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DORSET COUNCIL - NORTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 25 FEBRUARY 2020

Present: Cllrs Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Les Fry, Matthew Hall, Carole Jones, Robin Legg, Val Potheary, Belinda Ridout and David Taylor

Apologies: Cllrs Tim Cook and Bill Pipe

Also present: Cllr Nocturin Lacey-Clarke, Cllr Andrew Kerby, Cllr Byron Quayle and Cllr David Walsh

Officers present (for all or part of the meeting):

Andrew Brown (Management Engineer, Highways Improvements), Philip Crowther (Senior Solicitor - Planning), Anna Lee (Service Manager for Development Management and Enforcement), Robert Lennis (Area Lead (Major Projects) Eastern), Christopher Poad (Planning Officer), Steve Savage (Transport Development Manager) and Fiona King (Democratic Services Officer)

85. Apologies

Apologies for absence were received from Tim Cook and Bill Pipe.

86. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

Cllr Matt Hall and Cllr Jon Andrews declared an interest in the item, in respect of pre-determination regarding item 5a, Sherborne – Various Parking Traffic Regulation Orders. The members undertook to not take part in the debate and agreed to speak as Local Members.

87. Minutes

The minutes of the meeting held on 21 January 2020 were confirmed and signed.

88. Public Participation

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

89. **Planning Applications**

Members considered written reports submitted on planning applications as set out below.

Sherborne - Various Parking Traffic Regulation Orders

a) **Cllrs Andrews and Hall left the table and joined members of the public in the gallery.**

The Management Engineer, Highway Improvements introduced proposals for a number of parking restrictions in Sherborne. The proposals aimed to address several parking concerns in Sherborne and in some cases increase parking for residents by removing parking restrictions that were no longer required.

Three objections out of the 15 proposals considered were received and one proposal, for Cheap Street, was withdrawn for further consultation with local businesses. The officers' report focused on the objection to the proposals at Fairfield Heights and Horsecastles.

Cllr Jon Andrews

Highlighted that this work had been ongoing for the past 4 years and had resulted in the making the proposals being put forward. The Fairfield issue was not just about emergency vehicles being able to get through but refuse lorries also. He also highlighted the issues in Portman Road. He felt the proposal in respect of Coldharbour tidied it up quite well. Everyone that had wanted to be involved in the proposals had been and support for the proposals had been gained from the Town and Parish Councils.

Cllr Matt Hall

He highlighted that Sherborne was a very historic town with narrow roads, and many of the residential roads had parking on both sides of the roads. There were a number of strange parking restrictions within the town. The extra parking on South Street was most welcome and needed. He recognised that the restriction would not please everyone but felt it was a huge step forward.

Following a question from a member about the possibility of changing the time limits from 1 hour to 2 hours, the Management Engineer advised that the change in the timing was to make it easier for enforcement officers but accepted it could be a bit confusing but it did help keep the traffic moving. Following a full consultation process there no objections and if members wished to make any further changes it would mean the whole consultation process would have to be redone.

Members felt that the proposals had gone through thorough investigation and consultation and had been in the making for a long time and it would not be ideal to delay any further.

Proposed: Cllr Belinda Ridout

Seconded: Cllr Robin Legg

Decision: That the Portfolio Holder be asked to approve the proposals to introduce, formalise or amend no waiting at any time, no waiting, no loading or unloading, or limited waiting, or limited waiting except permit holder restriction in the following roads in Sherborne:-

Abbey Road	Newland
Back Lane	Portman Road (replacing previous proposals)
Cold Harbour	The Green
Digby Road	South Street
Fairfield Heights	Station Road
Higher Cheap Street	Westbury
Horsecastles	
Hospital Lane	

Application no. WD/D/19/002376/FUL - Burleston Farmhouse

- b) The Planning Officer introduced the application for the installation of ground mounted solar PV array at Burleston Farmhouse.

He highlighted there were 3 amendments to the report: Condition 3 should read - S13078/03, Condition 4 to include additional text that planting shall be carried out with approved details. In respect of CCTV, he confirmed that the installation of CCTV was not included as part of the proposed development. The solar PV array would include 66 panels in 11 panel rows. There would be a planted Dorset hedgerow to screen the panels which would be covered by Condition 4. The main planning issues – Landscape, Heritage and Amenity were highlighted by objectors.

