

Planning Committee

Minutes of meeting held at County Hall,
Colliton Park, Dorchester on 14 June 2013.

Present:

Mike Lovell (Chairman)
Peter Hall (Vice-Chairman)
Steve Butler, Barrie Cooper, Lesley Dedman, Mervyn Jeffery, David Mannings, Mark
Tewkesbury and David Walsh.

Officers attending

Don Gobbet (Head of Planning), Maxine Bodell (Group Manager Planning), Chris Stokes (Principal Planning Officer), Huw Williams (Principal Planning Officer), Phil Crowther (Solicitor), Helen Whitby (Principal Democratic Services Officer) and Liz Eaton (Democratic Services Officer).

Public Speakers

Attending for minutes 51.1-56

Tom Bland, Enzygo for the applicant.

Apology for Absence

44. An apology for absence was received from David Jones.

Code of Conduct

45. There were no declarations by members of any disclosable pecuniary interests under the Code of Conduct.

Terms of Reference

46. The Terms of Reference for the Committee were received by members.

Noted

Minutes

47. The minutes of the meeting held on 26 April 2013 were confirmed and signed.

Dorset LEP Planning Charter

48.1 The Committee considered a report by the Head of Planning on the Dorset LEP Planning Charter. The LEP (Local Enterprise Partnership) Board was established 2 years ago being made up of private sector and planning authorities. Members of the Board met four or five times with the Dorset Environment Managers Group, which comprised directors and heads of service of all local authorities in the Dorset LEP area. The outcome of those meetings was the establishment of the Dorset LEP Planning Charter which was a statement of good practice by planning authorities and developers. The Charter was endorsed by the Dorset LEP Board on 21 March 2013.

48.2 In response to questions the Head of Planning confirmed that the Charter provided guidance but was not a legal document and that there had been no adverse reactions from developers.

Recommended

49. That the Cabinet adopt the Dorset LEP Planning Charter.

Reason for Decision

50. Implementation of the Charter would improve the operation of the planning system in Dorset and help deliver Corporate Aim 4 – Safeguard and enhance Dorset's unique environment and support our local economy.

Application for the operation of a Contractor's Yard in connection with the existing operations at the Former Beacon Hill Brickworks, Wareham Road, Corfe Mullen, Dorset

51.1 The Committee considered a report by the Head of Planning on application 3/2013/0142 for the operation of a Contractor's Yard in connection with the existing operations at the Former Beacon Hill Brickworks, Wareham Road, Corfe Mullen, Dorset.

51.2 Officers gave a visual presentation of site plans, photographs and the proposed layout, including access and egress, to explain the proposal in detail. The site consisted of an area of 26 hectares of which 0.32 hectares would be used for the proposed Contractor's Yard. The application area was hard surfaced and had some storage skips on it which would be replaced. The Dorset Wildlife Trust HQ had offices and car parking to the rear of the site. Access would be from the existing haul road which connected to Wareham Road. Beacon Hill Lane would not be used for access to, or egress from, the site.

51.3 Some residents wanted signage and other measures to deter the use of Beacon Hill Lane to access the site. However, officers explained that conditions required the use of the main site entrance so further works were unnecessary.

51.4 Tom Bland of Enzygo who represented the applicant (Sita) did not wish to address the Committee but would provide clarification on any point of issue.

51.5 In response to members' concerns regarding access, officers Explained access routes. Members were concerned that the existing access route should be available for emergency use only and asked for an additional condition to be added.

Resolved

52. That planning permission be granted subject to the conditions set out in Section 9 of the Head of Planning's report and the additional condition as set out in minute 51.5 above and as set out in the Annexure to these minutes.

Reason for Decision

53. The reasons for granting planning permission were summarised in paragraph 6.8.

Application for two Attenuation Ponds which will comprise part of the Surface Water Management Plan (SWMP) at Beacon Hill Brickworks, Wareham Road, Corfe Mullen, Dorset

54.1 The Committee considered a report by the Head of Planning on application 3/2013/0143 for two Attenuation Ponds which would comprise part of the Surface Water Management Plan (SWMP) at Beacon Hill Brickworks, Wareham Road, Corfe Mullen, Dorset.

