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DORSET COUNCIL - EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 1 JULY 2020

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

Ward Members present:

Minute 109

Cllrs Bill Pipe and Andrew Starr

Minute 111

Cllr Simon Gibson

Officers present: Kim Cowell (Team Leader –Development Management), Andrew Collins (Principal Planning Officer), Liz Adams (Principal Planning Officer), Naomi Shinkins (Planning Officer), Colin Graham (Engineer), Chelsey Golledge (Technical Support Officer), Steve Savage (Transport Development Liaison Manager), (Phil Crowther (Senior Solicitor) Lindsey Watson (Senior Democratic Services Officer) and David Northover (Democratic Services Officer).

Representations/Statements

Minute 109

John Stagg, Barrie Robinson, Adrienne King, Pauline Turner, John Westacott, Craig Parsons, Peter Smith, Julie O'Donnell, Alan Meggs, Adrian Hearn, Stephen Cope, James Boyt, Tina Buchanan, Helen Tucker, Neil Legg, Sheelagh Birks, Gillian Haberfield, Gill Diaper, Shirley Nebel, Tom Pickford, Jane Chadwick, Trudy Hicken, Paul Thompson, Michael Colegate, Ian Swinden, Bob Sprack, Bill Saxby, Malcolm Bradshaw, Barbara England, Marcelle King, Julie Almond, Liz Vigor, Leah Harley, Darren King, Alan Williams – Planning Potential (for applicant).

Minute 111

Martin Summers, Daryl Howells – Pure Town Planning

104. Introduction by the Chairman

Given that the meeting was being held as a MS Team Live Event virtual meeting owing to the need to do so during the coronavirus/Covid -19 pandemic, the Chairman took the opportunity to explain how the meeting would take place, the way this would be done and the reason for this. She explained the protocols and processes to be followed and that doing so gave the Council the ability to continue to fulfil its obligation of delivering the planning function and determining applications.

She also took the opportunity to inform the meeting about the sad news of the loss of planning officer Tony Bird since the last meeting, and on behalf of the Committee asked that condolences be passed on to his family and colleagues.

105. **Apologies**

No apologies for absence were received at the meeting.

106. **Declarations of Interest**

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

107. **Minutes**

The minutes of the meeting held on 3 June 2020 were confirmed and would be signed when the opportunity arose.

108. **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.

109. **6/2019/0443 - Demolition of existing buildings, and the erection of a Class A1 discount foodstore with associated works at site of Upton Oil Co Ltd, Blandford Road North, Upton**

The Committee considered an application - 6/2019/0443 – by ALDI Stores Ltd, for a proposal to erect a discount supermarket (A1 use class), with 1802 square metres of gross floor space, of which 1315 square metres would be used as the retail area and the rest of the space used for storage and staff facilities, with a bay for unloading deliveries being constructed on the north eastern elevation, recessed into the ground, with the lowest point being situated approximately 1.2m below the finished floor level of the rest of the store.

The proposal included the formation of a new car park, which would provide for 132 car parking spaces, two of which would provide an electrical charging point, with 8 being designated as parking spaces for parents with young children. The car park would also provide 4 parking spaces for disabled users and 10 spaces for bicycles. The proposal also included a planting and landscaping scheme for the car park.

A new access was also proposed as part of the development. A totem sign was to be the subject of the advertisement of a separate advertisement consent should the application be approved.

To complement the development, an agreement would need to be met to monitor the use of the uncontrolled pedestrian crossing adjacent to the store on Blandford Road North (B3068). If it was established over a five-year period that there was sufficient pedestrian use of the crossing, an agreement would be put in place for the applicant to upgrade the crossing to a traffic light controlled crossing. This would be achieved by means of a Section 106 agreement.

As to the relevant planning history of the site, the land had been used as an oil depot and garage for a number of years, but had been derelict for some time over the recent past, so the development was seen to be a means of making use of this brownfield site and going some way to providing for the retail need in Upton which had been identified.

With the aid of a visual presentation, officers provided context of what the main proposals, principles and planning issues of the development were; how this were to be progressed; how the development would address retail need in that part of the county; and what this entailed. The presentation focused on not only what the development entailed and its detailed design, but what effect it would have on residential amenity, Upton town centre and the character the area. Officers were obliged to consider whether there were any alternative, suitable sites and whether the development would be harmful to the viability of Upton town centre. Analysis of evidence had indicated that, in both cases, it was their view that this would not be the case. If the proposal had been considered to be harmful to the viability and vitality of Upton, the generation of 30 full time jobs would not be considered to carry significant weight to overcome the harm that would be caused. As the proposal was considered not to be harmful to the viability and vitality of Upton town centre, this was one of the reasons for what was being recommended. Overall, the modest economic benefits were seen to be acceptable and should be seen to be beneficial in contributing to economic growth in that part of Dorset in particular and the county in general. Moreover, this was the only discount store that was planned to serve the Purbeck area as, currently, the nearest such alternative was to be found in Poole.

Plans and photographs provided an illustration of the location, orientation, dimensions – form, bulk, size and mass - and appearance of the development; how it would look – with contextual elevations / visualisation and floorplans being provided for this purpose; the materials to be used; the layout of the car park and where trolley parks would be located; access and highway considerations; the means of landscaping; where any pedestrian access would be situated; where the road crossing point would be located; and its setting within the Upton and the characteristics of that part of the town. Deliveries would be unloaded below ground level, in a recessed bay, to ensure that any external noise would be limited.

There was seen to be some scope for a pedestrian link from the east, direct from the housing estate on the northern side of Blandford Road North to the

store, rather than it being necessary to circumnavigate the perimeter, but no progress had been made on any solution to this with the Town Council - as third party owners of the land - and whilst it might well be seen as a desired line, it was not critical to the merits of the application, given that there were acceptable alternative means of access.

Officers showed the development's relationship with the neighbouring residential estates and how that access to the store might be achieved. Views into the site and around it were shown, which provided a satisfactory understanding of all that was necessary.

Officers considered that the proposed development would provide a clear economic benefit to Upton and surrounding areas. The development would generate 30 full time equivalent jobs in the store. This was considered to be a positive benefit to the area.

Given all this, officers considered that all material planning considerations had been addressed and were acceptable, with the development making best use of previously developed land and would result in a positive contribution to townscape. As such, members were now being asked to agree to what was being recommended.

Formal consultation had resulted in Lytchett Minster and Upton Town Council not objecting to, and accepting, the principle of the development but, amongst some other practical suggestions, asked that vegetation be managed to improve sightlines so as to improve what was being proposed. Similarly, Natural England and the Environment Agency both raised no objection, in principle.

Dorset Council Highways Team had no objections, subject to the provision of an uncontrolled pedestrian crossing and bus shelters, a layby and a right turn lane being required. There were 372 third party representations received, with 24 objecting to the proposal - including one representing Lidl – and 310 in support.

The Committee were notified of those written submissions received and officers read these direct to the Committee - being appended to these minutes. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that, where applicable, each one could be addressed by the provisions of the application.

The Committee were joined by local Ward Councillors Bill Pipe and Andrew Starr. Councillor Pipe welcomed what he considered to be a much needed development to serve the needs of the local population with any effect on local established convenience stores being minimal. This store would offer the opportunity for residents to be able to do a weekly sized shop in close proximity to their homes. He was also supportive of the benefits for employment and the economy.

Councillor Andrew Starr similarly supported this development for the same reasons but asked that the vegetation be managed to improve sight lines, the

pedestrian access be made more user friendly and felt that it was necessary to have a fully functioning light controlled crossing available from the outset given the demographic profile of those shoppers anticipated and their need for this facility.

The opportunity was given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Particular reference was made to the appearance of the store; access arrangements; traffic management and speed limit provision; how parking spaces were to be determined and their layout; and what the requirement there was for the introduction of a controlled pedestrian crossing. They asked officers to consider the application of a barrier at the entrance to the car park to restrict use of the site outside store operating hours and so as to deter such use.

Officers addressed the questions raised providing what they considered to be satisfactory answers. As well as clarifying aspects of the development of the store itself, in particular the Highways Advisor explained how the access arrangements were designed to operate and the safety issues that had been addressed in doing this. He was of the view that the quality of the proposed pedestrian access around the perimeter of the site could be improved so that it was of a suitable standard to all users. Any direct access - as had been suggested from the north eastern direction - was not able to be addressed by this application given the current ownership issues, but could be addressed - should any future negotiations be necessary - through a separate application.

Moreover, in particular, officers clarified that there was a need for evidence of use to be gathered and analysed before consideration could be given and it determined to whether a light controlled crossing was justified or whether the pedestrian refuge which currently existed would suffice and that this evidence could only come after the store had opened and was being used. Members were assured that the s106 agreement provided for a commitment from Aldi to apply those enhanced measures if necessary.

Officers considered that the request for a barrier was acceptable and could be accommodated – by condition - to address any potential unauthorised activity in addressing those concerns Members raised.

Whilst some members maintained their reservations at what access arrangements were being proposed and how, seemingly, these could not necessarily be enhanced as they would have liked, the general view was that the development was acceptable and would contribute quite significantly to both employment opportunities and economic growth in the area and would be an asset in meeting local retail needs.

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 presentation, the written representations; and what they had heard at the meeting, and having received satisfactory answers to questions raised, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this and, on

that basis - and being proposed by Councillor Robin Cook and seconded by Councillor Shane Bartlett - on being put to the vote, the Committee unanimously agreed that the application should be approved, subject to the conditions set out

in paragraph 17 of the report; and taking into account the addition of a condition to provide for a vehicle height barrier upon entry to the site; and the application of a s106 agreement for the provision of a controlled pedestrian crossing, as necessary.

Resolved

That the **grant** of planning permission, in respect of application 6/2019/0443, **be delegated to the Head of Planning**, subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), in a form to be agreed by the Legal Services Manager to secure the following:-

- a monitoring agreement requiring at least annual surveys for the first five years after the store has opened to establish whether the pedestrian crossing will need to be upgraded to a signal controlled crossing.

and subject to the conditions contained in paragraph 17 of the report with **an additional condition** in respect of:-

- details of a vehicle barrier to be installed at the entrance must be submitted to the Local Planning Authority prior to the store opening to the public. The barrier must be installed before the store is opened to the public and permanently retained in accordance with the details. The barrier must be closed when the store is not open to members of the public.

Reason: In the interests of security and anti-social behaviour.

and the inclusion of the **Informative Note** - The applicant should carefully consider the management of deliveries on the site.

Reasons for Decision

Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise

- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application
- The proposal is not considered to harm the viability or vitality of either Upton or Poole Town Centres.

110. **6/2020/0167 - Alterations to field gate and creation of pedestrian gate at St Georges Primary School, 76 High Street, Langton Matravers**

The Committee considered an application - 6/2020/0167 - for the alterations to field gate and creation of pedestrian gate at St Georges Primary School, 76 High Street, Langton Matravers so as to improve the safety of access to the playing field by providing a separate pedestrian access from the vehicular one, being recognised as an asset of community value. The application was being considered by the Committee as it was a Dorset Council application.

With the aid of a visual presentation, officers explained what the reason for the alteration was; how it would look and what this entailed. Plans and photographs provided an illustration of the location and appearance of what was being proposed and why it was necessary on safety grounds. As the site was in the Langton Matravers Conservation Area the preservation of its significance was essential and the proposal would provide for this by the means and materials to be used, without harm to the surrounding wider landscape or residential amenity. As such, officers were recommending approval.

The local Ward member, Councillor Cherry Brooks, was supportive of the application, considering it to be necessary on safety grounds and would enhance the accessibility of the school. Langton Matravers Parish Council and Dorset Highways supported the application too.

The opportunity was given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Officers addressed the questions raised providing what they considered to be satisfactory answers.

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 presentation; and what they had heard at the meeting, and having received satisfactory answers to questions raised, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this and, on that basis - and being proposed by Councillor Shane Bartlett and seconded by Councillor Toni Coombs - on being put to the vote, the Committee unanimously agreed that the application should be approved, subject to the conditions set out in paragraph 17 of the report.

Resolved

That planning permission be granted subject to the conditions in paragraph 17 of the officer's report.

Reasons for Decision

The principle of the development was acceptable and it will improve and allow safe access between the school and the playing field and for the whole community.

- The proposal is acceptable in its layout, appearance and general visual impact.
- The character and appearance of the Langton Matravers Conservation Area will be preserved.
- The natural beauty of the Dorset Area of Outstanding Natural Beauty and the special character of the Purbeck Heritage Coast will not be harmed.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

111. 3/19/2271 - Demolish the existing buildings and erect a dementia care home with new vehicular access and parking provision at 5 - 7A Edmondsham Road, Verwood

The Committee considered application 3/19/2271 to demolish the existing buildings and erect a dementia care home with new vehicular access and parking provision at 5 - 7A Edmondsham Road, Verwood. The Committee were informed that two previous applications had been refused and modifications had been made to address the reasons for refusal in this application.

With the aid of a visual presentation, officers explained what the main proposals, principles and planning issues of the development were; how these were to be progressed; how the development would contribute to meeting care needs; and what this entailed.

Plans and photographs provided an illustration of the location, dimensions – form, bulk, size and mass - and appearance of the development, along with its ground floor plans and internal design; how it would look; the materials to be used; what landscaping there would be; its relationship with the highway network; the characteristics of the site; access arrangements and its relationship with the local highway network; its relationship with other adjacent residential development and the variety of dwellings therein; what local amenity there was and; its setting within Verwood. The comparative distance to Verwood Heath – some 400 metres - was mentioned. Views into the site and around it were shown, which provided a satisfactory understanding of what the application entailed. The security of the site and how this could be assured was explained to Members.

The Committee's attention was drawn in particular to the staff car parking stacking system that was to be implemented and how this would operate in

practice; its appearance; what safety measures it had; and why it was necessary. Officers took the opportunity to describe this feature in some considerable detail as it might well be unfamiliar to some members and so that they had a clear understanding of what this entitled and why it was necessary. The safety features associated with the system and the limited times when it would be necessary to be operated were also described, only being installed to manufacturer's specification and being fob operated.

Other material considerations of merit were the contributions to be secured through Community Infrastructure Levy of some £74605 (approx.) and the opportunity for employment gains with the creation of 20 jobs.