Speakers:

Agent: Stefan Pitman

He highlighted that the application complied with NPFF and felt should be approved. It did not conflict with any policies or sites and was not located in a flood zone. The further screening proposed was highlighted. The concern about road safety was not recognised by the Highways Authority and the development was in line with the green energy policies of Dorset Council.

Applicant: Mr Mason

Members were advised that he had built the house in 2001 and was now in a position now to install the solar units. The house was 3 times the size of a normal family house. Efficiency was what the application was all about. He runs 4 businesses from the farmhouse and when the technology was in place he also aimed to have battery storage.

One member sought clarification regarding the time limit of Condition 4 and the Senior Planning Officer felt that a longer condition requiring several years could be put in place. He suggested wording to the effect that as long as the solar array was there the hedging should be maintained, to which members agreed.

In respect of Condition 5 one member questioned the 'no longer functioning' comment and it was felt this referred to when they were no longer used rather than when they were not working. The condition was reworded to read the solar PV array hereby approved, when no longer required or no longer functioning shall be removed from the land.

Following a discussion about the access onto the highway, the Senior Planning Officer advised that the requirement of a track would require planning permission and this was not part of this application.

Proposed: Cllr Les Fry
Seconded: Cllr Jon Andrews

Decision: That the application be approved subject to the conditions outlined in the Annex attached to these minutes.

90. **Urgent items**

The following items of business were considered by the Chairman as urgent pursuant to section 100B (4) b) of the Local Government Act 1972. These items had always been planning to come to this meeting. However, the items were considered to be urgent as there were IT issues on Monday 17 February 2020 which meant it was not possible for them to be included on agenda published on 17 February 2020. It did not seem equitable to delay consideration of the applications simply because of the Council's IT issues and so **exceptionally** these are being reported as urgent items.

91. **Land at Nyali, Tin Pot Lane, Blandford Forum**

The Area Lead Senior Planning Officer started by introducing these two proposals for development both of which would be accessed off Tin Pot Lane. In addition to issues relating to the Lane, both had mature trees that would be affected by the proposed development. The sites were on the Cranborne Chase Area of Outstanding Natural Beauty, and would be affected by the Blandford Industrial Estate immediately to the south of the Lane. These sites were not selected in the Blandford Neighbourhood Plan for potential housing. In respect of the landfill situation this could potentially be overcome as there was always an engineering solution.

He also highlighted that Tin Pot Lane had no record of accidents and was fit for the purpose of providing access to the Clump Farm Industrial estate which had no prospect of expanding. It was only the proposal of additional traffic on the Lane that required the improvements being proposed in these two applications.

Application Number: 2/2018/0379/OUT

The proposal was to develop the land by the erection of 28no. dwellings including a Local Area of Play, surface water attenuation feature and highway improvements to Tin Pot Lane.

It was considered to be a high density development that would have a cramped layout. Three storey houses were required along the south-eastern boundary to prevent noise disturbance as set out in the applicant's noise assessment. This also would require all windows on this elevation to be fixed shut.

A quote from the Tree Officer regarding the two sites was read out to members.

The Area Lead Officer concluded by saying that in the Planning Balance exercise it was considered that the detrimental impact to the environment was so great as to outweigh any social or economic benefits from the scheme.

The Highways Authority noted that there were no safety issues on Tin Pot Lane to require it to be upgraded, it served its purpose to require access to the units. The proposed upgrades did not include any more laybys or pull ups.

The Highways Officer advised that Tin Pot Lane was a light traffic road serving a relatively small industrial estate and access into the site could be secured. He felt they could accept the plan on highways matters. It was highlighted that without the proposed houses Tin Pot Lane would not need to be improved. There was no scheme within Dorset Council to carry out any improvements to Tin Pot Lane.

Speakers:

Traci Hanford, on behalf of the businesses on the Clump Industrial Estate

Ms Hanford was a former district councillor for the area, and the proposed development had always had her full support. She read out a couple of letters from local businesses on the Clump Farm Industrial Estate who had support for the application. She highlighted the state of the lane and a number of potential misses in respect of accidents. Dog walks on a narrow lane were also highlighted. There was support from local businesses and members of the public, they needed the road to be upgraded and they feel it was particularly dangerous.

