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DORSET COUNCIL - WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 8 AUGUST 2019

Present: Cllrs Simon Christopher (Chairman), David Gray (Vice-Chairman), Pete Barrow, Kelvin Clayton, Susan Cocking, Jean Dunseith, Nick Ireland, Louie O'Leary, David Shortell and Kate Wheller.

Apologies: Cllr Sarah Williams

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

Lara Aintree (Legal Services Manager), Anna Lee (Service Manager for Development Management and Enforcement), Ian Madgwick (Transport Development Liaison Engineer), Clare McCarthy (Senior Planning Officer), Debbie Redding (Development Manager) and Denise Hunt (Senior Democratic Services Officer).

19. Apologies

An apology for absence was received from Cllr Sarah Williams.

20. Declarations of Interest

Cllr Susan Cocking declared an interest in minute 27 as she had previously considered and voted upon the application as a member of Portland Town Council Planning Committee. She did not take part in the debate or vote on this application.

Cllr Nick Ireland declared a non pecuniary interest in minute 28 as he had made the application on behalf of his wife. Cllr Ireland withdrew from the meeting during consideration of the application.

Cllr Simon Christopher declared an interest in minutes 25 and 26 as there were many people in the Loders area that were known to him. Cllr Christopher withdrew from the room for consideration of these applications.

21. Minutes

The minutes of the meeting held on 4 July 2019 were confirmed and signed.

22. 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.

23. **Planning Applications**

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

24. **WD/D/16/000378 - Land South of Warmwell Road, Crossways**

The Chairman announced that the application would be deferred to the September meeting.

The Development Manager explained that since publication of the agenda there had been discussions with both the agent and the minerals team resulting in potential re-wording of conditions and section 106 agreement. A letter from the Rambler's Association following publication of the agenda relating to the footpath diversion also needed to be addressed more fully. The outstanding matters would be clarified in the application when considered at the meeting on 5 September 2019.

25. **WD/D/18/002737 - The Barn House, Main Street, Loders, Bridport, DT6 3SA**

The Chairman withdrew from the meeting during consideration of this item and the Vice-Chairman was in the Chair.

The Senior Planning Officer presented the application for the demolition of an outbuilding, the conversion and extension to an outbuilding to form a dwelling. The stone barn was listed as a curtilage building to the main listed building on the main street and was outside of the settlement boundary.

Members were shown a site location map and the context of other developments in similar locations in relation to the village and the River Asker; and advised that Local Plan Policy SUS3 allowed the conversion of buildings outside of the settlement boundary.

A previous permission for conversion of both barns into holiday accommodation had been approved. The southern barn was a more modern basic structure whereas the northern barn was used as a stone store and of considerable character. The proposal sought to retain and extend the stone barn into a 4 bedroom property and remove the other more modern southern barn. It was considered that the stone barn was suitable for conversion with appropriate conditions; including details of the stone work, roof materials, doors and windows. There would be a distance of 60m between Barn Lodge and the proposed new dwelling.

Officers highlighted the key planning points including the principle of development, scale, design and impact on character and appearance, impact on amenity, impact on landscape and heritage assets, access and parking. An additional planning condition to demolish the southern barn prior to commencement of conversion works had been included in an update sheet circulated to members. The proposal offered the benefit of bringing an historic outbuilding back into use and maintained in years to come.

Philippa Theophanidis, long term resident of Loders and co-owner of a field to the East of Barn House, addressed the committee in objection of the application. She drew attention to the landscape preserved as a wildlife haven, the scale of the development outside the Defined Development Boundary (DDB), and the increase in volume of the extension that would create a precedent for other developments outside the DDB.

Diane May, a Loders resident, spoke in objection to the proposal, drawing attention to the Loders Neighbourhood Plan; the unsuitability of the location in the flood plain; the impact of pollution on the open backland area; the approval of 4 homes within the DDB; and that the proposal represented a new build that did not provide the type or size of home needed in the village.

