



Appeal Decision

Site visit made on 1 September 2020

by M Scriven BA (Hons) MSc CMgr MCIHT MCMI

an Inspector appointed by the Secretary of State

Decision date: 16th October 2020

Appeal Ref: APP/D1265/W/20/3254096

Wessex Stadium, Radipole Lane, Chickerell DT4 9XJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Weymouth Community Sports LLP against the decision of Dorset Council.
 - The application Ref WD/D/17/002597, dated 20 October 2017, was refused by notice dated 27 February 2020.
 - The development proposed is described as 'Application for approval of reserved matters for access, appearance, landscaping, layout and scale in relation to outline approval WD/D14/001938'.
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Decision

1. The appeal is dismissed.

Procedural matters

2. I have determined the appeal, related to reserved matters, on the plans submitted. I have also considered another appeal¹, regarding the proposed access to the appeal site. This has been considered as a separate Decision.
3. For clarity the description of the proposed development is taken from the Council's decision notice and appellant's appeal form. At the time of the application the proposal sat within the administrative boundary of West Dorset District Council. It now forms part of the wider administrative area of Dorset Council.

Main Issues

4. The main issues are the effect of the proposed development on the character and appearance of the area and;
5. The effect of the of layout of the proposed development on highway users.

Reasons

6. The proposed development for 170 dwellings, comprising flats and houses, is located to the north west of the Wessex Roundabout in Chickerell, on the outer edge of Weymouth. The site currently comprises the Wessex Stadium, associated hardstanding and parking, the structures of which are clearly visible from the surrounding area. An area of land previously used as a speedway track and a small boarded up building are also located within the site. The site is bound by the B3157 to the south and would access on to an existing no through road which leads to the nearby roundabout.

¹ APP/D1265/W/20/3254095

Character and appearance

7. Existing development in the immediate area is of mixed type, character and appearance. The nearest development is the Police divisional headquarters (Police HQ), located opposite the appeal site to the east, including buildings of differing size and height, ranging from 1 to 3 storey. The buildings are primarily built of brick, under sheet roofs, the main building appears as a prominent and expansive, 3 storey, utilitarian structure. Other light industrial development is located to the south and west of the appeal site. The nearest residential areas are some way from the appeal site, consisting of bungalows on Radipole Lane and 2 storey buildings in Southill further east. To the north is a golf course and an electricity sub-station.
8. The character and appearance of the area is therefore reflective of an urban fringe and there is no established pattern to the built form or land use. The upper levels of large structures in the immediate area are also clearly visible from some distance.
9. The proposed development would consist of 119 houses, comprising a mix of detached and semi-detached dwellings and 51 apartments in 6 blocks. 4 of the proposed blocks of apartments would be 3 storey in height, located on the southern edge of the site and 2 would be 2.5/3 storey in height, located to the north of the proposed main access. Although the upper floors of the proposed apartment blocks would be visible from the B3157 there would be a degree of screening by virtue of proposed landscaping. Similarly, although relatively tall, when seen in the context of existing buildings nearby, including the Police HQ and that which they would replace, the scale of the proposed development would not be at odds with that in the immediate area.
10. The appearance of the buildings in the proposed development would incorporate a mixed design, breaking up the overall appearance of the built form of the site. Materials proposed include red and buff brickwork, painted brickwork and timber cladding. Roofs would be pitched, tiled including red/brown tiles and concrete slates. Such materials are used in the closest residential areas, albeit as stated above, there is no prevailing uniformity in appearance to the area given its mixed type and form.
11. A number of 2.5 storey dwellings are proposed. Although generally the nearest residential development is 1.5 or single storey, the proposed development sits well away from those buildings, separated by proposed landscape screening and the large utilitarian Police HQ. That the proposed buildings do not have chimney pots would not harm the character and appearance of the area, at the time of my visit it was also apparent that chimney pots were not a feature of several large residential sections of the Southill area to the east.
12. Landscaping proposals show the development as whole would be well screened at the boundaries and planting within the development would further punctuate the built form.
13. Other recent residential development sits to the north west of the appeal site, incorporating stone facing and chimney pots. However, the appeal site is not seen in the same context as these sites alone. The built form in the immediate vicinity of the appeal site is of mixed type and appearance and the proposed materials do reflect materials used in nearby development to the east.

