 35-39 (odd) Gentian Way, Weymouth, Dorset DT3 6FF: 40-46 (even) Gentian Way, Weymouth, Dorset DT3 6FH: 37,39 Sedge Place and 5-13 (odd) Gentian Way, Weymouth, Dorset DT3 6FN:2-12 (even) Harebell Drive, Weymouth, Dorset, DT3 6FQ and 1-12 (inclusive) Jamieson Court, Harebell Drive, Dorset DT3 6RF

**P00472** **Planning Applications responded to under Delegated Powers (for information)**

None

**P00473 Licensing, Enforcement, Appeals & Phone Masts**

**Appeals**

[**WP/21/00180/FUL**](https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=235305)

**7 Custom House Quay, Weymouth, DT4 8BE**

Cllr Taylor stated that had she been on the Planning and Licensing Committee when the application was originally considered, she would have objected to it and would like to support Dorset Council’s refusal of the application as it is not in keeping with the rest of the houses, and is in a special area and needs to be preserved.

**Resolved:**

Proposer: Cllr Taylor Seconder: Cllr Orrell

Members voted by a minority of 2 in favour, with 3 against and 1 abstention, to support Dorset Council’s refusal of the application. Therefore, the motion was defeated. WTC’s original comment of “no objection” will therefore remain.

[**WP/20/00951/FUL**](https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=235107)

**46 The Finches, Weymouth, DT3 5QN**

The Council originally objected to this application on the grounds of density and over-development.

**Resolved:**

Proposer: Cllr Winter Seconder; Cllr James

Members voted by a majority of 5 in favour, with 1 abstention, to agree that WTC’s original objection to the application remains.

**Licensing**

**New License Application**

**Tesco, 680 Dorchester Road, Weymouth, DT3 5LD**

**Resolved:**

Proposer: Cllr Orrell Seconder: Cllr Harris

Members voted unanimously in favour of returning a comment of “no objection”.

**New License Application**

**39 Moordown Avenue, Weymouth, DT3 6HU**

**Resolved:**

Proposer: Cllr Orrell Seconder: Cllr Winter

Members voted unanimously in favour of returning a comment of “no objection”.

**P00474 Sitting Out License Applications – Standard Responses (for information only)**

None

**P00475 Other Developmental Consultations**

[**P/CLE/2022/00894**](https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=379557)

**Meadow Cottage Watery Lane Weymouth DT3 5QD**

Members did not wish to make any comments regarding the above consultation.

**P00476** **Traffic Calming and Parking Restriction Requests from The Public**

None

**P00477 Traffic Regulation Orders (TROs)**

None

**P00478 Information Items**

Members noted the information items.

**P00479 Emergency Items**

None

Meeting closed at 8.31pm