

**DORSET COUNCIL - NORTHERN AREA PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON WEDNESDAY 21 AUGUST 2019**

**Present:** Councillors Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Tim Cook, Les Fry, Matt Hall, Carole Jones, Robin Legg, Belinda Ridout and David Taylor

**Apologies:** Councillors Bill Pipe and Val Potheary

**Also present:** Councillors Andy Canning and David Walsh

**Officers present (for all or part of the meeting):** Emma Baker, Robert Lennis, James Lytton-Trevers, Philip Crowther and David Northover

**25. Apologies**

Apologies for absence were received Councillors Bill Pipe and Val Potheary.

**26. Declarations of Interest**

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

Councillor Mary Penfold considered that she might well have a prejudicial interest in minute 29, having been a participant in discussion of the principles of the DTEP scheme, within which the Great Western Traffic Management scheme was a part. On that basis, she withdrew from the meeting during consideration of the item.

**27. Minutes**

The minutes of the meeting held on 23 July 2019 were confirmed and signed.

**28. 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.

**29. Dorchester Transport and Environment Plan (DTEP) - Proposed 20 mph Zone for Victoria Road and neighbouring roads, Dorchester**

The Committee considered the officer's report for the introduction of a 20 mph zone for Victoria Road and adjoining residential roads in Dorchester. As part of the Dorchester Transport and Environment Plan (DTEP), enhancements had been made to pedestrian crossing provision on all major arms of the Great Western Junction to improve the accessibility of the junction for vulnerable road users as well as maintaining throughput capacity and accessibility.

Whilst this scheme had proved largely successful, in implementing the scheme, there had been a need to prohibit certain traffic movements to complement this, with an 'access only' Order being made to restrict motorists from using Victoria Road as a convenient alternative. However, since

being introduced in July 2017, subsequent monitoring of traffic flows had shown that it had not been as effective as thought in deterring through traffic.

Moreover, the volume of traffic using the route out of convenience had increased. This, coupled with the speed of vehicles using the route as a means of a short cut, had given rise to the proposal Members were now being asked to consider. Whilst every effort was being made as far as practicable, it was generally recognised that enforcement alone was a challenge without additional measures being implemented.

The proposals were considered by officers to now be necessary as a consequence of the implementation of the original scheme to ensure all that could be done to deter traffic from using Victoria Road unnecessarily. What was now being experienced had been previously raised as a concern by some residents prior to the Junction scheme being implemented.

***Officers described the proposal, what it was designed to achieve and set out the practicalities of delivering this, including providing an understanding of those traffic flows and manoeuvres undertaken. To complement the zone, physical measures – raised, cushioned platforms – would be constructed as a means, making the scheme self enforcing. Road closures were not possible and there was no space to accommodate a turning head. Illustrations showed the scheme’s setting within the character of the townscape and the local road network, the junction’s and the roads’ configuration and the residential roads’ relationship with each other; with the Great Western Junction (GWJ) and with the amenities in the area. Officers were satisfied that acceptable, alternative routes were available to motorists wishing to gain legitimate access.***

Advertisement of the proposed 20 mph zone, with its complementary physical measures, had resulted in objections and representations being received and the Committee was now being asked to give these due consideration and whether the proposed Order should be recommended to Cabinet for implementation as advertised, apart from the inclusion of the speed cushion at the junction of Albert Road and Victoria Road which, following consideration of those representations, had since been discarded.

#### Public Participation

David Sharman, local resident, had previously raised concerns about the prospect of rat running along these roads as a result of the GWJ improvement scheme prior to the matter being considered by the County Council’s Regulatory Committee in autumn 2016. On the basis that residents had been given some assurance that this would not be the case, much of the opposition to that GWJ scheme had been withdrawn, allowing it to proceed. However, those previous concerns had since been realised, which was now causing residents the concern he had envisaged. Given the consequence of this, he now considered that the 20mph zone should go some considerable way to achieving what many residents hoped it would do and supported it entirely.