Mr M Page

A resident of Blandford Forum. He felt it was important to see sympathetic development. He highlighted the desire to improve the lane and felt it was an accident waiting to happen. He did feel that the planning officer had over exaggerated the points and felt the development would be a small cost to the environment.

Cllr Byron Quayle

Highlighted that he had taken on board what the planning officer had put forward. In 2018 he objected to this application but now felt that Tin Pot Lane was an absolute disaster, caused by a previous planning debacle by the then North Dorset District Council. The development had the support of local businesses and residents. He was now totally in support of this application following discussions with the applicant. Children used this route to get to school. He was struggling to understand how this lane was adopted. He felt

the proposed development would be a benefit to the people of Blandford and asked members to support this application.

Agent: Jo Tasker from Ken Parke Planning Consultants

Both sites were alongside each other in a sustainable location, close to local services. Officer report recommends refusal primarily as in an AONB but was in fact on the edge of this area. The character of the AONB was both open and residential. She made reference to a letter which had been sent to members and felt confident that the development would be a benefit to the area rather than harmful. The site was very well screened. There would be some loss of trees to create access but there were plans to provide more. The shortage of housing land in the area was highlighted. She felt there were significant benefits in terms of the development and this was only an outline application so there would be an opportunity for amendment.

The Area Lead Officer highlighted the planning balance in respect of the AONB which was correct as stated in the report. He described the proposal as a very dense proposal and reiterated that Tin Pot Lane, as an adopted highway, was the responsibility of the Highway Authority.

In respect of the Neighbourhood Plan, officers advised it had been through examination and the examiner's report had been received. The Neighbourhood Plan could now be given more than moderate weight as it was proceeding to referendum subject to the Portfolio Holder setting a date.

Cllr Jones felt that he speakers supported this as they wanted improvement to Tin Pot Lane and asked why this had not been done. Officers advised that Tin Pot Lane was an adopted highway and was therefore the responsibility of the Highways Authority. The highways officer confirmed they were not seeking to widen the whole of the lane but could justify mitigation measures in terms of footfall and the number of vehicles. Lack of finances was highlighted as a reason for why the lane had not been improved.

Following a question about whether a pedestrian count had been carried out, the highways officer advised it had been and that a manual survey was carried out previously.

Cllr Potheary felt that the occupants of Clump Farm industrial Estate were victims of their own success and were mostly concerned about the road. She felt the prospect of the development goes against anything members were here for and could not support approval of this application. The thought of closed windows was not ideal.

Cllr Ridout understood the argument about highways improvement but this must not impact on the AONB and would not support approval.

The Vice Chairman expressed concern about noise and having to live with permanently closed windows.

Cllr Fry had sympathy with the people struggling with the lane and hoped that something could be done to rectify this but could not support the development.

Cllr Jones felt that something could happen on this site but not to this density.

Members felt that the road improvements needed to be taken elsewhere to address.

Proposed: Cllr Les Fry

Seconded: Cllr David Taylor

Decision: Accept the Officer recommendation to refuse planning permission. Members requested that officers from the Highways Authority look at the issues on Tin Pot Lane.

92. **Land at Nyali, Tin Pot Lane, Blandford Forum**

Application Number: 2/2018/03181/OUT

The Area Lead Officer introduced the proposal to develop the land by the erection of 15no. dwellings and 2no. Class B1 units, carry out surface water attenuation feature and highway improvements to Tin Pot Lane. He also highlighted that this site was notably higher to the road level of the lane as it was a landfill site in the past. This would result in buildings being more conspicuous in the landscape.

This site was heavily influenced by the number of trees on the boundaries. As such, it was considered that the net developable area would result in a high density development that would have a cramped layout. There was also a poor relationship between the dwellings and 2no. Class B1 units. Again, three storey houses were required along the south-eastern boundary to prevent noise disturbance as set out in the applicant's noise assessment. This also would require all windows on this elevation to be fixed shut.

The quote from the Tree Officer was highlighted regarding the likely loss of trees.

The Area Lead Officer concluded by saying that in the Planning Balance exercise it was considered that the detrimental impact to the environment was so great as to outweigh any social or economic benefits from the scheme.

One member made reference to the raised kerb and felt this was dependent on height and would deter vehicles from mounting the kerbs.

Cllr Legg was particularly concerned about the height of the buildings. He felt this site would be exceptionally prominent and highly intrusive to the AONB.