The officer's recommendation was for permission to be granted on the basis that the modifications made in this application to address the reasons for previous refusals were considered to now be satisfactory and acceptable, in that:-

- the proposed basement amenity space had been removed
- the bedrooms in the basement had been removed and the number of bedrooms reduced from 38 to 29
- hard landscaping had been reduced
- parking had been reconfigured as per the amended hard landscaping
- the two storey element to the north had been further set back away from the neighbouring property
- flood and drainage information had been revised
- a signed Biodiversity Mitigation and Enhancement Plan (BMEP) had been updated

The officer then provided the following updates to the published report in her presentation:-

Condition 1 - added as underlined:

(a) Before any development is commenced details of all 'Reserved Matters', that is the following matters in respect of which details have not been given in the application and which relate to the landscaping (including boundary treatment details) shall be submitted to and approved in writing by the Local Planning Authority.

(b) An application for approval of any 'Reserved Matters' must be made not later than the expiration of three years beginning with the date of this permission.

(c) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: (a) This condition is required to be imposed by the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015: (1) of the (b) and (c) These conditions are required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 2 – amended as underlined:

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

*J18067 001 Rev F Proposed Basement Floor Plan
J18067 002 Rev N Proposed Ground Floor Plan
J18067 003 Rev M Proposed First Floor Plan
J18067 004 Rev L Proposed Second Floor Plan
J18067 005 Rev G Proposed Front Elevation
J18067 006 Rev F Proposed Rear Elevation
J18067 007 Rev F Proposed Side Elevation
J18067 008 Rev F Proposed Side Elevation
J18067 009 Rev G Proposed Street Elevation
J18067 010 Rev G Section AA
J18067 011 Rev E Section BB
J18067 012 Rev L Block and Location Plan
J18067 013 Rev E Bin Store Details*

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

Condition 16 – added as underlined:

Prior to the commencement of the development of the care home, hereby permitted, a noise assessment for any external plant/condensers shall be conducted in accordance with BS4142:2014 for all plant including fans associated with the extract system, refrigeration condensers, air conditioning units, 9 car stacking system and any other plant likely to be audible at neighbouring premises from the care home. The assessment shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme (together with any required measures) shall be installed to the agreed specification prior to the first use, and maintained and operated in that condition thereafter.

Reason: to protect neighbouring amenity of adjoining neighbouring properties

Condition 18 – duplicated materials condition deleted and replaced with:

The 9 car stacking system here by approved as identified on drawing J18067-012 L shall only be used by staff employed on the premises and remain in the closed position at all times except for the purpose of loading and unloading vehicles.

Reason: to protect the amenity of future occupants.

On the basis of these modifications – particularly that its mass had been sympathetically modified, so that its roofline was now tiered, rising gradually, from 1 storey to 3, away from the nearest property - and taking into account

the merits of the application, officers were now recommending approval of the application.

Formal consultation had generated an objection from Verwood Town Council on the grounds of form; appearance and traffic generation, with 66 representations being received objecting to the proposal on the grounds of incongruous design; the impact on the character of neighbouring amenity; adverse effect on trees, Verwood Heath and the highway network and; the disruption from its construction.

The Committee were then notified of those written submissions received and officers read these direct to the Committee - being appended to these minutes. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that each one could be addressed by the provisions of the application and the assessments made.

One of the three local ward members - Councillor Simon Gibson - was given the opportunity to speak, in considering that the development still did not adequately or fundamentally address the reasons for previous refusals and concerns remained, as they did for the Town Council. The scale of the development was inappropriate for such a constrained site and how the staff parking was to be accommodated was unacceptable on local amenity. Among his other concerns was the internal layout, that the staff rest room was now proposed for the basement and that residential amenity would be compromised by the activities proposed externally. In supporting those neighbours who had objected, he asked the Committee to refuse the application.

The opportunity was given for members, to ask questions of the presentation and what they had heard, in seeking clarification of room sizes, design and the internal arrangements and layout; the need for the facility; the security of the site and the necessity for the car stacking system.

Officers addressed the questions raised, providing what they considered to be satisfactory answers based on the assessments made, the material planning considerations applicable and for the reasons set out in their report and presentation.

Officers reiterated that to accommodate staff parking on the site the car stacking system was a tried and tested means of doing this successfully and in a managed way. Whilst this system might well be unfamiliar in parts of rural Dorset, such parking was commonplace in more urban areas throughout the country as a satisfactory solution in meeting a typical challenge.

Much was made of what evidence there was for the need for the facility and its proposed internal layout with officers confirming that whilst the Dorset Social Care Team had some reservations that the internal design and arrangements did not appear to have regard to modern Dementia friendly design standard or that consideration did not appear to have been given to smaller household units within the home, this was not necessarily critical, given that the proposed design was of a satisfactory care standard and would

meet the needs of its residents quite acceptably. Despite some representations questioning the need for another care home, the Social Care team had identified there being a need in East Dorset for acute levels of dementia care to be met together with the principle for a contribution to be made to deliver such accommodation in urban areas in the local Plan to relieve such pressures on more environmentally sensitive areas.

As to the impact on the character of the area, officers considered this to be acceptable in that the design, appearance and bulk was acceptable and in keeping with the blend of styles in the area and that proximity to neighbouring properties had now been mitigated by the redesign to a tiered structure and in now being located some further distance away.

Traffic and highways issues were clarified by the Transport Liaison Development Manager including what traffic movements there currently were and what was anticipated to be generated by the home. How this would translate in additional traffic generation on the network was seen to be minimal and would have little effect on peak periods, as traffic flows were relatively low on Edmondsham Road. He was also confident that there would be no conflict with the finishing times of the nearby Trinity First School. However members were not convinced this would be the case as in their view, the peak times for both the home and the school appeared to coincide.

In response to what effect on the development could have on Verwood heath the limitations on any additional residential properties being built within 400 metres of the heath did not apply to a care home such as this given the nature of the activities taking place and what limited opportunities there might be in it being readily accessible to residents. Natural England had acknowledged as much and it was acceptable within the provisions of the Dorset Heathland Planning Framework.

One member mentioned what archaeological surveys had been done as part of the application with officers clarifying that what was necessary had been complied with in this regard; it being anticipated that there was no reason to believe that there was anything of significance on site which would constitute a material consideration.

However whilst accepting the clarifications made, Members remained somewhat unconvinced that what was being proposed would meet the need for which it was designed and were concerned that the site was too constrained to accommodate a development of the scale, bulk and form proposed and that the stacking parking system being proposed was testament to this and should not be necessary if the size of the site was adequate and fit for purpose. Although the case for the car stacking system had been adequately explained in detail by officers, Members still considered it to be undesirable – if not unacceptable – for this site and considered there to be a need to provide adequate, traditional on-site parking to ensure a satisfactory standard of residential amenity for residents. The density of the development was considered to be too restrictive and compromised what a care home should have to offer. It was acknowledged that the design of a development had an effect on well-being and it was their opinion that this proposal did

nothing to enhance that. Moreover, there was a need to accommodate the needs of those most vulnerable in society but felt that this would not be achieved by what was being proposed.

Furthermore, whilst a bedroom was no longer proposed for the basement, members felt that this was still not the place to site a staff rest room and what this had to offer. Other reservations members had were not necessarily material considerations and, therefore, a case could not be made to justify refusal on their basis.

As the Planning Authority, members said that the Council had an obligation to ensure development achieved good planning standards and design and met what was necessary and expected, in being wholly satisfied that those standards had been met. They considered that this was not the case for this development.

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 presentation; the written representations; and what they had heard at the meeting; and the views of Councillor Simon Gibson, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this. The Committee considered that, notwithstanding the assessments made by officers that the proposal should be granted permission, they could not agree to what was being recommended on the basis that the site was too constrained, with the internal arrangements not being of a satisfactory standard to meet the need of a modern care home and the parking proposed inadequate.

On that basis – and being proposed by Councillor Shane Bartlett and seconded by Councillor Alex Brenton - on being put to the vote, the Committee agreed, unanimously, that the application should be refused.

Resolved

That planning application 3/19/2271 be refused.

Reason for Decision

The site is too constrained to accommodate development of the scale, bulk and form proposed together with the need to provide adequate on-site parking and a satisfactory standard of residential amenity for residents. For these reasons the development is considered to constitute overdevelopment of the site contrary to Policy HE2 of Christchurch and East Dorset Core Strategy and paragraphs 122 (e) and 127 (f) of the NPPF 2019 that require a good standard of amenity for existing and future occupants.

112. **Urgent items**

There were no urgent items of business for consideration at the meeting.

113. **Summary of Statements of Representation**

Application 6/2019/0443

Objection - John Stagg

Support - Barrie Robinson, Adrienne King, Pauline Turner, John Westacott, Craig Parsons, Peter Smith, Julie O'Donnell, Alan Meggs, Adrian Hearn, Stephen Cope, James Boyt, Tina Buchanan, Helen Tucker, Neil Legg, Sheelagh Birks, Gillian Haberfield, Gill Diaper, Shirley Nebel, Tom Pickford, Jane Chadwick, Trudy Hicken, Paul Thompson, Michael Colegate, Ian Swinden, Bob Sprack, Bill Saxby, Malcolm Bradshaw, Barbara England, Marcelle King, Julie Almond, Liz Vigor, Leah Harley, Darren King, Alan Williams – Planning Potential (for applicant).

Application 3/19/2271

Objection – Martin Summers

Support – Daryl Howells – Pure Town Planning

104. **Introduction by the Chairman**

Given that the meeting was being held as a MS Team Live Event virtual meeting owing to the need to do so during the coronavirus/Covid -19 pandemic, the Chairman took the opportunity to explain how the meeting would take place, the way this would be done and the reason for this. She explained the protocols and processes to be followed and that doing so give

gave the Council the ability to continue to fulfil its obligation of delivering the planning function and determining applications.

She also took the opportunity to inform the meeting about the sad news of the loss of planning officer Tony Bird since the last meeting, and on behalf of the Committee asked that condolences be passed on to his family and colleagues.

105. **Apologies**

No apologies for absence were received at the meeting.

106. **Declarations of Interest**

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

107. **Minutes**

The minutes of the meeting held on 3 June 2020 were confirmed and would be signed when the opportunity arose.

108. **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.

109. **6/2019/0443 - Demolition of existing buildings, and the erection of a Class A1 discount foodstore with associated works at site of Upton Oil Co Ltd, Blandford Road North, Upton**

The Committee considered an application - 6/2019/0443 – by ALDI Stores Ltd, for a proposal to erect a discount supermarket (A1 use class), with 1802 square metres of gross floor space, of which 1315 square metres would be used as the retail area and the rest of the space used for storage and staff facilities, with a bay for unloading deliveries being constructed on the north eastern elevation, recessed into the ground, with the lowest point being situated approximately 1.2m below the finished floor level of the rest of the store.

The proposal included the formation of a new car park, which would provide for 132 car parking spaces, two of which would provide an electrical charging point, with 8 being designated as parking spaces for parents with young children. The car park would also provide 4 parking spaces for disabled users and 10 spaces for bicycles. The proposal also included a planting and landscaping scheme for the car park.

A new access was also proposed as part of the development. A totem sign was to be the subject of the advertisement of a separate advertisement consent should the application be approved.

To complement the development, an agreement would need to be met to monitor the use of the uncontrolled pedestrian crossing adjacent to the store on Blandford Road North (B3068). If it was established over a five-year period that there was sufficient pedestrian use of the crossing, an agreement would be put in place for the applicant to upgrade the crossing to a traffic light controlled crossing. This would be achieved by means of a Section 106 agreement.

As to the relevant planning history of the site, the land had been used as an oil depot and garage for a number of years, but had been derelict for some time over the recent past, so the development was seen to be a means of making use of this brownfield site and going some way to providing for the retail need in Upton which had been identified.

With the aid of a visual presentation, officers provided context of what the main proposals, principles and planning issues of the development were; how this were to be progressed; how the development would address retail need in that part of the county; and what this entailed. The presentation focused on not only what the development entailed and its detailed design, but what effect it would have on residential amenity, Upton town centre and the character the area. Officers were obliged to consider whether there were any alternative, suitable sites and whether the development would be harmful to the viability of Upton town centre. Analysis of evidence had indicated that, in both cases, it was their view that this would not be the case. If the proposal had been considered to be harmful to the viability and vitality of Upton, the generation of 30 full time jobs would not be considered to carry significant weight to overcome the harm that would be caused. As the proposal was considered not to be harmful to the viability and vitality of Upton town centre, this was one of the reasons for what was being recommended. Overall, the modest economic benefits were seen to be acceptable and should be seen to be beneficial in contributing to economic growth in that part of Dorset in particular and the county in general. Moreover, this was the only discount store that was planned to serve the Purbeck area as, currently, the nearest such alternative was to be found in Poole.

Plans and photographs provided an illustration of the location, orientation, dimensions – form, bulk, size and mass - and appearance of the development; how it would look – with contextual elevations / visualisation and floorplans being provided for this purpose; the materials to be used; the layout of the car park and where trolley parks would be located; access and highway considerations; the means of landscaping; where any pedestrian access would be situated; where the road crossing point would be located; and its setting within the Upton and the characteristics of that part of the town. Deliveries would be unloaded below ground level, in a recessed bay, to ensure that any external noise would be limited.

There was seen to be some scope for a pedestrian link from the east, direct from the housing estate on the northern side of Blandford Road North to the store, rather than it being necessary to circumnavigate the perimeter, but no progress had been made on any solution to this with the Town Council - as third party owners of the land - and whilst it might well be seen as a desired line, it was not critical to the merits of the application, given that there were acceptable alternative means of access.

Officers showed the development's relationship with the neighbouring residential estates and how that access to the store might be achieved. Views into the site and around it were shown, which provided a satisfactory understanding of all that was necessary.

Officers considered that the proposed development would provide a clear economic benefit to Upton and surrounding areas. The development would generate 30 full time equivalent jobs in the store. This was considered to be a positive benefit to the area.

Given all this, officers considered that all material planning considerations had been addressed and were acceptable, with the development making best use of previously developed land and would result in a positive contribution to townscape. As such, members were now being asked to agree to what was being recommended.

Formal consultation had resulted in Lytchett Minster and Upton Town Council not objecting to, and accepting, the principle of the development but, amongst some other practical suggestions, asked that vegetation be managed to improve sightlines so as to improve what was being proposed. Similarly, Natural England and the Environment Agency both raised no objection, in principle.

Dorset Council Highways Team had no objections, subject to the provision of an uncontrolled pedestrian crossing and bus shelters, a layby and a right turn lane being required. There were 372 third party representations received, with 24 objecting to the proposal - including one representing Lidl – and 310 in support.

The Committee were notified of those written submissions received and officers read these direct to the Committee - being appended to these minutes. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that, where applicable, each one could be addressed by the provisions of the application.

The Committee were joined by local Ward Councillors Bill Pipe and Andrew Starr. Councillor Pipe welcomed what he considered to be a much needed development to serve the needs of the local population with any effect on local established convenience stores being minimal. This store would offer the opportunity for residents to be able to do a weekly sized shop in close proximity to their homes. He was also supportive of the benefits for employment and the economy.