Cllr Michelle Warrington addressed the committee on behalf of Loders Parish Council in objection of the application, saying that it was subject to the terms of the Local Plan policy SUS3 in relation to the adaptation and re-use of buildings outside the DDB. The proposal contravened part 1 of this policy as it required that a building would not be substantially rebuilt or extended, whereas this proposal represented a significant increase in floor area that would not be offset by the removal of the other barn.

Cllr Anthony Alford, Dorset Council Ward Member for Eggardon, stated that the proposition for the reconstruction and extension of the barn did not meet the requirement of Local Plan policy SUS3 which concerned the adaptation and re-use of rural buildings. The Loders Neighbourhood Plan was more updated than the Local Plan and was clear on the need for smaller 2-3 bed homes.

Paul Dance, representing David Wren and the applicant, spoke in support of the application.

Referring to the many references to the policies that applied to this proposal, the Development Manager clarified that the application related to a rural building outside the DDB within flood zone 1. The Local Plan and Loders Neighbourhood Plan sought to restrict new build open market housing in this area, however, this proposal was to convert and extend an existing building that took account of the removal of the southern barn as a compensatory factor. Officers therefore considered that there were policies in place to support this proposal.

Members asked for clarification on the line of the DDB and other listed buildings in the area. They had regard to the Local Plan SUS3 policy and agreed that the new dwelling was substantially larger in size. The concept of a conversion was therefore questioned, given that the existing walls may not be strong enough to carry the weight of a first floor extension.

Councillor Nick Ireland proposed that the application was refused as it was contrary to Local Plan Policy SUS3 (part1), that the building would be substantially rebuilt and that the amount of extension was also substantial. This was seconded by Cllr Kate Wheller.

Decision:- That the application be refused for the reason outlined in the appendix to these minutes.

26. **WD/D/18/00278 - The Barn House, Main Street, Loders, Bridport, DT6 3SA**

The Chairman withdrew from the meeting during consideration of this item and the Vice-Chairman was in the Chair.

The Committee considered the application for listed building consent for the demolition of an outbuilding and alterations and extension to an outbuilding to facilitate the conversion to a dwelling. In light of the refusal of the planning application, the Development Manager advised that the committee would need to specify why the proposal did not conserve or enhance the listed building, based upon the West Dorset & Weymouth Local Plan (2015) policy ENV4 in relation to heritage assets.

Cllr Louie O'Leary proposed refusal of the application as contrary to West Dorset & Weymouth Local Plan (2015) ENV4 - heritage assets. The size and scale of the extension was not in keeping with the existing listed building. This was seconded by Cllr Susan Cockings.

Decision:- That the application be refused for the reason outlined in the appendix to these minutes.

27. **WP/19/00228/FUL - The Joinery, Chiswell, Portland, DT5 1AW**

Cllr Susan Cockings did not take part in the debate or vote on this item.

The Development Manager presented the application for the erection of a first floor balcony. The key planning points were highlighted including neighbourhood amenity, design/visual amenity and impact on the character of the conservation area and on the setting of listed buildings. She drew attention to the concerns of the Conservation Officer, however, it was considered that there was a balance in an area containing a combination of residential and commercial elements.

Judith Frost, whose property was Rantner's Lodge and The Dead House, addressed the Committee in objection of the application due to overlooking and its overbearing nature that was out of keeping with the conservation area. The balcony was immediately above a dark footpath with the risk of falling debris.

Members noted that The Joinery building had previously received a Civic Society Award and that this was a mixed area that was increasingly becoming residential.

Proposed by Cllr Kate Wheller, seconded by Cllr David Shortell.

Decision:- That the application be approved subject to the conditions outlined in the appendix to these minutes.

28. **WD/D/19/000707 - St Osmunds Church, Church Lane, Osmington, DT3 6EJ**

Cllr Nick Ireland left the room for consideration of this item.

The Development Manager presented the application to provide a handrail and access ramp to replace the existing steps at the lychgate.

The Highways Officer explained that there were conditions involving construction of works within the public highway to ensure the work was completed in a satisfactory manner.

The Committee recognised the equalities benefit that this would have in improving access to the church.

