

# Public Document Pack



## DORSET COUNCIL - EASTERN AREA PLANNING COMMITTEE

### MINUTES OF MEETING HELD ON WEDNESDAY 4 DECEMBER 2019

**Present:** Cllrs Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Alex Brenton, Cherry Brooks, Robin Cook, Mike Dyer, Beryl Ezzard, Barry Goringe, David Morgan and David Tooke

**Apologies:** Cllrs Bill Trite and John Worth

**Also present:** Councillor Laura Miller – for minutes 47 and 51.

#### Public Speakers

Councillor Sarah Jackson, West Lulworth Parish Council – minute 47.

Adam Bennett – agent, for applicant – minute 47.

David Wallis, local resident – minute 49.

David Hiljemark, applicant – minute 49.

Councillor June Richards, – Mayor of Lytchett Minster and Upton Town Council – minute 50.

#### 43. **Apologies**

Apologies for absence were received from Councillors Michael Dyer, William Trite and John Worth.

#### 44. **Declarations of Interest**

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

#### 45. **Minutes**

##### Resolved

The minutes of the meeting held on 30 October 2019 were confirmed and signed.

#### 46. **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.

#### 47. **6/2019/0553 - Removal of condition to allow unrestricted occupation of the dwellings at former West Lulworth Primary School, School Lane, West Lulworth**

The Committee considered planning application 6/2019/0553, for the removal of a condition to allow unrestricted occupation of the dwellings at former West Lulworth Primary School, School Lane, West Lulworth. Planning permission had been granted for the erection of six two storey dwellinghouses, and the conversion of the existing school buildings into another three dwellinghouses by the Eastern Planning Committee of Dorset Council in July 2019. Moreover, following officer's recommendation, a condition requiring the homes to be occupied as a principal residence were included: condition 13 of planning permission 6/2018/0653.

With the aid of a visual presentation, and having regard to the provisions of the Update Sheet, officers explained what the reasoning for the recommendation was, what the planning issues of the development were; how these were to be progressed; and what the provisions of the development entailed. Plans and photographs provided an illustration of the location, dimensions and design of the development and how the housing would look, purely to provide for some context in member's understanding and so they had some incisive perspective of what this entailed. The basis of the recommendation was not for the Committee to consider the merits of the development, nor for this to have any bearing on their deliberations, but solely to decide whether Condition 13 should be maintained or not in this particular circumstance.

The application sought to remove Condition 13 of planning permission 6/2018/0653, which would then allow the properties to be occupied either as a principal residence or a second home. That condition stated that the properties should only be occupied by a person as their principal home. This was designed to ensure that the socio-economic viability of the village could be maintained, which might otherwise prove to be more challenging. Officers explained that under delegated authority, the principle of that condition had been applied, by way of condition, to similar development throughout the Purbeck part of the Dorset AONB as contained within, and derived from, Policy H14 of the emerging Purbeck Local Plan. This stated that "proposals for all new housing in the Dorset AONB would only be supported where there was a restriction in perpetuity to ensure that such homes were occupied only as a principal residence....." with that restriction being imposed through a planning condition attached to the planning permission or by a planning obligation. This policy had been agreed by the former Purbeck District Council in light of evidence showing that there was a significant number of unoccupied homes in the Plan area.

What the Plan was designed to achieve; how this would be done; and the reasoning for this was all explained in detail by officers so that members had a clear understanding of how it applied to this application and why the officer's recommendation was being made as it was.

The decision taken by the former Purbeck District Council's Planning Committee to pursue the imposition of this condition was taken in light of legal advice that the emerging Local Plan was at an advanced stage of preparation - currently awaiting the outcome of the public examination - and what weight could be given to this in determining further applications. In particular, a

number of responses received to the consultation had objected on the basis that the policy did not embrace Purbeck as a whole and was only being restricted to its Dorset Area of Outstanding Natural Beauty (AONB)

On the basis of advice that weight could be applied to the emerging Plan policy and its provisions, this had been duly enacted and, subsequently, extended to delegated planning applications. A consequence of this was that this development in West Lulworth was conditional upon Condition 13 - based on Policy H14 - being applied. Moreover, this condition was being applied on the same grounds to other delegated decisions affecting development in the Dorset AONB.

