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DORSET COUNCIL - NORTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 22 OCTOBER 2019

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

Also present: Cllr Graham Carr-Jones, Cllr Andrew Kerby and Cllr David Walsh

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

Philip Crowther (Senior Solicitor - Planning), Christopher Poad (Planning Officer), Hannah Smith (Planning Area Manager) and Elaine Tibble (Democratic Services Officer)

45. Declarations of Interest

Cllr Fry declared an interest in Application No 2/2018/1829/FUL. He did not take part in the debate or decision.

46. Minutes

The minutes of the meeting held on 17 September 2019 were confirmed and signed.

47. Application number: 2/2019/0009/FUL - Stickland Farm House, 9 West Street, Winterborne Stickland, DT11 0NT

The Planning Officer presented the application which sought approval for the conversion of 2 No. outbuildings into 1 No. residential dwelling and 1 No. gallery/exhibition use with residential use.

The Committee received a verbal update in relation to the approved drawings and conditions which comprised:-

Site Parking Plan - PL-1276-103A [Received 03/06/2019]

East Barn Plans and Elevations - PL-1276-101C [Received 10/07/2019]

And the additional condition regarding opening hours which was missed from the report - to read :-

The premises shall not be open to the public for the D1 (gallery/exhibition) use hereby permitted at anytime other than between the hours of 10am - 7pm (including Bank Holidays).

Reason: To safeguard neighbour amenity.

The application site was located within the settlement boundary of Winterborne Stickland. Plans showing the location of the farmhouse and its relationship to the adjacent buildings, together with diagrams of the existing and proposed elevations, plus an artist's impression of the proposed development were presented to the committee.

In summarising the Planning Officer highlighted how the main planning issues had been addressed.

Oral representation was received in objection to the application from Mr D Godden and Mr K Barker. Their concerns included proximity of the development to boundaries, overlooking, loss of privacy, (some of these concerns had been addressed following previous objections from the Parish Council), increased noise and number of visitors to the farmhouse, the impact on grade 2 listed buildings and possible pollution from the chimney.

Cllr Kerby the Ward Member, read a statement on behalf of the Parish Council who did not support the application.

Mr S Pitman, the agent for the applicant addressed the committee in support of the application. He advised that the dwelling accommodation would be occupied by an elderly relative asked for condition 3 to be amended to ancillary use to reflect this.

The Area Manager (Eastern) responded to the objectors' comments and advised that the new flue would be sited 14 metres away from the neighbouring properties, this would serve the log burner and was not considered to be detrimental to amenity. There would be obscured glazing conditioned for overlooking windows.

Conditions would also cover boundary treatments, hard surfacing and ensure there was no detrimental impact on the division of the curtilage.

The Area Manager (Eastern) clarified that as the applicant's agent had indicated that the accommodation would be used as ancillary use, this was acceptable but condition 3 would need to be amended to reflect this.

In response to a member question she advised that the whole of the accommodation could be tied in the same way so that either barn could be used either way, or the conditions could be split one for East Barn and one for West Barn, so the ground floor could be conditioned as the gallery and the first floor accommodation as holiday and ancillary use.

The committee members were supportive of the scheme and considered it to be a good re-use of farm buildings. The development would preserve the barn rather than leaving it to fall into disrepair. It would be a positive contribution to the area.

Cllr Fry proposed and Cllr Pipe seconded that the application be granted subject to the revised conditions which the Area Manager (Eastern) confirmed prior to the vote being taken.

Decision: That the application be granted subject to the revised conditions outlined in the appendix to these minutes.

48. **Application number: 2/2018/1829/FUL - Crown Inn, High Street, Stalbridge, DT10 2LL**

Cllr Fry had declared an interest in this item, he did not participate in the debate or decision.

The Area Manager (Eastern) presented the application for alterations to the existing single storey skittle alley, demolition of storage shed/garage and to replace with a pitched roof extension to form 1 No. apartment. Internal alterations to existing Inn to create 2 No. apartments and refurbish existing apartments.

The site location was within the settlement boundary of Stalbridge and the conservation area which was constrained by listed buildings within the High Street.

The boundaries were irregular in shape with a mix of residential and business use in the area.

The former public house had been unsuccessfully marketed and was no longer viable as a business. It was not planned to increase the number of units already approved but to make them bigger and configured differently to incorporate two bedrooms per flat with separate lounge and kitchen areas

The main planning issues were addressed in summarising the report.

Oral representation in objection to the application was received from Mrs D Jeneson, Mr A Wood, Cllr Carr-Jones (Ward Member) who also read a statement on behalf of Mr H Adams and Cllr K Garland, Chairman of Stalbridge Town Council.