Councillor Andrew Starr similarly supported this development for the same reasons but asked that the vegetation be managed to improve sight lines, the pedestrian access be made more user friendly and felt that it was necessary to have a fully functioning light controlled crossing available from the outset given the demographic profile of those shoppers anticipated and their need for this facility.

The opportunity was given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Particular reference was made to the appearance of the store; access arrangements; traffic management and speed limit provision; how parking spaces were to be determined and their layout; and what the requirement there was for the introduction of a controlled pedestrian crossing. They asked officers to consider the application of a barrier at the entrance to the car park to restrict use of the site outside store operating hours and so as to deter such use.

Officers addressed the questions raised providing what they considered to be satisfactory answers. As well as clarifying aspects of the development of the store itself, in particular the Highways Advisor explained how the access arrangements were designed to operate and the safety issues that had been addressed in doing this. He was of the view that the quality of the proposed pedestrian access around the perimeter of the site could be improved so that it was of a suitable standard to all users. Any direct access - as had been suggested from the north eastern direction - was not able to be addressed by this application given the current ownership issues, but could be addressed - should any future negotiations be necessary - through a separate application.

Moreover, in particular, officers clarified that there was a need for evidence of use to be gathered and analysed before consideration could be given and it determined to whether a light controlled crossing was justified or whether the pedestrian refuge which currently existed would suffice and that this evidence could only come after the store had opened and was being used. Members were assured that the s106 agreement provided for a commitment from Aldi to apply those enhanced measures if necessary.

Officers considered that the request for a barrier was acceptable and could be accommodated – by condition - to address any potential unauthorised activity in addressing those concerns Members raised.

Whilst some members maintained their reservations at what access arrangements were being proposed and how, seemingly, these could not necessarily be enhanced as they would have liked, the general view was that the development was acceptable and would contribute quite significantly to both employment opportunities and economic growth in the area and would be an asset in meeting local retail needs.

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 presentation, the written representations; and what they had heard at the meeting, and having received satisfactory

answers to questions raised, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this and, on that basis - and being proposed by Councillor Robin Cook and seconded by Councillor Shane Bartlett - on being put to the vote, the Committee unanimously agreed that the application should be approved, subject to the conditions set out

in paragraph 17 of the report; and taking into account the addition of a condition to provide for a vehicle height barrier upon entry to the site; and the application of a s106 agreement for the provision of a controlled pedestrian crossing, as necessary.

Resolved

That the **grant** of planning permission, in respect of application 6/2019/0443, **be delegated to the Head of Planning**, subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), in a form to be agreed by the Legal Services Manager to secure the following:-

- a monitoring agreement requiring at least annual surveys for the first five years after the store has opened to establish whether the pedestrian crossing will need to be upgraded to a signal controlled crossing.

and subject to the conditions contained in paragraph 17 of the report with **an additional condition** in respect of:-

- details of a vehicle barrier to be installed at the entrance must be submitted to the Local Planning Authority prior to the store opening to the public. The barrier must be installed before the store is opened to the public and permanently retained in accordance with the details. The barrier must be closed when the store is not open to members of the public.

Reason: In the interests of security and anti-social behaviour.

and the inclusion of the **Informative Note** - The applicant should carefully consider the management of deliveries on the site.

Reasons for Decision

Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise

- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application
- The proposal is not considered to harm the viability or vitality of either Upton or Poole Town Centres.

110. **6/2020/0167 - Alterations to field gate and creation of pedestrian gate at St Georges Primary School, 76 High Street, Langton Matravers**

The Committee considered an application - 6/2020/0167 - for the alterations to field gate and creation of pedestrian gate at St Georges Primary School, 76 High Street, Langton Matravers so as to improve the safety of access to the playing field by providing a separate pedestrian access from the vehicular one, being recognised as an asset of community value. The application was being considered by the Committee as it was a Dorset Council application.

With the aid of a visual presentation, officers explained what the reason for the alteration was; how it would look and what this entailed. Plans and photographs provided an illustration of the location and appearance of what was being proposed and why it was necessary on safety grounds. As the site was in the Langton Matravers Conservation Area the preservation of its significance was essential and the proposal would provide for this by the means and materials to be used, without harm to the surrounding wider landscape or residential amenity. As such, officers were recommending approval.

The local Ward member, Councillor Cherry Brooks, was supportive of the application, considering it to be necessary on safety grounds and would enhance the accessibility of the school. Langton Matravers Parish Council and Dorset Highways supported the application too.

The opportunity was given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Officers addressed the questions raised providing what they considered to be satisfactory answers.

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 presentation; and what they had heard at the meeting, and having received satisfactory answers to questions raised, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this and, on that basis - and being proposed by Councillor Shane Bartlett and seconded by Councillor Toni Coombs - on being put to the vote, the Committee unanimously agreed that the application

should be approved, subject to the conditions set out in paragraph 17 of the report.

Resolved

That planning permission be granted subject to the conditions in paragraph 17 of the officer's report.

Reasons for Decision

The principle of the development was acceptable and it will improve and allow safe access between the school and the playing field and for the whole community.

- The proposal is acceptable in its layout, appearance and general visual impact.
- The character and appearance of the Langton Matravers Conservation Area will be preserved.
- The natural beauty of the Dorset Area of Outstanding Natural Beauty and the special character of the Purbeck Heritage Coast will not be harmed.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

111. 3/19/2271 - Demolish the existing buildings and erect a dementia care home with new vehicular access and parking provision at 5 - 7A Edmondsham Road, Verwood

The Committee considered application 3/19/2271 to demolish the existing buildings and erect a dementia care home with new vehicular access and parking provision at 5 - 7A Edmondsham Road, Verwood. The Committee were informed that two previous applications had been refused and modifications had been made to address the reasons for refusal in this application.

With the aid of a visual presentation, officers explained what the main proposals, principles and planning issues of the development were; how these were to be progressed; how the development would contribute to meeting care needs; and what this entailed.

Plans and photographs provided an illustration of the location, dimensions – form, bulk, size and mass - and appearance of the development, along with its ground floor plans and internal design; how it would look; the materials to be used; what landscaping there would be; its relationship with the highway network; the characteristics of the site; access arrangements and its relationship with the local highway network; its relationship with other adjacent residential development and the variety of dwellings therein; what local amenity there was and; its setting within Verwood. The comparative distance to Verwood Heath – some 400 metres - was mentioned. Views into the site and around it were shown, which provided a satisfactory understanding of what the application entailed. The security of the site and how this could be assured was explained to Members.

The Committee's attention was drawn in particular to the staff car parking stacking system that was to be implemented and how this would operate in practice; its appearance; what safety measures it had; and why it was necessary. Officers took the opportunity to describe this feature in some considerable detail as it might well be unfamiliar to some members and so that they had a clear understanding of what this entailed and why it was necessary. The safety features associated with the system and the limited times when it would be necessary to be operated were also described, only being installed to manufacturer's specification and being fob operated.

Other material considerations of merit were the contributions to be secured through Community Infrastructure Levy of some £74605 (approx.) and the opportunity for employment gains with the creation of 20 jobs.

The officer's recommendation was for permission to be granted on the basis that the modifications made in this application to address the reasons for previous refusals were considered to now be satisfactory and acceptable, in that:-

- the proposed basement amenity space had been removed
- the bedrooms in the basement had been removed and the number of bedrooms reduced from 38 to 29
- hard landscaping had been reduced
- parking had been reconfigured as per the amended hard landscaping
- the two storey element to the north had been further set back away from the neighbouring property
- flood and drainage information had been revised
- a signed Biodiversity Mitigation and Enhancement Plan (BMEP) had been updated

The officer then provided the following updates to the published report in her presentation:-

Condition 1 - added as underlined:

(a) Before any development is commenced details of all 'Reserved Matters', that is the following matters in respect of which details have not been given in the application and which relate to the landscaping (including boundary treatment details) shall be submitted to and approved in writing by the Local Planning Authority.

(b) An application for approval of any 'Reserved Matters' must be made not later than the expiration of three years beginning with the date of this permission.

(c) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: (a) This condition is required to be imposed by the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015: (1) of the (b) and (c) These

conditions are required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 2 – amended as underlined:

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

*J18067 001 Rev F Proposed Basement Floor Plan
J18067 002 Rev N Proposed Ground Floor Plan
J18067 003 Rev M Proposed First Floor Plan
J18067 004 Rev L Proposed Second Floor Plan
J18067 005 Rev G Proposed Front Elevation
J18067 006 Rev F Proposed Rear Elevation
J18067 007 Rev F Proposed Side Elevation
J18067 008 Rev F Proposed Side Elevation
J18067 009 Rev G Proposed Street Elevation
J18067 010 Rev G Section AA
J18067 011 Rev E Section BB
J18067 012 Rev L Block and Location Plan
J18067 013 Rev E Bin Store Details*

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

Condition 16 – added as underlined:

Prior to the commencement of the development of the care home, hereby permitted, a noise assessment for any external plant/condensers shall be conducted in accordance with BS4142:2014 for all plant including fans associated with the extract system, refrigeration condensers, air conditioning units, 9 car stacking system and any other plant likely to be audible at neighbouring premises from the care home. The assessment shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme (together with any required measures) shall be installed to the agreed specification prior to the first use, and maintained and operated in that condition thereafter.

Reason: to protect neighbouring amenity of adjoining neighbouring properties

Condition 18 – duplicated materials condition deleted and replaced with:

The 9 car stacking system here by approved as identified on drawing J18067-012 L shall only be used by staff employed on the premises and remain in the closed position at all times except for the purpose of loading and unloading vehicles.

Reason: to protect the amenity of future occupants.

On the basis of these modifications – particularly that its mass had been sympathetically modified, so that its roofline was now tiered, rising gradually, from 1 storey to 3, away from the nearest property - and taking into account the merits of the application, officers were now recommending approval of the application.

Formal consultation had generated an objection from Verwood Town Council on the grounds of form; appearance and traffic generation, with 66 representations being received objecting to the proposal on the grounds of incongruous design; the impact on the character of neighbouring amenity; adverse effect on trees, Verwood Heath and the highway network and; the disruption from its construction.

The Committee were then notified of those written submissions received and officers read these direct to the Committee - being appended to these minutes. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that each one could be addressed by the provisions of the application and the assessments made.

One of the three local ward members - Councillor Simon Gibson - was given the opportunity to speak, in considering that the development still did not adequately or fundamentally address the reasons for previous refusals and concerns remained, as they did for the Town Council. The scale of the development was inappropriate for such a constrained site and how the staff parking was to be accommodated was unacceptable on local amenity. Among his other concerns was the internal layout, that the staff rest room was now proposed for the basement and that residential amenity would be compromised by the activities proposed externally. In supporting those neighbours who had objected, he asked the Committee to refuse the application.

The opportunity was given for members, to ask questions of the presentation and what they had heard, in seeking clarification of room sizes, design and the internal arrangements and layout; the need for the facility; the security of the site and the necessity for the car stacking system.

Officers addressed the questions raised, providing what they considered to be satisfactory answers based on the assessments made, the material planning considerations applicable and for the reasons set out in their report and presentation.

Officers reiterated that to accommodate staff parking on the site the car stacking system was a tried and tested means of doing this successfully and in a managed way. Whilst this system might well be unfamiliar in parts of rural Dorset, such parking was commonplace in more urban areas throughout the country as a satisfactory solution in meeting a typical challenge.

Much was made of what evidence there was for the need for the facility and its proposed internal layout with officers confirming that whilst the Dorset Social Care Team had some reservations that the internal design and arrangements did not appear to have regard to modern Dementia friendly

design standard or that consideration did not appear to have been given to smaller household units within the home, this was not necessarily critical, given that the proposed design was of a satisfactory care standard and would meet the needs of its residents quite acceptably. Despite some representations questioning the need for another care home, the Social Care team had identified there being a need in East Dorset for acute levels of dementia care to be met together with the principle for a contribution to be made to deliver such accommodation in urban areas in the local Plan to relieve such pressures on more environmentally sensitive areas.

As to the impact on the character of the area, officers considered this to be acceptable in that the design, appearance and bulk was acceptable and in keeping with the blend of styles in the area and that proximity to neighbouring properties had now been mitigated by the redesign to a tiered structure and in now being located some further distance away.

Traffic and highways issues were clarified by the Transport Liaison Development Manager including what traffic movements there currently were and what was anticipated to be generated by the home. How this would translate in additional traffic generation on the network was seen to be minimal and would have little effect on peak periods, as traffic flows were relatively low on Edmondsham Road. He was also confident that there would be no conflict with the finishing times of the nearby Trinity First School. However members were not convinced this would be the case as in their view, the peak times for both the home and the school appeared to coincide.

In response to what effect on the development could have on Verwood heath the limitations on any additional residential properties being built within 400 metres of the heath did not apply to a care home such as this given the nature of the activities taking place and what limited opportunities there might be in it being readily accessible to residents. Natural England had acknowledged as much and it was acceptable within the provisions of the Dorset Heathland Planning Framework.

One member mentioned what archaeological surveys had been done as part of the application with officers clarifying that what was necessary had been complied with in this regard; it being anticipated that there was no reason to believe that there was anything of significance on site which would constitute a material consideration.

However whilst accepting the clarifications made, Members remained somewhat unconvinced that what was being proposed would meet the need for which it was designed and were concerned that the site was too constrained to accommodate a development of the scale, bulk and form proposed and that the stacking parking system being proposed was testament to this and should not be necessary if the size of the site was adequate and fit for purpose. Although the case for the car stacking system had been adequately explained in detail by officers, Members still considered it to be undesirable – if not unacceptable – for this site and considered there to be a need to provide adequate, traditional on-site parking to ensure a satisfactory standard of residential amenity for residents. The density of the development

was considered to be too restrictive and compromised what a care home should have to offer. It was acknowledged that the design of a development had an effect on well-being and it was their opinion that this proposal did nothing to enhance that. Moreover, there was a need to accommodate the needs of those most vulnerable in society but felt that this would not be achieved by what was being proposed.

Furthermore, whilst a bedroom was no now proposed for the basement, members felt that this was still not the place to site a staff rest room and what this had to offer. Other reservations members had were not necessarily material considerations and, therefore, a case could not be made to justify refusal on their basis.

As the Planning Authority, members said that the Council had an obligation to ensure development achieved good planning standards and design and met what was necessary and expected, in being wholly satisfied that those standards had been met. They considered that this was not the case for this development.

