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## **DORSET COUNCIL - EASTERN AREA PLANNING COMMITTEE**

### **MINUTES OF MEETING HELD ON WEDNESDAY 11 MARCH 2020**

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

**Apologies:** Cllrs Mike Dyer and Bill Trite

**Members present, by invitation:** Cllr David Shortell for minute 79.

**Officers present (for all or part of the meeting):** Kim Cowell (Team Leader - Development Management), James Brightman (Senior Planning Officer), Diana Mezzogori-Curran (Planning Officer), Naomi Shinskins (Planning Officer), Phil Crowther (Legal Business Partner – Regulatory) and David Northover (Democratic Services Officer).

#### Public speakers

Corine Van Barneveld, Principal at The Sheiling Community for minute 77.

John Baylem, local resident for minute 78.

Wayne Barrabell, agent for minute 78.

Giles Moir, local resident for minute 79.

#### **72. Apologies**

Apologies for absence were received from Councillors Michael Dyer and Bill Trite.

#### **73. 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.

#### **74. Minutes**

The minutes of the meeting held on 5 February 2020 were confirmed and signed.

#### **75. Declarations of Interest**

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

**76. 6/2019/0585 - Erection of 9 dwellings and associated works at the former Royal British Legion Club, Wimborne Road, Lytchett Matravers**

The Committee were informed that, owing to the imminent publication of the Inspector's letter on the Emerging Purbeck Local Plan, consideration of planning application 6/2019/0585, for the erection of 9 dwellings and associated works at the former Royal British Legion Club, Wimborne Road, Lytchett Matravers was to be deferred until the next meeting of the Committee, scheduled for 2 April 2020.

**77. 3/18/2612 - Provision of car park and associated works at The Sheiling Community, Horton Road, Ashley Heath**

The Committee considered application 3/18/2612 for the provision of a car park to provide 56 designated spaces in place of the existing informal parking area, the removal of trees and associated replacement tree planting and Landscaping - as amended - to benefit the practical management of The Sheiling Community, Horton Road, Ashley Heath. A more regulated and rationalised management of the parking arrangements would address the issue of indiscriminate parking throughout the site.

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 progressed; why they were necessary; and what the benefits of the development entailed. Plans and photographs provided an illustration of the location, dimensions and configuration of the car park, with the presentation also confirming what the traffic management and access arrangements being proposed would be; how it would look and its setting in the landscape, which was incorporated within the Green Belt. Officers showed its relationship with the Sheiling Community campus and neighbouring property. The characteristics and topography of the site was shown; what trees were there currently; which ones would be felled and those retained; and what provision there would be for replacement and replanting. The activities and operations in the Community were described in detail by officers, with the measures being beneficial in preventing conflicts between car users and students by moving as many staff cars as possible away from the informal parking areas and out of the student accessible areas.

A previous application had been refused on the grounds that no very special circumstances had been set out to justify a use of land in the way it was being proposed, which would result in inappropriate development causing detriment to the openness of the Green Belt and the proposed car park would damage the generally rural character of this countryside area, as well as being detrimental to what trees were there – these being subject to a Tree Preservation Order - and how their integrity would be compromised.

The amended proposals still represented inappropriate development in, and was harmful to the Green Belt, by definition. However, the current application included planting of additional trees, the landscape management proposals, and reduction in the number of car parking spaces which would be clearly

delineated and made readily accessible to the needs of drivers. In addition a more regulated and rationalised management of the parking arrangements would address previous concerns, with the benefits to the wellbeing of the pupils of the facility from reducing the number of vehicles moving within the main campus. These factors, together with the national significance of the Sheiling Community's Special Educational Needs work, represented the very special circumstances that would outweigh the harm to the Green Belt.

On that basis and this being seen as acceptable, officers were now recommending that this application be approved.

Formal consultation had generated a sustained objection from Dorset Council's Tree Officer at the loss of trees, whilst St Leonards & St Ives Parish Council raised no objection based on the need for the proposals and mitigation measures in place.

The Committee heard from Corine Van Barneveld, Principal at The Sheiling Community, who impressed the need for better regulated car parking arrangements to benefit the wellbeing of their vulnerable students and for the improved safety and management of the campus.

