



Dorchester Town Council

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Monday, 29 June 2026

Agenda for the meeting of the **Planning and Environment Committee** which will be held in the **Council Chamber, the Municipal Buildings, High East Street, Dorchester, DT1 1HF** on **Monday, 6 July 2026, commencing at 7.00pm.**

Steve Newman
Town Clerk

Public Attendance and Speaking at the Meeting

The Chair has discretion to allow members of the public to speak at the meeting. **If you wish to speak please contact the Clerk by 9.00am on the morning of the meeting.** We ask speakers to confine their comments to the matter in hand and to be as brief as possible.

Member Code of Conduct: Declaration of Interests

Members are reminded that it is their responsibility to disclose interests where appropriate. A Member who declares any interest must leave the room. A Member who declares a registerable interest as a Council nominee to a partner organisation may first address the meeting as a member of the public.

Membership of the Committee

Councillors L. Fry (the Mayor ex-officio & Vice Chair), R. Biggs, S. Biles, A. Canning, P. Farmer, J. Germodo, J. Hewitt, S. Jones, F. Kent-Ledger, D. Leaper, V. Lloyd-Jones, R. Major, R. Potter, K. Reid, M. Rennie, R. Ricardo (Chair) and D. Taylor.

1. Apologies and Declarations of Interest

It is recommended that twin hatted Councillors make a statement regarding their participation in the consideration of planning applications at this agenda item.

2. Minutes

For the Committee to confirm and the Chair to sign the minutes of the meeting of the Committee held on 1 June 2026 and ratified at the full Council meeting held on 1 June 2026. The minutes of the meeting can be found at <https://www.dorchester-tc.gov.uk/docs/planning/minutes/260601-Minutes.pdf>.

3. North Dorchester Community Windfarm Feasibility Project

To receive a presentation from Giles Watts of Dorset Climate Action Network on a possible community windfarm NE of Dorchester. Dorset Climate Action Network has secured funding from the South West Net Zero Hub through the Great British Energy Community Fund to undertake a feasibility study into the potential development of a

community wind farm northeast of Dorchester. The project is being delivered in collaboration with Dorset Community Energy.

4. Certificate of Lawful Use Applications

To consider the attached report and letter to Dorset Council.

5. Planning Applications for Comment

To receive and comment on the planning applications received from Dorset Council (attached).

6. Minute Update Report

To note and consider the minute updates reported.

7. Planning Issues to Note

To note any planning related issues including decisions made by Dorset Council on planning applications (contrary to Dorchester Town Council's comments), withdrawn applications and others.

Agenda Item 4
Dorchester Town Council
Planning and Environment Committee – 6 July 2026
Certificate of Lawful Use Applications

At the Planning and Environment Committee meeting held on 1 June 2026 a request was made for a letter to be sent to Dorset Council regarding the increasing number of Certificates of Lawfulness applications, noting that such applications are determined solely on matters of fact and law and do not consider planning merits or local concerns. The Committee requested that the Clerk draft a letter to Dorset Council outlining these concerns. Members are asked to consider the proposed letter within this report.

Background Information

A **Lawful Development Certificate (LDC)** is a formal determination by the Local Planning Authority (LPA) confirming whether an existing or proposed use or development is lawful under planning legislation.

There are two types of certificate:

- **Section 191 Certificate** – confirms that an **existing use, development, or breach of a planning condition** is lawful.
- **Section 192 Certificate** – confirms that a **proposed use or development** would be lawful if carried out as described.

Purpose and Effect

Any person may apply for an LDC to establish the planning status of land or development. If the LPA is satisfied that the relevant legal tests are met, it must issue a certificate.

- For **existing developments**, the certificate confirms the lawful status of the development as it existed on the application date.
- For **proposed developments**, the certificate provides certainty that the proposal is lawful, provided there is no material change in planning circumstances before work begins (for example, changes to permitted development rights or the introduction of an Article 4 Direction).

Meaning of “Lawful”

A development is generally considered lawful where:

- No planning permission is required; or
- No enforcement action can be taken against it; and
- No enforcement notice is in force.

The assessment is based on planning law and factual evidence, not on the desirability or planning merits of the development.

Relationship to Other Consents

An LDC relates only to planning lawfulness. It does **not** remove the need to obtain any other required approvals, such as:

- Building Regulations approval;
- Listed Building Consent;
- Conservation Area Consent requirements; or
- Other licences, permits, or statutory approvals.

Evidence Requirements

The applicant is responsible for providing sufficient evidence to support the application. Applications must:

- Clearly describe the use or development concerned;
 - Accurately identify the land involved; and
 - Include enough information for the LPA to determine lawfulness.
- Where evidence submitted by the applicant is precise, credible, and unchallenged, the certificate should normally be granted on the balance of probabilities.

Consultation

There is **no statutory requirement** for the LPA to consult parish councils, neighbours, or other third parties on an LDC application. However, the authority may seek information from such parties if they may hold relevant factual evidence.

Importantly, comments relating to:

- The planning merits of the proposal; or
 - Private legal rights
- are not relevant to the determination of an LDC application.

Determination Process

The LPA must assess whether the use or development **is, or would be, lawful** under planning legislation. The authority is not considering whether the development is acceptable in planning terms.

Key Point for Town Councils

When considering an LDC application, the focus is solely on **legal planning status**, not on the potential impacts, benefits, or objections associated with the development. Consequently, parish and town councils generally have a limited role unless they possess relevant factual evidence that may assist the LPA in establishing whether the development is lawful.

GOV.UK (2014)¹

¹ <https://www.gov.uk/guidance/lawful-development-certificates>

Proposed letter for Consideration:

Dear Sir/Madam

Re: Concerns Regarding Certificates of Lawfulness and Their Impact on Democratic Participation in the Planning Process

Dorchester Town Council wishes to express its growing concern regarding the increasing use of applications for Certificates of Lawfulness and the impact that these applications can have on public confidence in the planning system.

