

PORTLAND TOWN COUNCIL

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2nd June 2017

Dear Councillor

You are hereby summoned to attend a **MEETING** of the **PLANNING & HIGHWAYS ADVISORY COMMITTEE**, to be held in the **COUNCIL OFFICES, 52 EASTON STREET, PORTLAND**, on **THURSDAY, 29TH JUNE 2017** commencing at **7.00 pm**, when the business set out below will be transacted.

It is the Council's intention that all meetings of the Council and its Committees be recorded aurally.

Yours faithfully

Ian Looker
Town Clerk

AGENDA

1. **Apologies for Absence** – to receive
2. **Declarations of Interest** – to receive any declarations from Councillors or Officers of pecuniary or non-pecuniary interests regarding matters to be considered at this meeting, together with a statement on the nature of those interests
3. **Minutes of the Meeting held on 24th May 2017** – to agree and sign (see attached)
4. **Chairman’s Report and Other Matters Arising** – to receive
5. **Public Participation** – to allow questions or comments from the public on any item on the agenda
6. **Neighbourhood Plan** – to receive an update on progress
7. **Planning Applications notified by Weymouth & Portland Borough Council** – to consider
 - a) Standard List of Planning Applications (attached)
 - b) Any other applications received subsequent to the publishing of this agenda
 - c) Town Planning Committee Responses – to consider the written report by Cllr. Grieve (attached)
8. **Planning Contravention Issues** – to receive reports
9. **Planning Applications notified by Dorset County Council** – to consider
10. **Planning Meeting Venues** – to consider (see attached)
11. **Date of Next Meeting**

The Committee’s next meeting is scheduled for Wednesday, 26th July 2017, venue to be decided, starting at 7.00 pm.

PORTLAND TOWN COUNCIL

PLANNING & HIGHWAYS ADVISORY COMMITTEE MINUTES OF THE MEETING HELD AT EASTON METHODIST CHURCH HALL, EASTON ON WEDNESDAY, 24TH MAY 2017 AT 7.00 PM

PRESENT: Councillors Charlie Flack (Chairman), Jo Atwell, Susan Cocking, Jim Draper, Christopher Gover, Lucy Grieve, Sue Lees, Ray Nowak, Sandra Reynolds, David Thurston and Rod Wild

IN ATTENDANCE: Ian Looker (Town Clerk), Cllr. Katharine Garcia (Dorset County Council), Andy Matthews (Neighbourhood Plan Working Group) and approximately thirty-five members of the public

Cllr. Thurston in the chair.

The meeting observed one minute's silence for the victims of the Manchester bombing.

2572 – CHAIRMAN

RESOLVED – that Cllr. Flack be appointed Chairman of the Committee for 2017/18.

Cllr. Flack in the chair.

2573 – APOLOGIES FOR ABSENCE

There were none.

2574 – DECLARATIONS OF INTEREST

Cllr. Lees declared a non-pecuniary interest in application 17/263/OUT – Land east of Avalanche Road and Mr Matthews a non-pecuniary interest in Agenda Item 9 – Neighbourhood Plan as a trustee of the MEMO project.

2575 – DEPUTY CHAIRMAN

RESOLVED – that Cllr. Wild be appointed Deputy Chairman of the Committee for 2017/18.

2576 – MINUTES OF THE MEETING HELD ON 26TH APRIL 2017

Minute 2566(1) – 17/017/RES – Redundant Buildings at Broadcroft Quarry
The third line should have read, "... 71 no residential..."

With this amendment the minutes were formally agreed and signed as a correct record.

2577 – MINUTE UPDATE

Minute 2566(k) – 16/704/NOTS – Removal of Public Payphones

The Clerk had not yet pursued the issue.