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 presentation; the written representations; and what they had heard at the meeting; and the views of Councillor Simon Gibson, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this. The Committee considered that, notwithstanding the assessments made by officers that the proposal should be granted permission, they could not agree to what was being recommended on the basis that the site was too constrained, with the internal arrangements not being of a satisfactory standard to meet the need of a modern care home and the parking proposed inadequate.

On that basis – and being proposed by Councillor Shane Bartlett and seconded by Councillor Alex Brenton - on being put to the vote, the Committee agreed, unanimously, that the application should be refused.

Resolved

That planning application 3/19/2271 be refused.

Reason for Decision

The site is too constrained to accommodate development of the scale, bulk and form proposed together with the need to provide adequate on-site parking and a satisfactory standard of residential amenity for residents. For these reasons the development is considered to constitute overdevelopment of the site contrary to Policy HE2 of Christchurch and East Dorset Core Strategy and paragraphs 122 (e) and 127 (f) of the NPPF 2019 that require a good standard of amenity for existing and future occupants.

112. **Urgent items**

There were no urgent items of business for consideration at the meeting.

113. **Summary of Statements of Representation**

Application 6/2019/0443

Objection - John Stagg

Support - Barrie Robinson, Adrienne King, Pauline Turner, John Westacott, Craig Parsons, Peter Smith, Julie O'Donnell, Alan Meggs, Adrian Hearn, Stephen Cope, James Boyt, Tina Buchanan, Helen Tucker, Neil Legg, Sheelagh Birks, Gillian Haberfield, Gill Diaper, Shirley Nebel, Tom Pickford, Jane Chadwick, Trudy Hicken, Paul Thompson, Michael Colegate, Ian Swinden, Bob Sprack, Bill Saxby, Malcolm Bradshaw, Barbara England, Marcelle King, Julie Almond, Liz Vigor, Leah Harley, Darren King, Alan Williams – Planning Potential (for applicant).

Application 3/19/2271

Objection – Martin Summers

Support – Daryl Howells – Pure Town Planning

104. **Introduction by the Chairman**

Given that the meeting was being held as a MS Team Live Event virtual meeting owing to the need to do so during the coronavirus/Covid -19

pandemic, the Chairman took the opportunity to explain how the meeting would take place, the way this would be done and the reason for this. She explained the protocols and processes to be followed and that doing so gave the Council the ability to continue to fulfil its obligation of delivering the planning function and determining applications.

She also took the opportunity to inform the meeting about the sad news of the loss of planning officer Tony Bird since the last meeting, and on behalf of the Committee asked that condolences be passed on to his family and colleagues.

105. **Apologies**

No apologies for absence were received at the meeting.

106. **Declarations of Interest**

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

107. **Minutes**

The minutes of the meeting held on 3 June 2020 were confirmed and would be signed when the opportunity arose.

108. **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.

109. **6/2019/0443 - Demolition of existing buildings, and the erection of a Class A1 discount foodstore with associated works at site of Upton Oil Co Ltd, Blandford Road North, Upton**

The Committee considered an application - 6/2019/0443 – by ALDI Stores Ltd, for a proposal to erect a discount supermarket (A1 use class), with 1802 square metres of gross floor space, of which 1315 square metres would be used as the retail area and the rest of the space used for storage and staff facilities, with a bay for unloading deliveries being constructed on the north eastern elevation, recessed into the ground, with the lowest point being situated approximately 1.2m below the finished floor level of the rest of the store.

The proposal included the formation of a new car park, which would provide for 132 car parking spaces, two of which would provide an electrical charging point, with 8 being designated as parking spaces for parents with young

children. The car park would also provide 4 parking spaces for disabled users and 10 spaces for bicycles. The proposal also included a planting and landscaping scheme for the car park.

A new access was also proposed as part of the development. A totem sign was to be the subject of the advertisement of a separate advertisement consent should the application be approved.

To complement the development, an agreement would need to be met to monitor the use of the uncontrolled pedestrian crossing adjacent to the store on Blandford Road North (B3068). If it was established over a five-year period that there was sufficient pedestrian use of the crossing, an agreement would be put in place for the applicant to upgrade the crossing to a traffic light controlled crossing. This would be achieved by means of a Section 106 agreement.

As to the relevant planning history of the site, the land had been used as an oil depot and garage for a number of years, but had been derelict for some time over the recent past, so the development was seen to be a means of making use of this brownfield site and going some way to providing for the retail need in Upton which had been identified.

With the aid of a visual presentation, officers provided context of what the main proposals, principles and planning issues of the development were; how this were to be progressed; how the development would address retail need in that part of the county; and what this entailed. The presentation focused on not only what the development entailed and its detailed design, but what effect it would have on residential amenity, Upton town centre and the character the area. Officers were obliged to consider whether there were any alternative, suitable sites and whether the development would be harmful to the viability of Upton town centre. Analysis of evidence had indicated that, in both cases, it was their view that this would not be the case. If the proposal had been considered to be harmful to the viability and vitality of Upton, the generation of 30 full time jobs would not be considered to carry significant weight to overcome the harm that would be caused. As the proposal was considered not to be harmful to the viability and vitality of Upton town centre, this was one of the reasons for what was being recommended. Overall, the modest economic benefits were seen to be acceptable and should be seen to be beneficial in contributing to economic growth in that part of Dorset in particular and the county in general. Moreover, this was the only discount store that was planned to serve the Purbeck area as, currently, the nearest such alternative was to be found in Poole.

Plans and photographs provided an illustration of the location, orientation, dimensions – form, bulk, size and mass - and appearance of the development; how it would look – with contextual elevations / visualisation and floorplans being provided for this purpose; the materials to be used; the layout of the car park and where trolley parks would be located; access and highway considerations; the means of landscaping; where any pedestrian access would be situated; where the road crossing point would be located; and its setting within the Upton and the characteristics of that part of the town.

Deliveries would be unloaded below ground level, in a recessed bay, to ensure that any external noise would be limited.

There was seen to be some scope for a pedestrian link from the east, direct from the housing estate on the northern side of Blandford Road North to the store, rather than it being necessary to circumnavigate the perimeter, but no progress had been made on any solution to this with the Town Council - as third party owners of the land - and whilst it might well be seen as a desired line, it was not critical to the merits of the application, given that there were acceptable alternative means of access.

Officers showed the development's relationship with the neighbouring residential estates and how that access to the store might be achieved. Views into the site and around it were shown, which provided a satisfactory understanding of all that was necessary.

Officers considered that the proposed development would provide a clear economic benefit to Upton and surrounding areas. The development would generate 30 full time equivalent jobs in the store. This was considered to be a positive benefit to the area.

Given all this, officers considered that all material planning considerations had been addressed and were acceptable, with the development making best use of previously developed land and would result in a positive contribution to townscape. As such, members were now being asked to agree to what was being recommended.

Formal consultation had resulted in Lytchett Minster and Upton Town Council not objecting to, and accepting, the principle of the development but, amongst some other practical suggestions, asked that vegetation be managed to improve sightlines so as to improve what was being proposed. Similarly, Natural England and the Environment Agency both raised no objection, in principle.

Dorset Council Highways Team had no objections, subject to the provision of an uncontrolled pedestrian crossing and bus shelters, a layby and a right turn lane being required. There were 372 third party representations received, with 24 objecting to the proposal - including one representing Lidl – and 310 in support.

The Committee were notified of those written submissions received and officers read these direct to the Committee - being appended to these minutes. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that, where applicable, each one could be addressed by the provisions of the application.

The Committee were joined by local Ward Councillors Bill Pipe and Andrew Starr. Councillor Pipe welcomed what he considered to be a much needed development to serve the needs of the local population with any effect on local established convenience stores being minimal. This store would offer the opportunity for residents to be able to do a weekly sized shop in close

proximity to their homes. He was also supportive of the benefits for employment and the economy.

Councillor Andrew Starr similarly supported this development for the same reasons but asked that the vegetation be managed to improve sight lines, the pedestrian access be made more user friendly and felt that it was necessary to have a fully functioning light controlled crossing available from the outset given the demographic profile of those shoppers anticipated and their need for this facility.

The opportunity was given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Particular reference was made to the appearance of the store; access arrangements; traffic management and speed limit provision; how parking spaces were to be determined and their layout; and what the requirement there was for the introduction of a controlled pedestrian crossing. They asked officers to consider the application of a barrier at the entrance to the car park to restrict use of the site outside store operating hours and so as to deter such use.

Officers addressed the questions raised providing what they considered to be satisfactory answers. As well as clarifying aspects of the development of the store itself, in particular the Highways Advisor explained how the access arrangements were designed to operate and the safety issues that had been addressed in doing this. He was of the view that the quality of the proposed pedestrian access around the perimeter of the site could be improved so that it was of a suitable standard to all users. Any direct access - as had been suggested from the north eastern direction - was not able to be addressed by this application given the current ownership issues, but could be addressed - should any future negotiations be necessary - through a separate application.

Moreover, in particular, officers clarified that there was a need for evidence of use to be gathered and analysed before consideration could be given and it determined to whether a light controlled crossing was justified or whether the pedestrian refuge which currently existed would suffice and that this evidence could only come after the store had opened and was being used. Members were assured that the s106 agreement provided for a commitment from Aldi to apply those enhanced measures if necessary.

Officers considered that the request for a barrier was acceptable and could be accommodated – by condition - to address any potential unauthorised activity in addressing those concerns Members raised.

Whilst some members maintained their reservations at what access arrangements were being proposed and how, seemingly, these could not necessarily be enhanced as they would have liked, the general view was that the development was acceptable and would contribute quite significantly to both employment opportunities and economic growth in the area and would be an asset in meeting local retail needs.

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 presentation, the written representations; and what they had heard at the meeting, and having received satisfactory answers to questions raised, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this and, on that basis - and being proposed by Councillor Robin Cook and seconded by Councillor Shane Bartlett - on being put to the vote, the Committee unanimously agreed that the application should be approved, subject to the conditions set out in paragraph 17 of the report; and taking into account the addition of a condition to provide for a vehicle height barrier upon entry to the site; and the application of a s106 agreement for the provision of a controlled pedestrian crossing, as necessary.

Resolved

That the **grant** of planning permission, in respect of application 6/2019/0443, **be delegated to the Head of Planning**, subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), in a form to be agreed by the Legal Services Manager to secure the following:-

- a monitoring agreement requiring at least annual surveys for the first five years after the store has opened to establish whether the pedestrian crossing will need to be upgraded to a signal controlled crossing.

and subject to the conditions contained in paragraph 17 of the report with **an additional condition** in respect of:-

- details of a vehicle barrier to be installed at the entrance must be submitted to the Local Planning Authority prior to the store opening to the public. The barrier must be installed before the store is opened to the public and permanently retained in accordance with the details. The barrier must be closed when the store is not open to members of the public.
Reason: In the interests of security and anti-social behaviour.

and the inclusion of the **Informative Note** - The applicant should carefully consider the management of deliveries on the site.

Reasons for Decision

Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise

- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application
- The proposal is not considered to harm the viability or vitality of either

110. **6/2020/0167 - Alterations to field gate and creation of pedestrian gate at St Georges Primary School, 76 High Street, Langton Matravers**

The Committee considered an application - 6/2020/0167 - for the alterations to field gate and creation of pedestrian gate at St Georges Primary School, 76 High Street, Langton Matravers so as to improve the safety of access to the playing field by providing a separate pedestrian access from the vehicular one, being recognised as an asset of community value. The application was being considered by the Committee as it was a Dorset Council application.

With the aid of a visual presentation, officers explained what the reason for the alteration was; how it would look and what this entailed. Plans and photographs provided an illustration of the location and appearance of what was being proposed and why it was necessary on safety grounds. As the site was in the Langton Matravers Conservation Area the preservation of its significance was essential and the proposal would provide for this by the means and materials to be used, without harm to the surrounding wider landscape or residential amenity. As such, officers were recommending approval.

The local Ward member, Councillor Cherry Brooks, was supportive of the application, considering it to be necessary on safety grounds and would enhance the accessibility of the school. Langton Matravers Parish Council and Dorset Highways supported the application too.

The opportunity was given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Officers addressed the questions raised providing what they considered to be satisfactory answers.

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 presentation; and what they had heard at the meeting, and having received satisfactory answers to questions raised, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this and, on that basis - and being proposed by

Councillor Shane Bartlett and seconded by Councillor Toni Coombs - on being put to the vote, the Committee unanimously agreed that the application should be approved, subject to the conditions set out in paragraph 17 of the report.

Resolved

That planning permission be granted subject to the conditions in paragraph 17 of the officer's report.

Reasons for Decision

The principle of the development was acceptable and it will improve and allow safe access between the school and the playing field and for the whole community.

- The proposal is acceptable in its layout, appearance and general visual impact.
- The character and appearance of the Langton Matravers Conservation Area will be preserved.
- The natural beauty of the Dorset Area of Outstanding Natural Beauty and the special character of the Purbeck Heritage Coast will not be harmed.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

111. **3/19/2271 - Demolish the existing buildings and erect a dementia care home with new vehicular access and parking provision at 5 - 7A Edmondsham Road, Verwood**

The Committee considered application 3/19/2271 to demolish the existing buildings and erect a dementia care home with new vehicular access and parking provision at 5 - 7A Edmondsham Road, Verwood. The Committee were informed that two previous applications had been refused and modifications had been made to address the reasons for refusal in this application.

With the aid of a visual presentation, officers explained what the main proposals, principles and planning issues of the development were; how these were to be progressed; how the development would contribute to meeting care needs; and what this entailed.

Plans and photographs provided an illustration of the location, dimensions – form, bulk, size and mass - and appearance of the development, along with its ground floor plans and internal design; how it would look; the materials to be used; what landscaping there would be; its relationship with the highway network; the characteristics of the site; access arrangements and its relationship with the local highway network; its relationship with other adjacent residential development and the variety of dwellings therein; what local amenity there was and; its setting within Verwood. The comparative distance to Verwood Heath – some 400 metres - was mentioned. Views into the site and around it were shown, which provided a satisfactory understanding of

what the application entailed. The security of the site and how this could be assured was explained to Members.

The Committee's attention was drawn in particular to the staff car parking stacking system that was to be implemented and how this would operate in practice; its appearance; what safety measures it had; and why it was necessary. Officers took the opportunity to describe this feature in some considerable detail as it might well be unfamiliar to some members and so that they had a clear understanding of what this entailed and why it was necessary. The safety features associated with the system and the limited times when it would be necessary to be operated were also described, only being installed to manufacturer's specification and being fob operated.

Other material considerations of merit were the contributions to be secured through Community Infrastructure Levy of some £74605 (approx.) and the opportunity for employment gains with the creation of 20 jobs.

