

PLANNING AND TRAFFIC COMMITTEE 16 SEPTEMBER 2009

APPLICATION NO: 09/00440/FULES

Construction of energy plant –
Adjoining Balaclava Bay, Portland Port, Portland

DECISION: Permission refused.

- 1) The Local Planning Authority does not consider that sufficient information has been provided to satisfy its concerns over the potential environmental impacts of the development on the surrounding area and nearby residents, with particular reference to the perceived risks associated with pollution and health. As such the proposal is contrary to Policy D3 of the adopted Weymouth and Portland Local Plan 2005 and PPS23: Planning and Pollution Control.
- 2) The proposed power plant would have a detrimental effect on the appearance of the Portland coastline. As such the proposal is contrary to Policy N13 of the adopted Weymouth and Portland Local Plan 2005.
- 3) The proposed power plant would not be located close to the source of the fuel that is proposed to be used and as such would result in excessive transportation requirements that would be contrary to Energy Policy A of the Bournemouth Dorset and Poole Structure Plan and PPS22: Renewable Energy.

APPLICATION NO: 09/00451/LBC

Construction of energy plant –
Adjoining Balaclava Bay, Portland Port, Portland

DECISION: Permission refused.

- 1) The site is partially located within the curtilage of the listed Inner Breakwater and is adjacent to other listed structures. There is no planning permission to redevelop the site for energy plant use and the proposal as submitted would have a poor relationship with nearby listed buildings which would be detrimental to their special architectural or historic interest. As such the proposal conflicts with PPG15: Planning and the Historic Environment.

APPLICATION NO: 09/00397/FULMAJ

Demolition of existing school buildings and erection of community fire station with associated car parking and access –
School House, Radipole Lane, Weymouth

DECISION: Permission 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 not be occupied until the highway works in Radipole Lane shown on the approved plans, have been fully completed in accordance with detailed proposals to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interest of highway safety, in accordance with Policies D3 and T6 of the adopted Weymouth and Portland Local Plan 2005.
- 3) Before the commencement of development, unless otherwise agreed by the Local Planning Authority, details and samples of all facing and roofing materials shall be submitted to, and approved in writing by, the Local Planning Authority and the development shall be completed in accordance with these details.
Reason: To ensure that the external appearance of the completed development is sympathetic to its locality, in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.
- 4) Detailed drawings and specifications showing the design and construction of external doors and windows shall be provided to the Local Planning Authority and approved in writing prior to commencement of development, and the work shall be completed in accordance with the approved detail.
Reason: In order to ensure that the detailing is of sufficiently high standard, in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.
- 5) The development hereby approved shall be completed to a minimum BREEAM commercial 2006 rating of 'Very Good' or an alternative to be agreed in writing with the Local Planning Authority. Details of a provisional rating assessment shall be submitted to and agreed by the Local Planning Authority prior to commencement. Prior to occupation written confirmation shall be submitted to the Local Planning Authority to confirm the measures that have been incorporated into the development achieve a rating of 'Very Good'.
Reason: To contribute towards renewable energy provision, in accordance with Policy D3 of the adopted Weymouth and Portland Local Plan 2005 and in line with the Government aims for sustainable development.
- 6) Before the commencement of development, unless otherwise agreed by the Local Planning Authority, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include where relevant: (i) proposed finished levels or contours; (ii) means of enclosure; (iii) car parking layouts; (iv) other vehicle and pedestrian access and circulation areas; (v) hard surfacing

materials; (vi) minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting, etc); (vii) proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines, etc indicating lines, manholes, supports, etc); (viii) retained historic landscape features and proposals for restoration. If within a period of 5 years from the date of the planting of any tree/plant, that tree/plant or any tree/plant planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) another tree/plant of the same species and size as that originally planted shall be replanted in the first available planting season unless the Local Planning Authority agrees in writing to any variation. Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality, and is a requirement of the Local Planning Authority in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.