2578 – CHAIRMAN’S REPORT AND OTHER MATTERS ARISING

Cllr. Flack reported progress on the applications outstanding as follows:-

Application No	Town Decision	Borough Decision
15/767/FUL	Objection	Pending
16/142/FUL	Objection	Pending
16/216/FUL	Objection	Pending
16/501/VOC	Objection	Pending
16/944/FUL	No Objection	Pending
17/071/FUL	No Objection	Approved
17/082/FUL	Objection	Pending
17/083/ADV	Objection	Pending
17/093/FUL	No Objection	Approved
17/017/RES	No Decision	Pending
17/228/TEL	No Objection	Approval not required

He next advised on the progress of applications that had been brought to the meeting of 26th April 2017:-

17/323/FUL	No Objection	Pending
17/128/FUL	No Objection	Approved
17/183/FUL	No Objection	Approved
17/223/FUL	No Objection	Pending
17/235/FUL	No Objection	Approved
17/319/PRE	No Decision	No Decision
17/220/FUL	No Objection	Approved
17/270/OUT	No Objection	Pending
17/017/RES	Objection	Pending

2579 – PUBLIC PARTICIPATION

There was none at this stage, but later regarding application 17/323/FUL and Agenda Item 11 immediately before the Committee’s discussion.

2580 – NEIGHBOURHOOD PLAN

Mr Matthews reported that errors in the Heritage and Character Study had been corrected and it would go out to public consultation shortly. Site allocation work with Aecom had been deferred until the end of the month to see whether the Borough wanted to contribute.

2581 – CONSULTATION ON PLANNING APPLICATIONS NOTIFIED BY WEYMOUTH & PORTLAND BOROUGH COUNCIL

Having considered each application in turn, the Advisory Committee agreed the following observations:-

a) 17/263/OUT – Land east of Avalanche Road – Erect eight dwellings
OBJECTION, the Planning Committee noted from the Neighbourhood Plan evidence base that this scheme if combined with application 116/783/FUL will close an important open gap and wildlife corridor, create coalescence between Weston and Southwell, impact on the heritage and character of the area and is outside the development boundary. 16/783/FUL was approved due to the absence of a five-year housing supply. The strategic housing yield required from Portland under the Local Plan Review is 180 units. Rationalisation of the public estate on Portland means that more than 180 can

be met from brownfield sites. The development of brownfield sites first is specified within the NPPF and reaffirmed in the recent Housing White Paper.

The Committee also drew attention to Japanese knotweed on the site, but now also growing beyond it.

b) 17/354/COU – Portland Roads Hotel, Castletown – Change of use of fourteen bedroom HMO to residential accommodation for visiting school & young people's groups

NO OBJECTION

c) 17/371/OUT – Land rear of 82B – 82D Wakeham – Erection of five bungalows

OBJECTION, on the grounds that it is a green field site when there are sufficient brownfield sites for current housing requirements on the Island, outside the development boundary, is overdevelopment, produces loss of amenities for neighbours and was requested to be included in the Wakeham conservation area.

d) 17/360/FUL – 53 Wakeham – Single-storey extension to rear of property

NO OBJECTION, subject to the comments of the neighbours

e) 17/323/FUL – Underhill Community Junior School, Killicks Hill, Portland – Partial demolition of the existing school buildings (class D1), conversion of the remaining school building into dwellings (class C3), and the construction of new dwellings, associated access, parking and landscaping, to form a total of 21 no. new dwellings (reconsideration by the Committee)

OBJECTION. Having received representation from members of the public the Planning Committee decided to reconsider the application. Representation of the developer were invited in the interests of balance. They attended the meeting and the project architect gave a presentation on the scheme. Members of the public were also present to put forward their views and ask questions.

After debate the Committee expressed its objection on the grounds of overdevelopment, the overshadowing of neighbouring properties and being out of character with the locality, especially the roofline.

It was also concerned about:-

- 1) cliff stability in the vicinity
- 2) the impact of the scheme on the Jurassic Coast landscape
- 3) the use of inappropriate materials

The Committee requests that the Borough Planning Committee includes the application as an agenda item at one of its future meetings, to be accompanied by a site visit.