The officer's recommendation was for permission to be granted on the basis that the modifications made in this application to address the reasons for previous refusals were considered to now be satisfactory and acceptable, in that:-

- the proposed basement amenity space had been removed
- the bedrooms in the basement had been removed and the number of bedrooms reduced from 38 to 29
- hard landscaping had been reduced
- parking had been reconfigured as per the amended hard landscaping
- the two storey element to the north had been further set back away from the neighbouring property
- flood and drainage information had been revised
- a signed Biodiversity Mitigation and Enhancement Plan (BMEP) had been updated

The officer then provided the following updates to the published report in her presentation:-

Condition 1 - added as underlined:

(a) Before any development is commenced details of all 'Reserved Matters', that is the following matters in respect of which details have not been given in the application and which relate to the landscaping (including boundary treatment details) shall be submitted to and approved in writing by the Local Planning Authority.

(b) An application for approval of any 'Reserved Matters' must be made not later than the expiration of three years beginning with the date of this permission.

(c) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: (a) This condition is required to be imposed by the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015: (1) of the (b) and (c) These conditions are required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 2 – amended as underlined:

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

*J18067 001 Rev F Proposed Basement Floor Plan
J18067 002 Rev N Proposed Ground Floor Plan
J18067 003 Rev M Proposed First Floor Plan
J18067 004 Rev L Proposed Second Floor Plan
J18067 005 Rev G Proposed Front Elevation
J18067 006 Rev F Proposed Rear Elevation
J18067 007 Rev F Proposed Side Elevation
J18067 008 Rev F Proposed Side Elevation
J18067 009 Rev G Proposed Street Elevation
J18067 010 Rev G Section AA
J18067 011 Rev E Section BB
J18067 012 Rev L Block and Location Plan
J18067 013 Rev E Bin Store Details*

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

Condition 16 – added as underlined:

Prior to the commencement of the development of the care home, hereby permitted, a noise assessment for any external plant/condensers shall be conducted in accordance with BS4142:2014 for all plant including fans associated with the extract system, refrigeration condensers, air conditioning units, 9 car stacking system and any other plant likely to be audible at neighbouring premises from the care home. The assessment shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme (together with any required measures) shall be installed to the agreed specification prior to the first use, and maintained and operated in that condition thereafter.

Reason: to protect neighbouring amenity of adjoining neighbouring properties

Condition 18 – duplicated materials condition deleted and replaced with:

The 9 car stacking system here by approved as identified on drawing J18067-012 L shall only be used by staff employed on the premises and remain in the closed position at all times except for the purpose of loading and unloading vehicles.

Reason: to protect the amenity of future occupants.

On the basis of these modifications – particularly that its mass had been sympathetically modified, so that its roofline was now tiered, rising gradually, from 1 storey to 3, away from the nearest property - and taking into account the merits of the application, officers were now recommending approval of the application.

Formal consultation had generated an objection from Verwood Town Council on the grounds of form; appearance and traffic generation, with 66 representations being received objecting to the proposal on the grounds of incongruous design; the impact on the character of neighbouring amenity; adverse effect on trees, Verwood Heath and the highway network and; the disruption from its construction.

The Committee were then notified of those written submissions received and officers read these direct to the Committee - being appended to these minutes. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that each one could be addressed by the provisions of the application and the assessments made.

One of the three local ward members - Councillor Simon Gibson - was given the opportunity to speak, in considering that the development still did not adequately or fundamentally address the reasons for previous refusals and concerns remained, as they did for the Town Council. The scale of the development was inappropriate for such a constrained site and how the staff parking was to be accommodated was unacceptable on local amenity. Among his other concerns was the internal layout, that the staff rest room was now proposed for the basement and that residential amenity would be compromised by the activities proposed externally. In supporting those neighbours who had objected, he asked the Committee to refuse the application.

The opportunity was given for members, to ask questions of the presentation and what they had heard, in seeking clarification of room sizes, design and the internal arrangements and layout; the need for the facility; the security of the site and the necessity for the car stacking system.

Officers addressed the questions raised, providing what they considered to be satisfactory answers based on the assessments made, the material planning considerations applicable and for the reasons set out in their report and presentation.

Officers reiterated that to accommodate staff parking on the site the car stacking system was a tried and tested means of doing this successfully and in a managed way. Whilst this system might well be unfamiliar in parts of rural Dorset, such parking was commonplace in more urban areas throughout the country as a satisfactory solution in meeting a typical challenge.

Much was made of what evidence there was for the need for the facility and its proposed internal layout with officers confirming that whilst the Dorset

Social Care Team had some reservations that the internal design and arrangements did not appear to have regard to modern Dementia friendly design standard or that consideration did not appear to have been given to smaller household units within the home, this was not necessarily critical, given that the proposed design was of a satisfactory care standard and would meet the needs of its residents quite acceptably. Despite some representations questioning the need for another care home, the Social Care team had identified there being a need in East Dorset for acute levels of dementia care to be met together with the principle for a contribution to be made to deliver such accommodation in urban areas in the local Plan to relieve such pressures on more environmentally sensitive areas.

As to the impact on the character of the area, officers considered this to be acceptable in that the design, appearance and bulk was acceptable and in keeping with the blend of styles in the area and that proximity to neighbouring properties had now been mitigated by the redesign to a tiered structure and in now being located some further distance away.

Traffic and highways issues were clarified by the Transport Liaison Development Manager including what traffic movements there currently were and what was anticipated to be generated by the home. How this would translate in additional traffic generation on the network was seen to be minimal and would have little effect on peak periods, as traffic flows were relatively low on Edmondsham Road. He was also confident that there would be no conflict with the finishing times of the nearby Trinity First School. However members were not convinced this would be the case as in their view, the peak times for both the home and the school appeared to coincide.

In response to what effect on the development could have on Verwood heath the limitations on any additional residential properties being built within 400 metres of the heath did not apply to a care home such as this given the nature of the activities taking place and what limited opportunities there might be in it being readily accessible to residents. Natural England had acknowledged as much and it was acceptable within the provisions of the Dorset Heathland Planning Framework.

One member mentioned what archaeological surveys had been done as part of the application with officers clarifying that what was necessary had been complied with in this regard; it being anticipated that there was no reason to believe that there was anything of significance on site which would constitute a material consideration.

However whilst accepting the clarifications made, Members remained somewhat unconvinced that what was being proposed would meet the need for which it was designed and were concerned that the site was too constrained to accommodate a development of the scale, bulk and form proposed and that the stacking parking system being proposed was testament to this and should not be necessary if the size of the site was adequate and fit for purpose. Although the case for the car stacking system had been adequately explained in detail by officers, Members still considered it to be undesirable – if not unacceptable – for this site and considered there to be a

need to provide adequate, traditional on-site parking to ensure a satisfactory standard of residential amenity for residents. The density of the development was considered to be too restrictive and compromised what a care home should have to offer. It was acknowledged that the design of a development had an effect on well-being and it was their opinion that this proposal did nothing to enhance that. Moreover, there was a need to accommodate the needs of those most vulnerable in society but felt that this would not be achieved by what was being proposed.

Furthermore, whilst a bedroom was no now proposed for the basement, members felt that this was still not the place to site a staff rest room and what this had to offer. Other reservations members had were not necessarily material considerations and, therefore, a case could not be made to justify refusal on their basis.

As the Planning Authority, members said that the Council had an obligation to ensure development achieved good planning standards and design and met what was necessary and expected, in being wholly satisfied that those standards had been met. They considered that this was not the case for this development.

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 presentation; the written representations; and what they had heard at the meeting; and the views of Councillor Simon Gibson, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this. The Committee considered that, notwithstanding the assessments made by officers that the proposal should be granted permission, they could not agree to what was being recommended on the basis that the site was too constrained, with the internal arrangements not being of a satisfactory standard to meet the need of a modern care home and the parking proposed inadequate.

On that basis – and being proposed by Councillor Shane Bartlett and seconded by Councillor Alex Brenton - on being put to the vote, the Committee agreed, unanimously, that the application should be refused.

Resolved

That planning application 3/19/2271 be refused.

Reason for Decision

The site is too constrained to accommodate development of the scale, bulk and form proposed together with the need to provide adequate on-site parking and a satisfactory standard of residential amenity for residents. For these reasons the development is considered to constitute overdevelopment of the site contrary to Policy HE2 of Christchurch and East Dorset Core Strategy and paragraphs 122 (e) and 127 (f) of the NPPF 2019 that require a good standard of amenity for existing and future occupants.

112. **Urgent items**

There were no urgent items of business for consideration at the meeting.

113. **Summary of Statements of Representation**

Application 6/2019/0443

Objection - John Stagg

Support - Barrie Robinson, Adrienne King, Pauline Turner, John Westacott, Craig Parsons, Peter Smith, Julie O'Donnell, Alan Meggs, Adrian Hearn, Stephen Cope, James Boyt, Tina Buchanan, Helen Tucker, Neil Legg, Sheelagh Birks, Gillian Haberfield, Gill Diaper, Shirley Nebel, Tom Pickford, Jane Chadwick, Trudy Hicken, Paul Thompson, Michael Colegate, Ian Swinden, Bob Sprack, Bill Saxby, Malcolm Bradshaw, Barbara England, Marcelle King, Julie Almond, Liz Vigor, Leah Harley, Darren King, Alan Williams – Planning Potential (for applicant).

Application 3/19/2271

Objection – Martin Summers

Support – Daryl Howells – Pure Town Planning

104. **Introduction by the Chairman**

Given that the meeting was being held as a MS Team Live Event virtual meeting owing to the need to do so during the coronavirus/Covid -19 pandemic, the Chairman took the opportunity to explain how the meeting would take place, the way this would be done and the reason for this. She explained the protocols and processes to be followed and that doing so give the Council the ability to continue to fulfil its obligation of delivering the planning function and determining applications.

She also took the opportunity to inform the meeting about the sad news of the loss of planning officer Tony Bird since the last meeting, and on behalf of the Committee asked that condolences be passed on to his family and colleagues.

105. Apologies

No apologies for absence were received at the meeting.

106. Declarations of Interest

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

107. Minutes

The minutes of the meeting held on 3 June 2020 were confirmed and would be signed when the opportunity arose.

108. 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.

109. 6/2019/0443 - Demolition of existing buildings, and the erection of a Class A1 discount foodstore with associated works at site of Upton Oil Co Ltd, Blandford Road North, Upton

The Committee considered an application - 6/2019/0443 – by ALDI Stores Ltd, for a proposal to erect a discount supermarket (A1 use class), with 1802 square metres of gross floor space, of which 1315 square metres would be used as the retail area and the rest of the space used for storage and staff facilities, with a bay for unloading deliveries being constructed on the north eastern elevation, recessed into the ground, with the lowest point being situated approximately 1.2m below the finished floor level of the rest of the store.

The proposal included the formation of a new car park, which would provide for 132 car parking spaces, two of which would provide an electrical charging point, with 8 being designated as parking spaces for parents with young children. The car park would also provide 4 parking spaces for disabled users and 10 spaces for bicycles. The proposal also included a planting and landscaping scheme for the car park.

A new access was also proposed as part of the development. A totem sign was to be the subject of the advertisement of a separate advertisement consent should the application be approved.

To complement the development, an agreement would need to be met to monitor the use of the uncontrolled pedestrian crossing adjacent to the store on Blandford Road North (B3068). If it was established over a five-year period that there was sufficient pedestrian use of the crossing, an agreement would be put in place for the applicant to upgrade the crossing to a traffic light controlled crossing. This would be achieved by means of a Section 106 agreement.

As to the relevant planning history of the site, the land had been used as an oil depot and garage for a number of years, but had been derelict for some time over the recent past, so the development was seen to be a means of making use of this brownfield site and going some way to providing for the retail need in Upton which had been identified.

With the aid of a visual presentation, officers provided context of what the main proposals, principles and planning issues of the development were; how this were to be progressed; how the development would address retail need in that part of the county; and what this entailed. The presentation focused on not only what the development entailed and its detailed design, but what effect it would have on residential amenity, Upton town centre and the character the area. Officers were obliged to consider whether there were any alternative, suitable sites and whether the development would be harmful to the viability of Upton town centre. Analysis of evidence had indicated that, in both cases, it was their view that this would not be the case. If the proposal had been considered to be harmful to the viability and vitality of Upton, the generation of 30 full time jobs would not be considered to carry significant weight to overcome the harm that would be caused. As the proposal was considered not to be harmful to the viability and vitality of Upton town centre, this was one of the reasons for what was being recommended. Overall, the modest economic benefits were seen to be acceptable and should be seen to be beneficial in contributing to economic growth in that part of Dorset in particular and the county in general. Moreover, this was the only discount store that was planned to serve the Purbeck area as, currently, the nearest such alternative was to be found in Poole.

Plans and photographs provided an illustration of the location, orientation, dimensions – form, bulk, size and mass - and appearance of the development; how it would look – with contextual elevations / visualisation and floorplans being provided for this purpose; the materials to be used; the layout of the car park and where trolley parks would be located; access and highway considerations; the means of landscaping; where any pedestrian

access would be situated; where the road crossing point would be located; and its setting within the Upton and the characteristics of that part of the town. Deliveries would be unloaded below ground level, in a recessed bay, to ensure that any external noise would be limited.

There was seen to be some scope for a pedestrian link from the east, direct from the housing estate on the northern side of Blandford Road North to the store, rather than it being necessary to circumnavigate the perimeter, but no progress had been made on any solution to this with the Town Council - as third party owners of the land - and whilst it might well be seen as a desired line, it was not critical to the merits of the application, given that there were acceptable alternative means of access.

Officers showed the development's relationship with the neighbouring residential estates and how that access to the store might be achieved. Views into the site and around it were shown, which provided a satisfactory understanding of all that was necessary.

Officers considered that the proposed development would provide a clear economic benefit to Upton and surrounding areas. The development would generate 30 full time equivalent jobs in the store. This was considered to be a positive benefit to the area.

Given all this, officers considered that all material planning considerations had been addressed and were acceptable, with the development making best use of previously developed land and would result in a positive contribution to townscape. As such, members were now being asked to agree to what was being recommended.

Formal consultation had resulted in Lytchett Minster and Upton Town Council not objecting to, and accepting, the principle of the development but, amongst some other practical suggestions, asked that vegetation be managed to improve sightlines so as to improve what was being proposed. Similarly, Natural England and the Environment Agency both raised no objection, in principle.

Dorset Council Highways Team had no objections, subject to the provision of an uncontrolled pedestrian crossing and bus shelters, a layby and a right turn lane being required. There were 372 third party representations received, with 24 objecting to the proposal - including one representing Lidl – and 310 in support.

The Committee were notified of those written submissions received and officers read these direct to the Committee - being appended to these minutes. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that, where applicable, each one could be addressed by the provisions of the application.