Proposed by Cllr Louie O'Leary, seconded by Cllr Kate Wheller.

Decision:- That the application be approved subject to the conditions outlined in the appendix to these minutes.

Duration of meeting: 2.00 - 3.40 pm

Chairman

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APPLICATION NUMBER: WD/D/18/0002737

APPLICATION SITE: The Barn House, Main Street, Loders, Bridport, DT6 3SA

PROPOSAL: Demolition of an outbuilding and the conversion and extension to an outbuilding to form a dwelling together with associated works.

Decision: Refused for the following reason:-

The conversion and extension of the existing outbuilding would require substantial rebuilding and extension to provide the dwelling as proposed and as such would be contrary to Policy SUS3 (i) of the West Dorset, Weymouth & Portland Local Plan (2015).

APPLICATION NUMBER: WD/D/18/0002738

APPLICATION SITE: The Barn House, Main Street, Loders, Bridport, DT6 3SA

PROPOSAL: Demolition of an outbuilding and alterations and extension to an outbuilding to facilitate the conversion to a dwelling.

Decision: Refused for the following reason:-

The size and scale of the extension is not in keeping with the existing listed building, which would not conserve or enhance the heritage asset and as such would be contrary to Policy ENV4 of the West Dorset, Weymouth & Portland Local Plan (2015).

APPLICATION NUMBER: WP/19/00228/FUL

APPLICATION SITE: The Joinery, Chiswell, Portland, DT5 1AW

PROPOSAL: Erect first floor balcony.

Decision: Granted subject to the following conditions:-

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 in accordance with the following approved plans:

Floor Plans - Drawing Number 19/1/01-2 received on 12/03/2019
Location & Block Plan - Drawing Number 19/1/01-1 received on 12/03/2019
Elevations - Drawing Number 19/1/01-3B (Amended) received on 09/07/2019
Proposed Section AA - Drawing Number 19/1/01-4B received on 09/07/2019

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The balcony hereby approved shall not be brought into use unless and until the obscure glazed privacy screen to the East elevation, as detailed on the approved drawings, has been erected. The screen shall be obscured to a minimum of level three obscurity, and shall be permanently retained at a height of 1.7 above the floor level of the balcony.

Reason: In the interest of protecting neighbouring amenity and the privacy of occupiers of adjoining premises.

4. The new doors (to the balcony) hereby approved shall be of timber construction and shall be finished in a colour to match the existing windows of the property.

Reason: To ensure a satisfactory visual appearance of the development and to preserve the character of the conservation area.

5. The balustrading of the balcony hereby approved shall be constructed of smoked glass and stainless steel posts to match the existing balcony on the Western elevation of the property.

Reason: To ensure a satisfactory visual appearance of the development and to preserve the character of the conservation area.

Informatives

1. National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case office.

APPLICATION NUMBER: WD/D/19/000707

APPLICATION SITE: St Osmunds Church, Church Lane, Osmington, DT3 6EJ.

PROPOSAL: Provision of handrail & access ramp to replace the existing steps at the lychgate.

Decision: Granted subject to the following conditions:-

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

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

Location Plan - Drawing Number HI9064-07-01-Orig received on 04/03/2019

Site Plan - Drawing Number HI9064-06-01-Orig received on 04/03/2019

Site Plan - Drawing Number HI9064-05-01-Orig received on 04/03/2019

General Arrangement - Drawing Number H19064/700/1/Orig A received on 10/05/2019

REASON: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the use of the ramp hereby approved it shall have been constructed in accordance with the details shown on drawing H19064/700/1/Orig A received on 10/05/2019. The ramp shall be maintained, kept free from obstruction and made available for access purposes in perpetuity.

REASON: To ensure the proper and appropriate development of the site.

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- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise
- in the processing of their application and where possible suggesting
- solutions.

- In this case:
- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.

Highways

The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under the Highways Act 1980, the applicant should contact Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Development team, Infrastructure Service, Dorset Council, Hall, Dorchester, DT1 1XJ.