(Cllr. Gover left the meeting at 9.00 pm)

2582 – PLANNING CONTRAVENTION ISSUES

Hut 45, Crown Field

After discussion it was agreed that the Chairman would contact the Crown Agent to ensure he / she was aware of the situation and the enforcement

officer about the turf around the hut. Cllr. Flack said the public would be kept informed of developments on the Council's Facebook site.

2583 – CONSULTATION ON PLANNING APPLICATIONS NOTIFIED BY DORSET COUNTY COUNCIL

There were none.

2584 – DATE OF NEXT MEETING

The Committee's next meeting is scheduled to be held on Wednesday, 29th June 2017 at the Council Offices, Easton, starting at 7.00 pm.

The meeting ended at 9.40 pm.

Signed
(Chair)

Dated.....

Portland Town Council Applications

Date Valid	Application No	Location and Proposal	Applicant and Agent's Name
12/6/2017	17/291/FUL	137 Wakeham Erect sun room	Mr & Mrs Bennett Town & Country Planning Services Ltd

PTC Recommendation.....

17/419/FUL Eurotubes UK, Park Road
Single-storey side extension to house a precision machining room

Application currently invalid – put on hold

26/5/2017 17/462/OFF Enterprise House, West Way, Southwell Business Park
Change of use from office class B1 to dwelling house class C3 LPC (Trull) Ltd

PTC Recommendation.....

TOWN PLANNING COMMITTEE RESPONSES

To help my own understanding and sort things out in my own head, I have squeezed a list of all the Local Plan policies onto one side of A4. Also, I have compiled another list of the usual sorts of objection PTC raises; against these headings I have given the key policies that seem to relate to these objections and have quoted some examples of key wording from the LP. I wondered if the planning committee could use these two lists to support objections to planning applications? Perhaps the meeting could decide the headings for the objection and then these could be used to write a full document of objection referring to how precisely the proposed development contravenes specific policies in the LP and the NPPF and using other helpful bits from the 'supporting text'. (I know this would be much more work but it might also be more effective. I would be happy to draft some of these at least to start with and submit them to you to sign off as being representative of the decision taken at the meeting.)

I am suggesting this because a number of people, including the gentleman who spoke last at the meeting on 24 May, have said that responses to planning applications will have very little weight unless they refer to specific policies. Also, I had a look at a planning officer report (on the Land at New Ground application) which is very much framed in terms of policies. It also seems to be written in such a way as to lean towards a particular decision. For example, the 2 comments in support are quoted verbatim and given 27 lines whereas the 16 comments objecting are summarised and given 41 lines. It also seems to misrepresent Natural England's response. If PTC submits more structured responses quoting specific policies, we could perhaps pre-empt this sort of thing.

I've attached the two lists I mentioned at the start and also, as an example, a report along the lines I am suggesting objecting to application 17/371/OUT – for 5 bungalows at Bottomcoombe south of Tesco.

Lucy Grieve (Cllr)

Clerk's Comment

While I appreciate Cllr Grieve's wish to add weight to the Committee's responses, some practical points need to be borne in mind.

Regarding the suggestion of "a number of people", that responses "will have very little weight" without references to policies, this statement needs substantiating, as it significantly discredits how the Committee operates and very many other parish and town councils too. What seems much more noteworthy is Cllr Grieve's view of the planning officer report on the New Ground application, where she provides evidence that the report had been deliberately skewed in favour of acceptance. Of course on the day the application was refused, but members may care to ponder the implications.

Turning to the general point of quoting specific policies in Committee responses, one has to ask, how much would be gained for the extra input necessary? A key point is that, to my recollection, the Borough planning officers who used to attend our meetings never laid any stress on quoting policies in responses, either when providing training or advising on individual applications.

If policies were quoted it would have to be done accurately, otherwise it would undermine the credibility of the Committee's responses in the long run. Members will be aware that it can take some time to agree the wording of objections to certain applications. Researching policy references would only add more time to that process. It is readily acknowledged that on occasions the final precise wording is left to the Clerk, but always within clear parameters set by members. Administratively and legally I do not think the task can be delegated to a councillor. The minuting of meetings and especially the decisions taken is the responsibility of the clerk.