54.2 An amended Appendix 1 to the report (Proposed Attenuation Ponds – Site Location) was distributed to the members of the Committee.

54.3 Officers gave a visual presentation of site plans and photographs to explain the proposal in detail. There would be two attenuation ponds situated either side of the main site entrance on Wareham Road. This would be part of a wider surface water management plan (SWMP) comprising a series of ponds and pipes. The two ponds were outside of the original site area and, therefore, a separate planning application was required. The ponds would act as infiltration ponds seeping into the underlying ground and also connect to an existing culvert under Wareham Road. Water would only flow into the culvert if the ponds were drained or following severe rain. Appendices 2 and 3 showed the landscaping surrounding the attenuation ponds and the new hedging. Representations from concerned landowners had centred on possible changes in the water levels and increased flooding. Future maintenance conditions were proposed to deal with this which the Environment Agency and East Dorset District Council, felt would be appropriate.

54.4 The Chairman drew attention to the views of the County Council Member for Corfe Mullen who raised concerns relating to the discharge of water to a private ditch on third party land. Officers referred members to the response in the Update Sheet provided prior to the meeting and as set out in the Annexure to these minutes.

54.5 One member who knew the area asked for clarification on Paragraph 1.5 on page 3 of the report and asked if the underlying ground material had been determined as the road flooded in several areas at times. He also asked about pond drainage.

54.6 Officers explained that the ponds were not harmful, were environmentally acceptable and, in considering the design, all issues had been taken into account. The ponds were required to collect surface water so that it would infiltrate into the ground at the natural rate rather than it running through the existing culvert or across the road surface. The purpose of the attenuation ponds was to regulate surface water flow.

54.7 Members were concerned about safety and asked whether the ponds would be fenced whilst replanting took shape. Officers confirmed that there were no proposals to fence the area as the majority of the trees on the road frontage would be retained.

54.8 One member asked if the public would be excluded from the site. Officers confirmed that the public would have access to some of the wider site but that this area was not a public facility. Members considered the deep water ponds to be a hazard and agreed that a condition be added that the area should be fenced for health and safety reasons.

Resolved

55. That planning permission be granted subject to the conditions set out in Section 8 of the report and subject to the additional condition as set out in minute 54.8 above and the Update Sheet provided prior to the meeting and the amended Appendix 1 Proposed Attenuation Ponds – Site Location and as set out in the Annexure to these minutes.

Reason for Decision

56. The reasons for granting planning permission were summarised in paragraph 5.26.

Provision of a new 14-19 Base Centre for Yewstock School on the Sturminster Newton High School site, Sturminster Newton

57.1 The Committee considered a report by the Head of Planning on Application 2/2013/0244 under Regulation 3 of the Town and Country Planning Regulations 1992, on the provision of a new 14-19 base for Yewstock School, at Sturminster Newton High School, Sturminster Newton.

57.2 Officers gave a visual presentation which showed the proposed site of the new 14-19 base for Yewstock School, which would cater for children with special educational needs. Officers explained the location of the access roads and nearby housing estate. The whole site would be fenced and a separate access provided for the new base. The school was of a modern, tried and tested design, with a sloping roof and had been designed to maximise circulation and ventilation of air.

57.3 Officers reported that there were no real objections in principle, but local people had concerns regarding drainage. There was an existing drainage problem which they did not want to be exacerbated by this proposal. Officers referred members to paragraphs 6.4 and 6.5 of the report, proposed condition 11 and the update sheet. The drainage would connect to cell storage underneath the car park and from there to a Wessex Water sewer. The outflow would be controlled by a hydrobrake.

57.4 Members discussed parking issues which they felt would not be materially affected by the proposal. There was unanimous support for the proposal.

Resolved

58. That planning permission be granted subject to the conditions set out in paragraph 9 of the report.

Reason for Decision

59. The reasons for granting planning permission were set out in paragraph 6.7.

Site Visits

60. The Group Manager Planning informed the Committee that site visits to Broomhills, Bridport and Wytch Farm Oilfield, Purbeck were suggested prior to these applications being considered by the Committee.