The Committee were joined by local Ward Councillors Bill Pipe and Andrew Starr. Councillor Pipe welcomed what he considered to be a much needed development to serve the needs of the local population with any effect on

local established convenience stores being minimal. This store would offer the opportunity for residents to be able to do a weekly sized shop in close proximity to their homes. He was also supportive of the benefits for employment and the economy.

Councillor Andrew Starr similarly supported this development for the same reasons but asked that the vegetation be managed to improve sight lines, the pedestrian access be made more user friendly and felt that it was necessary to have a fully functioning light controlled crossing available from the outset given the demographic profile of those shoppers anticipated and their need for this facility.

The opportunity was given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Particular reference was made to the appearance of the store; access arrangements; traffic management and speed limit provision; how parking spaces were to be determined and their layout; and what the requirement there was for the introduction of a controlled pedestrian crossing. They asked officers to consider the application of a barrier at the entrance to the car park to restrict use of the site outside store operating hours and so as to deter such use.

Officers addressed the questions raised providing what they considered to be satisfactory answers. As well as clarifying aspects of the development of the store itself, in particular the Highways Advisor explained how the access arrangements were designed to operate and the safety issues that had been addressed in doing this. He was of the view that the quality of the proposed pedestrian access around the perimeter of the site could be improved so that it was of a suitable standard to all users. Any direct access - as had been suggested from the north eastern direction - was not able to be addressed by this application given the current ownership issues, but could be addressed - should any future negotiations be necessary - through a separate application.

Moreover, in particular, officers clarified that there was a need for evidence of use to be gathered and analysed before consideration could be given and it determined to whether a light controlled crossing was justified or whether the pedestrian refuge which currently existed would suffice and that this evidence could only come after the store had opened and was being used. Members were assured that the s106 agreement provided for a commitment from Aldi to apply those enhanced measures if necessary.

Officers considered that the request for a barrier was acceptable and could be accommodated – by condition - to address any potential unauthorised activity in addressing those concerns Members raised.

Whilst some members maintained their reservations at what access arrangements were being proposed and how, seemingly, these could not necessarily be enhanced as they would have liked, the general view was that the development was acceptable and would contribute quite significantly to both employment opportunities and economic growth in the area and would be an asset in meeting local retail needs.

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 presentation, the written representations; and what they had heard at the meeting, and having received satisfactory answers to questions raised, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this and, on that basis - and being proposed by Councillor Robin Cook and seconded by Councillor Shane Bartlett - on being put to the vote, the Committee unanimously agreed that the application should be approved, subject to the conditions set out in paragraph 17 of the report; and taking into account the addition of a condition to provide for a vehicle height barrier upon entry to the site; and the application of a s106 agreement for the provision of a controlled pedestrian crossing, as necessary.

Resolved

That the **grant** of planning permission, in respect of application 6/2019/0443, **be delegated to the Head of Planning**, subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), in a form to be agreed by the Legal Services Manager to secure the following:-

- a monitoring agreement requiring at least annual surveys for the first five years after the store has opened to establish whether the pedestrian crossing will need to be upgraded to a signal controlled crossing.

and subject to the conditions contained in paragraph 17 of the report with **an additional condition** in respect of:-

- details of a vehicle barrier to be installed at the entrance must be submitted to the Local Planning Authority prior to the store opening to the public. The barrier must be installed before the store is opened to the public and permanently retained in accordance with the details. The barrier must be closed when the store is not open to members of the public.

Reason: In the interests of security and anti-social behaviour.

and the inclusion of the **Informative Note** - The applicant should carefully consider the management of deliveries on the site.

Reasons for Decision

Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise

- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this

application

- The proposal is not considered to harm the viability or vitality of either Upton or Poole Town Centres.

110. **6/2020/0167 - Alterations to field gate and creation of pedestrian gate at St Georges Primary School, 76 High Street, Langton Matravers**

The Committee considered an application - 6/2020/0167 - for the alterations to field gate and creation of pedestrian gate at St Georges Primary School, 76 High Street, Langton Matravers so as to improve the safety of access to the playing field by providing a separate pedestrian access from the vehicular one, being recognised as an asset of community value. The application was being considered by the Committee as it was a Dorset Council application.

With the aid of a visual presentation, officers explained what the reason for the alteration was; how it would look and what this entailed. Plans and photographs provided an illustration of the location and appearance of what was being proposed and why it was necessary on safety grounds. As the site was in the Langton Matravers Conservation Area the preservation of its significance was essential and the proposal would provide for this by the means and materials to be used, without harm to the surrounding wider landscape or residential amenity. As such, officers were recommending approval.

The local Ward member, Councillor Cherry Brooks, was supportive of the application, considering it to be necessary on safety grounds and would enhance the accessibility of the school. Langton Matravers Parish Council and Dorset Highways supported the application too.

The opportunity was given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Officers addressed the questions raised providing what they considered to be satisfactory answers.

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 presentation; and what they had heard at the meeting, and having received satisfactory answers to questions raised,

the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this and, on that basis - and being proposed by Councillor Shane Bartlett and seconded by Councillor Toni Coombs - on being put to the vote, the Committee unanimously agreed that the application should be approved, subject to the conditions set out in paragraph 17 of the report.

Resolved

That planning permission be granted subject to the conditions in paragraph 17 of the officer's report.

Reasons for Decision

The principle of the development was acceptable and it will improve and allow safe access between the school and the playing field and for the whole community.

- The proposal is acceptable in its layout, appearance and general visual impact.
- The character and appearance of the Langton Matravers Conservation Area will be preserved.
- The natural beauty of the Dorset Area of Outstanding Natural Beauty and the special character of the Purbeck Heritage Coast will not be harmed.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

111. 3/19/2271 - Demolish the existing buildings and erect a dementia care home with new vehicular access and parking provision at 5 - 7A Edmondsham Road, Verwood

The Committee considered application 3/19/2271 to demolish the existing buildings and erect a dementia care home with new vehicular access and parking provision at 5 - 7A Edmondsham Road, Verwood. The Committee were informed that two previous applications had been refused and modifications had been made to address the reasons for refusal in this application.

With the aid of a visual presentation, officers explained what the main proposals, principles and planning issues of the development were; how these were to be progressed; how the development would contribute to meeting care needs; and what this entailed.

Plans and photographs provided an illustration of the location, dimensions – form, bulk, size and mass - and appearance of the development, along with its ground floor plans and internal design; how it would look; the materials to be used; what landscaping there would be; its relationship with the highway network; the characteristics of the site; access arrangements and its relationship with the local highway network; its relationship with other adjacent residential development and the variety of dwellings therein; what local amenity there was and; its setting within Verwood. The comparative distance

to Verwood Heath – some 400 metres - was mentioned. Views into the site and around it were shown, which provided a satisfactory understanding of what the application entailed. The security of the site and how this could be assured was explained to Members.

The Committee's attention was drawn in particular to the staff car parking stacking system that was to be implemented and how this would operate in practice; its appearance; what safety measures it had; and why it was necessary. Officers took the opportunity to describe this feature in some considerable detail as it might well be unfamiliar to some members and so that they had a clear understanding of what this entailed and why it was necessary. The safety features associated with the system and the limited times when it would be necessary to be operated were also described, only being installed to manufacturer's specification and being fob operated.

Other material considerations of merit were the contributions to be secured through Community Infrastructure Levy of some £74605 (approx.) and the opportunity for employment gains with the creation of 20 jobs.

The officer's recommendation was for permission to be granted on the basis that the modifications made in this application to address the reasons for previous refusals were considered to now be satisfactory and acceptable, in that:-

- the proposed basement amenity space had been removed
- the bedrooms in the basement had been removed and the number of bedrooms reduced from 38 to 29
- hard landscaping had been reduced
- parking had been reconfigured as per the amended hard landscaping
- the two storey element to the north had been further set back away from the neighbouring property
- flood and drainage information had been revised
- a signed Biodiversity Mitigation and Enhancement Plan (BMEP) had been updated

The officer then provided the following updates to the published report in her presentation:-

Condition 1 - added as underlined:

(a) Before any development is commenced details of all 'Reserved Matters', that is the following matters in respect of which details have not been given in the application and which relate to the landscaping (including boundary treatment details) shall be submitted to and approved in writing by the Local Planning Authority.

(b) An application for approval of any 'Reserved Matters' must be made not later than the expiration of three years beginning with the date of this permission.

(c) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: (a) This condition is required to be imposed by the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015: (1) of the (b) and (c) These conditions are required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 2 – amended as underlined:

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

*J18067 001 Rev F Proposed Basement Floor Plan
J18067 002 Rev N Proposed Ground Floor Plan
J18067 003 Rev M Proposed First Floor Plan
J18067 004 Rev L Proposed Second Floor Plan
J18067 005 Rev G Proposed Front Elevation
J18067 006 Rev F Proposed Rear Elevation
J18067 007 Rev F Proposed Side Elevation
J18067 008 Rev F Proposed Side Elevation
J18067 009 Rev G Proposed Street Elevation
J18067 010 Rev G Section AA
J18067 011 Rev E Section BB
J18067 012 Rev L Block and Location Plan
J18067 013 Rev E Bin Store Details*

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

Condition 16 – added as underlined:

Prior to the commencement of the development of the care home, hereby permitted, a noise assessment for any external plant/condensers shall be conducted in accordance with BS4142:2014 for all plant including fans associated with the extract system, refrigeration condensers, air conditioning units, 9 car stacking system and any other plant likely to be audible at neighbouring premises from the care home. The assessment shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme (together with any required measures) shall be installed to the agreed specification prior to the first use, and maintained and operated in that condition thereafter.

Reason: to protect neighbouring amenity of adjoining neighbouring properties

Condition 18 – duplicated materials condition deleted and replaced with:

The 9 car stacking system here by approved as identified on drawing J18067-012 L shall only be used by staff employed on the premises and remain in the closed position at all times except for the purpose of loading and unloading vehicles.

Reason: to protect the amenity of future occupants.

On the basis of these modifications – particularly that its mass had been sympathetically modified, so that its roofline was now tiered, rising gradually, from 1 storey to 3, away from the nearest property - and taking into account the merits of the application, officers were now recommending approval of the application.

Formal consultation had generated an objection from Verwood Town Council on the grounds of form; appearance and traffic generation, with 66 representations being received objecting to the proposal on the grounds of incongruous design; the impact on the character of neighbouring amenity; adverse effect on trees, Verwood Heath and the highway network and; the disruption from its construction.

The Committee were then notified of those written submissions received and officers read these direct to the Committee - being appended to these minutes. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that each one could be addressed by the provisions of the application and the assessments made.

One of the three local ward members - Councillor Simon Gibson - was given the opportunity to speak, in considering that the development still did not adequately or fundamentally address the reasons for previous refusals and concerns remained, as they did for the Town Council. The scale of the development was inappropriate for such a constrained site and how the staff parking was to be accommodated was unacceptable on local amenity. Among his other concerns was the internal layout, that the staff rest room was now proposed for the basement and that residential amenity would be compromised by the activities proposed externally. In supporting those neighbours who had objected, he asked the Committee to refuse the application.

The opportunity was given for members, to ask questions of the presentation and what they had heard, in seeking clarification of room sizes, design and the internal arrangements and layout; the need for the facility; the security of the site and the necessity for the car stacking system.

Officers addressed the questions raised, providing what they considered to be satisfactory answers based on the assessments made, the material planning considerations applicable and for the reasons set out in their report and presentation.

Officers reiterated that to accommodate staff parking on the site the car stacking system was a tried and tested means of doing this successfully and in a managed way. Whilst this system might well be unfamiliar in parts of rural Dorset, such parking was commonplace in more urban areas throughout the country as a satisfactory solution in meeting a typical challenge.

Much was made of what evidence there was for the need for the facility and its proposed internal layout with officers confirming that whilst the Dorset Social Care Team had some reservations that the internal design and arrangements did not appear to have regard to modern Dementia friendly design standard or that consideration did not appear to have been given to smaller household units within the home, this was not necessarily critical, given that the proposed design was of a satisfactory care standard and would meet the needs of its residents quite acceptably. Despite some representations questioning the need for another care home, the Social Care team had identified there being a need in East Dorset for acute levels of dementia care to be met together with the principle for a contribution to be made to deliver such accommodation in urban areas in the local Plan to relieve such pressures on more environmentally sensitive areas.

As to the impact on the character of the area, officers considered this to be acceptable in that the design, appearance and bulk was acceptable and in keeping with the blend of styles in the area and that proximity to neighbouring properties had now been mitigated by the redesign to a tiered structure and is now being located some further distance away.

Traffic and highways issues were clarified by the Transport Liaison Development Manager including what traffic movements there currently were and what was anticipated to be generated by the home. How this would translate in additional traffic generation on the network was seen to be minimal and would have little effect on peak periods, as traffic flows were relatively low on Edmondsham Road. He was also confident that there would be no conflict with the finishing times of the nearby Trinity First School. However members were not convinced this would be the case as in their view, the peak times for both the home and the school appeared to coincide.

In response to what effect on the development could have on Verwood heath the limitations on any additional residential properties being built within 400 metres of the heath did not apply to a care home such as this given the nature of the activities taking place and what limited opportunities there might be in it being readily accessible to residents. Natural England had acknowledged as much and it was acceptable within the provisions of the Dorset Heathland Planning Framework.

One member mentioned what archaeological surveys had been done as part of the application with officers clarifying that what was necessary had been complied with in this regard; it being anticipated that there was no reason to believe that there was anything of significance on site which would constitute a material consideration.

However whilst accepting the clarifications made, Members remained somewhat unconvinced that what was being proposed would meet the need for which it was designed and were concerned that the site was too constrained to accommodate a development of the scale, bulk and form proposed and that the stacking parking system being proposed was testament to this and should not be necessary if the size of the site was adequate and fit for purpose. Although the case for the car stacking system had been

adequately explained in detail by officers, Members still considered it to be undesirable – if not unacceptable – for this site and considered there to be a need to provide adequate, traditional on-site parking to ensure a satisfactory standard of residential amenity for residents. The density of the development was considered to be too restrictive and compromised what a care home should have to offer. It was acknowledged that the design of a development had an effect on well-being and it was their opinion that this proposal did nothing to enhance that. Moreover, there was a need to accommodate the needs of those most vulnerable in society but felt that this would not be achieved by what was being proposed.

Furthermore, whilst a bedroom was no longer proposed for the basement, members felt that this was still not the place to site a staff rest room and what this had to offer. Other reservations members had were not necessarily material considerations and, therefore, a case could not be made to justify refusal on their basis.