Another resident, Linda Poulsen, was of the view that since the changes had been made, there had been a marked increase in traffic along Victoria Road and other roads in the area, with incidents and altercations being experienced. She too hoped the zone would provide the answer residents were looking for and that the physical measures would give the impression of the road being less attractive to those thinking of using it unnecessarily. She thanked the relevant authorities for now addressing the matter.

Since living in Victoria Road, Rodney Alcock had seen a considerable increase in the volume and speed of traffic using it and it had become a congested and dangerous thoroughfare. On the grounds of road safety, he welcomed the proposals.

The Committee heard from Andy Canning, in his capacity as one of the Ward Councillors for Dorchester West and as Chairman of the DTEP Project Working Group, who wholly supported the proposals being made to maintain amenity for residents and to discourage unnecessary through traffic. He accepted that the unintended consequences of the scheme had been realised to a greater extent than previously thought but was confident the proposals would now address

the matter and was what the majority of residents wanted. He also felt that the zone was required on road safety grounds.

The Committee were then provided with the opportunity to ask questions of the officer's presentation and officer's provided clarification in respect of the points raised including questions about future monitoring of the situation; what the collision record was and how vehicles manoeuvring over any speed humps could have a bearing on air quality and noise. Officers confirmed that there would be continual monitoring of the effectiveness of the zone and that only one, minor, traffic incident had been experienced in the previous five years. Any adverse environmental effect of the humps would be more than mitigated by the reduction in overall traffic volumes.

The other Ward Member for Dorchester West was on the view that the proposals would satisfactorily address the issues being experienced by residents, particularly in successfully reducing the volume of traffic. The physical measures would act as a deterrent to the majority of those who did not need to legitimately use the road for access purposes.

Whilst some members had reservations of the effectiveness of the scheme and how enforceable it was, the Committee largely understood the need for, and the reasoning behind, the proposal and what benefit it was likely to bring to those residents in the affected area. They acknowledged that as part of this scheme being successful, there would need to be as effective enforcement as practicable, but understood that the physical measures to be put in place would serve to act as some deterrent to those looking for a shorter, alternative route. On that basis, and being put to the vote, it was

### **Recommended**

That having considered the objections received, Cabinet be asked to implement the 20mph zone Order for Victoria Road, Westover Road, St Helens Road and part of Albert Road, Dorchester as advertised, with the exception of the road hump at the junction of Victoria Road and Albert Road.

### **Reason for Recommendation**

The proposals should further deter inappropriate and excessive use of this quiet, residential street by unsuitable and unnecessary through traffic.

## **30. Planning Applications**

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

### **31. WD/D/19/001272 - Development of Sectors 3.63 & 4.31 North Quadrant, Poundbury, Dorchester**

The Committee considered planning application WD/D/19/001272 by ZeroC Holdings Ltd, with approval being sought in respect of reserved matters for access, appearance, landscaping, layout and scale for the development of Sectors 3.63 and 4.31 North Quadrant, Poundbury, Dorchester of outline planning permission 1/D/09/001363.

The approved reserved matters application was for 83 dwellings across the 2 sectors. The proposal was now for 85 dwellings, with both additional dwellings being affordable units. Of the 85 units, 53 were indicated to be private and 32 affordable, which equated to 60% of the total number of units.

In respect of Sector 3.63 the main changes when compared to the consented scheme were:

- Plot 438 had been moved slightly south and was now detached from plot 437.
- There was to be a single coach house unit above the garages in the parking courtyard and it was now proposed to be split into 2 units.

- Plots 439 – 444, shown as being affordable dwellings, had a reduced internal floor area of 72.4 sq m, as opposed to the approved 76.5 sq m.
- Plots 450 – 454 shown as being affordable dwellings had a reduced internal floor area of 83.2 sq m, as opposed to the approved 93.5 sqm
- The width of the terrace (plots 446 – 448) was reduced and as a result, the windows were proposed to be reduced by 1 module in width, from 4 panels to 3.
- Plots 439 – 444 were no longer proposed to have a stepped ridge and the width of the windows had been reduced.
- Plots 450 – 454 were no longer proposed to have a stepped ridge.

