

# Charmouth Parish Council

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## MINUTES OF A SPECIAL PLANNING COMMITTEE MEETING HELD AT 6.00PM ON TUESDAY 15 FEBRUARY 2022 AT THE ELMS

In attendance: Cllrs Julie Leah, Andrew Lightfoot, Katie Moore, (ex officio Judith Sheppard), Andy Bateman and Tim Sheward (NHPSG) and the Clerk, Lisa Tuck.

### **PL22/1 PUBLIC QUESTIONS, COMMENTS OR REPRESENTATIONS**

6 members of the public were present. Andrew Oldham and Sandy Robertson addressed the meeting with their concerns about the application for consideration.

### **PL22/2 APOLOGIES FOR ABSENCE**

Apologies were received from Peter Noel.

### **PL22/3 DISPENSATIONS**

No dispensations were received.

### **PL22/4 DECLARATIONS OF INTEREST**

No declarations of interest were received.

### **PL22/5 APPLICATIONS**

- (a) Application No. P/FUL/2021/05253 Follies, Five Acres – Demolish garage and erect new dwelling – The representatives from the NHPSG spoke about the status of the NHP following approval at the referendum and that full consideration should now be given to its policies when commenting on applications. A full discussion took place about the main areas of concern and it was agreed that the Chair and the Clerk would consolidate the comments made into a response to Dorset Council and that this would be circulated to the committee members for approval. The Clerk would seek a further extension to the comment period.

The following comments were duly agreed as a true representation of the discussions and submitted to Dorset Council:

“Following Referendum approval of Charmouth Neighbourhood Plan (CNP), the Parish Council considered this application in the context of relevant policies in this Plan. The policies are set out here, highlighting the pertinent points, and the Council’s views expressed where it is felt that the application is in contravention. Supporting policies in the West Dorset Local Plan (LP) and the National Planning Policy Framework (NPPF) are also noted.

Generally, the Parish Council is not opposed to small scale infill developments where sensitively designed and at an appropriate density (ref CNP para 8.9) but this proposal and its design are considered unsuitable on this particular site and location.

Considering the relevant policies of CNP as follows:-

- Policy CNP H3 - *Applications for new housing, replacement homes and changes of use which result in net additional housing and applications to remove a holiday let restriction will be supported providing the property will be restricted, in perpetuity, by legal agreement to its occupancy as a principal residence; defined as the sole or main residence of the occupier for the majority of their time. Occupiers will be required to keep verifiable proof that they are meeting this obligation and make it available when requested for inspection by the Local Planning Authority.*

The Parish Council emphasise that any housing approval should have a condition for occupancy as a 'principal residency' based on the above policy and it is not considered appropriate that a 3 bedroom house, which would attract a family, should have little or no garden and very limited storage facilities. In addition, Policy CNP H4 mentions taking into account the needs of anticipated occupants and CNP para 8.30 indicates a minimum depth of 10m for a rear garden. We note LP SUS2ii) indicates that residential development will normally be permitted inside the DDB, but this is predicated on meeting local needs and Policy CNP H2 confirms market housing is not a priority.

- Policy CNP H4 - *Housing Form and Layout The size, scale, mass, height, layout, plot sizes and positioning, density and access of housing development must be designed to:*
  - ***be proportionate to its plot and complement and enhance Charmouth's openness and reflect its rural village and coastal characteristics;***
  - ***reflect the prevailing settlement pattern (plot size, spacing between buildings, orientation and shape) and density of development in the immediate locality;***
  - ***be in keeping with the wider street scene including visible boundary treatments and how access and car parking arrangements are arranged;***
  - ***reflect the prevailing street facing height of neighbouring properties and should normally be one or two storeys in height (any roof dormers counting as a storey). Only where adjoining an extensive block of 3 or more storey buildings would more than 2 storeys be considered providing the massing of the overall street scene is not distorted;***
  - ***provide/retain rear garden space commensurate with the size of the property, meet the needs of anticipated occupiers and maintain the general density of the immediate locality;***
  - ***protect the neighbours' amenity, in particular, from overlooking, loss of light, over dominance or general disturbance during construction;***
  - ***provide easy connections to nearby housing and facilities.***

It is considered that this is over-development of the site and is not proportionate and contravenes the five highlighted points above. It is not in keeping with the general pattern of development set back from the western side of Five Acres which is relatively open with low density, large plots, long front gardens. The proposal does not concur with the existing 'building line' (ref CNP para 8.29). The building's position at the front of plot will harm the 'visual rhythm' of the street scene (ref CNP para 8.29). NPPF para 124 clarifies that support for efficient use of land should take into account the desirability of maintaining an area's prevailing character, including residential gardens. On that basis it would have an adverse impact on the existing character and appearance of this area. That harm would outweigh the benefits of the proposal. Therefore the proposal would not be in

accordance with Policies ENV10 or ENV12 of the adopted West Dorset and Weymouth & Portland Local Plan nor section 16 of the NPPF and in particular para 197 which states:

*In determining applications, local planning authorities should take account of: c) the desirability of new development making a positive contribution to local character and distinctiveness.*

The neighbouring property immediately opposite will lose privacy and amenity, particularly as the living area of the proposed development is on the first floor with a terrace area immediately adjacent to the property boundary overlooking the windows of neighbours' habitable rooms and gardens. As well as the above policy, this is also contrary to Policy ENV16 in the West Dorset, Weymouth and Portland Local Plan 2015 and para 130 of NPPF requires that developments provide a high standard of amenity for existing and future users.

