



## Regulatory Committee

Minutes of the meeting held at County Hall, Colliton Park,  
Dorchester, DT1 1XJ on Thursday, 1 February 2018

### **Present:**

Councillors

Margaret Phipps (Vice-Chairman – in the chair)

Jon Andrews, Shane Bartlett, Jean Dunseith, Beryl Ezzard, Katharine Garcia, Nick Ireland, Jon Orrell, Mary Penfold and David Shortell.

Officers Attending: Maxine Bodell (Economy, Planning and Transport Services Manager), Mike Garrity (County Planning, Minerals and Waste Team Leader), Rob Jefferies (Principal Planning Officer), Phil Crowther (Senior Solicitor), Steve Savage (Transport Development Liaison Manager), Wayne Sayers (Safer and Sustainable Travel Manager) and David Northover (Senior Democratic Services Officer).

### Public Speakers

Councillor Pat Hymers, Wimborne Minster Town Council - minute 12.

Paul Scothern, for applicant – minute 12.

(Notes: These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Committee to be held on **Thursday, 1 March 2018.**)

### **Apologies for Absence**

8 Apologies for absence were received from Councillors Kevin Brookes, Ray Bryan Keith Day and David Jones.

In the absence of the Chairman David Jones, Councillor Margaret Phipps took the chairmanship for the meeting. A Vice-Chairman was appointed for the meeting.

### Resolved

That Councillor Beryl Ezzard be appointed Vice-Chairman for the meeting.

### **Code of Conduct**

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

### **Minutes**

10 The minutes of the meeting held on 4 January 2018 were confirmed and signed.

### **Public Participation**

#### 11 Public Speaking

There were no public questions received at the meeting in accordance with Standing Order 21(1).

There were no public questions received at the meeting in accordance with Standing Order 21(2).

#### Petitions

There were no petitions received at the meeting in accordance with the County Council's Petition Scheme.

**Planning application - PL\2250\17 (3/17/2868/DCC) - New Wimborne First School, Burts Hill, Wimborne**

- 12 The Committee considered a report by the Head of Planning on planning application 3/17/2868/DCC for the construction of a new Wimborne First School on Burt's Hill, Wimborne, to replace the existing first school in School Lane. An associated nursery school was also to be incorporated into the school build.

For context, the Committee were provided with a visual presentation and, having regard to the Update Sheet provided for members prior to the meeting, officers described the main proposals and planning issues in detail, covering the key elements of the school development. Plans and photographs provided an illustration of the location and design of the school, showing its form, mass and size and the materials to be used. The presentation also confirmed what the highways, traffic management, parking and access arrangements - including pedestrian access - being proposed would be, showed playing field provision, together with the school's relationship with other residential development and civic amenities in Wimborne and its setting within the proposed new Cranborne Road/Minster Gate neighbourhood development.

Through the use of cross sections and photographs, officers specifically highlighted the relationship between the proposed school and the properties in Walford Close. The existing and proposed boundary treatment was described as was the potential for overlooking of the properties in Walford Close from the school grounds. The concerns from some local residents as to the potential for increased surface water flooding from the re-profiled ground was stated by officers. Officers stated that the grant of any permission would be subject to conditions dealing the provision of an appropriate surface water drainage strategy that would first be agreed by the Council's Flood Risk Management Team.

Members were provided with view across the site from various directions. How the development would be screened and what would be used to do this, how the land was to be reprofiled and landscaped, including the impact on Walford Close, were all described. Officers referred to the detailed design, including the schools construction and the materials to be used. Officers also explained the context of the development in relation to the characteristics of the surrounding town and landscape, the local highway network, the topography of the area and the relationship between the development and the adjoining Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB).

The school's design was based on the Government's Baseline Design, which was the principal means of meeting central government requirements for well designed and cost effective school construction and for attracting the necessary funding. The Committee were informed that the provision of the new school was in accordance with the provisions of the National Planning Policy Framework and Christchurch and East Dorset District Local Plan.

Officers explained the need for a new school, which was designed to have sufficient capacity to meet the projected needs of a new housing development in that part of Wimborne and to replace the current school, which was now deemed to not to be fit for purpose or able to fulfil that demand.