14. By virtue of the mixed pallet of materials proposed, the surrounding land use, presence of other existing tall buildings nearby and a clear separation between the proposed development and the nearest residential areas, the proposed development would not harm the character and appearance of the area.
15. Therefore, the proposed development would accord with Policy ENV10 and ENV12 of the West Dorset and Portland Local Plan, 2015 which seek to ensure development is informed by the character of the site and its surroundings.
16. In this respect, the proposed development would also accord with the National Planning Policy Framework, 2019 (the Framework).

Proposed layout

17. The nearby highway network is well served by shared use pedestrian and cycle facilities and it would be expected that demand for such travel would be high. The Transport Assessment (TA) supports this, identifying that the site is within 2.5km of the town centre and 8km cycle distance of the majority of Weymouth. Such distances to nearby services and employment make sustainable travel choices a realistic alternative to private car use. Furthermore, the proposed 'village green' includes a Local Equipped Area for Play (LEAP) and Local Areas of Play (LAP) intended to be a focal point at the heart of the proposed development. As such it is likely there would be a strong demand for pedestrian movement within the site.
18. Separate footways exist in parts of the proposed development however generally they feature on one side the road. This would necessitate the crossing of the proposed development's roads, contrary to likely desire lines to move around within the development and to access or egress the site. The layout of the proposed development is such that pedestrians reliant of footways wishing to access the LEAP from the south and south western parts of the site would require an unnecessarily circuitous walk from their homes. An 'informal grassy path' appearing to only be readily accessible from two points at the west of the site is proposed. However, given its position and stepped access, it is unlikely that the proposed path would be readily used. Similarly, given its unmade construction, this would likely further hamper pedestrian permeability following inclement weather.
19. The plans show that the proposed location of parking spaces at the south of the site for apartments of 10-27, would necessitate residents walking to and from their cars either in the road to their homes or to cross the road to the footway opposite and back again, which would be contrary to desire lines. This would be a particular issue for the disabled and others reliant on footways for travel.
20. Permeability for pedestrians is further constrained when seeking to access or egress the site from properties in the south of the proposed development by virtue of only one proposed footway leaving the site to the main access point. This would require those reliant on footways to cross the road twice to access their home, which would not feature as a natural desire line.
21. Informal grasscrete paths are proposed to the eastern edge of the site. However, at this point those paths lead to private land not apparently in the control of the appellant or highway authority, and would not currently connect to the nearby public right of way (PROW), S16/23. Pedestrians wishing to use

that PROW would therefore have to walk a long distance through the site to double back on themselves at the main access.

22. I acknowledge the layout of the proposed development has been amended further to discussion with the Council and understand that elements of Manual for Streets have been followed, as too the site Masterplan. Given the geometry of the proposed road layout it is likely that vehicle speeds would be low, therefore off-road cycle facilities are not required in the proposal before me. Footways on one side of the road do not in themselves create harm where expected desire lines are catered for. However, in my view the proposals before me do not sufficiently cater for likely pedestrian movements and desire lines.
23. That the proposed layout has not received objection from the highway authority on road safety grounds does not mean the proposal is permeable or adequately serves pedestrians. Similarly, the fact the proposed development has only one main vehicular access is not in my view harmful given the number of proposed dwellings and likely current vehicle movements out of the site would be to access the roundabout. However, the permeability of the proposed development as a whole would create significant harm to pedestrians.
24. Therefore, the proposed development would not accord with Policy ENV11 of the LP, which amongst other things seeks to ensure development is well connected throughout the site and with the surrounding area.
25. In this respect the proposed development would not accord with Paragraph 127(f) of the Framework, which intends that proposals should create accessible and inclusive environments, which also promote health and well-being.

Planning balance

26. The proposal would not harm the character and appearance of the area. I have no substantive evidence before me to consider that, subject to appropriate conditions, the proposal would not broadly satisfy other requirements of the LP, including the amount of parking, public open space, surveillance, refuse, biodiversity, landscape, surface water drainage, contamination and heritage. However, this does not outweigh the harm associated with the layout of the proposed development, with regard to permeability for pedestrians. Therefore, the scheme would not represent sustainable development.

Other matters

27. The appellant identifies that the Council has a current shortfall in 5-year housing land supply. However, the matters before me relate to reserved matters of an existing outline approval, as such this does not effect my decision.
28. A S106 agreement has been provided relating to the outline approval, however this does not overcome the harm identified above.

Conclusion

29. For the reasons above, having considered the Development Plan and Framework as a whole, the appeal is dismissed.

M Scriven

INSPECTOR