PLANNING APPLICATIONS INVOLVING JAPANESE KNOTWEED

Below is a draft letter to Borough Planning, as requested by the Marine, Environment & Tourism Partnership:-

Dear

Re. Future planning applications for Portland on land where Japanese Knotweed is present

The presence of Japanese Knotweed on Portland is becoming an increasing problem. This highly invasive plant is currently present at a number of locations on the island. As you will know, it has 'a wide-ranging root system, which can extend up to 3m in depth and 7m in all directions. These can pose a serious threat to construction works and have devastating consequences to building foundations and drains.' Portland Town Council is now taking active steps to persuade landowners to manage and treat this plant following government guidelines.

To assist PTC in its efforts to eradicate this serious problem for the island, we would request the following: that any future planning applications approved by WPBC Planning Department on land or property where Japanese Knotweed has been recorded as present (with a dated photographic record) are subject to the condition that no building works commence until PTC is satisfied that the weed has been eradicated in a legal and approved manner AND this long-term eradication will take a minimum of three years from first treatment.

I look forward to receiving your response to this request.

Yours etc

West Drst and Weymth & Portland Local Plan (adopted 2015) : Policy headings list

INT1. PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

i.**that will improve the economic, social and environmental conditions in the area.**

ENV1.LANDSCAPE, SEASCAPE AND SITES OF GEOLOGICAL INTEREST

ENV2. WILDLIFE AND HABITATS

ENV3. GREEN INFRASTRUCTURE NETWORK

ENV4. HERITAGE ASSETS

ENV5. FLOOD RISK

ENV6. LOCAL FLOOD ALLEVIATION SCHEMES

ENV7. COASTAL EROSION AND LAND INSTABILITY

ENV8. AGRICULTURAL LAND AND FARMING RESILIENCE

ENV9. POLLUTION AND CONTAMINATED LAND

ENV10. THE LANDSCAPE AND TOWNSCAPE SETTING

ENV11. THE PATTERN OF STREETS AND SPACES

ENV12. THE DESIGN AND POSITIONING OF BUILDINGS

ENV13. ACHIEVING HIGH LEVELS OF ENVIRONMENTAL PERFORMANCE

ENV14. SHOP FRONTS AND ADVERTISEMENTS

ENV15. EFFICIENT AND APPROPRIATE USE OF LAND

ENV16. AMENITY

SUS1. THE LEVEL OF ECONOMIC AND HOUSING GROWTH

SUS2. DISTRIBUTION OF DEVELOPMENT

SUS3. ADAPTATION AND RE-USE OF BUILDINGS OUTSIDE DEFINED DEVELOPMENT BOUNDARIES

SUS4. THE REPLACEMENT OF BUILDINGS OUTSIDE DEFINED DEVELOPMENT BOUNDARIES

SUS5. NEIGHBOURHOOD DEVELOPMENT PLANS

ECON1. PROVISION OF EMPLOYMENT

ECON2. PROTECTION OF KEY EMPLOYMENT SITES

ECON3. PROTECTION OF OTHER EMPLOYMENT SITES

ECON4. RETAIL AND TOWN CENTRE DEVELOPMENT

ECON5. TOURISM ATTRACTIONS AND FACILITIES

ECON6. BUILT TOURIST ACCOMMODATION

ECON7. CARAVAN AND CAMPING SITES

ECON8. DIVERSIFICATION OF LAND-BASED RURAL BUSINESSES

ECON9. NEW AGRICULTURAL BUILDINGS

ECON10. EQUESTRIAN DEVELOPMENT

HOUS1. AFFORDABLE HOUSING

HOUS2. AFFORDABLE HOUSING EXCEPTION SITES

HOUS3. OPEN MARKET HOUSING MIX

HOUS4. DEVELOPMENT OF FLATS, HOSTELS AND HOUSES IN MULTIPLE OCCUPATION

HOUS5. RESIDENTIAL CARE ACCOMMODATION

HOUS6. OTHER RESIDENTIAL DEVELOPMENT OUTSIDE DEFINED DEVELOPMENT BOUNDARIES

COM1. MAKING SURE NEW DEVELOPMENT MAKES SUITABLE PROVISION FOR COMMUNITY INFRASTRUCTURE

COM2. NEW OR IMPROVED LOCAL COMMUNITY BUILDINGS AND STRUCTURES

COM3. THE RETENTION OF LOCAL COMMUNITY BUILDINGS AND STRUCTURES

COM4. NEW OR IMPROVED LOCAL RECREATIONAL FACILITIES

COM5. THE RETENTION OF OPEN SPACE AND RECREATIONAL FACILITIES

COM6. THE PROVISION OF EDUCATION AND TRAINING FACILITIES