Subsequently however, the imposition of this condition on permissions for three separate, individual properties in Swanage, had all given rise to challenges, by appeal. Whilst the Planning Authority had submitted documentary evidence to support their stance, and although the Planning Inspector acknowledged what weight could be given to relevant policies in the emerging Plan, given there remained a number of unresolved objections, the weight that could be applied to Policy H14 in determining planning applications was compromised significantly and therefore could not be given significant weight. This resulted in the three appeals being allowed. As there had been no material change in circumstances in respect of pending decisions on applications across the Dorset AONB since those recent rulings, that condition had been subsequently removed in all cases.

Therefore, given that there was no material difference between this application and the appeal decisions, there could be no justification for maintaining Condition 13 in this case.

What weight should be given to the provisions of the Plan was explained by officers. Whilst it was at an advanced stage – in currently still being assessed and examined by the Planning Inspectorate – the decisions made by the Planning Inspectors on the imposition of this particular provision still remained valid and should be applied.

Officer's justification for their recommendation was that given the successful appeals contrary to the Council's policy, a precedent had been set, so any further limitation could well result in similar successful appeals. As a result of the series of appeal decisions made by the Planning Inspectorate against the condition to prevent second homes, officers were now recommending that Condition 13 be lifted to relax that particular prescription.

Speakers then had the opportunity to address the Committee. Members first heard from Adam Bennett, the applicant's agent, who considered that given those recent successful appeals, there was no justification for this limitation to still be imposed on this application. There was no material difference between them. He considered the condition to be unreasonable and inappropriate given that there were still unresolved objections which significantly compromised the weight which could be given to the provisions of the Plan. To impose such a condition, six tests would need wholly to be met, and he

considered that it would fail one of those tests: in being reasonable or necessary. For that reason, he asked that the recommendation be supported.

Parish Councillor Sarah Jackson was of the view that the condition should be retained so as to provide for a sustainable means of development in maintaining the village's viability. There was a critical need to address the issue of second homes, which already was a challenging proposition for the village. If this restriction was lifted, the ability for housing to be delivered to ensure local need was met would be severely compromised. She raised the issue of whether council tax was levied on holiday lets, as she believed this to not be case. Officers confirmed that whilst council tax relief was available on holiday lets as a business, council tax was levied in full on second homes, where this applied. She considered that Dorset Council had a moral duty to provide sufficient homes for local need where practical and to uphold the principles of the Plan and therefore considered that the recommendation should not be supported.

One of the local ward members, Councillor Laura Miller -speaking in her own right and on behalf of the other Ward member, Councillor Peter Wharf - supported what the Parish Council had to say, in that there was good reason that the Local Plan addressed the issue of the prevalence of second homes and that these should be regulated. The opportunity to develop land in West Lulworth was at a premium and if this condition was to be relaxed, there would be fewer opportunities to be able to deliver affordable homes to meet local need. She understood what risks there may be with any challenge to this, but considered that the Planning Authority had a duty to maintain the viability of villages such as West Lulworth as best they could and maintaining this condition would go some considerable way to doing that. She therefore asked the Committee to refuse the application.

As part of the debate, the Committee were then provided with the opportunity to ask questions of the officer's presentation and what they had heard from invited speakers, with officer's providing clarification in respect of the points raised. In response to one member's question, officer's confirmed that the Plan's progress in the adoption process was as advanced as it could be at this stage. The Planning Inspectorate would make its decision on it early in 2020, but when exactly this would be could not be determined with any certainty. Accordingly, there was no opportunity, as suggested by one member, for the application to be withdrawn and submitted again, once this decision was known, as a case could be made for non determination. There was a need to address the application as it stood, as the Authority had an obligation to determine applications as soon as practicable.