In respect of Sector 4.31, the main changes when compared to the consented scheme were:

- Blocks 633 & 634 had been staggered by 450mm. The internal floor areas of the flats had also been reduced and a third floor flat omitted from the scheme. The design of the two blocks was now proposed to be the same.
- Amendments to doors and fenestration on Plots 625 – 630.
- Block 631 – individual access to each flat above the garages, as opposed to the previously approved shared access. Width of garages had been reduced to accommodate the change.
- Steps to Flat 632b amended so that a set would rise each side of the door to a landing area as opposed to the steps that led straight to the front door in the approved scheme.
- Block 635 – amendments to fenestration and the omission of ground floor windows from the south west elevation.
- Changes to the carport/refuse/cycle store building on west side of site to incorporate two flats above.

The Committee were provided with a visual presentation and, taking into consideration the provisions of the Update Sheet appended to these minutes, for context, officers described the main proposals and planning issues in detail, how the development would contribute to meeting housing needs; what the key elements of the reserved matters were; how detail to individual properties had been changed and the reasons for this as a means to benefit the development and what this entailed. Plans and photographs provided an illustration of the location and design of the development, showing both its dimensions - form, mass and size – and those of individual properties and how these would look, be constructed and the materials to be used.

The presentation also confirmed what the highways, traffic management, parking and access arrangements being proposed would be; showed the development's relationship with other residential development and civic amenities in Dorchester and its setting within the town. Officers also explained the context of the development in relation to the characteristics of the surrounding town development and landscape, the local highway network, the topography of the area and the relationship between the development and the adjoining Dorset Area of Outstanding Natural Beauty (AONB).

#### Public Participation

Councillor Robin Potter, Chairman of Dorchester Town Council's Planning Committee, confirmed that the Town Council maintained its objection to the proposal on the grounds that there would be a loss of residential amenity, particularly to the affordable housing units and there was a lack of commitment to consideration of environmental and sustainability measures from the outset of the development. The Town Council was also disappointed with the design of two of the blocks, which gave the impression of a somewhat austere and overbearing appearance, lacking in visual interest. On that basis he asked the Committee to refuse the application.

Greg Hilton addressed the Committee on behalf of the applicant, considering that all of the issues raised had either already been addressed or could be addressed satisfactorily and the proposals remained in accordance with the outline permission. On that basis, he considered there to be no material planning considerations for being unable to grant permission. He confirmed that the issue of charging points for electric cars would be discussed with the Duchy, with consideration

given to the practicalities of providing this and what this would entail. In his view there had been no compromise of amenity by the changes made to the scheme and that what was now being proposed was wholly acceptable and met all that was necessary.

Similarly, the attention of the Committee was drawn to the representation made by the local Ward member for Dorchester Poundbury, Richard Biggs, expressing concern at the absence of the infrastructure for electric car charging points, - particularly in light of the Council being committed to the enhancement of environmental considerations in their declaring of a Climate Emergency - ; the restrictive dimensions of the garages; the reduction in the size of some units; and the scant opportunity to understand what landscaping there would be. Given this he was of the view that the application should be refused.

The Committee were then provided with the opportunity to ask questions of the officer's presentation and officer's provided clarification in respect of the points raised. Particular emphasis was placed on the reasoning for the reduction of size of those properties affected and what consideration was being given to the provision of electric car charging points.

Officers confirmed that although it was accepted that some proposed units fell below national standards for size, they confirmed that there was no policy in the adopted West Dorset and Weymouth and Portland Local Plan (2015) regarding the minimum size of dwellings, although it was understood that properties needed to be of a reasonable size to provide adequate amenity to residents. As those proposals were in accordance with all the necessary relevant national and local policies and the National Planning Policy Framework (NPPF) so, on balance, should be acceptable for what they were. Given this, officers considered that the reduction in gross internal floor area would not result in an unacceptable impact on residential amenity and therefore was wholly acceptable.