As the Planning Authority, members said that the Council had an obligation to ensure development achieved good planning standards and design and met what was necessary and expected, in being wholly satisfied that those standards had been met. They considered that this was not the case for this development.

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 presentation; the written representations; and what they had heard at the meeting; and the views of Councillor Simon Gibson, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this. The Committee considered that, notwithstanding the assessments made by officers that the proposal should be granted permission, they could not agree to what was being recommended on the basis that the site was too constrained, with the internal arrangements not being of a satisfactory standard to meet the need of a modern care home and the parking proposed inadequate.

On that basis – and being proposed by Councillor Shane Bartlett and seconded by Councillor Alex Brenton - on being put to the vote, the Committee agreed, unanimously, that the application should be refused.

Resolved

That planning application 3/19/2271 be refused.

Reason for Decision

The site is too constrained to accommodate development of the scale, bulk and form proposed together with the need to provide adequate on-site parking and a satisfactory standard of residential amenity for residents. For these reasons the development is considered to constitute overdevelopment of the site contrary to Policy HE2 of Christchurch and East Dorset Core Strategy and paragraphs 122 (e) and 127 (f) of the NPPF 2019 that require a good standard of amenity for existing and future occupants.

112. **Urgent items**

There were no urgent items of business for consideration at the meeting.

113. **Summary of Statements of Representation**

Application 6/2019/0443

Objection - John Stagg

Support - Barrie Robinson, Adrienne King, Pauline Turner, John Westacott, Craig Parsons, Peter Smith, Julie O'Donnell, Alan Meggs, Adrian Hearn, Stephen Cope, James Boyt, Tina Buchanan, Helen Tucker, Neil Legg, Sheelagh Birks, Gillian Haberfield, Gill Diaper, Shirley Nebel, Tom Pickford, Jane Chadwick, Trudy Hicken, Paul Thompson, Michael Colegate, Ian Swinden, Bob Sprack, Bill Saxby, Malcolm Bradshaw, Barbara England, Marcelle King, Julie Almond, Liz Vigor, Leah Harley, Darren King, Alan Williams – Planning Potential (for applicant).

Application 3/19/2271

Objection – Martin Summers

Support – Daryl Howells – Pure Town Planning

104. **Introduction by the Chairman**

Given that the meeting was being held as a MS Team Live Event virtual meeting owing to the need to do so during the coronavirus/Covid -19 pandemic, the Chairman took the opportunity to explain how the meeting would take place, the way this would be done and the reason for this. She explained the protocols and processes to be followed and that doing so give the Council the ability to continue to fulfil its obligation of delivering the planning function and determining applications.

She also took the opportunity to inform the meeting about the sad news of the loss of planning officer Tony Bird since the last meeting, and on behalf of the Committee asked that condolences be passed on to his family and colleagues.

105. **Apologies**

No apologies for absence were received at the meeting.

106. **Declarations of Interest**

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

107. **Minutes**

The minutes of the meeting held on 3 June 2020 were confirmed and would be signed when the opportunity arose.

108. **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.

109. **6/2019/0443 - Demolition of existing buildings, and the erection of a Class A1 discount foodstore with associated works at site of Upton Oil Co Ltd, Blandford Road North, Upton**

The Committee considered an application - 6/2019/0443 – by ALDI Stores Ltd, for a proposal to erect a discount supermarket (A1 use class), with 1802 square metres of gross floor space, of which 1315 square metres would be used as the retail area and the rest of the space used for storage and staff facilities, with a bay for unloading deliveries being constructed on the north eastern elevation, recessed into the ground, with the lowest point being situated approximately 1.2m below the finished floor level of the rest of the store.

The proposal included the formation of a new car park, which would provide for 132 car parking spaces, two of which would provide an electrical charging point, with 8 being designated as parking spaces for parents with young children. The car park would also provide 4 parking spaces for disabled users and 10 spaces for bicycles. The proposal also included a planting and landscaping scheme for the car park.

A new access was also proposed as part of the development. A totem sign was to be the subject of the advertisement of a separate advertisement consent should the application be approved.

To complement the development, an agreement would need to be met to monitor the use of the uncontrolled pedestrian crossing adjacent to the store on Blandford Road North (B3068). If it was established over a five-year period that there was sufficient pedestrian use of the crossing, an agreement would be put in place for the applicant to upgrade the crossing to a traffic light controlled crossing. This would be achieved by means of a Section 106 agreement.

As to the relevant planning history of the site, the land had been used as an oil depot and garage for a number of years, but had been derelict for some time over the recent past, so the development was seen to be a means of making use of this brownfield site and going some way to providing for the retail need in Upton which had been identified.

With the aid of a visual presentation, officers provided context of what the main proposals, principles and planning issues of the development were; how this were to be progressed; how the development would address retail need in that part of the county; and what this entailed. The presentation focused on not only what the development entailed and its detailed design, but what effect it would have on residential amenity, Upton town centre and the character the area. Officers were obliged to consider whether there were any alternative, suitable sites and whether the development would be harmful to the viability of Upton town centre. Analysis of evidence had indicated that, in both cases, it was their view that this would not be the case. If the proposal had been considered to be harmful to the viability and vitality of Upton, the generation of 30 full time jobs would not be considered to carry significant weight to overcome the harm that would be caused. As the proposal was considered not to be harmful to the viability and vitality of Upton town centre, this was one of the reasons for what was being recommended. Overall, the modest economic benefits were seen to be acceptable and should be seen to be beneficial in contributing to economic growth in that part of Dorset in particular and the county in general. Moreover, this was the only discount store that was planned to serve the Purbeck area as, currently, the nearest such alternative was to be found in Poole.

Plans and photographs provided an illustration of the location, orientation, dimensions – form, bulk, size and mass - and appearance of the development; how it would look – with contextual elevations / visualisation and floorplans being provided for this purpose; the materials to be used; the layout of the car park and where trolley parks would be located; access and

highway considerations; the means of landscaping; where any pedestrian access would be situated; where the road crossing point would be located; and its setting within the Upton and the characteristics of that part of the town. Deliveries would be unloaded below ground level, in a recessed bay, to ensure that any external noise would be limited.

There was seen to be some scope for a pedestrian link from the east, direct from the housing estate on the northern side of Blandford Road North to the store, rather than it being necessary to circumnavigate the perimeter, but no progress had been made on any solution to this with the Town Council - as third party owners of the land - and whilst it might well be seen as a desired line, it was not critical to the merits of the application, given that there were acceptable alternative means of access.

Officers showed the development's relationship with the neighbouring residential estates and how that access to the store might be achieved. Views into the site and around it were shown, which provided a satisfactory understanding of all that was necessary.

Officers considered that the proposed development would provide a clear economic benefit to Upton and surrounding areas. The development would generate 30 full time equivalent jobs in the store. This was considered to be a positive benefit to the area.

Given all this, officers considered that all material planning considerations had been addressed and were acceptable, with the development making best use of previously developed land and would result in a positive contribution to townscape. As such, members were now being asked to agree to what was being recommended.

Formal consultation had resulted in Lytchett Minster and Upton Town Council not objecting to, and accepting, the principle of the development but, amongst some other practical suggestions, asked that vegetation be managed to improve sightlines so as to improve what was being proposed. Similarly, Natural England and the Environment Agency both raised no objection, in principle.

Dorset Council Highways Team had no objections, subject to the provision of an uncontrolled pedestrian crossing and bus shelters, a layby and a right turn lane being required. There were 372 third party representations received, with 24 objecting to the proposal - including one representing Lidl – and 310 in support.

The Committee were notified of those written submissions received and officers read these direct to the Committee - being appended to these minutes. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that, where applicable, each one could be addressed by the provisions of the application.

The Committee were joined by local Ward Councillors Bill Pipe and Andrew Starr. Councillor Pipe welcomed what he considered to be a much needed

development to serve the needs of the local population with any effect on local established convenience stores being minimal. This store would offer the opportunity for residents to be able to do a weekly sized shop in close proximity to their homes. He was also supportive of the benefits for employment and the economy.

Councillor Andrew Starr similarly supported this development for the same reasons but asked that the vegetation be managed to improve sight lines, the pedestrian access be made more user friendly and felt that it was necessary to have a fully functioning light controlled crossing available from the outset given the demographic profile of those shoppers anticipated and their need for this facility.

The opportunity was given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Particular reference was made to the appearance of the store; access arrangements; traffic management and speed limit provision; how parking spaces were to be determined and their layout; and what the requirement there was for the introduction of a controlled pedestrian crossing. They asked officers to consider the application of a barrier at the entrance to the car park to restrict use of the site outside store operating hours and so as to deter such use.

Officers addressed the questions raised providing what they considered to be satisfactory answers. As well as clarifying aspects of the development of the store itself, in particular the Highways Advisor explained how the access arrangements were designed to operate and the safety issues that had been addressed in doing this. He was of the view that the quality of the proposed pedestrian access around the perimeter of the site could be improved so that it was of a suitable standard to all users. Any direct access - as had been suggested from the north eastern direction - was not able to be addressed by this application given the current ownership issues, but could be addressed - should any future negotiations be necessary - through a separate application.

Moreover, in particular, officers clarified that there was a need for evidence of use to be gathered and analysed before consideration could be given and it determined to whether a light controlled crossing was justified or whether the pedestrian refuge which currently existed would suffice and that this evidence could only come after the store had opened and was being used. Members were assured that the s106 agreement provided for a commitment from Aldi to apply those enhanced measures if necessary.

Officers considered that the request for a barrier was acceptable and could be accommodated – by condition - to address any potential unauthorised activity in addressing those concerns Members raised.

Whilst some members maintained their reservations at what access arrangements were being proposed and how, seemingly, these could not necessarily be enhanced as they would have liked, the general view was that the development was acceptable and would contribute quite significantly to

both employment opportunities and economic growth in the area and would be an asset in meeting local retail needs.

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 presentation, the written representations; and what they had heard at the meeting, and having received satisfactory answers to questions raised, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this and, on that basis - and being proposed by Councillor Robin Cook and seconded by Councillor Shane Bartlett - on being put to the vote, the Committee unanimously agreed that the application should be approved, subject to the conditions set out

in paragraph 17 of the report; and taking into account the addition of a condition to provide for a vehicle height barrier upon entry to the site; and the application of a s106 agreement for the provision of a controlled pedestrian crossing, as necessary.

Resolved

That the **grant** of planning permission, in respect of application 6/2019/0443, **be delegated to the Head of Planning**, subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), in a form to be agreed by the Legal Services Manager to secure the following:-

- a monitoring agreement requiring at least annual surveys for the first five years after the store has opened to establish whether the pedestrian crossing will need to be upgraded to a signal controlled crossing.

and subject to the conditions contained in paragraph 17 of the report with **an additional condition** in respect of:-

- details of a vehicle barrier to be installed at the entrance must be submitted to the Local Planning Authority prior to the store opening to the public. The barrier must be installed before the store is opened to the public and permanently retained in accordance with the details. The barrier must be closed when the store is not open to members of the public.

Reason: In the interests of security and anti-social behaviour.

and the inclusion of the **Informative Note** - The applicant should carefully consider the management of deliveries on the site.

Reasons for Decision

Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise

- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring

residential amenity.

- There are no material considerations which would warrant refusal of this application
- The proposal is not considered to harm the viability or vitality of either Upton or Poole Town Centres.

110. 6/2020/0167 - Alterations to field gate and creation of pedestrian gate at St Georges Primary School, 76 High Street, Langton Matravers

The Committee considered an application - 6/2020/0167 - for the alterations to field gate and creation of pedestrian gate at St Georges Primary School, 76 High Street, Langton Matravers so as to improve the safety of access to the playing field by providing a separate pedestrian access from the vehicular one, being recognised as an asset of community value. The application was being considered by the Committee as it was a Dorset Council application.

With the aid of a visual presentation, officers explained what the reason for the alteration was; how it would look and what this entailed. Plans and photographs provided an illustration of the location and appearance of what was being proposed and why it was necessary on safety grounds. As the site was in the Langton Matravers Conservation Area the preservation of its significance was essential and the proposal would provide for this by the means and materials to be used, without harm to the surrounding wider landscape or residential amenity. As such, officers were recommending approval.

The local Ward member, Councillor Cherry Brooks, was supportive of the application, considering it to be necessary on safety grounds and would enhance the accessibility of the school. Langton Matravers Parish Council and Dorset Highways supported the application too.

The opportunity was given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Officers addressed the questions raised providing what they considered to be satisfactory answers.

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 presentation; and what they had heard at the meeting, and having received satisfactory answers to questions raised, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this and, on that basis - and being proposed by Councillor Shane Bartlett and seconded by Councillor Toni Coombs - on being put to the vote, the Committee unanimously agreed that the application should be approved, subject to the conditions set out in paragraph 17 of the report.

Resolved

That planning permission be granted subject to the conditions in paragraph 17 of the officer's report.

Reasons for Decision

The principle of the development was acceptable and it will improve and allow safe access between the school and the playing field and for the whole community.

- The proposal is acceptable in its layout, appearance and general visual impact.
- The character and appearance of the Langton Matravers Conservation Area will be preserved.
- The natural beauty of the Dorset Area of Outstanding Natural Beauty and the special character of the Purbeck Heritage Coast will not be harmed.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

111. **3/19/2271 - Demolish the existing buildings and erect a dementia care home with new vehicular access and parking provision at 5 - 7A Edmondsham Road, Verwood**

The Committee considered application 3/19/2271 to demolish the existing buildings and erect a dementia care home with new vehicular access and parking provision at 5 - 7A Edmondsham Road, Verwood. The Committee were informed that two previous applications had been refused and modifications had been made to address the reasons for refusal in this application.

With the aid of a visual presentation, officers explained what the main proposals, principles and planning issues of the development were; how these were to be progressed; how the development would contribute to meeting care needs; and what this entailed.

Plans and photographs provided an illustration of the location, dimensions – form, bulk, size and mass - and appearance of the development, along with its ground floor plans and internal design; how it would look; the materials to be used; what landscaping there would be; its relationship with the highway network; the characteristics of the site; access arrangements and its relationship with the local highway network; its relationship with other adjacent

residential development and the variety of dwellings therein; what local amenity there was and; its setting within Verwood. The comparative distance to Verwood Heath – some 400 metres - was mentioned. Views into the site and around it were shown, which provided a satisfactory understanding of what the application entailed. The security of the site and how this could be assured was explained to Members.

The Committee's attention was drawn in particular to the staff car parking stacking system that was to be implemented and how this would operate in practice; its appearance; what safety measures it had; and why it was necessary. Officers took the opportunity to describe this feature in some considerable detail as it might well be unfamiliar to some members and so that they had a clear understanding of what this entailed and why it was necessary. The safety features associated with the system and the limited times when it would be necessary to be operated were also described, only being installed to manufacturer's specification and being fob operated.