Whilst members understood the reasoning for the officer's recommendation and what they considered to be the justification for this, the policies within the local Plan now being examined had been made with all good intent by elected members and, as such, still held true. The majority of members felt that Dorset Council had a duty to ensure villages such as West Lulworth maintained their viability and there was now an opportunity to act progressively to uphold the principles for which it stood, particularly as the Parish Council - acting on behalf of its community - were of that opinion too.

Moreover, members were mindful that, of the unresolved objections made to the Plan, none were against the policy in its own right; rather that it was not as inclusive as they would like.

However other members, whilst understanding the noble reasoning being made, felt they should support the officer's recommendation on the basis of the outcomes of the successful appeals and the consequence of this.

Notwithstanding the assessment made by officer's in coming to their recommendation, nor the implications for not according with that view or that taken by other members, the majority of members were of the view that the principle behind Condition 13, what it stood for and what it was designed to achieve, still remained valid, relevant and applicable and so they considered there was a need for this to be maintained, in protecting the interests of local communities and the viability and vitality of this small, rural village. The examples which were cited by officers where this could more readily be seen to not apply or have the same impact, related only to individual properties in a much larger town. Given this, there was seen to be greater scope for the implications of this to be more readily absorbed by that community, whereas such an infliction in West Lulworth would be considerably detrimental and have a fundamental impact and adverse effect on the community and in its ability to gain access to the housing market. The Committee considered that this upheld the principles of the Plan and could be seen to be justified.

Having had the opportunity to discuss the merits of the application, having understood what was being proposed and the reasoning for this; having taken into account the officer's report, what they had heard at the meeting from the case officer, legal advisor and those invited speakers - particularly the views of the Parish Council and local ward Member - the Committee were satisfied in their understanding of what all of this entailed. On being put to the vote the Committee considered that, notwithstanding the assessments made by officers or the risks associated with any successful appeal, they could not agree to what was being recommended on the basis that the adverse impact this would have on West Lulworth would be considerable; that the principles of the Plan – which had been made, democratically with all good intentions - should be upheld and that as the Plan was at such an advanced stage in its progression, there still was weight that could be given to this provision, albeit not necessarily significant weight. Accordingly, it was agreed

### **Resolved**

That planning application 6/2019/0553 be refused.

### **Reason for Decision**

The proposal, by means of the potential for vacant properties would result in harm to the character and vitality of West Lulworth, contrary to Policy H14 of the emerging Purbeck Local Plan. The Council considered that as the Plan was at an advanced stage of preparation, that this Policy could be given weight, in accordance with Paragraph 48 of the NPPF, and that the condition was reasonable and necessary in order to maintain the character and vitality of West Lulworth, in accordance with Paragraph 55 of the NPPF. The

proposal was therefore contrary to Policy H14 of the emerging Local Plan, and paragraphs 48 and 55 of the NPPF.

48. **6/2019/0337 - Erection of a single storey rear extension at Misty Cottage, Worth Matravers**

Members were asked to consider application 6/2019/0337 for the erection of a single storey rear extension at Misty Cottage, Worth Matravers.

Prior to such consideration, the Chairman explained that a request had been received from the local Ward Member, Councillor Cherry Brooks, for a site visit to be made so that members might see at first hand the issues being raised and have a better understanding of what this entailed, so as to be able to come to a meaningful decision on this.

On that basis, the opportunity was given for the officer to make their presentation and then for a vote to be taken on whether a site visit should be held. If that was the case, then a decision on the matter would be deferred pending the site visit and then to reconvene at the next meeting to determine the application. It was confirmed that those who has requested to address the Committee would be able to have their opportunity to do so at that time.

Members received the officer's visual presentation, taking into account the provisions of the Update Sheet, after which the local Ward Member proposed a site visit be held on the basis she considered that this application did not enhance the Conservation Area and was not in keeping with the characteristics of that part of the village. Seeing the site at first hand would provide members with that clear perspective before they were asked to make their decision. A site visit was also considered to be beneficial by Worth Matravers Parish Council who had objected to the application, so that members could gain some context of what all this entailed. The proposal was seconded by Councillor Alex Brenton and, on being put to the vote, it was agreed to defer further consideration of the application pending a site visit being held on Monday 6 January 2020.