The Council fully appreciates that applications for Certificates of Lawfulness must be determined on the basis of legal and factual evidence and that the local planning authority is required to apply the relevant legislative tests rather than consider the planning merits of a proposal. We also recognise that these certificates serve an important purpose within the planning system.

However, the Council is increasingly concerned that this process can, in practice, have the effect of bypassing the level of scrutiny, public engagement and democratic accountability that would ordinarily accompany a planning application.

Where development proposals would otherwise be subject to consultation, consideration by elected representatives and assessment against adopted planning policies, applications for Certificates of Lawfulness are determined solely on the question of legality. As a result, developments and uses that may have substantial implications for local residents and communities can be authorised without any meaningful opportunity for local views to influence the outcome.

This places the Town Council in the difficult position of having to explain to residents that, regardless of the strength of local feeling or the potential impact on the wider community, matters that would ordinarily be relevant to a planning application cannot be taken into account. Understandably, many residents find this difficult to comprehend and perceive it as a process that removes their ability to have a voice in decisions affecting their local area.

As a democratically elected body, Dorchester Town Council is concerned that this situation risks undermining public trust in the planning system. Residents reasonably expect proposals affecting their community to be considered through an open and transparent process that allows for public participation and scrutiny by elected members. When outcomes are achieved through legal mechanisms that do not provide these opportunities, the perception can be that development is proceeding without proper democratic oversight.

The Council therefore asks Dorset Council to recognise the growing frustration felt by local councils and residents regarding this issue and to consider what steps may be taken to improve transparency around such applications. In particular, clearer communication about the purpose of Certificates of Lawfulness, the legal constraints on decision-making

and the reasons why public comments cannot influence the outcome may help to improve public understanding, even where disagreement remains.

The Town Council would welcome a wider discussion on whether the current arrangements adequately balance legal certainty with community involvement and democratic accountability, particularly in cases where the consequences for local residents can be significant.

We trust that our concerns will be given due consideration and would welcome any response the Authority may wish to provide.

Yours faithfully

Agenda Item 5
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Planning Applications for Comment

East Ward (Councillors P. Farmer, S. Jones, F. Kent-Ledger and R. Major)

- E1.** **P/VOC/2026/02902 FOUR PADDOCKS LAND SOUTH OF ST GEORGES ROAD DORCHESTER**
Erection of 107 No. dwellings & associated works, including the formation of access, landscape & ecological enhancements (with variation of condition 2 of planning permission P/FUL/2021/02623 to amend approved plans).
- E2.** **P/LBC/2026/03458 2 Icen Way Dorchester DT1 1EW**
Replacement of two wooden ground floor windows and one wooden door to single story rear extension.

North Ward (Councillors S. Biles, A. Canning, V. Lloyd-Jones and D. Taylor)

- N1.** **P/HOU/2026/02874 6 St Helens Road Dorchester DT1 1SD**
Erect flat roof extension & lean to porch.
- N2.** **P/ADV/2026/02060 47 South Street Dorchester DT1 1DL**
Retain Non-illuminated fascia signs & Non-illuminated hanging sign.
- N3.** **P/FUL/2026/03423 Princes House Princes Street Dorchester DT1 1TP**
Change of use & conversion of ground floor to form 1 no. retail unit (Use Class E) and 3 no. co-living apartments, providing a total of 16no. co-living rooms, with associated external works including removal of the canopy & formation of new openings. Basement utilised to provide a communal gym, laundry room & cycle store.

West Ward (Councillors L. Fry, J. Germodo, J. Hewitt and R. Ricardo)

- W1.** **P/OUT/2026/01872 Builder Centre Great Western Road Dorchester DT1 1RZ**
Demolition/conversion of buildings to provide 30 no. apartments and commercial floorspace (Use Class E) with associated parking & landscaping (outline application to determine access, layout).

South Ward (Councillors R. Potter and M. Rennie)

- S1.** **P/HOU/2026/02873 9 Farringdon Close Dorchester DT1 2BU**
Erect single storey extensions (demolish existing garages).
- S2.** **P/VOC/2026/03060 The Maltings and Maltings Mews Pope Street / Eldridge Street Dorchester**
Change of use & conversion of The Maltings to create flexible commercial (Use Class E)/community (Use Class F2)) uses & parking purposes at basement floor & for residential (Use Class C3) at ground to second floors; with external alterations, extension to existing basement & erection of side extensions up to five storeys (to provide a total of 43 flats). Erection of four-storey building (Malting Mews) with parking at ground floor & residential use (Use Class C3) at first to fourth floors (27 flats) (With variation of conditions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14,

15, 16 & 17 of planning permission P/FUL/2022/05673 to amend approved plans & allow for the development to be phased)

S3. P/FUL/2026/03008 St Osmunds Church Of England Middle School, Barnes Way Dorchester DT1 2DZ

Replacement of timber windows & doors with aluminium windows & doors. Replacement of timber boardings above to composite panel.

Poundbury Ward (Councillors R. Biggs, F. Hogwood and D. Leaper)

P1. P/HOU/2026/03350 10 Middlemarsh Street Poundbury DT1 3GD

Erect single storey rear extension

For Information

FI1. P/PALH/2026/03166 32 South Court Avenue Dorchester DT1 2BX

Erect rear extension: To extend 6.00 metres beyond the rear wall of the original dwelling house: maximum height 3 metres: height to eaves 3 metres.

You are being notified for information purposes. This application is not a planning application but a request for Dorset Council to determine whether or not Prior Approval is required for the proposal.

Circulated to all Councillors 15/06/26