- 7) Before the commencement of development, unless otherwise agreed by the Local Planning Authority, a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule. Reason: To safeguard the amenities of the locality, in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.
- 8) Unless otherwise agreed in writing, a screen fence shall be erected to a height of 2.5 metres along the line marked in blue on the attached drawing, before the commencement of the development hereby approved and shall thereafter be retained or repaired as necessary. Details of the type of fencing and materials shall be agreed in writing with the Local Planning Authority prior to its erection. Reason: To safeguard the amenities of the locality and the privacy of the occupiers of adjoining premises, in accordance with Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2005.
- 9) Unless otherwise agreed in writing, detailed proposals for lighting the new access road, service yard and car park (to include the proposed lux levels) shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of development. The lighting shall be completed as approved prior to the development being brought into use. Reason: To ensure that adequate lighting is provided for this community development, but also that the proposed lighting levels do not result in neighbours suffering a serious loss of residential amenity. In accordance with Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2005.
- 10) Extract ventilation shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the development hereby approved being brought into use and thereafter shall be permanently maintained. Reason: To protect the amenities of the locality from possible nuisance, in accordance with Policy D3 of the adopted Weymouth and Portland Local Plan 2005.

- 11) Details of facilities to be provided for the storage and removal of refuse from the premises shall be submitted to and approved by the Local Planning Authority. These facilities shall be provided before the building is first occupied and shall be retained as such thereafter.

Reason: In the interests of the amenities of the area, in accordance with Policy D3 of the adopted Weymouth and Portland Local Plan 2005.

- 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. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with PPS23: Planning and Pollution Control.

- 13) The development hereby permitted shall not be brought into use until the access, turning and car parking spaces have been laid out, drained and surfaced in accordance with details submitted to and approved by the Local Planning Authority and these areas shall be permanently retained and kept available for that purpose thereafter.

Reason: In the interests of highway safety, in accordance with Policies D3 and T6 of the adopted Weymouth and Portland Local Plan 2005.

- 14) Provision shall be made for temporary car parking to accommodate a minimum of 8 contractors vehicles. Details of the car park shall be submitted to and approved by the Local Planning Authority prior to the development commencing and shall be retained during the construction period unless otherwise agreed with the Local Planning Authority.

Reason: In the interests of highway safety and the amenity of nearby residents, in accordance with Policy D3 of the adopted Weymouth and Portland Local Plan 2005.

- 15) Unless otherwise agreed in writing, the buildings hereby approved shall not be occupied until the proposed service road has been constructed in accordance with the details submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety and amenity of occupiers and visitors, in accordance with Policies D3 and T6 of the adopted Weymouth and Portland Local Plan 2005.

This decision was made having regard to the submitted application, the Development Plan for the area and Government advice, with particular reference to PPS23: Planning and Pollution Control, Policies D1, D3, B1, B2, T6 and T18 of the adopted Weymouth and Portland Local Plan 2005; together with representations made, the results of consultations undertaken, material planning considerations and matters addressed in the application report.

APPLICATION NO: 09/00316/FULMAJ

Demolish existing commercial building and erect block of 10 affordable flats including residents lounge –
Archard House, Waverley Road, Weymouth

DECISION: Delegated to the Development Management Service Manager for approval subject to the completion of a signed Section 106 agreement restricting the development to affordable housing and end users and subject to the following conditions:

If the Section 106 agreement is not completed by the 22 October 2009 then the application should be refused.

- 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) Before commencement of development unless otherwise agreed by the Local Planning Authority, details and samples of all facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with these details.
Reason: To ensure that the external appearance of the completed development is sympathetic to its locality in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.
- 3) Before any foundations are excavated or piling is commenced, the building shall be pegged out in the position shown on the approved plan and this siting shall be checked and approved in writing by the Local Planning Authority before any on site concrete is laid.
Reason: To ensure a satisfactory relationship of the proposed building with adjoining properties and land to the adjoining highway and to safeguard the character and amenity of the area, in accordance with Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2005.
- 4) Before the commencement of development unless otherwise agreed by the Local Planning Authority, plans and sections to a scale of not less than 1:200 showing the finished floor levels related to either (i) Ordnance datum, or (ii) a local on site datum which will not be destroyed during the construction process or otherwise materially

affected by the works being undertaken, or (iii) a local off site datum which is likely to be preserved for the foreseeable future, or not materially affected by works in the locality, of the ground floor of the proposed building shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the Local Planning Authority may be satisfied with the details of the proposal having regard to the existing site levels and those adjacent thereto in accordance with Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2005.