**Resolved**

That further consideration of application 6/2019/0337 be deferred pending a site visit being held on Monday 6 January 2020 so that members could see at first hand what the implications of the proposal entailed; what impact there would be and would have a more meaningful understanding of what they were being asked to determine.

**Reason for Decision**

To complement the decision making process in having every opportunity to base any decision on their better understanding of the full facts.

49. **6/2019/0458 - Erection of a single storey extension and enlargement of the window on the first floor south east elevation at 5 Brushwood Drive, Upton**

Consideration was given by members to application 6/2019/0458 which sought planning permission for the erection of a single storey extension at 5 Brushwood Drive, Upton to project off the south east elevation of the dwelling. This extension would feature a pitched roof with a high level window on the south east facing gable end, together with two Velux windows on the north east facing roof slope. A small part of the proposed extension would feature a flat roof. As part of the submission, the applicants also proposed to enlarge the existing window on the first floor south east elevation of the host dwelling.

With the aid of a visual presentation officers explained what the main proposals and planning issues of the development were; how these were to be achieved; what the reasoning for the extension was to the applicant and how this would be to their benefit. Plans and photographs provided an illustration of the location, dimensions and design of the extension, including how the windows would be accommodated and what ventilation they would provide; how it would look and its setting; showed the development's relationship with the characteristics of neighbouring residential properties and the surrounding town development and landscape.

In making their assessment and appraisal of the application, officers had concluded that:-

- the principle of development was acceptable within the defined settlement boundary.
- the proposals were acceptable in terms of design and scale and impact on the amenity of the area.
- there was not considered to be any significant harm to neighbouring residential amenity or privacy.
- there were no material considerations which would warrant refusal.

Formal consultation had generated a number of objections from neighbouring residents and, in light of these, the Lytchett Minster and Upton Town Council was now supporting those views, where it previously had no objection to make. Objections made were on the grounds of the seemingly close proximity of the extension to a neighbouring dwelling; how access to the window might well compromise privacy; how the excavation of the extension might affect the condition of the protected Silver Birch tree species in the neighbouring garden; and what precedent such an approval might set.

David Wallis considered that, whilst he was not opposing the principle of the extension, the proposed close proximity to his property was of considerable concern and would adversely affect his family's access to natural light by the extension's overbearing presence. He was of the view that existing planning conditions did not provide for such an extension as was now being proposed and asked the Committee to refuse it.

David Hiljemark considered that the officer's recommendation should be endorsed by the Committee as it complied with all that was required in planning terms and on the basis of what the officer's assessment and appraisal of the application was. He confirmed that the window's glazing would be opaque and, given its restricted opening, there could be no opportunity for his neighbour's property to be overlooked. On that basis he asked for the application to be approved.

As part of the debate, the Committee were then provided with the opportunity to ask questions of officer's presentation and what weight could be given to the concerns raised by those objecting, with officer's providing clarification in respect of the points raised, particularly in respect of the proposed proximity and the conditions governing the window's installation. Officers were confident that they were largely able to dispel these concerns in that conditions complementing any grant of permission would mitigate for this. However, suggestions by members that there be consideration given to ensure the prevention of any further construction of an internal mezzanine level and that the windows be opaque, could be accommodated and were seen to be both reasonable and acceptable conditions.

One of the local Ward Members, Councillor Alex Brenton, was of the view that the close proximity and overbearing presence of the extension was a concern and was not in keeping with any other development in the vicinity. She also had concern that despite assurance the workings on the foundations would disturb the root system of the silver birch and, for both those reasons, felt she could not support this application.