Officers explained that, having established the need for a new school, the proposed development was designed to provide the capability of delivering a full educational curriculum which satisfied modern standards and expectations.

Responses to the consultation exercise - amongst others - were that, whilst East Dorset District Council raised no objections to the principle of the school and its siting, it raised concern at highway safety and parking. Wimborne Minster Town Council

similarly welcomed a new school being built, but considered that more attention should be given to the consequences of parking needs and road safety and suggested what this provision should be.

Of particular note was how access to the school was to be addressed and what arrangements there were proposed for parking and the dropping off and collection of children. The design of the new school provided for three access points, which would limit the effects of congestion if only a single entrance was available and provided some choice, depending on direction of travel. Incentives, designed to make access to the school other than by car more attractive, were outlined, with highway improvement works and management – amongst other measures - providing for this. Sustainable means of accessing the school were to be encouraged, i.e. walking, cycling and the like, with footway widening schemes being proposed to enable safer routes to school to be accessed. Much consideration had been given to how children would travel to school, with a School Travel Plan playing an important part in this, giving every encouragement to as much opportunity as possible to access the school by a healthy, safe and sustainable means. Town centre parking would be some 600m from the site and so within walking distance, albeit further than the existing school. Officers confirmed where cycle routes were to run and what routes would be made accessible and it was confirmed that, as far as practicable, these would be connected, to allow for a seamless journey. Allenvie Road was seen to have sufficient capacity to contribute significantly towards this. Officers confirmed that public transport needs had been factored into the proposals to enable children to be picked up and set down as close to the school as possible.

This concern – over adequate parking arrangements and what would be the consequence of this – was raised in representations received from local residents. However officers were confident that this issue could be satisfactorily managed by conditions and by way of a School Travel Plan. This plan would be shared with the school, staff and parents to try to encourage more children and their parents to walk some part, maybe the final part, of their journey if they could.

Moreover, 'Safer Routes to School' and a Highways Improvement Plan, indicating alternative parking provision and walking routes to give pedestrians access to the new site, together with the wider highway improvements which were being undertaken by the housing developer would all contribute towards a sustainable journey to school.

On that basis, officers were recommending that permission be granted for the approval of the application.

The opportunity was then given for public speaking. The Committee first heard from Wimborne Minster Town Councillor, Pat Hymers, who, whilst pleased that there was to be a new first school for Wimborne, expressed concern at the perceived consequences of the proposed parking arrangements which she considered to be inadequate and would be detrimental to residents of neighbouring streets. A petition had been organised by residents of Allenvie Road about this. She asked for consideration to be given to a series of measures which she felt would go some way to addressing this, including traffic management measures and waiting restrictions for those streets surrounding the development, additional off-street parking provision and asked whether there was scope for a school crossing patrol to assist in road safety.

The Committee then heard from Paul Scothern, the applicant, who confirmed the need for the new school to be able to accommodate the projected increase in the number of school places arising from the new resident development and to meet existing need and the County Council's obligation to be able to meet its statutory responsibility in terms of having sufficient school places available in that part of Wimborne.

Mr Scothern explained that in recognition of the concerns raised about parking, arrangements had been made with the residential site developer, Bloor Homes, and the Council's Highways Team, in addressing that by way of highway improvements, under the S106 agreement for the development. In confirming that the County Council's policy did not permit parent parking on school sites - in striving to encourage more active and sustainable lifestyle choices - as a consequence the infrastructure of Minster Gate was designed to be able to accommodate casual parking needs and was sufficient to deal with the needs of parents' travel options.

The Committee was then provided with the opportunity to ask questions of the officer's presentation and about what they had heard, and took the opportunity to have their understanding of what the application entailed clarified, with officer's providing clarification in respect of the points raised. The Committee acknowledged - and accepted - the principle of the need for a new school and the benefits this would bring to Wimborne Minster.

During their questions to officers, the Committee gave consideration to the following:-

- how parking and dropping off provision would be addressed satisfactorily;
- how the School Travel Plan would be implemented so as to play its part in achieving this;
- what arrangements were in place for flooding mitigation and management;
- what capability there was for cycling provision;
- the routes designated for this and how they connected;
- what improvements were being implemented to address congestion at certain junctions across the town and;
- what measures there were to mitigate against potential nuisance from ball games.
- fencing and lighting considerations.