- Policy CNP H5 - *The design of new housing, including landscape and boundary treatments should:*
  - *be sympathetic, responsive and complementary to the distinctive characteristics of the landform and site and not harm nearby natural or built environments;*
  - ***be of high quality and long-term durability, complementary to distinctive local features such as the variety of materials (in particular traditional materials where applicable), architectural detailing, textures and colours of buildings in order to add interest and reinforce local characteristics;***
  - ***reflect the form and pitches of roofs, chimney styles and typical door/window/lintel features and dimensions, including wall:window ratios, in the immediate locality;***
  - *ensure that external structures such as waste and cycle storage are integrated into the overall design;*
  - *include landscaping sympathetic to the existing natural landscape and retaining the maximum amount of existing on-site natural features and boundaries;*
  - *incorporate scope for flexible solutions for elderly or disabled occupants.*

The term "distinctive local features" is defined in the CNP as: *Attractive architectural features visible near to the development plot which should be reflected in the design of new buildings. These are features visible when looking out from the plot, those visible on neighbouring properties when looking at the plot from the street or other public access point as well as traditional features appearing in the wider Charmouth/Dorset area. In the case of extensions/replacements this includes distinctive features of any remaining parts of the former buildings.*

It is considered that the proposed cladding is not in keeping with the immediate local area. There is limited information provided in the application regarding the architectural detailing but certainly the window patterning is unconventional and contrasts with adjacent properties. Consequently, it is felt that the two highlighted points above are contravened.

CNP para 8.34 indicates that the applicant's Design & Access Statement should explain how the proposal has been designed to meet the policy criteria. Despite CNP carrying significant weight at the time of application, the applicant has failed to meet this requirement. NPPF para 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies. It allows for innovative designs but only if they fit in with the overall form and layout of their surroundings.

- Policy CNP NE3 - *Biodiversity and Natural Habitats*
  - *Development must retain and incorporate the natural assets such as trees, hedgerows, woodland, local wildlife areas and other features, all of which make a significant contribution to the biodiversity and character of the local landscape and enjoyment of it. See Table 6.1, Map 6.3 and Map 6.4.*
  - *Only where retention of biodiversity features is not feasible should provision be made for suitable replacement or compensatory measures*
  - *Development which interrupts the integrity and continuity of green infrastructure, green corridors and ecological networks is contrary to biodiversity aims and will be resisted, unless clearly outweighed by other benefits.*
  - *Where significant harm to nature conservation interests cannot be avoided, it must be mitigated. Where it cannot be avoided or adequately mitigated, development will not be permitted. Mitigation or compensatory measures rather than conservation should be seen as a last resort.*
  - *Development proposals should consider the inclusion of wildlife assistance measures such as those listed in Table 6.4.*
  - ***On sites below the standard threshold for a biodiversity appraisal (i.e. for new development of a site less than 0.1ha) applicants must identify, within their application, the possible ecological impact of their development where the proposed development site includes or adjoins: a large mature garden; mature trees; woodland; field or roadside hedgerows; river floodplain; meadow; species-rich grassland.***
  - *Any Biodiversity Mitigation and Enhancement Plan must apply to the future management of the land, green corridors and biodiversity assets i.e. it will stay with the land in perpetuity.*

The highlighted point above is not addressed in the application. There are particular concerns over the loss of the current pond which, it is assumed, will be required for parking for the existing property. In addition, concern is expressed about the hedge immediately adjacent to the development which is important for visual reasons as well as having other key benefits such as flood management, shelter, cooling and carbon sequestration as well as habitat for wildlife and forming part of a wildlife corridor.

It is assumed that a Ground Stability Study would be required. There have been increased concerns in recent years of surface water running down Westcliff Road towards the plot.

There are also concerns that the surface water drainage of the property will go into the sewerage system which is contrary to advice as a result of the recent River Char Project which highlights contamination of the river at times of high rainfall.

Parking is a concern although there appears to be the required number of spaces. Redevelopment of Cove Cottage is cited as a comparison but this is now creating on-going parking problems due to the number of cars generated by family households (3-4 in this case).

In summary therefore, Charmouth Parish Council recommends rejection of this application which does not make reference to, or comply with, significant issues in policies H3, H4, H5 and NE3 of the Charmouth Neighbourhood Plan and supporting policies in the Local Plan and NPPF.”

The meeting closed at 6.50pm.