One of the two local members, Councillor Barry Goringe, wholeheartedly supported the application, particularly given the mitigation of extensive tree planting.

The opportunity was given for members to ask questions of the presentation and what they had heard, and it was confirmed that the species of trees to be replanted would be conducive to those being replaced and in being suitable for a heathland setting. Although there was no intention to double the number of trees being replaced, officers confirmed that the replanting would increase the number of trees overall and would ensure these would be species, and of a maturity, to be sympathetic to the landscape.

Moreover as there was a need to ensure the protection of nesting birds, any felling would have to comply with regulations on that. How felling and planting would be phased so as to ensure tree coverage was maintained as far as practicable should also be a consideration. Officers confirmed that conditions could be fortified so as to determine the timeframes for what was planted and when and when felling should take place, with the applicant being asked to provide details of this for approval.

Concerns raised over unnecessary light pollution in such a rural setting were allayed by officers in that, whilst lighting of the car park would be necessary, this would be achieved by sympathetic means, being modest and kept to a minimum and could be motion activated if necessary.

The Committee understood the need for the Sheiling Community to address the parking arrangements so that the relationship between vehicles and student accessible areas could benefit from improved management and that what was being proposed would go a considerable way to achieving this. The benefits of this would be:-

- of considerable importance to the functioning of the Sheiling Community's Special Educational Needs work as a valuable contribution to the care and education of children and young adults with special educational needs;
- the provision of a substantial amount of new tree planting throughout the Community campus and also on the application site; and
- the removal of existing parking spaces on the campus

all of which was seen to be very special circumstances outweighing the harm arising from the inappropriateness of the development in the Green Belt and the loss of Green Belt openness and the loss of TPO trees.

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 and taking into account lighting need; species of tree planted; sequencing of tree planting and felling; and the timeframe for this to ensure the bird nesting season was not affected.

### **Resolved**

That planning permission be granted for application 3/18/2612 subject to the condition set out in paragraph 12 of the report and the amendments agreed by members to these, namely:-

7. Prior to the first use of the car park hereby approved, or in accordance with a timetable to be agreed by the Local Planning Authority, the trees specified and located on Cambium Drawing No.1309-03: Site wide tree planting proposals shall be planted in accordance with the details and specifications set out in this drawing (and planted at the maximum size specified) in the first planting season following the first use of the car park. Thereafter the planted trees shall be retained for a period of 5 years during which if any trees are found to be dying or are damaged, they shall be replaced on a like for like basis, unless agreed in writing by the Local Planning Authority.

Reason: To compensate for the loss of trees arising from the proposal and to enhance biodiversity at the site and campus in general.

8. Prior to the first use of the car park hereby approved, details of the height of the replacement trees to be planted on the application site as shown on Cambium Drawing No.1309-01 Rev E: Landscape Proposals shall be submitted to and approved by the Local Planning Authority. These trees shall be planted at the maximum size specified (i.e. 12cm in girth. Following approval, the new trees shall be planted before the end of the planting season following completion of the

development, or in accordance with a timetable to be agreed in writing by the Local Planning Authority. Any trees that are removed, die or become, in the opinion of the Local Planning Authority seriously damaged or defective within five years of planting shall be replaced with specimens of similar size and species as originally planted.

Reason: To safeguard the amenities of the area and ensure the enhancement of the development by the replacement of trees lost to the development

9. Prior to the installation of the external lighting for the proposed car park, details of its specification and times for illumination shall be submitted to and approved in writing by the Local Planning Authority, and low light emission motion detecting lighting shall be incorporated. Thereafter the lighting shall be installed, illuminated and maintained in accordance with the approved details unless agreed in writing by the Local Planning Authority.

Reason: To protect the Dark Skies characterising the AONB and to limit impact on biodiversity.

10. The development hereby permitted shall be carried out in accordance with the requirements of the Biodiversity Mitigation & Enhancement Plan dated 25/10/19 unless otherwise agreed in writing by the Local Planning Authority, and tree felling shall only take place between the end of August and the end of February which is outside the bird nesting season.

Reason: To protect and enhance biodiversity at the site.