COM7. CREATING A SAFE AND EFFICIENT TRANSPORT NETWORK

COM8. TRANSPORT INTERCHANGES AND COMMUNITY TRAVEL EXCHANGES

COM9. PARKING STANDARDS IN NEW DEVELOPMENT

COM10. THE PROVISION OF UTILITIES SERVICE INFRASTRUCTURE

COM11. RENEWABLE ENERGY DEVELOPMENT

PORT1. OSPREY QUAY

PORT2. FORMER HARDY COMPLEX

PORT3. PORTLAND QUARRIES NATURE PARK

Concern/ Objection	Some suggested LP POLICIES to refer to:
Archaeology	INT1 adverse impact on econ and enviro conditions INT1 Strategic Approach p.12 'high priority will be given to protecting and enhancing the area's heritage assets' 'other features with local historic or cultural associations, particularly where they contribute to the area's local distinctiveness'
Daylight	INT1 adverse impact on social conditions ENV16 '...significant adverse effect through inadequate daylight...'
Design of buildings	INT1 ; ENV10; ENV12
Design of site	ENV10; ENV11; ENV12; ENV15; ENV16; HOUS3
Development Boundaries – outside of	SUS2 See HOUS6 – only residential development permitted outside defined dev boundaries; PORT3
Distinctive character	INT1 Strategic Approach 'particularly where they contribute to the area's local distinctiveness' ENV10; ENV12
Fauna and Flora	ENV2; ENV3 SNCIs etc; PORT3
Greenfield site (incl. redundant quarry land)	ENV3 applies to : Areas/Land of Local Landscape Importance, Important Open Gaps, SNCIs, Local Nature Reserves...Portland Quarries nature parks SUS2 'outside development boundaries, development will be strictly controlled...' ECON5 see 4.5.1 'it is also important to make sure that the environment and those features that are so important to visitors, such as the coastline and outstanding landscapes, are not damaged by the [tourism] development' PORT3
Ground stability	INT1 Strategic Approach p.12 Development will be directed away from areas where there is likely to be significant risk to human health or the wider environment, through ...coastal erosion and land instability See also Heritage Coast ENV7 ' new development will be directed away from areas vulnerable to coastal erosion and land instability.... unless it can be demonstrated that the site is stable... and that the development is unlikely to trigger landsliding.... LP 2.4.14 'where unstable ground conditions exist, landslides... may be triggered by....manmade processes (such as through excavation...) ' 'it is important the proposals for development do not trigger ground movements...' LP 2.4.16 'any potential impacts on the character of the area, environmental designations, and public rights of way should also be highlighted'
Height	INT1 Strategic Objectives 'protect and enhance the outstanding natural and built environment' ' this will be the over-riding objective in those areas of the plan which are particularly sensitive to change ' ENV10 'development will provide for the future retention and protection of trees and other features that contribute to an area's distinctive character. Such features may not always be designated or otherwise formally recognised. ' See also 2.5.6'...where their removal would harm the character etc' ENV12 'any alterations to or extensions of buildings should be well related to, and not overpower, the original building...'
Heritage asset	INT1 adverse impact on enviro conditions INT1 Strategic Approach p.12 'high priority will be given to protecting and enhancing the area's heritage assets' 'other features with local historic or cultural associations' etc INT1 Strategic Objectives 'protect and enhance the outstanding natural and built environment' ' this will be the over-riding objective in those areas of the plan which are particularly sensitive to change '