Their concerns focussed on the potential detrimental impact to the conservation area, the number of bins required for the communal area, the lack of communal access from the rear of the building, neighbour amenity and infringement of privacy.

Members heard that the waste water drainage system in the area was over 100 years old and would have problems coping with the proposed extra dwellings. The objectors considered the application to be overdevelopment and there were also issues over the ownership of the land and rights of way.

Mr N Worgie the agent for the applicant addressed the committee in support of the application.

In response to queries from the committee, the Area Manager (Eastern) advised that in relation to access for emergency vehicles, the application was for self-contained units and would have to satisfy building regulations. There were no planning policy requirements to provide parking in the town centre and with regard to disputes over land ownership and access this was a civil matter not a planning consideration. Members were concerned about approving an application where there could be a possible dispute over land ownership and access. They considered the application ill thought out, overdeveloped and had concerns regarding neighbour amenity and drainage.

Proposed by Cllr Potheary, seconded by Cllr Jones

That the application be refused due to overdevelopment of the site, the impact on grade 2 properties in the locality, overlooking and the historical impact on the conservation area.

The committee adjourned from 16.16 to 16.28 in order for the Area Manager (Eastern) to formulate planning reasons to refuse the application.

On return the Area Manager (Eastern) re-iterated the reasons for refusal.

Decision: that the application be refused due to the reasons outlined in the appendix to these minutes.

49. **Urgent items**

There were no urgent items.

50. **Exempt Business**

There was no exempt business.

Appendix

Duration of meeting: 2.00 - 4.32 pm

Chairman

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22 October 2019

Appendix

APPLICATION NUMBER: 2/2019/0009/FUL

APPLICATION SITE: Stickland Farm House, 9 West Street, Winterborne Stickland, DT11 0NT

PROPOSAL: Convert 2 No. outbuildings into 1 No. residential dwelling and 1 No. gallery/exhibition use with residential use.

DECISION: That the application be approved subject to the conditions outlined below:

1. 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).

2. The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details forming the approved application;

East Barn Plans and Elevations - S-1276-01A [Received 07/01/2019]

West Barn Plans and Elevations - S-1276-02A [Received 07/01/2019]

Site Parking Plan - PL-1276-103A [Received 03/06/2019]

West Barn Plans and Elevations - PL-1276-102B [Received 03/06/2019]

East Barn Plans and Elevations - PL-1276-101C [Received 10/07/2019]

Reason: For the avoidance of doubt and to clarify the permission.

3. The occupation of the East Barn shall be solely limited to use as a D1 exhibition gallery at ground floor level and shall be solely limited to ancillary residential accommodation or holiday let purposes at first floor level. A register of occupancy shall be kept and shall be made available to the Local Planning Authority following a written request at 14 days notice. At the end of the ninth year following approval details of the occupancy for that year to comply with this condition shall be submitted to the Local Planning Authority.

Reason: To ensure that the unit is not used as permanent residential accommodation.

4. The occupation of the West Barn shall be solely limited to ancillary residential accommodation or holiday let purposes at first floor level. A register of occupancy shall be kept and shall be made available to the Local Planning Authority following a written request at 14 days notice. At the end of the ninth year following approval details of the occupancy for that year to comply with this condition shall be submitted to the Local Planning Authority.

Reason: To ensure that the unit is not used as permanent residential accommodation.

5. Before the development is occupied or utilised the turning and parking shown on Drawing Number PL-1276-103A 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.

6. The development hereby approved shall be carried out in strict accordance with the mitigation measures as outlined within the submitted Flood Risk Assessment as prepared by Stefan Pitman for and on behalf of SPASE Ltd.

Reason: To minimise the risk of flooding.

7. Prior to the first use or occupation of the accommodation hereby permitted, a Flood Warning Evacuation Plan shall be submitted to, and agreed in writing by the Local Planning Authority. The development shall accord with the provisions of the Flood Warning Evacuation Plan.

Reason: To ensure the occupants of the site are adequately prepared and protected in the event of a flood.

8. Prior to the first use of the development hereby approved, the windows in the east elevation of the East Barn building and the west elevation of the West Barn building shall be glazed with obscure glass to a minimum Pilkington privacy level of 4 or equivalent. The windows must thereafter be maintained in that condition.

Reason: To safeguard the amenity and privacy of the occupiers of neighbouring residential properties.

9. Prior to the installation of any window hereby approved, precise details of the method of opening for the windows across the west elevation of the West Barn building shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the amenity and privacy of the occupiers of neighbouring residential properties.

10. Prior to the application of the cladding and roof covering, samples of the materials (slate and timber cladding) to be used in the finish of the walls and roof; shall be made available on site and retained in that location thereafter for the inspection and approval of the Local Planning Authority. Any such samples shall require approval to be obtained in writing from the Local Planning Authority and the development shall thereafter accord with the approved materials.