The Vice- Chairman was concerned about the loss of habitat and vegetation.

Proposed: Cllr Robin Legg

Seconded: Cllr Belinda Ridout

Decision: Accept the Officer recommendation to refuse planning permission.

93. Exempt Business

There were no exempt items of business.

Duration of meeting: 2.00 - 4.00 pm

Chairman

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APPLICATION NUMBER: WD/D/19/002376/FUL

APPLICATION SITE: Burleston Farmhouse, Burleston, Dorchester, DT2 7EG

PROPOSAL: Installation of ground mounted solar PV array

Decision: Approved, subject to conditions.

CONDITIONS:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

 Location Plan - Drawing Number S-1378-02 received on 23/09/2019
 Site Plan - Drawing Number S-1378-03 received on 23/09/2019
 Site Sections - Drawing Number S-1378-04 received on 23/09/2019
 REASON: For the avoidance of doubt and in the interests of proper planning.
- 2 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
 REASON: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).
- 3 All existing trees and hedges shown on approved plan Site Plan S-1378-03 to be retained, shall be fully safeguarded during the course of site works and building operations in accordance with BS 5837:2012 (Trees in relation to construction - recommendations) or any new Standard that may be in force at the time that development commences. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s). Any trees or hedges removed without the written consent of the Local Planning Authority, or dying or being severely damaged or becoming seriously diseased before the completion of development or up to 12 months after occupation of the last dwelling shall be replaced with trees or hedging of such size, species in a timescale and in positions as may be approved in writing by the Local Planning Authority.

 REASON: To ensure that trees and hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity.
- 4 Prior to the first use of the development hereby approved, precise details of all tree, shrub and/or hedge planting (including positions and/or density, species and planting size) with an accompanying management plan shall be submitted to and approved in writing by the Local Planning Authority. Planting shall be carried out in

accordance with the approved precise details and planted before the end of the first available planting season following approval having been obtained in writing. The measures as outlined within the management plan shall be adhered to for the lifetime of the solar PV array hereby approved.

REASON: In the interests of continued visual public amenity.

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The solar PV array hereby approved when no longer required or no longer functioning, whichever is sooner, shall be removed and the land made good to the satisfaction of the Local Planning Authority.

REASON: To safeguard the long term future of the landscape requiring the removal of redundant infrastructure.

Reasons for the Decision:

- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- The proposal is acceptable in its terms of its siting and design.
- There would be no harm to the natural or historic environment.
- There are no material considerations which would warrant refusal of this application.

APPLICATION NUMBER 2/2018/0379/OUT

APPLICATION SITE: Land at Nyali, Tin Pot Lane, Blandford Forum, Dorset

PROPOSAL: Develop the land by the erection of 28no. dwellings including a Local Area of Play, surface water attenuation feature and highway improvements to Tin Pot Lane (outline application to determine access and layout).

Decision: Planning Permission refused

Reason for the recommendation:

- There are in principle objections to this proposal due to its location in the countryside and within the Cranborne Chase Area of Outstanding Natural Beauty.
- The proposed layout of the development is considered to be a cramped form of development that would result in the loss of trees and landscaping out of keeping with the character of the area and having a detrimental impact on the intrinsic character and beauty of the countryside.
- The buildings would have to be conditioned to be three storeys in height (~11m) and windows fixed shut on the south-east elevation to mitigate noise disturbance.

APPLICATION NUMBER 2/2018/0381/OUT

APPLICATION SITE: Land at Nyali, Tin Pot Lane, Blandford Forum, Dorset

PROPOSAL: Develop the land by the erection of 15no. dwellings and 2no. Class B1 units, carry out surface water attenuation feature and highway improvements to Tin Pot Lane (outline application to determine access and layout).

Decision: Planning Permission refused

Reasons for the recommendation:

- There are in principle objections to this proposal due to its location in the countryside and within the Cranborne Chase Area of Outstanding Natural Beauty.
- The proposed layout of the development is considered to be a cramped form of development that would result in the loss of trees and landscaping out of keeping with the character of the area and having a detrimental impact on the intrinsic character and beauty of the countryside.
- The buildings would have to be conditioned to be three storeys in height (~11m) and windows fixed shut on the south-east elevation to mitigate noise disturbance.