Resolved

61. That site visits to Broomhills, Bridport and Wytch Farm Oilfield, Purbeck be arranged.

Questions

43. No questions were asked by members under Standing Order 20(2).

Meeting Duration
2.00 pm – 3.45 pm

Annexure

Update Prior to Meeting and Amendments to Recommendations

3/2013/0142 – Application for the operation of a Contractor’s Yard in connection with the existing operations at the Former Beacon Hill Brickworks, Wareham Road, Corfe Mullen, Dorset

Agreed as set out in the report and Update Sheet - amendment to Section 9.1 by addition of fourth condition regarding Access Restriction from Beacon Hill Lane. Condition to read:

The existing gated entrance from the car park to the rear of the Dorset Wildlife Trust’s offices on Beacon Hill Lane shall not be used as a means of gaining access to or egress from the proposed contractor’s yard other than in emergency situations. At all other times, the gates shall be closed and locked.

Reason

In the interests of highway safety and amenity.

3/2013/1043 – Application for two Attenuation Ponds which will comprise part of the Surface Water Management Plan (SWMP) at Beacon Hill Brickworks, Wareham Road, Corfe Mullen, Dorset

Summary of late comments:

A further letter of representation has been received re-affirming concerns expressed previously regarding the proposed discharge of surface water to a private ditch on third party land to the north of Wareham Road and questioning the rights of third parties to rely on the use of the ditch. The respondent also questions the provisions made for monitoring the quality of surface water discharges and expresses concern regarding the potential impact on livestock raised on the adjacent areas.

Councillor Susan Jefferies has also submitted a statement setting out the concerns and noting the following concerns:

- “The ditch is a private ditch and is maintained by the landowners and they are reluctant to be responsible for maintaining a ditch which is to be subject to increased use by a commercial company and over water overspill for which they have no control.
- The ditch is currently working to capacity and needs increasingly frequent maintenance as it is.
- The land to the north of the Wareham Road has been much wetter over the last few years and this has adversely affected the business in the Naked Cross Nursery. They have needed to move livestock to other areas of the small holding and have had to close a public, retail, area of the Nursery as the ground was waterlogged and unsafe for the public to walk on.
- Throughout this winter the fields were waterlogged.
- The owners of the Slaughterhouse site also report that their land, which used to be grazing land, has been unusable due to flooding all of this winter, the problem having been increasing over the last few years.
- Mr and Mrs French are not confident that any water that drains onto their land will be free of contaminants and would like to point out that they keep livestock, pigs and hens, and the produce is sold as food”.

The comments received have been brought to the attention of both the Environment Agency and East Dorset District Council's Drainage Engineer.

The Environment Agency has replied expressing sympathy with the concerns expressed and noting that recent times have seen unusually prolonged wet periods and that many areas have suffered from flooding which previously have not, even normally well drained areas.

The Environment Agency further notes that the design of the surface water management scheme including the proposed attenuation ponds is in line with current planning guidance and best practice standards. It is also noted that the Environment Agency has no permissive powers or responsibilities over the maintenance of ordinary watercourses such as the one that flows through the land to the north of Wareham Road and that responsibility for such maintenance rests with the riparian owner and the operating authority for ordinary watercourses (i.e. East Dorset District Council).

Corrections/amendments to Appendices: Appendix 1 – Please replace the Site Location Plan in Appendix 1 of the printed agenda papers with the attached plan.

Agreed as set out in the report and Update Sheet and subject to an additional condition to include safety fencing being put round the two attenuation ponds.
Condition to read:

Means of Enclosure

No works or development shall take place until a scheme for the permanent enclosure of the proposed attenuation ponds has been submitted to and approved by the Minerals Planning Authority. The enclosure shall be formed in accordance with the approved details prior to the first use of the ponds.

Reason

In the interests of safety and amenity.

1/2013/0244 – Provision of a new 14-19 Base Centre for Yewstock School, on the Sturminster Newton High School site, Sturminster Newton

Corrections/amendments to main body of report: Following discussions with the Highway Authority the applicant has arranged for a surface water connection to the Wessex Water sewer in Badgers Way, subject to appropriate site attenuation. This would replace the original proposal to connect to a highway sewer. This is covered in Condition 11.

No change in recommendation.