The Senior Solicitor confirmed that the Committee's focus for their consideration – in material planning consideration terms – was whether they could accept that the proposed size of the properties, and rooms therein, were sufficiently large enough to be acceptable in planning terms.

Regarding the provision of charging points, it was clarified that paragraph 110 of the NPPF stated that development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. There was, however, again no policy requirement in the Local Plan for this to be the case. Moreover, there would be a need to establish where responsibility lay for the management of such a facility. However, officers understood that the Duchy were giving active consideration of this matter for development at Poundbury overall, so as to establish what any future technology was likely to be and identify what infrastructure might therefore be required.

Given this, the Committee were keen to emphasize to the applicant the importance of actively pursuing the means to provide for the ability to achieve the installation of the necessary charging infrastructure as a fundamental part of this development and any other new builds on the estate, if at all practicable. Officers confirmed that this could not be conditioned in itself as there was no requirement for this within the policies of adopted Local Plans, nor was it a requirement of the outline permission. Nevertheless, an Informative note could be added to any grant of permission highlighting the importance to the Committee of this.

Officers also took the opportunity to assure the Committee that the size of the garages being proposed was quite adequate to accommodate modern motor vehicles, despite thoughts to the contrary from the Ward member. Moreover, there should be no concern that garages could be converted into additional living space as they were mostly isolated from the property itself.

Similarly, they confirmed that there was every reason to believe that any landscaping would be as sympathetic with its setting as had previously been the case throughout the completion of other sectors of the estate and which had received critical acclaim. This aspect would be covered by condition.

Officers considered that given all of this, together with those changes made to the proposals in response to the representations received to the formal consultation process, now satisfactorily addressed what concerns there had been so, on that basis, officers were recommending that permission be granted for the approval of the application. Having heard what officers had to say about this, members were largely satisfied with the responses received in their more meaningful understanding of what the proposals entailed.

Nevertheless, some members remained concerned at the proposed reduction in size of some of the properties and considered that, whilst seemingly adequate, this was far from what might be expected, or indeed, required. Their view was that, ideally, tenants of those particular properties were deserving of a more spacious living space.

However other Councillors expressed a different view in that what was being proposed went some considerable way to achieving what could be considered to be an acceptable development, in enhancing the housing stock of the estate and in contributing to meeting housing needs.

Generally in terms of scale, layout and appearance, the scheme was seen to be acceptable as it was not so different to that previously approved, and that those changes made were designed to benefit and optimise what the development had to offer.

Having had the opportunity to discuss the merits of the application, having understood what was being proposed 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, notwithstanding the views of the Town Council and the local Ward Member, 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 provisions of the Update Sheet and taking account of an Informative note about environmentally sustainable means of charging electric cars.

### **Resolved**

That planning permission be granted for application WD/D/19/001272, for the development of Sectors 3.63 & 4.31 North Quadrant, Poundbury, Dorchester, subject to the conditions set out in paragraph 16 of the report; having regard to the necessary provisions in the Update Sheet and taking account of the following Informative, to be included with the grant of permission.

### **Reason for Decision**

It was considered that the proposed development would have an acceptable impact on visual amenity and the landscape character of the Area of Outstanding Natural Beauty, residential amenity and highway safety.

### **Informative:**

The Council expects applications for development that will generate additional traffic movement to be accompanied by a statement (with reference to plans) explaining how the development has been designed to enable charging of pug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. This could be included in a Transport Statement or Assessment, or separately, but it should be done as a matter of course. This application did not include such a statement. Prior to occupation of the development hereby approved such a statement should be submitted to the Council as a matter of record.

## **32. 2/2019/0686/FUL - Construction of two pairs of residential properties in place of agricultural building, Sandpits Lane, Madjeston, Gillingham**

The Committee considered planning application 2/2019/0686/FUL for the proposed construction of two pairs of conventionally styled, domestic dwellings in Sandpits Lane, Madjeston, Gillingham, in place of the current, modern agricultural barn situated close to a farm complex. The four dwellings would be brick built alongside each other, with slate roofs and timber fenestration, and located behind an aged stone wall, which currently supported one side of the barn, with shared access and rear gardens and parking.