- 5) All external doors and windows in the proposed development shall be set in reveal to a depth of 90mm unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that this aspect of the design is in keeping with the character of the building in accordance with PPG15 Planning and the Historic Environment and Policies D3, B1 and B8 of the adopted Weymouth and Portland Local Plan.
- 6) Before the commencement of development, unless otherwise agreed by the Local Planning Authority, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscaping shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.
Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality, and is a requirement of the Local Planning Authority in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.
- 7) The trees which are retained in accordance with the approved plans and particulars shall be protected by fencing in accordance with British Standard 5837 and the Arboriculture Impact Appraisal and Method Statement dated 15th July 2009 (SW/AMS/060/09) Before any equipment, machinery or materials are brought onto the site for the purposes of the development, and this fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the Local Planning Authority.
Reason: In the interests of amenity and of the environment of the locality, in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.
- 8) The Leylandii tree to the south of the site which is shown to be retained, shall not be cut down, uprooted, or destroyed or damaged during the construction of or following completion of the development without the written approval of the Local Planning Authority.
Reason: In the interest of local amenity in accordance with Policies D3, B1 and B2 of the adopted Weymouth and Portland Local Plan 2005.
- 9) Before the commencement of development, unless otherwise agreed by the Local Planning Authority, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the

Local Planning Authority. The boundary treatment shall be carried out in accordance with the approved details and shall be completed before the building is occupied.
Reason: To safeguard the amenities of the locality and the privacy of the occupiers of adjoining premises, in accordance with Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2005.

- 10) Any fire or burning of materials obtained by site clearance or from any other source shall not take place within 10metres of the furthest extent of the canopy of any tree or group of trees retained on the site or on the land adjoining.
Reason: To protect the trees from damage in recognition of their amenity value and in accordance with Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2006.
- 11) The development hereby permitted shall not be brought into use until the parking space has been laid out, drained and surfaced in accordance with details submitted to and approved by the Local Planning Authority and these areas shall be permanently retained and kept available for that purpose thereafter.
Reason: In the interests of highway safety, in accordance with Policies D3 and T6 of the adopted Weymouth and Portland Local Plan 2005.
- 12) No dwelling shall be occupied until secure space has been laid out within the site in accordance with details submitted to and approved by the Local Planning Authority for at least 4 bicycles to be parked.
Reason: To ensure the provision of adequate cycle parking, in accordance with Policy T5 of the adopted Weymouth and Portland Local Plan 2005.
- 13) No development approved by this condition shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. This scheme shall be implemented in accordance with the agreed details.
Reason: In the interests of sustainable development and prudent use of natural resources in accordance with Policy D3 and D4 of the adopted Weymouth and Portland Local Plan 2005.
- 14) Windows or openings marked yellow on the attached plan on the south elevation shall be glazed with glass to a level of obscurity and method of opening to be agreed with the Local Planning Authority prior to their installation and shall be permanently maintained in that condition. No additional openings shall be formed in that elevation.
Reason: To maintain the privacy of the occupiers of the neighbouring property in accordance with Policy d3 of the adopted Weymouth and Portland Local Plan 2005.
- 15) Provision shall be made for temporary car parking to accommodate a minimum of 2 contractors vehicles. Details of the car park shall be submitted to and approved by the Local Planning Authority prior to the development commencing and shall be retained during the construction period unless otherwise agreed with the Local Planning Authority.

Reason: In the interests of highway safety and the amenity of nearby residents, in accordance with Policy D3 of the adopted Weymouth and Portland Local Plan 2005.

This decision was made having regard to the submitted application, the Development Plan for the area and Government advice, with particular reference to PPS3 Housing, Policies D3, B1, H5, E2, B8, T6 and T17 of the adopted Weymouth and Portland Local Plan 2005 together with representations made, the results of consultations undertaken, material planning considerations and matters addressed in the application report.