	ENV3 applies to Historically important spaces i.e. Conservation areas ENV4 'any harm to the significance of a designated or non-designated heritage asset must be justified...' ENV12 'any alterations to or extensions of buildings would be well related to, and not overpower, the original building....'
Heritage coast	INT1 Strategic Objectives 'protect and enhance the outstanding natural and built environment' 'this will be the over-riding objective in those areas of the plan which are particularly sensitive to change' ENV1 'development which would harm the <u>character, special qualities or natural beauty</u> of the.... Heritage Coast, including their <u>characteristic landscape quality and diversity</u> , uninterrupted panoramic views , individual landmarks, and sense of tranquillity and remoteness, will not be permitted' ENV1 'does not detract from and, where reasonable, enhances the local landscape character' 'development that significantly adversely affects the character or visual quality of the local landscape or seascape will not be permitted' ENV3 'development that would cause harm to the green infrastructure network will not be permitted...' ENV3 applies to '....Portland Coastline' see ECON5 4.5.5
Open gap	As Heritage Coast. ENV3 applies to 'Important Open Gaps' SUS2 'outside development boundaries, development will be strictly controlled...' ECON5 see 4.5.5 'coast and countryside are attractions in their own right'
Overcrowding	INT1 Strategic approach 'taking into account any current imbalances of housing or jobs' INT1 Strategic objectives 'provide greater opportunities to reduce car use; improve safety' ENV11 'complements and respects the character of the surrounding area...' 'in harmony with ... the area as a whole' ENV15 'subject to the limitations inherent in the site and impact on local character' 3.1.1 Strategic Approach 'taking into account any current imbalances of housing or jobs' 3.3.27 'there are problems associated with providing development in locations ... where people tend to commute to the towns' '...the resulting dependency on cars would inevitably increase carbon emissions and disadvantage those who don't have a car' – this comment is directed at 'rural' areas but clearly applies to Portland's situation SUS2 'outside development boundaries, development will be strictly controlled...' Housing Strategic Approach 'a continuing supply of housing land is needed.... to help reduce the need to travel' <u>Remind developer</u> of 5.2.1 'no evidence to suggest that affordable housing cannot be delivered ... on all sizes of development, from one unit upwards' and of HOUS1 'affordable housing 'should be provided on the open market site'?? See COMM1 e.g. for Underhill too many new units will lead to severe lack of community infrastructure (playing field/convenience store etc) COMM7 'development that generates significant movement should be located where the need to travel will be minimised...'
Overlooking	ENV16
Overshadowing	INT1 Strategic Approach p.12 'high priority will be given to protecting and enhancing the area's heritage assets' 'other features with local historic or cultural associations' etc ENV12; ENV16 'dev proposals will only be accepted provided they do not have a significant adverse effect on living conditions.... through loss of privacy... on the amenity of the occupiers... through ...excessive overshadowing, overbearing impact...'
Parking	ENV11; COMM9 ; 6.5.13
Trees	ENV10; 2.5.4; 2.5.6
Vernacular style	ENV10; ENV12

PLANNING COMMITTEE VENUES

After a trial meeting members decided to hold regular Planning Committee meetings at the Offices. The main intention was to make use of the Council's own premises and save expenditure on the hire of a hall.

I think it is fair to say opinion has been divided among members on how this has worked out in practice. Some take the view that most meetings can be accommodated in what we know as "the middle office." Others have felt that with the good attendances the Planning Committee achieves it has been rather cramped. I have heard complaints of actual physical discomfort arising from the present arrangements.

If we become aware of public interest in a particular agenda, as happened last month, a change of venue will be necessary. This negates the notice in the Free Portland News and creates a climate of uncertainty. It also means arranging a new venue at short notice, which may not always be successful.

In fact the financial saving is not that great and for the additional cost the Council gains the assurance of a regular venue, sufficiently large to cope with every occasion.