Whilst some members were in agreement their view being that the application should be rejected owing to the close proximity to the neighbouring property and that the windows could compromise privacy, having had the opportunity to discuss the merits of the application, having understood what was being proposed and the reasoning for this; having taken into account the officer's report and what they had heard at the meeting, the Committee were satisfied in their understanding of what the proposal was designed to address and, on that basis – and on being put to the vote – the Committee considered that the application should be approved, subject to the conditions set out in the officer's report.

### **Resolved**

That planning permission be granted for application 6/2019/0458, subject to the conditions set out in paragraph 17 to the officer's report and to the inclusion of conditions governing the prevention of any future internal mezzanine construction and the installation of opaque windows.

### **Reason for Decision**

The proposed development was not considered to have a detrimental impact on the character and appearance of the area, protected trees, or the amenity of the neighbouring residents. Therefore the proposal was considered to be acceptable.

## **50. Proposed Zebra Crossing - Dorchester Road, Upton**

The Committee considered a report on the advertisement of a proposal for the implementation of a zebra pedestrian crossing on Dorchester Road, Upton on road safety grounds, in facilitating the crossing of the road by a readily accessible means that would otherwise not be the case. The main B3067, Dorchester Road, divided Upton and it had been considered that this community severance needed to be addressed satisfactorily.

As background, officers explained that the crossing scheme had been originally requested by Upton and Lytchett Minster Town Council to improve safety and accessibility going to the Infant and Junior Schools, and to encourage more walking to these, as well as providing a benefit for the wider community. The proposal had been considered by the County Council's Regulatory Committee at their meeting on 12 July 2018. Whilst acknowledging the benefits of the crossing, a decision on whether the proposal should be implemented was deferred by them pending officers considering further the parking situation with regard to the use of zig zag lines adjacent to Upton Methodist Church, which housed a pre-school and nursery facility; car parking provision for any hearse using the church; amelioration measures for light pollution and; whether there should be either a pelican or zebra crossing - all issues which had been raised in representations received. The proposal had been supported by the then local County Councillor, with this support still being maintained now by the three Dorset Councillors for Lytchett and Upton.

Assessments made of pedestrian accessibility need had clearly demonstrated that the criteria for a zebra crossing had been met and its installation justified, with this being supported by all primary consultees. In line with the Regulatory Committee's decision, another assessment and appraisal of the practicalities of what crossing was necessary and how this should be done had been made. In doing so, it had been determined that the original principles still held true, albeit with some minor modifications being seen to be necessary to accommodate and address, where practicable, some of those issues raised, without compromising the integrity of the scheme. On that basis, and having met with some of those involved on site, the proposal was now seen to be more acceptable whilst still being able to serve the purpose for which it was designed. However, as a consequence of the objections received to the advertised order, the Committee was now being asked to consider whether the proposals should be recommended to Cabinet for implementation.

With the aid of a visual presentation, officers showed where the crossing was advertised to be sited, the characteristics and configuration of Dorchester Road; how the crossing would benefit access to local schools and amenities; its relationship with other roads in the surrounding road network; what parking arrangements there were; the setting of the crossing within the townscape and what amenities and facilities would be served by the crossing.

Members acknowledged that the design had been modified to take account of issues raised previously, including the installation of cowled hoods on the Belisha beacons to reduce light pollution to adjacent properties, and a

reduction in the length of the zig zag markings on the church side to allow any hearses to park safely.

The Committee heard from June Richards, Mayor of Upton and Lytchett Minster Town Council who was wholly supportive of the crossing and the benefits it would bring on road safety grounds and encouraging safer routes to schools for children walking or cycling. Two of the three local Ward members, Councillors Alex Brenton and Bill Pipe, also indicted their support for what was being proposed.

During consideration of the application, the Committee had the opportunity to ask questions of the officer's presentation, with clarification being provided in respect of the points raised. The Committee asked that consideration be given to the provision of a barrier - immediately to the west of the crossing, at the point at which the southern end of the footpath met Dorchester Road – so as to dissuade pedestrians from crossing straight across the road and in encouraging them to use the adjacent crossing. Officers were of an initial view that such a measure could be successfully accommodated. Members were pleased with how the concerns originally expressed had been successfully addressed by officers.