Reason for Decision

The benefits to the wellbeing of the pupils of the facility from reducing the number of vehicles moving within the main campus; the national significance of the Sheiling Community's Special Educational Needs work, together with the planting of additional trees on the application site and campus represent the very special circumstances that would outweigh the harm to the Green Belt arising from the inappropriateness of the development, loss of Green Belt openness in the vicinity of the current car park and the loss of trees protected by a Tree Preservation Order.

**78. 3/19/2441/HOU - Development at 74 Amyesford Road, Ferndown**

The Committee considered an application 3/19/2441/HOU for development at 74 Amyesford Road Ferndown to raise the roof and ridge height of the property to create first floor, habitable accommodation with a dormer window to its south elevation and three roof lights to the south and north elevations. The application was designed to benefit what living space there was available to the occupants so as to enhance their quality of life and enjoyment of their home.

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 progressed; and what the benefits of the development entailed. Plans and photographs provided an illustration of the location, dimensions, elevations and design of the development; how the property would look and; the development's relationship with the characteristics of neighbouring properties; surrounding town development and landscape around Ameyford Road.

A previous application had been refused on the grounds of an excessive increase in height, bulk, design and scale of the development which and in being overbearing, given its close proximity to 30 Maple Drive and that the scale, design and visual impact would be out of keeping with the character and spatial quality of surrounding properties.

However, the amended scheme was seen to have addressed the concerns previously raised, by simplifying and reducing the amount of additional roof extension, so as to mitigate the visual impact of the development on the character and appearance of the area and on neighbouring properties. The amended design has considered the site location adjacent to other dwellings and to its position on a prominent corner in the street scene. The ridge length would be reduced, and the gables removed to give a simple, hipped sloping roof to the eastern facing elevation. The outward facing elevations were now to be simple roof slopes, with rooflights facing north, with the roof over the garage being simplified to retain the spaciousness between the site and 30 Maple Drive. The north facing dormer windows had been removed and replaced by three, high level roof lights, which had removed additional bulk and reduced the overall prominence of the roof form. Whilst there was a dormer window to the side roof slope serving the stairway and which was not characteristic of the area, the proposed dormer was not readily visible and, as such, would be acceptable.

Overall, the amended proposal was seen to have taken into consideration the planning inspector's comments in his previous refusal and being amended following pre-application consideration. For those reasons, it is considered that the proposed amendments had overcome the previous reasons for refusal. As such, it was considered that, on balance, the proposal would be compatible with its surroundings in respect of its scale, height, design, materials and visual impact and, on that basis, was seen as acceptable, with officers now recommending that this application be approved.

Formal consultation had generated objections from a number of local residents that the development would be out of keeping with the characteristics of the area. Ferndown Town Council had objected on the grounds that the resultant height, bulk and mass of the proposed alterations were unacceptable and that there would be an adverse effect on neighbour amenity due to potential overlooking and loss of privacy and did not sufficiently address objections to the previous application. Moreover, the Town Council asked that, should the application be granted, the access needs of a neighbouring family to address their disability requirements should be taken into account. In particular how the construction traffic could be effectively managed was of concern.

The attention of the Committee was drawn to the views of one of the two local Ward members for Ferndown North, Councillor Mike Parkes, who considered that the application should be refused on the grounds that it's scale, height, bulk, design and visual impact would be out of keeping with the character and spatial quality of surrounding properties.

The Committee heard from John Baylem who expressed his concern at the application in being out of character, with other properties in the area being bungalows and this ostensibly now becoming a house. It remained overbearing and too close in proximity to the neighbouring property in his view and would be prominent in its excessive bulk and height.

Wayne Barrabell, the agent, confirmed that the issues raised in the Inspector's refusal had now been satisfactorily addressed by the reductions being made and the roof lights replacing the dormers, making the development less dominant. There was now no opportunity for neighbouring properties to be overlooked and how the development would look took into account the character of the area, being sympathetic to this. He considered that there would be negligible effect to the majority of those objecting and, given all this, asked the Committee to support the application.

The opportunity was given for members to ask questions of the presentation and on what they had heard. Officers confirmed that the revised application satisfactorily addressed the issues of the development being overbearing with its prominence in the community being considerably reduces by the measures being proposed.

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 entailed.