In view that permission had been granted for the conversion of the barn to four dwellings - under Class Q application - the principle had already been established for the delivery of housing at this location. However, this permission did not provide for the demolition of the barn, rather the conversion of it. Permission was now being sought to develop the site as now proposed.

For context, the Committee were provided with a visual presentation and officers described the main proposals and planning issues in detail, covering the key elements of the development. Plans and photographs provided an illustration of the location and design of the development, how it would look and showing its dimensions - form, mass and size - and the materials to be used. Members were provided with views from various directions and the presentation also confirmed what the access arrangements being proposed would be; its relationship with the highway network and explained the context of the development in relation to the characteristics of the surrounding countryside and its setting within it.

As part of the formal consultation process, Gillingham Town Council had objected to the application, claiming it would be out of character as well as being dominant, over-bearing and harmful to the landscape. Eight residents had also made their objection known on the grounds that the development would attract additional traffic; that the site would be unsuitable for families and would set a precedent for developing homes in the open countryside.

However officers considered that this would not be the case on the basis that each application was considered on its own merit and would not therefore set a local precedent for more isolated houses, as there was already a prior approval for four dwellings on the site.

#### Public Participation

Martin Carpenter, EnPlan, spoke on behalf of the owners of the neighbouring Madjeston Farm, considering the application to be unacceptable on the grounds that it did not comply with Policy 20 of the North Dorset Local Plan (2016) in that paragraph 8.172 stated that “new dwellings should be located where they will enhance or maintain the vitality of rural communities and new isolated homes in the countryside should be avoided unless there are special circumstances”. It was the view of his clients that this was not the case here and should be rejected.

Robyn Harper, for the applicant, Symonds and Sampson, considered the application should be granted permission in that the principle for domestic dwellings had already been established by Class Q, whereas the existing dwelling would require conversion. The proposal benefitted from an environmental enhancement, in being built to modern, energy efficient standards and of what the local vernacular was, being a less obtrusive amenity with no adverse highway impact.

The Committee were then provided with the opportunity to ask questions of the officer's presentation and officer's provided clarification in respect of the points raised including an explanation of how Class Q applications were considered and what these entailed in practice.

One of the local Gillingham Ward councillors, Belinda Ridout, said what was being proposed was acceptable given that, in her view, the current barn was obtrusive and of little aesthetic value and the replacement cottages would be considerably more attractive and were similar to those nearby on the same lane, being brick built in the local, vernacular, materials.

However other Councillors expressed a different view in that they were concerned that approval of the application would indeed set a precedent, with advantage being taken of agricultural permitted development rights – Class Q - for similar applications to be made in open countryside where houses were not generally allowed, unless tied to an agricultural business.

Other Committee members agreed with the Ward member though, considering that four new countryside homes built in the local style would enhance the look of the area, compared to a large industrial-style barn and benefitted not only the characteristics of the rural scene, but provided much needed and valued housing stock for the rural community. They agreed with officers that this was a good example of a sustainable use of redundant buildings to meet housing needs.

Having had an opportunity to discuss the merits of the application, having understood what was being proposed 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 .

### **Resolved**

That planning permission be granted in respect of planning application 2/2019/0686/FUL, subject to the conditions set out in the officer's report.

### **Reason for Decision**

The proposal would lead to an environmental enhancement over and above that which would be achieved were the existing building to be converted into four dwellings.

### **33. WD/D/19/001826 - Construction of CCN provision at St Marys Church of England Middle School, Coombe Road, Puddletown**

The Committee considered planning application WD/D/19/001826 for St Marys Church of England Middle School, Coombe Road, Puddletown to install a modular construction classbase for a new Complex Communication Needs (CCN) provision within the School, incorporating a glazed linking corridor to connect the proposed building with the existing school, together with 4 additional parking spaces to meet increased staffing levels.