Officers clarified what was being proposed to address these issues and were confident that those measures would be satisfactory to manage all that was necessary. Officers acknowledged that whilst there might be some initial issues to be resolved over parking, there was enough scope in what was being proposed to deal with this satisfactorily and proportionality. On the issue of flooding in particular, officers confirmed that the detail of the finalised scheme was proposed to be delegated to officers to agree, this being the usual practice in such circumstances. Other, more formal, options were available but were considered by Committee to be unnecessary. The Senior Solicitor confirmed that this course of action was appropriate in the circumstances.

Whilst recognising the policy encouraging the use of sustainable transport, members remained concerned, to some extent, at the issue of inadequate parking provision as they saw it given that, in practice, parents would habitually take their children to school by car, especially in poor weather, and that there would be a consequence of this to neighbouring residents.

The County Councillor for Wimborne considered the application to be acceptable largely and was pleased to see that Wimborne was getting a new first school, although he wanted to ensure that parking needs would be addressed satisfactorily and any School Travel Plan monitored to ensure it was doing what it was designed to do. He also considered that a review of Central Government policy was necessary about school parking provision and how this was applied.

The Committee recognised the need for the replacement school and considered that what was being proposed would provide for a modern, vibrant school, capable of delivering a full educational curriculum which would benefit the pupils attending that school. Having had an opportunity to discuss the merits of the application, and having

understood what was being proposed, members considered that sufficient measures were either in place, or being planned, to address those issues which had been raised. It was acknowledged to be beneficial that there were three points of entry to the school and, for the School Travel Plan to be successful, there was a need for this to be closely monitored to see that it was addressing the issues at hand.

Given this, and having taken into account the officer's report, what they had heard at the meeting from the case officer, legal advisor and invited speakers, on that basis - and on being put to the vote – the Committee considered that the planning application should be approved and planning permission granted, subject to the conditions set out in the officer's report and having regard to the Update Sheet and subject to this being on the basis that authority be delegated to officers to agree any conditions necessary in light of any Environment Agency response received to flooding issues in securing a satisfactory drainage scheme in agreement with Flood Risk Management and the conditions set out in the report.

### **Resolved**

That planning permission be granted subject to the conditions set out in paragraph 9.1 of the Head of Planning's report and subject to authority being delegated to officers to agree any conditions necessary in light of any Environment Agency response received to flooding issues in securing a satisfactory drainage scheme in agreement with Flood Risk Management and the conditions set out in the report.

### **Reason for Decision**

The reasoning for the decision is as set out in the conclusion - in paragraphs 6.69 to 6.76 of the report.

### **Questions from County Councillors**

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

### **Update Sheet**

14

### **Update Sheet**

**Planning application 2/2016/1127/DCC - New Wimborne First School building (15 classrooms) with hall, meeting rooms, specialist teaching rooms and associated landscape works, Burt's Hill, Wimborne**

### **Update:**

#### **Additional Conditions - Highways**

The following additional conditions and informative have been proposed by the County Council's Transport Development Liaison Engineer. It is proposed that these conditions are added to those detailed at paragraph 9 of the report.

#### **Accesses, turning and parking construction**

Before the development is occupied or utilised the accesses (pedestrian and vehicular), turning and parking shown on Drawing Number L300 dated December 2017 must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

#### **Vehicle access construction**

Before the development is occupied or utilised the first 15.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note below), must be laid out and constructed to a specification

submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

#### Cycle parking

Before the development is occupied or utilised the cycle parking facilities shown on Drawing Number L300 dated December 2017 must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

#### Set back gates

The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed school entrance gates must be submitted to the Planning Authority. Any such scheme requires approval to be obtained in writing from the Planning Authority. The approved gates must be set back a minimum distance of 10.00 metres from the edge of the carriageway and hung so that the gates can only open inwards.

Reason: To enable a vehicle to be parked clear of the public highway whilst the gates are opened or closed, preventing possible interruption to the free flow of traffic.