APPLICATION NO: 09/00428/FUL

Removal of redundant structures at rear and extend ground floor shop -
59 St Mary Street, Weymouth

DECISION: Permission 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) Before the commencement of development, unless otherwise agreed by the Local Planning Authority, details and samples of all facing and roofing materials shall be submitted to, and approved in writing by, the Local Planning Authority and the development shall be completed in accordance with these details.
Reason: To ensure that the external appearance of the completed development is sympathetic to its locality, in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.
- 3) No works shall be undertaken on site until a method statement including the sequence of demolition, installation of steel works and any associated supports and measures for temporary structural support during the works has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the building's overall stability during demolition works and protect the structural integrity of this Grade II Listed Building from damage in accordance with PPG15: Planning and the Historic Environment.
- 4) No works shall take place within the building until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover archaeological fieldwork together with post excavation work, a detailed historic building record and publication of the results.

Reason: The site is of archaeological importance and the archaeology should be preserved by record in accordance with Policy B5 of the Weymouth and Portland Local Plan 2005.

- 5) Permanent provision shall be made within the site for the storage of refuse containers for the ground and upper floor uses prior to the commencement of these uses. Details of which shall be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of amenity and to comply with Policy D3 of the Weymouth and Portland Local Plan 2005.

- 6) Prior to any work taking place, details (including a cross section and plan) of how the new walls will be tied in to the existing listed boundary walls shall be submitted to and approved in writing by the Local Planning Authority.
Reason: In order to protect the fabric and integrity of this Grade II Listed Building in accordance with PPG15: Planning and the Historic Environment.

This decision was made having regard to the submitted application, the Development Plan for the area and Government advice, with particular reference to PPG15: Planning and the Historic Environment and Policies B1, B5 and D3 of the adopted Weymouth and Portland Local Plan 2005, together with representations made, the results of consultations undertaken, material planning considerations and matters addressed in the application report.

APPLICATION NO: 09/00429/LBC

Removal of redundant structures at rear and extend ground floor shop -
59 St Mary Street, Weymouth

DECISION: Consent granted subject to the following conditions:

- 1) The work to which this consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.
Reason: This condition is required to be imposed by reason of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended).
- 2) Before the commencement of development, unless otherwise agreed by the Local Planning Authority, details and samples of all facing and roofing materials shall be submitted to, and approved in writing by, the Local Planning Authority and the development shall be completed in accordance with these details.
Reason: To ensure that the external appearance of the completed development is sympathetic to its locality, in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.
- 3) No works shall be undertaken on site until a method statement including the sequence of demolition, installation of steel works and any associated supports and measures

for temporary structural support during the works has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the building's overall stability during demolition works and protect the structural integrity of this Grade II Listed Building from damage in accordance with PPG15: Planning and the Historic Environment.

- 4) No works shall take place within the building until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover archaeological fieldwork together with post excavation work, a detailed historic building record and publication of the results.

Reason: The site is of archaeological importance and the archaeology should be preserved by record in accordance with Policy B5 of the Weymouth and Portland Local Plan 2005.

- 5) Prior to any work taking place, details (including a cross section and plan) of how the new walls will be tied in to the existing listed boundary walls shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the fabric and integrity of this Grade II Listed Building in accordance with PPG15: Planning and the Historic Environment.

This decision was made having regard to the submitted application, the Development Plan for the area and Government advice, with particular reference to PPG15: Planning and the Historic Environment and Policies B1, B5 and D3 of the adopted Weymouth and Portland Local Plan 2005, together with representations made, the results of consultations undertaken, material planning considerations and matters addressed in the application report.

APPLICATION NO: 09/00392/FUL

Conversion and alteration of barn to form dwelling -
Clifton Hotel, 50 Grove Road, Portland

DECISION: Permission 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) Before the commencement of development, unless otherwise agreed by the Local Planning Authority, details and samples of all materials to be used in the repair and construction elements of this scheme shall be submitted to, and approved in writing by the Local Planning Authority and the development shall be completed in accordance with these details.