Having had the opportunity to discuss the merits of the proposal, having understood what was being proposed and the reasoning for this; having taken into account the officer's report and what they had heard at the meeting, the Committee were satisfied in their understanding of what the proposal was designed to address and, on that basis – and on being put to the vote – the Committee considered that cabinet be asked to approve their recommendation for implementation of the crossing.

### **Recommended**

That having considered the community support, objections received and officer's scheme appraisal following the Dorset County Council Regulatory Committee's recommendation, Cabinet be asked to approve the provision of a Zebra crossing on Dorchester Road, Upton, as shown in the scheme plan at Appendix 4 of the officer's report.

### **Reasons for Recommendation**

- 1)The proposals would allow for the provision of a Zebra crossing facility on Dorchester Road, Upton to provide a safe crossing point for local school pupils, parents and the wider community across a busy 'B' class road.
- 2)The proposed zebra crossing would not adversely affect the amenity of adjacent properties or the church.

51. **6/2019/0564 - Construction of single storey lean to extension to provide an outdoor classroom at Winfrith Newburgh C of E Primary School, School Lane, Winfrith Newburgh**

Consideration was given to planning application 6/2019/0564 for the construction of single storey, lean to extension to provide an outdoor classroom at Winfrith Newburgh C of E Primary School, School Lane, Winfrith

Newburgh. The Committee were informed of the need for the facility - so that pupils could benefit from a space for flexible and adaptable working - and were being asked to approve this in accordance with the officer's recommendation and on the grounds that, as it was a Council application, a Committee decision was required for openness and transparency purposes.

With the aid of a visual presentation, officers explained what the main proposals and planning issues of the development entailed; how these were to be achieved; and particularly, the reasoning for the new facility, which was being proposed as a means of benefitting what the school had to offer.

Plans and photographs provided an illustration of the location, dimensions design and appearance of the classroom; the materials to be used; how the enhancements would look and their setting; showed the development's relationship with the characteristics of the other school buildings; and where the school was situated within the town and its setting in the Dorset AONB.

The Committee were informed of what consultation had taken place and what responses had been received. No formal objections had been received to this with, in particular, neither Winfrith Newburgh Parish Council or the two local Ward members, raising any objections to the proposal.

Given this it was officer's view that the planning permission should be granted as:

- the proposal was acceptable in its design and general visual impact.
- there was not considered to be any significant harm to neighbouring residential amenity, and
- there were no material considerations which would warrant refusal.

Whilst situated within the Dorset AONB, given the very modest scale of the proposal and the materials to be used, the structure was not considered to be visually dominant in wider views of the area.

During consideration of the application, the Committee had the opportunity to ask questions of the officer's presentation, with clarification being provided in respect of the points raised. It was confirmed that the roofing of the extension would be slightly pitched.

Having had the opportunity to discuss the merits of the application, having understood what was being proposed and the reasoning for this; having taken into account the officer's report and what they had heard at the meeting, the Committee were satisfied in their understanding of what the proposal was designed to achieve, considering it to be an asset for the school and, on that basis – and on being put to the vote – the Committee considered that the application should be approved, subject to the conditions set out in the officer's report

### **Resolved**

That planning permission for application 6/2019/0564 for an outdoor classroom at Winfrith Newburgh C of E Primary School, School Lane, Winfrith

Newburgh be granted, subject to the conditions set out in paragraph 12 of the officer's report.

Reasons for decision

- 1) The proposal was acceptable in its design and general visual impact.
- 2) There was not considered to be any significant harm to neighbouring residential amenity.
- 3) There were no material considerations which would warrant refusal of this Application.

**52. 3/19/0985/FUL - Proposed single storey extension to Unit 3 to form bedroom and en-suite at Misty Meadow, 147 Ringwood Road, Longham, Ferndown**

Application 3/19/0985/FUL, for a proposed single storey extension to Unit 3, to form a bedroom and en-suite at Misty Meadow, 147 Ringwood Road, Longham, Ferndown, was considered by members.