The Committee were satisfied that the revised scheme now addressed much of the concerns raised by the Inspector in his refusal of the previous application, given that the proposals had now been simplified and reduced, so that concerns about the bulk and prominence of the development were addressed, mitigating the visual impact of the development. Members were reassured to see that the amendments had been made in consultation with the planning officer's advice to ensure this was the case. Members considered it beneficial that this development would provide the opportunity for a younger family to be able to remain living locally and was seen to be acceptable and of merit. However, members did ask that the concerns raised over r accessibility being maintained during the construction period be given due consideration and that Condition 5 should take this into account accordingly.

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 and taking into account the issue of accessibility being maintained as mentioned by the Town Council.

### **Resolved**

That planning permission be granted for application 3/19/2441 subject to the conditions set out in paragraph 12 of the report

### **Reason for Decision**

The property is located within the urban area of Ferndown, where extensions to the dwellings are supported in principle, subject to other material planning considerations being complied with.

### **79. 3/19/1365 - Development on land north of Casa Vehla, Ringwood Road, Three Legged Cross**

The Committee considered application 3/19/1365/FUL for the erection of 14 commercial units for B1(b), B1(c) and B8 use, together with access and associated parking at land north of Casa Velha, Ringwood Road, Three Legged Cross to provide capacity for light industrial and storage businesses to complement the principle of new employment development to meet economic need.

Whilst the application site had not been allocated for employment development in the Christchurch and East Dorset Local Plan Part 1 – Core Strategy, it was located within the urban area of Three Legged Cross and, as such, the principle of new employment development was generally acceptable subject to compliance with other relevant planning policy.

With the aid of a visual presentation and having regard to the provisions of the Update Sheet, officers explained what the main proposals and planning issues of the development were; how these were to be progressed; and what the benefits of the development entailed. Plans and photographs provided an illustration of the location, dimensions, configuration and design of the development, with the presentation also confirming what the highways and access arrangements being proposed would be – in sharing the access with the Oakdene Nursing Home; what the landscaping and tree retention arrangements would be; how the units would look and their setting within that part of Three Legged Cross; and showed the development's relationship with Oakdene Nursing Home, together with the characteristics of the surrounding area.

In response to consultee comments and officer concerns, an amended application was submitted - which members were now being asked to consider - proposed that:

- units be moved further away from Ringwood Road to allow existing vegetation to be retained and additional landscaping added,
- units be moved away from the southern boundary, with additional landscaping added,
- unit layout be revised and reconfigured and allow for the above changes,

- units fronting Ringwood Road to be reduced from 5 to 4 units and divided into one, separate larger unit and a block of 3, to improve management of the site,
- eaves height of units to the south be reduced to the rear, to reduce bulk and  
impact on neighbouring amenity,
- additional landscaping be provided to the western boundary.

Given these revisions, it was considered that, on balance, the proposal was now acceptable and officers were now recommending that this application be approved.

Formal consultation had generated objections from a number of local residents and the East Dorset Environmental Partnership (EDEP) concerned that the development would be out of keeping with the characteristics of the area; did not comply with the fundamental principles of the Core Strategy and prove to be a nuisance and cause a disturbance to neighbouring residential property and the adjacent Oakdene Nursing Home. Verwood Town Council objected on the grounds that the proposals were contrary to Policy HE2 of the Christchurch and East Dorset Core Strategy (Part 1) 2014 in terms of layout; its site coverage having a detrimental impact on the residents of the adjacent nursing home, architectural style, scale, bulk, materials, landscaping, visual impact and relationship to nearby properties including minimising general disturbance to amenity. They echoed the views of the EDEP.

The Committee then heard from the public speaker and one of the two local members. Giles Moir, the agent, supported the application, considering that there was a demand for such employment units, with evidence of the need for them. The configuration of the development and what landscaping was being proposed was considered to be acceptable, particularly with there being additional tree planting. Nuisance or disturbance would not be an issue in his view and there were sufficient access arrangements, with the increase job opportunities this development would bring being beneficial to the local economy.

Councillor David Shortell - one of the two local members for West Moors and Three Legged Cross, and speaking on behalf of the other, Councillor Mike Dyer, too - objected to what was being proposed, considering that the development was not in keeping with or conducive to the characteristics of the area and would have a negative impact on neighbouring properties, with the activities which would take place on site – especially at night time - having an adverse effect on amenity and cause nuisance and disturbance to the tranquillity of Oakdeane Nursing Home and its residents. He also considered the access arrangements to be unacceptable. On that basis, he asked the Committee to refuse the application.