Reason: To ensure that the external appearance of the completed development is sympathetic to its locality, which is designated as a Conservation Area, in accordance with Policies B1 and B8 of the adopted Weymouth and Portland Local Plan 2005.

- 3) All external doors and windows in the proposed development shall be set in reveal to a depth of 90mm unless otherwise agreed in writing by the Local Planning Authority and shall be constructed in timber with the windows painted white.

Reason: To ensure that this aspect of the design is in keeping with the character and appearance of the building, in accordance with Policies D3, B1 and B8 of the adopted Weymouth and Portland Local Plan 2005.

- 4) The proposed dwelling hereby approved shall not be occupied until a single parking space to a minimum size of 2.4m by 4.8m has been laid out adjoining this property, which shall be drained and surfaced in accordance with details to be submitted to and approved by the Local Planning Authority. This space shall be allocated to the unit hereby approved and thereafter this facility shall be permanently retained and kept available for its use alone at all times.

Reason: In the interests of highway safety, in accordance with Policies D3 and T6 of the adopted Weymouth and Portland Local Plan 2005.

- 5) Notwithstanding the provisions of Schedule 2, Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking or re-enacting that Order with or without modification) no enlargement shall be carried out to the dwelling without a further application for planning permission being approved by the Local Planning Authority.

Reason: Enlargements could potentially be detrimental to the amenity of the locality and neighbouring properties which would be contrary to Policies D3, B1 and B8 of the adopted Weymouth and Portland Local Plan 2005.

- 6) Notwithstanding the provisions of Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking or re-enacting that Order with or without modification) no roof enlargement or alteration shall be carried out to the dwelling without a further application for planning permission being approved by the Local Planning Authority.

Reason: In order to protect neighbouring residential properties from the possible impact of such enlargements or alterations in terms of possible overlooking, in accordance with Policies D3 and B8 of the adopted Weymouth and Portland Local Plan 2005.

- 7) The rooflight marked in yellow on the attached plan shall be glazed with glass to a level of obscurity and method of opening to be agreed with the Local Planning Authority prior to their installation and shall be permanently maintained in that condition. No additional windows or openings shall at any time be provided in the dwelling hereby approved, without the prior approval of the Local Planning Authority.

Reason: To maintain the privacy of the occupiers of neighbouring property, in accordance with Policy D3 of the adopted Weymouth and Portland Local Plan 2005.

This decision was made having regard to the submitted application, the Development Plan for the area and Government advice, with particular reference to Policies D1, D3, B1, B8, T17, T6 and H4 of the adopted Weymouth and Portland Local Plan 2005 together with representations made, the results of consultations undertaken, material planning considerations and matters addressed in the application report.

APPLICATION NO: 09/00416/REM

Erect dwelling (reserved matters) –
227 Dorchester Road, Weymouth

DECISION: Permission granted subject to the following conditions:

- 1) Before the commencement of development, unless otherwise agreed by the Local Planning Authority, details and samples of all facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with these details.
Reason: To ensure that the external appearance of the completed development is sympathetic to its locality, in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.
- 2) Before the commencement of development, unless otherwise agreed by the Local Planning Authority, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscaping shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.
Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality, and is a requirement of the Local Planning Authority in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.
- 3) Provision shall be made for temporary car parking to accommodate a minimum of four contractors vehicles. Details of the car park shall be submitted to and approved by the Local Planning Authority prior to the development commencing and shall be retained during the construction period unless otherwise agreed with the Local Planning Authority.
Reason: In the interests of highway safety and the amenity of nearby residents, in accordance with Policy D3 of the adopted Weymouth and Portland Local Plan 2005.
- 4) Windows or openings marked yellow on the attached plan shall be glazed with glass to a level of obscurity and method of opening to be agreed with the Local Planning Authority prior to their installation and shall be permanently maintained in that condition. No additional openings shall be formed in that elevation.

Reason: To maintain the privacy of the occupiers of neighbouring property, in accordance with Policy D3 of the adopted Weymouth and Portland Local Plan 2005.