Reason: To safeguard the character of the locality and in the interests of the appearance of the development.

11. Prior to the installation of any joinery, detailed elevation drawings (at a scale of 1:20) and detailed cross-section drawings (at a scale of 1:5) of all new shutters, windows, internal and external doors, infill glazed screens to include materials and finishes, framing profiles, glazing type and unit spacers, method of fixing glazing, depth of reveal, method of opening; and annotated elevation drawings (1:20) and cross section drawings (1:5) of all new staircases, balustrading, handrails and newel posts; joinery finishes shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved drawings.

Reason: To safeguard the significance of the heritage assets.

12. Prior to first use of the development, full details of all vents and flues, to include the location and details of materials, finish and design, shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the character of the locality and setting of the listed building.

13. Prior to the installation of any internal wall treatment, precise details of all insulation, overboarding, applied surface treatments to internal walls, floors and ceilings, to include materials, finishes and locations, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter accord with the approved details.

Reason: To safeguard the character of the fabric of the heritage asset.

14. All rooflights shall be conservation style, top hung and set flush to the surface of the roof plane.

Reason: To safeguard the character of the locality.

15. Prior to the creation of any openings to the East Barn, a precise scheme for the creation of new openings to the East Barn to include a Method Statement in regards to the cob wall, dimensions, lintel details and finishes is to be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To safeguard the significance of the historic fabric.

16. All slate shall be fixed with nails not slate hooks.

Reason: To safeguard the character of the locality.

17. All new and replacement rainwater goods shall be painted cast half round metal not plastic.

Reason: To safeguard the character of the locality.

18. Prior to the first use of the development hereby approved, a precise scheme for all hard landscaping to include boundary treatments, gates, and ground surfaces, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter accord with the approved scheme.

Reason: In the interests of the appearance of the development.

19. Prior to the first use of the development hereby approved, precise details of the air source heat pump, to include its location and design, shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the agreed details.

Reason: In the interests of the amenity of the area.

20. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), no fences, walls, gates or other means of enclosure permitted by Class A of Schedule 2 Part 1 of the 1995 Order shall be erected around the curtilage of any dwelling house hereby permitted in a position forward of any wall of that dwelling house which fronts onto a road, private drive, footway or open space area without the prior grant of planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the development of the site.

21. The premises shall not be open to the public for the D1 (gallery/exhibition) use hereby permitted at anytime other than between the hours of 10am - 7pm (including Bank Holidays).

Reason: To safeguard neighbour amenity.

NOTE: Listed Building

Listed Building Consent may be required for the proposed works.

NOTE: Flood Warning Evacuation Plan

The applicant/developer is strongly advised to ensure that a Flood Warning Evacuation Plan is prepared for the occupants of the site. The provision of such a plan may help to protect life and property during a flooding incident.

For commercial properties a Flood Warning Evacuation Plan should form part of the Health and Safety at Work Register maintained by the operator of the site.

NOTE: Flood Resilience

In view of the potential flood risks in this locality, it is advised that the developer of this site gives consideration to the use of flood resilient construction practices and materials in the design and build phase. Choice of materials and simple design modifications can make the development more resistant to flooding in the first place, or limit the damage and reduce rehabilitation time in the event of future inundation. Detailed information on flood proofing and mitigation can be found by referring to the CLG free publication 'Improving the Flood Performance of New Buildings'.

http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf.

APPLICATION NUMBER: 2/2018/1829/FUL

APPLICATION SITE: Crown Inn, High Street, Stalbridge, DT10 2LL

PROPOSAL: Make alterations to existing single storey skittle alley, demolish storage shed/garage and replace with pitched roof extension to form 1 No. apartment. Internal alterations to existing Inn to create 2 No. apartments and refurbish existing apartments.

DECISION: That the application be refused for the following reasons outlined below:

1. The proposal would lead to less than substantial harm to the setting of Wayside through the installation of a 1.8 metre enclosure to the raised skittle alley which would be harmful to the setting of the listed building due to its incongruous and out of keeping design. The less than substantial harm would not be outweighed by any public benefit and the proposal is therefore contrary to Policy 5 of the Local Plan and the NPPF.

2. The proposal would be an overdevelopment of the site as it would lack sufficient amenity space to serve 5 flats and is contrary to Policy 7, 25, and 26 of the Local Plan Part 1 and the NPPF.

3. The development would give rise to unacceptable impact on the amenity of Wayside through unacceptable overlooking from the proposed roof terrace of the private amenity area and living accommodation. The proposal would give rise to loss of light to the property The Maples due to the position of the pitched roof adjacent to the neighbour's high level window. The proposal is contrary to Policy 25 of the Local Plan and the NPPF.

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