A visual presentation showed what the main proposals and planning issues of the development were; how these were to be progressed; and what the benefits for the applicant of the development would be. Plans and photographs provided an illustration of the location, dimensions and design of the extension; how it would look and its setting; showed the development's relationship with the characteristics of the other development on site and in that part of Longham in particular.

Officers made particular reference to what impact the proposal would have on the character of the area and on amenity. As it was considered to be only a modest side extension to Unit 3 - of the same height and form as the existing dwelling and was set back and well screened - there would be minimal impact on the character of the area, with amenity being unaffected by the proposed improvement of creating a three bedroomed property.

Ferndown Town Council had objected to the proposal on the grounds that the development would harm the openness of the Green Belt. However, officers explained that saved policy GB7 stated that infill development would be allowed in this area provided that it was contained wholly within the Village Infill Envelope and should be of a scale and character that respected the existing village form. This application fulfilled that requirement

The planning history of the site was explained, along with what relevant appeal decisions had been made. Significantly, the previously taken decision - for removal of the planning condition limiting permitted development rights for extensions - had since been reinstated, meaning that such a side extension could now be achieved without the need for express planning permission. The consequence of this and taking that into account that:-

- the application complied with Policy HE2;
- there was no harm to character of area or neighbouring amenity;
- given that permitted development rights had been reinstated; and
- an extension which was 0.1m narrower would be more beneficial,

officers found the application to accord with the Development Plan, National Planning Policy and guidance. There were not considered to be any matters which could warrant refusal of planning permission in this case and the application was therefore being recommended for approval.

Throughout consideration of the item, the opportunity was given for members to ask questions of the officer's presentation or what they had heard from others, with officer's providing clarification in respect of points raised, as necessary.

Having had the opportunity to discuss the merits of the application, having understood what was being proposed and the reasoning for this; having taken into account the officer's report and what they had heard at the meeting, the Committee were satisfied in their understanding of what the proposal was designed to address and, on that basis – and on being put to the vote – the Committee considered that the application should be approved, subject to the conditions set out in the officer's report

**Resolved**

That application 3/19/0985/FUL be granted permission, subject to the conditions set out in Section 9 of the officer's report.

Reasons for Decision

- 1)The proposed extension would not harm the character of the area so was acceptable within the Village Infill Area.
- 2)There was not considered to be any significant harm to neighbouring residential amenity.

**53. Planning Appeal Decisions**

Members considered a written report setting out details of planning appeal decisions made and the reasoning for this and took the opportunity to ask what questions they had.

**54. Urgent items**

There were no urgent items for consideration.

**55. Update Sheet**

**Eastern Area Planning Committee 4 December 2019 – Update Sheet**

**Planning Applications**

<b>Application Ref.</b>	<b>Address</b>	<b>Agenda ref.</b>	<b>Page no.</b>
6/2019/0553	West Lulworth Primary School	Item 5	13
Update(s): comments received from West Lulworth Parish Council;			

West Lulworth Parish Council objects to the planning application 6/2019/0553 (proposal to remove condition 13 of planning permission 6/2018/0653) to allow unrestricted occupation of the dwellings.

The emerging Purbeck Local Plan (PLP) Policy H14 was welcomed as it aims to address the high provision of holiday homes within Purbeck. West Lulworth is one of the parishes greatly affected by second homes which have a negative impact on the area with a reduction in community engagement.

Comments were made in the PLP consultation that Policy H14 did not go far enough as it did not include holiday lets and it is lamentable that the inspector considered these comments to indicate that the Policy should not be enforced at all. The applicant, along with other developers, was an objector to the Policy being included in the PLP and it is disappointing to see that persons with a financial interest in removing the Policy have been heard whereas the communities that are affected by the large number of second homes and holiday lets have been disregarded.