- 5) Details of the proposed balcony screen shall be submitted to and approved in writing by the Local Planning Authority prior to installation and any glazing used shall be to a minimum of level 5 obscurity. The screen shall be installed prior to occupation of the dwelling and retained as such thereafter.

Reason: To maintain the privacy of the occupiers of neighbouring property, in accordance with Policy D3 of the adopted Weymouth and Portland Local Plan 2005.

- 6) Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking or re-enacting that Order with or without modification) no outbuildings or enclosures shall be erected within the application site without a further application for planning permission being approved by the Local Planning Authority.

Reason: Outbuildings or enclosures could potentially be detrimental to the amenity of the locality and neighbouring properties which would be contrary to Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2005.

- 7) Notwithstanding the provisions of Schedule 2, Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking or re-enacting that Order with or without modification) no enlargement shall be carried out to the dwelling without a further application for planning permission being approved by the Local Planning Authority.

Reason: Enlargements could potentially be detrimental to the amenity of the locality and neighbouring properties which would be contrary to Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2005.

- 8) Notwithstanding the provisions of Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking or re-enacting that Order with or without modification) no roof enlargement or alteration shall be carried out to the dwelling without a further application for planning permission being approved by the Local Planning Authority.

Reason: In order to protect neighbouring residential properties from the possible impact of such enlargements or alterations in terms of possible overlooking, in accordance with Policy D3 of the adopted Weymouth and Portland Local Plan 2005.

- 9) Before any foundations are excavated or piling is commenced, the building shall be pegged out in the position shown on the approved plan and this siting shall be checked and approved in writing by the Local Planning Authority. The proposed floor levels shall be similarly indicated and approved by the Local Planning Authority in writing before any on-site concrete is laid.

Reason: To ensure a satisfactory relationship of the proposed building with adjoining properties and/or land, to the adjoining highway and to safeguard the character and amenity of the area, in accordance with Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2005.

- 10) All hard and soft landscaping shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality, and is a requirement of the Local Planning Authority in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.

APPLICATION NO: 09/00434/FULMAJ

Conversion of existing property to form 7 flats and erect linked block of 8 flats to provide 15 flats in total with communal space and accommodation for support staff –
5 Carlton Road North, Weymouth.

DECISION: Delegated to the Development Management Service Manager for approval subject to the completion of a signed Section 106 agreement restricting the development to affordable housing and the end users and subject to the following conditions:

If the Section 106 agreement is not completed by the 15th October 2009 then the application should be refused.

- 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) Before commencement of development unless otherwise agreed by the Local Planning Authority, details and samples of all facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with these details.
Reason: To ensure that the external appearance of the completed development is sympathetic to its locality in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.
- 3) Before any foundations are excavated or piling is commenced, the building shall be pegged out in the position shown on the approved plan and this siting shall be checked and approved in writing by the Local Planning Authority before any on site concrete is laid.
Reason: To ensure a satisfactory relationship of the proposed building with adjoining properties and land to the adjoining highway and to safeguard the character and amenity of the area, in accordance with Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2005.
- 4) All external doors and windows in the proposed development shall be set in reveal to a depth of 90mm unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that this aspect of the design is in keeping with the character of the building in accordance with PPG15 Planning and the Historic Environment and Policies D3, B1 and B8 of the adopted Weymouth and Portland Local Plan 2005.

- 5) Before the commencement of development, unless otherwise agreed by the Local Planning Authority, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscaping shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.
Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality, and is a requirement of the Local Planning Authority in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.
- 6) The trees which are retained in accordance with the approved plans and particulars shall be protected by fencing in accordance with British Standard 5837 and the Arboriculture Impact Appraisal and Method Statement dated 26th June 2009 (8260-AIA-MW) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and this fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the Local Planning Authority.
Reason: In the interests of amenity and of the environment of the locality, in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.
- 7) Before the commencement of development, unless otherwise agreed by the Local Planning Authority, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be carried out in accordance with the approved details and shall be completed before the building is occupied.
Reason: To safeguard the amenities of the locality and the privacy of the occupiers of adjoining premises, in accordance with Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2005.
- 8) Any fire or burning of materials obtained by site clearance or from any other source shall not take place within 10 metres of the furthest extent of the canopy of any tree or group of trees retained on the site or on the land adjoining.
Reason: To protect the trees from damage in recognition of their amenity value and in accordance with Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2005.
- 9) The development hereby permitted shall not be brought into use until the parking space has been laid out, drained and surfaced in accordance with details submitted to and approved by the Local Planning Authority and these areas shall be permanently retained and kept available for that purpose thereafter.