With the aid of a visual presentation officers described the proposal and planning issues in detail, covering the key elements of the development. Photographs and plans were shown to the Committee which provided an illustration of the location and design of the proposed development, how the modular unit would look and its dimensions - form, mass and size - and the materials to be used; parking and access arrangements; and its relationship with the school and other neighbouring development in that part of Puddletown. Officers referred to the detailed design, including the school's construction and the materials to be used. The Committee was also shown the context of the development within the character of the surrounding landscape.

Officers reported that no objections or representations had been received to the published planning application, with the Puddletown Area Parish Council and the local Ward Member, Emma Prker, having had the opportunity to respond, and being satisfied in that regard.

The Committee were then provided with the opportunity to ask questions of the officer's presentation and officer's provided clarification in respect of the points raised including questions about what mitigation there would be for tree replacement; what colour scheme would be used for the external paintwork, considering cedar red to be complementary to that which existed; and if solar energy could be incorporated within the scheme.

Officers confirmed that there would be sufficient tree management, covered by condition; the development's external colour scheme would be wholly in keeping with the surrounding characteristics of the other school buildings, covered by condition ; and, where practicable, consideration was given to the inclusion of renewable energy source in developments affecting Council properties, including the installation of solar energy, if able.

The Committee agreed that as the proposed development would create a new facility for children with complex communication needs across Dorset it was to be wholly accepted. They were assured by officers that an Informative note would complement any grant of planning permission in addressing the issue of inclusion of renewable energy source, wherever practicable. On that basis, and on being put to the vote it was

### **Resolved**

That planning permission be granted for planning application WD/D/19/001826, subject to the conditions set out in the officer's report, with a variation to conditions 3 and 4, namely:-

- 3 No development above ground level shall proceed until all external facing materials for the walls and roof the modular unit hereby approved have been agreed in writing. The development shall thereafter proceed in accordance with the agreed materials. Materials should be made available on site for inspection and retained thereafter until the development has been completed.

Reason: To ensure a satisfactory visual appearance of the development.

- 4 Prior to development above foundation level, a tree planting scheme for a minimum of five new trees, and tree maintenance scheme, must be submitted to, and approved in writing by, the Local Planning Authority. Such scheme shall be implemented during the planting season November - March inclusive, immediately following commencement of the development hereby approved. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years following commencement of the scheme.

Reason: In the interest of visual amenity.

And being complemented by the Informative, namely:-

- Informative: Every effort should be made to demonstrate how development for the Council is addressing the 'state of Climate Emergency'. This means demonstrating as part of the planning application how the proposed development will be making improvements on our use of natural resources and reduction of pollution. In this particular case a statement should be submitted prior to occupation of the development hereby approved.

as necessary.

#### Reason for Decision

The scheme would have considerable public benefits, via the creation of a new facility for children with complex communication needs across Dorset. There were no adverse landscape impacts, the proposal would not compromise road safety, and four new parking spaces were to be created.

#### **34. Urgent items**

There were no urgent items to be considered.

#### **35. Update Sheet**

#### **WD/D/19/001272 - Development of Sectors 3.63 & 4.31 North Quadrant, Poundbury, Dorchester**

#### **Update(s):-**

1. Additional plans to go in condition no. 1 (plans list condition):

Preliminary Plot Levels Drwg no. PHL – 3631 Rev A received on 03/07/2019

Preliminary Plot Levels Drwg no. PHL – 4311 Rev A received on 03/07/2019

General Arrangement Plan Drwg no. GA-3631 Rev A received on 08/07/2019

2. Amendment to paragraph 14.10 of committee report to read:

“Both the Royal Pavilion and the building in Great Cranford Street opposite the site, which appears to have residential accommodation on the upper floors, are of a greater number of floors than the proposed buildings 633 and 634 in Sector 4.31, and are separated from the site by the intervening road.”

**Duration of meeting:** 2.00 - 4.30 pm

**Chairman**

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