The opportunity was given for members to ask questions of the presentation and on what they had heard. Officers confirmed that the revised application satisfactorily addressed what material planning considerations there were and

would benefit what capacity there was for new employment development to meet economic need.

Some members considered this to not be the case and agreed with the Town Council and the local members' view that the development was not in keeping with the characteristics of the area; would indeed have a negative impact on neighbouring properties, with its activities undoubtedly having an adverse effect on amenity and potentially causing nuisance and disturbance to the nursing home. Concerns were raised over whether parking arrangements would be adequate and how practical the shared access would be.

Other Committee members considered the proposals to be acceptable and beneficial, as there was evidence of demand for such units and their need. It would also provide the opportunity for local employment and economic growth. Such mixed development, which was an acceptable feature of other towns like Verwood, reduced the need for excess travel and provided the scope for local employment. Although the access was to be shared, this was considered to be an adequate arrangement given the traffic movements anticipated. Those members considered that conditions and monitoring would address any concerns about nuisance or disturbance to residents if Oakdene Nursing Home, given the proposed use. The units were only to be used for light industry and storage, attracting businesses in those sectors. Moreover, there would be sufficient screening around the development to mitigate this. However, in recognising that some members had reservations about the effect this development could have on the nursing home, it was proposed, and agreed, that Condition 18 of any grant of permission should be amended to prevent operations, including deliveries, on Sundays and bank holidays. In doing so, the Committee considered that how this was managed in practice should be pragmatic.

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 entailed. Members considered it beneficial that this development would provide the opportunity for economic growth, reduce the need for excess travel and provide the scope for local employment. 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 - including the amendment of Condition 18 to prohibit operations, including deliveries, on Sundays and bank holidays - and having regard to the provisions of the Update Sheet.

### **Resolved**

That planning permission be granted for application 3/19/2441 subject to the conditions set out in paragraph 12 of the report - including the amendment of Condition 18 to read "The development hereby approved shall only be in operation during the hours 07:00 to 21:00 Mondays to Saturdays, with no operations on Sundays or public holidays, including deliveries to site.

Reason: to protect the amenities of nearby residential properties"

- and having regard to the provisions of the Update Sheet.

Reason for Decision

The proposed is located within the urban area of Three Legged Cross, where the principle of new employment development was generally acceptable to meet economic need.

80. **Urgent items**

There were no urgent items for consideration at the meeting.

81. **Update Sheet**

**Update Sheet**

<b>Application Ref.</b>	<b>Address</b>	<b>Agenda ref.</b>	<b>Page no.</b>
6/2019/0585	Former Royal British Legion Club, Lytchett Matravers	Item 5	9
Update(s):  Due to the imminent publication of the Inspectors letter on the Emerging Purbeck Local Plan, it has been decided to defer this application to the 2 April 2020 Eastern Area Planning Committee.  <b>ITEM DEFERRED</b>			

<b>Application Ref.</b>	<b>Address</b>	<b>Agenda ref.</b>	<b>Page no.</b>
3/19/1365/FUL	Land North of Casa Velha, Ringwood Road, Three Legged Cross, Wimborne, Dorset, BH21 6RB	Item 8	67
Update(s): <ul style="list-style-type: none"> <li>• Section of 11, 'Climate Implications', of the officer's report has been amended to:               <ul style="list-style-type: none"> <li>11.1 <i>It is acknowledged the proposed, by it's nature will increase traffic movements to the site which will result in vehicle emissions. However, there is a bus stop outside the site and cycle parking has been provided, which provides alternative modes of transport for employees.</i></li> <li>11.2 <i>An additional 26 trees will be added, which will have a positive impact in relation to climate implications.</i></li> </ul> </li> <li>• Agent has advised proposed materials will be horizontal cedar or larch cladding to first floor, aluminium profile sheet to ground floor, aluminium glazing</li> </ul>			

frames and rainwater goods

**Duration of meeting:** 10.00 am - 12.30 pm

**Chairman**

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