#### INFORMATIVE NOTE: Dorset Highways

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the County Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at Dorset Direct (01305 221000), by email at [dorsetdirect@dorsetcc.gov.uk](mailto:dorsetdirect@dorsetcc.gov.uk), or in writing at Dorset Highways, Dorset County Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

#### **Representation**

In addition to those representations set out under paragraph 4.13 of the report, a representation has been received from a resident at no. 8 Walford Close that raises specific points relating to amenity. The representation raises concerns over the re-profiling of the application site and how this has the potential to create views into their property as well as directing surface water run-off towards their boundary. The representation stated that it was essential that the use of the school playing field does not result in balls etc entering their property. It was also stated that a maintenance strip should be maintained adjacent to the property boundary.

#### **Officer Comments on Representation**

The cross sections submitted as part of the application show that reprofiling will be minimal in this part of the application site. Given the relative ground levels and presence of a 1.8 metre close boarded fence, it is considered that the re-profiled ground levels would not give rise to the adverse overlooking of properties in Walford Close.

The extent of re-profiling within this part of the site does not significantly alter the existing ground levels. In addition, it is noted that the recommendation to grant planning permission is subject to a condition detailing the submission of an appropriate drainage scheme to be agreed by the County Council's Flood Risk Management Team. With these measures in place it is considered that the proposed

scheme will not adversely impact upon neighbouring properties through surface water flooding.

A three metre high security/ball fence will be erected adjacent to the properties in Walford Close. It is noted that adjacent to no.8 Walford Close, the edge of the sports pitch is located approximately 20 metres from the proposed fence. Notwithstanding the provision of the security/ball fence it is considered appropriate to add a further condition in relation to the potential for the development to adversely impact upon the amenity of residents through disturbance from stray balls. It is proposed to add the following condition to the grant of any permission.

#### Disturbance from Stray Balls

Where the applicant and/or LPA is made aware of persistent disturbance from stray balls directly affecting the amenity of adjacent residential properties, the applicant shall, within 28 days of a reasoned request from the LPA, undertake monitoring in accordance with details that shall be submitted to and agreed in writing with the local planning authority and the results shall be reported to the local planning authority. If significant disturbance is identified as a result of the use of the sports pitch, measures shall be proposed to reduce and/or mitigate disturbance and thereafter implemented in accordance with the agreed details.

Reason: In the interests of the residential amenities of the area and in accordance with Policy HE 2 of the Adopted Core Strategy.

It is noted that the proposal does allow for a maintenance strip between the proposed security/ball fence and the boundary of the adjacent residential properties.

#### **Revised Condition 3 (Reference to Revised Landscaping Plan)**

A revised plan has been submitted by the applicant that accurately shows the number of proposed on-site parking spaces as set out in paragraph 6.13 of the report. It is proposed to amend condition 3 (Submitted Plans and Details) to reflect the submission of this plan. The revised Condition would read as follows:

#### Submitted Plans and Details

3. The development shall be carried out in strict accordance with the approved plans reference **L300**, L202 Rev P1, L210 Rev P8, L213 Rev P1, L214 Rev P3, L221 Rev P5, L222 Rev P5, L223 Rev P1, L230 Rev P3, L231 Rev P1, A100 Rev P5, A101 Rev P2, A105 Rev P3, A106 Rev P3, A107 Rev P3, MSA/BJH/01/02 (Sheets 1-4) and Wimborne First 3FE School

Planning Statement dated August 2017 unless otherwise agreed in writing by the County Planning Authority.

Reason: To enable the County Planning Authority to deal with any development not in accordance with the approved plans having regard to policies HE2, KS11 and KS12 of the Adopted Core Strategy.

#### **Final consultation response from East Dorset District Council's Environmental Health Officer**

A final consultation response has been received from East Dorset District Council's Environmental Health Officer. Following the submission of additional information concerning the potential for noise disturbance from the outdoor play areas and sports pitches, the Environmental Health Officer raises no objection.

#### **Revised Recommendation**

Following the confirmation of the Environmental Health Officer in relation to the potential for noise disturbance, it is proposed to revise the recommendation detailed under paragraph 9 to read as follows:

**That planning permission be granted subject to securing a satisfactory drainage scheme in agreement with Flood Risk Management and the conditions set out.**

Meeting Duration: 10.00 am - 11.40 am