Reason: In the interests of highway safety, in accordance with Policies D3 and T6 of the adopted Weymouth and Portland Local Plan 2005.

- 10) No dwelling shall be occupied until secure space has been laid out within the site in accordance with details submitted to and approved by the Local Planning Authority for at least 4 bicycles to be parked

Reason: To ensure the provision of adequate cycle parking, in accordance with Policy T5 of the adopted Weymouth and Portland Local Plan 2005.

- 11) No development approved by this condition shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. This scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of sustainable development and prudent use of natural resources in accordance with Policy D3 and D4 of the adopted Weymouth and Portland Local Plan 2005.

- 12) Before the development is occupied the front boundary wall to Carlton Road North shall be completed and the highway crossing in front of the wall expunged and the footway reinstated. Details shall be agreed with the Local Planning Authority prior to this work being undertaken, which shall be carried out by a contractor who is approved and licensed by the Local Highway Authority.

Reason: In the interests of highway safety, in accordance with Policies D3 and T6 of the adopted Weymouth and Portland Local Plan 2005.

This decision was made having regard to the submitted application, the Development Plan for the area and Government advice, with particular reference to PPS3 Housing, PPG15 Planning and the Historic Environment, Policies D3, B1, H5, B8, T6 and T17 of the adopted Weymouth and Portland Local Plan 2005 together with representations made, the results of consultations undertaken, material planning considerations and matters addressed in the application report.

APPLICATION NO: 09/00435/CON

Demolition of part of existing property - 5 Carlton Road North, Weymouth.

DECISION: Consent granted subject to the following conditions:

- 1) The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.

Reason: This condition is required to be imposed by Section 18 of the Planning (Listed Building and Conservation Areas) Act 190 (as amended).

- 2) Demolition shall not commence until a contract has been entered into for the redevelopment of the site in accordance with a scheme approved by the Local Planning Authority.

Reason: To protect the character of the Conservation Area, in accordance with PPG15: Planning and the Historic Environment and Policy B8 of the adopted Weymouth and Portland Local Plan 2005.

APPLICATION NO: 09/00406/RELAX

Relaxation of Condition 5 of planning approval reference 08/00235/COU (The use hereby permitted, shall not be open to customers outside the hours of 1100 to 2330 on Mondays to Saturdays and 1100 to 2300 on Sundays) to allow for amended opening hours of Mondays to Wednesdays 1100 to 2330, Thursdays to Saturday 1100 to 0300 and Sundays 1100 to 2300 –

2 Westham Road, Weymouth Dorset DT4 8NP

DECISION: Permission refused.

- 1) Restriction of the hours of opening of the takeaway business is required to control noise and disturbance in the street, and protect the amenity of the occupiers of residential properties in the vicinity, in accordance with Policies D3 and S3 of the adopted Weymouth and Portland Local Plan 2005.

APPLICATION NO: 09/00513/FUL

Erect two storey side extension –
25 Symonds Close, Weymouth

DECISION: Permission 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) External materials to be used on the development shall match in colour and texture those of the existing building.
Reason: To ensure that the external appearance of the completed development is satisfactory and sympathetic to its locality, in accordance with Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2005.
- 3) Before the extension is occupied the proposed flood mitigation measures included in the Flood Risk Assessment received on 20th August 2009 shall be completed and shall be maintained thereafter.
Reason: In order to safeguard the accommodation from unnecessary flood risk, in accordance with PPS25: Development and Flood Risk and the Weymouth and Portland Strategic Flood Risk Assessment.

- 4) The proposed extension hereby approved shall not be occupied until parking is laid out, drained and surfaced in accordance with details submitted to and approved by the Local Planning Authority. Thereafter these facilities shall be permanently retained and kept available for that purpose alone at all times.