Dorset Council has a financial interest in the land and should be leading the way in ensuring provision of housing suitable for local need is provided than yet another profit-making scheme for a developer who has no attachment to the parish. Dorset Council could restrict the sale of the land until the developer agrees to provide homes that are suitable for local need, profits would still be garnered and the parish would be benefitted.

If Dorset Council are inclined to approve the application due to the Planning Inspector decision on the appeal at Swanage then I would ask that consideration is given to Part 107 of the PLP Pre-Submission Draft which states that “the PLP sets out policy to deliver sufficient homes across the District that will meet the needs of local people. New development will help deliver the Plan’s objectives to:

Support sustainable community growth to provide for the needs of local residents.

Dorset Council is currently consulting on a Strategic Plan and one of the five priorities is to “Develop appropriate, affordable and sustainable housing, maximising the use of council-owned assets”. This is a rare opportunity to utilise the council-owned land to provide appropriate housing for the local community and I urge you to consider refusal of the planning application.

<b>Application Ref.</b>	<b>Address</b>	<b>Agenda ref.</b>	<b>Page no.</b>
6/2019/0337	Misty Cottage Worth Matravers	Item 6	29

Additional Statement of Worth Matravers Parish Council

This site is within the Worth Matravers Conservation Area.

The Parish Council, now the third tier of elected government in England, raises the following additional issues. Its concerns remain that the Officers report and

the incorporated views of the new DC planning consultant do not reflect the accepted statutory requirement to improve and enhance the existing Conservation areas of Worth Matravers village.

It has never been acceptable in professional planning circles to state that a new, additional rather than replacement, proposal can be approved if it does not create any more harm than the existing extension. Two wrongs never make a right. Despite the accepted extensive and longer distance views of the rear gardens of this group of properties the proposed rear extension is now closer to the boundary of the next door property. It includes an additional blank flank wall 13 foot high on ground significantly higher than the ground level of the adjacent listed building. It must have a substantial and adverse impact on the listed building and an adverse visual impact as seen from the historic village green in the centre of the conservation area. It would be the first flat roof proposal for the centre of this historic conservation area currently comprised totally of cascading different height ridge roof features.

Members of the Planning Committee should be aware that its new consultant is from North Norfolk. His advice however is totally contrary to the current North Norfolk District Council Design Guide and Supplementary Planning Guidance which states.

What matters most when considering the scale of new development is not so much the absolute size of buildings, but their size relative to their surroundings. Particularly with infill sites in sensitive areas, extreme care needs to be taken to ensure that ridge heights and overall proportions are compatible with adjoining buildings.

3.6.1 Extensions should be sited and designed to avoid any loss of light or privacy to adjoining properties. They should also not result in any overshadowing, tunneling or overbearing effects.

3.6.2 Flat roof forms are not normally acceptable.

The Parish Council does not accept your officers report .This proposed rear extension is of poor design and has a substantial impact on the adjacent listed building. As for the meaningless statement that the extension uses a sensitive use of the palette of materials to achieve a sympathetic blend this is just the sort of meaningless gobbledygook padding officers should have been instructed to avoid in their 'professional' reports to elected members.

The Officers inappropriate additional statement that indeed contrasting modern design is often the preferred choice for heritage locations is very worrying and must in principle be quickly rejected by the new Dorset Council. The committee should be mindful that this approach, the impact of which can occasionally and regrettably be seen elsewhere in England, would totally desecrate many of the established village settings so much a part of the Dorset village streetscenes and the AONB countryside generally.

Finally the extensive proposed roof lighting system makes mockery of the Dorset Council first recommendation to declare a Climate Emergency. This proposal will have significant adverse climate and environmental impact as Worth village is a

dark nighttime zone with no unnatural light sources. Those who know the village well will be aware that torches are a requirement to safely walk the streets of the centre after dark.

The Parish Council requests this application is refused and the applicant encouraged to submit a more sympathetic and acceptable proposal.

**Duration of meeting:** 10.00 am - 12.40 pm

**Chairman**

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