Reason: In the interests of highway safety, in accordance with Policies D3 and T6 of the adopted Weymouth and Portland Local Plan 2005.

This decision was made having regard to the submitted application, the Development Plan for the area and Government advice, with particular reference to Policies D1, D3, B1, H8, T17 and T6 of the adopted Weymouth and Portland Local Plan 2005, PPS23: Pollution Control and Planning; and PPS25: Development and Flood Risk; together with representations made, the results of consultations undertaken, material planning considerations and matters addressed in the application report.

APPLICATION NO: 09/00457/FUL

Erect detached dwelling and garage -
Land adj Westcliff and to r/o no.1 and Chelmsford, Weston Road, Portland

DECISION: Permission 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) Notwithstanding the details on the approved plans and before the commencement of development, unless otherwise agreed by the Local Planning Authority, full details of both hard and soft landscape works including boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscaping shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.
Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality, and is a requirement of the Local Planning Authority in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.
- 3) The tree which is retained in accordance with the approved plans and particulars shall be protected by fencing in accordance with British Standard 5837 before any equipment, machinery or materials are brought onto the site for the purposes of the development, and this fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within

those areas shall not be altered, nor shall any excavation be made without the written consent of the Local Planning Authority.

Reason: In the interests of amenity and of the environment of the locality, in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005.

- 4) Any fire or burning of materials obtained by site clearance or from any other source shall not take place within 10 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or on land adjoining.

Reason: To protect the trees from damage, in recognition of their amenity value and in accordance with Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2005.

- 5) The development hereby permitted shall not be brought into use until the access and parking spaces have been laid out, drained and surfaced in accordance with details submitted to and approved by the Local Planning Authority and these areas shall be permanently retained and kept available for that purpose thereafter.

Reason: In the interests of highway safety, in accordance with Policies D3 and T6 of the adopted Weymouth and Portland Local Plan 2005.

- 6) A rumble strip(s) or other form of speed restraint shall be incorporated in the design of the access, of a design to be submitted to and agreed in writing by the Local Planning Authority and the rumble strip/speed restraint shall be constructed prior to the occupation of the development and retained as such thereafter.

Reason: In the interests of highway safety, in accordance with Policies D3 and T6 of the adopted Weymouth and Portland Local Plan 2005.

- 7) The development shall not commence until the applicant has made arrangements for archaeological observation and recording to take place during development. These arrangements shall be submitted to and approved in writing by the Local Planning Authority at least one month before any work commences on the development site.

Reason: The area is of potential archaeological interest and it is important that any archaeological features and finds are properly recorded, in accordance with Policy B5 of the adopted Weymouth and Portland Local Plan 2005.

- 8) Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, and C of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking or re-enacting that Order with or without modification) no enlargement or roof alteration shall be carried out to the dwelling without a further application for planning permission being approved by the Local Planning Authority.

Reason: Enlargements could potentially be detrimental to the amenity of the locality and neighbouring properties which would be contrary to Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2005.

- 9) Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking or re-enacting that Order with or without modification) no outbuildings or

enclosures shall be erected within the application site without a further application for planning permission being approved by the Local Planning Authority.

Reason: Outbuildings or enclosures could potentially be detrimental to the amenity of the locality and neighbouring properties which would be contrary to Policies D3 and B1 of the adopted Weymouth and Portland Local Plan 2005.

- 10) The detailed design of all windows or openings on the west elevation of the dwelling hereby permitted shall be agreed in writing with the Local Planning Authority prior to their installation and shall be permanently maintained as such thereafter. No additional openings shall be formed in that elevation.

Reason: To maintain the privacy of the occupiers of neighbouring property, in accordance with Policy D3 of the adopted Weymouth and Portland Local Plan 2005

This decision was made having regard to the submitted application, the Development Plan for the area and Government advice, with particular reference to Policies D1, D3, B1, T6, T17, B5, H4 of the adopted Weymouth and Portland Local Plan 2005 together with representations made, the results of consultations undertaken, material planning considerations and matters addressed in the application report.