Other material considerations of merit were the contributions to be secured through Community Infrastructure Levy of some £74605 (approx.) and the opportunity for employment gains with the creation of 20 jobs.

The officer's recommendation was for permission to be granted on the basis that the modifications made in this application to address the reasons for previous refusals were considered to now be satisfactory and acceptable, in that:-

- the proposed basement amenity space had been removed
- the bedrooms in the basement had been removed and the number of bedrooms reduced from 38 to 29
- hard landscaping had been reduced
- parking had been reconfigured as per the amended hard landscaping
- the two storey element to the north had been further set back away from the neighbouring property
- flood and drainage information had been revised
- a signed Biodiversity Mitigation and Enhancement Plan (BMEP) had been updated

The officer then provided the following updates to the published report in her presentation:-

Condition 1 - added as underlined:

(a) Before any development is commenced details of all 'Reserved Matters', that is the following matters in respect of which details have not been given in the application and which relate to the landscaping (including boundary treatment details) shall be submitted to and approved in writing by the Local Planning Authority.

(b) An application for approval of any 'Reserved Matters' must be made not later than the expiration of three years beginning with the date of this permission.

(c) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the

Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: (a) This condition is required to be imposed by the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015: (1) of the (b) and (c) These conditions are required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 2 – amended as underlined:

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

*J18067 001 Rev F Proposed Basement Floor Plan
J18067 002 Rev N Proposed Ground Floor Plan
J18067 003 Rev M Proposed First Floor Plan
J18067 004 Rev L Proposed Second Floor Plan
J18067 005 Rev G Proposed Front Elevation
J18067 006 Rev F Proposed Rear Elevation
J18067 007 Rev F Proposed Side Elevation
J18067 008 Rev F Proposed Side Elevation
J18067 009 Rev G Proposed Street Elevation
J18067 010 Rev G Section AA
J18067 011 Rev E Section BB
J18067 012 Rev L Block and Location Plan
J18067 013 Rev E Bin Store Details*

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

Condition 16 – added as underlined:

Prior to the commencement of the development of the care home, hereby permitted, a noise assessment for any external plant/condensers shall be conducted in accordance with BS4142:2014 for all plant including fans associated with the extract system, refrigeration condensers, air conditioning units, 9 car stacking system and any other plant likely to be audible at neighbouring premises from the care home. The assessment shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme (together with any required measures) shall be installed to the agreed specification prior to the first use, and maintained and operated in that condition thereafter.

Reason: to protect neighbouring amenity of adjoining neighbouring properties

Condition 18 – duplicated materials condition deleted and replaced with:

The 9 car stacking system here by approved as identified on drawing J18067-012 L shall only be used by staff employed on the premises

and remain in the closed position at all times except for the purpose of loading and unloading vehicles.

Reason: to protect the amenity of future occupants.

On the basis of these modifications – particularly that its mass had been sympathetically modified, so that its roofline was now tiered, rising gradually, from 1 storey to 3, away from the nearest property - and taking into account the merits of the application, officers were now recommending approval of the application.

Formal consultation had generated an objection from Verwood Town Council on the grounds of form; appearance and traffic generation, with 66 representations being received objecting to the proposal on the grounds of incongruous design; the impact on the character of neighbouring amenity; adverse effect on trees, Verwood Heath and the highway network and; the disruption from its construction.

The Committee were then notified of those written submissions received and officers read these direct to the Committee - being appended to these minutes. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that each one could be addressed by the provisions of the application and the assessments made.

One of the three local ward members - Councillor Simon Gibson - was given the opportunity to speak, in considering that the development still did not adequately or fundamentally address the reasons for previous refusals and concerns remained, as they did for the Town Council. The scale of the development was inappropriate for such a constrained site and how the staff parking was to be accommodated was unacceptable on local amenity. Among his other concerns was the internal layout, that the staff rest room was now proposed for the basement and that residential amenity would be compromised by the activities proposed externally. In supporting those neighbours who had objected, he asked the Committee to refuse the application.

The opportunity was given for members, to ask questions of the presentation and what they had heard, in seeking clarification of room sizes, design and the internal arrangements and layout; the need for the facility; the security of the site and the necessity for the car stacking system.

Officers addressed the questions raised, providing what they considered to be satisfactory answers based on the assessments made, the material planning considerations applicable and for the reasons set out in their report and presentation.

Officers reiterated that to accommodate staff parking on the site the car stacking system was a tried and tested means of doing this successfully and in a managed way. Whilst this system might well be unfamiliar in parts of rural Dorset, such parking was commonplace in more urban areas throughout the country as a satisfactory solution in meeting a typical challenge.

Much was made of what evidence there was for the need for the facility and its proposed internal layout with officers confirming that whilst the Dorset Social Care Team had some reservations that the internal design and arrangements did not appear to have regard to modern Dementia friendly design standard or that consideration did not appear to have been given to smaller household units within the home, this was not necessarily critical, given that the proposed design was of a satisfactory care standard and would meet the needs of its residents quite acceptably. Despite some representations questioning the need for another care home, the Social Care team had identified there being a need in East Dorset for acute levels of dementia care to be met together with the principle for a contribution to be made to deliver such accommodation in urban areas in the local Plan to relieve such pressures on more environmentally sensitive areas.

As to the impact on the character of the area, officers considered this to be acceptable in that the design, appearance and bulk was acceptable and in keeping with the blend of styles in the area and that proximity to neighbouring properties had now been mitigated by the redesign to a tiered structure and in now being located some further distance away.

Traffic and highways issues were clarified by the Transport Liaison Development Manager including what traffic movements there currently were and what was anticipated to be generated by the home. How this would translate in additional traffic generation on the network was seen to be minimal and would have little effect on peak periods, as traffic flows were relatively low on Edmondsham Road. He was also confident that there would be no conflict with the finishing times of the nearby Trinity First School. However members were not convinced this would be the case as in their view, the peak times for both the home and the school appeared to coincide.

In response to what effect on the development could have on Verwood heath the limitations on any additional residential properties being built within 400 metres of the heath did not apply to a care home such as this given the nature of the activities taking place and what limited opportunities there might be in it being readily accessible to residents. Natural England had acknowledged as much and it was acceptable within the provisions of the Dorset Heathland Planning Framework.

One member mentioned what archaeological surveys had been done as part of the application with officers clarifying that what was necessary had been complied with in this regard; it being anticipated that there was no reason to believe that there was anything of significance on site which would constitute a material consideration.

However whilst accepting the clarifications made, Members remained somewhat unconvinced that what was being proposed would meet the need for which it was designed and were concerned that the site was too constrained to accommodate a development of the scale, bulk and form proposed and that the stacking parking system being proposed was testament to this and should not be necessary if the size of the site was adequate and fit

for purpose. Although the case for the car stacking system had been adequately explained in detail by officers, Members still considered it to be undesirable – if not unacceptable – for this site and considered there to be a need to provide adequate, traditional on-site parking to ensure a satisfactory standard of residential amenity for residents. The density of the development was considered to be too restrictive and compromised what a care home should have to offer. It was acknowledged that the design of a development had an effect on well-being and it was their opinion that this proposal did nothing to enhance that. Moreover, there was a need to accommodate the needs of those most vulnerable in society but felt that this would not be achieved by what was being proposed.

Furthermore, whilst a bedroom was now proposed for the basement, members felt that this was still not the place to site a staff rest room and what this had to offer. Other reservations members had were not necessarily material considerations and, therefore, a case could not be made to justify refusal on their basis.

As the Planning Authority, members said that the Council had an obligation to ensure development achieved good planning standards and design and met what was necessary and expected, in being wholly satisfied that those standards had been met. They considered that this was not the case for this development.

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 presentation; the written representations; and what they had heard at the meeting; and the views of Councillor Simon Gibson, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this. The Committee considered that, notwithstanding the assessments made by officers that the proposal should be granted permission, they could not agree to what was being recommended on the basis that the site was too constrained, with the internal arrangements not being of a satisfactory standard to meet the need of a modern care home and the parking proposed inadequate.

On that basis – and being proposed by Councillor Shane Bartlett and seconded by Councillor Alex Brenton - on being put to the vote, the Committee agreed, unanimously, that the application should be refused.

Resolved

That planning application 3/19/2271 be refused.

Reason for Decision

The site is too constrained to accommodate development of the scale, bulk and form proposed together with the need to provide adequate on-site parking and a satisfactory standard of residential amenity for residents. For these reasons the development is considered to constitute overdevelopment of the site contrary to Policy HE2 of Christchurch and East Dorset Core Strategy and paragraphs 122 (e) and 127 (f) of the NPPF 2019 that require a good standard of amenity for existing and future occupants.

112. **Urgent items**

There were no urgent items of business for consideration at the meeting.

113. **Summary of Statements of Representation**

Application 6/2019/0443

Objection - John Stagg

Support - Barrie Robinson, Adrienne King, Pauline Turner, John Westacott, Craig Parsons, Peter Smith, Julie O'Donnell, Alan Meggs, Adrian Hearn, Stephen Cope, James Boyt, Tina Buchanan, Helen Tucker, Neil Legg, Sheelagh Birks, Gillian Haberfield, Gill Diaper, Shirley Nebel, Tom Pickford, Jane Chadwick, Trudy Hicken, Paul Thompson, Michael Colegate, Ian Swinden, Bob Sprack, Bill Saxby, Malcolm Bradshaw, Barbara England, Marcelle King, Julie Almond, Liz Vigor, Leah Harley, Darren King, Alan Williams – Planning Potential (for applicant).

Application 3/19/2271

Objection – Martin Summers

Support – Daryl Howells – Pure Town Planning

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

Statements from Third Parties

Minute 109

John Stagg, Barrie Robinson, Adrienne King, Pauline Turner, John Westacott, Craig Parsons, Peter Smith, Julie O'Donnell, Alan Meggs, Adrian Hearn, Stephen Cope, James Boyt, Tina Buchanan, Helen Tucker, Neil Legg, Sheelagh Birks, Gillian Haberfield, Gill Diaper, Shirley Nebel, Tom Pickford, Jane Chadwick, Trudy Hicken, Paul Thompson, Michael Colegate, Ian Swinden, Bob Sprack, Bill Saxby, Malcolm Bradshaw, Barbara England, Marcelle King, Julie Almond, Liz Vigor, Leah Harley, Darren King, Alan Williams – Planning Potential (for applicant).

Minute 111

Martin Summers, Daryl Howells – Pure Town Planning

104. Introduction by the Chairman

Given that the meeting was being held as a MS Team Live Event virtual meeting owing to the need to do so during the coronavirus/Covid -19 pandemic, the Chairman took the opportunity to explain how the meeting would take place, the way this would be done and the reason for this. She explained the protocols and processes to be followed and that doing so give gave the Council the ability to continue to fulfil its obligation of delivering the planning function and determining applications.

She also took the opportunity to inform the meeting about the sad news of the loss of planning officer Tony Bird since the last meeting, and on behalf of the Committee asked that condolences be passed on to his family and colleagues.

105. Apologies

No apologies for absence were received at the meeting.

106. Declarations of Interest

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

107. Minutes

The minutes of the meeting held on 3 June 2020 were confirmed and would be signed when the opportunity arose.

108. 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.

109. **6/2019/0443 - Demolition of existing buildings, and the erection of a Class A1 discount foodstore with associated works at site of Upton Oil Co Ltd, Blandford Road North, Upton**

The Committee considered an application - 6/2019/0443 – by ALDI Stores Ltd, for a proposal to erect a discount supermarket (A1 use class), with 1802 square metres of gross floor space, of which 1315 square metres would be used as the retail area and the rest of the space used for storage and staff facilities, with a bay for unloading deliveries being constructed on the north eastern elevation, recessed into the ground, with the lowest point being situated approximately 1.2m below the finished floor level of the rest of the store.

The proposal included the formation of a new car park, which would provide for 132 car parking spaces, two of which would provide an electrical charging point, with 8 being designated as parking spaces for parents with young children. The car park would also provide 4 parking spaces for disabled users and 10 spaces for bicycles. The proposal also included a planting and landscaping scheme for the car park.

A new access was also proposed as part of the development. A totem sign was to be the subject of the advertisement of a separate advertisement consent should the application be approved.

To complement the development, an agreement would need to be met to monitor the use of the uncontrolled pedestrian crossing adjacent to the store on Blandford Road North (B3068). If it was established over a five-year period that there was sufficient pedestrian use of the crossing, an agreement would be put in place for the applicant to upgrade the crossing to a traffic light controlled crossing. This would be achieved by means of a Section 106 agreement.

As to the relevant planning history of the site, the land had been used as an oil depot and garage for a number of years, but had been derelict for some time over the recent past, so the development was seen to be a means of making use of this brownfield site and going some way to providing for the retail need in Upton which had been identified.

With the aid of a visual presentation, officers provided context of what the main proposals, principles and planning issues of the development were; how this were to be progressed; how the development would address retail need in that part of the county; and what this entailed. The presentation focused on not only what the development entailed and its detailed design, but what effect it would have on residential amenity, Upton town centre and the character the area. Officers were obliged to consider whether there were any alternative, suitable sites and whether the development would be harmful to the viability of Upton town centre. Analysis of evidence had indicated that, in

both cases, it was their view that this would not be the case. If the proposal had been considered to be harmful to the viability and vitality of Upton, the generation of 30 full time jobs would not be considered to carry significant weight to overcome the harm that would be caused. As the proposal was considered not to be harmful to the viability and vitality of Upton town centre, this was one of the reasons for what was being recommended. Overall, the modest economic benefits were seen to be acceptable and should be seen to be beneficial in contributing to economic growth in that part of Dorset in particular and the county in general. Moreover, this was the only discount store that was planned to serve the Purbeck area as, currently, the nearest such alternative was to be found in Poole.

Plans and photographs provided an illustration of the location, orientation, dimensions – form, bulk, size and mass - and appearance of the development; how it would look – with contextual elevations / visualisation and floorplans being provided for this purpose; the materials to be used; the layout of the car park and where trolley parks would be located; access and highway considerations; the means of landscaping; where any pedestrian access would be situated; where the road crossing point would be located; and its setting within the Upton and the characteristics of that part of the town. Deliveries would be unloaded below ground level, in a recessed bay, to ensure that any external noise would be limited.

There was seen to be some scope for a pedestrian link from the east, direct from the housing estate on the northern side of Blandford Road North to the store, rather than it being necessary to circumnavigate the perimeter, but no progress had been made on any solution to this with the Town Council - as third party owners of the land - and whilst it might well be seen as a desired line, it was not critical to the merits of the application, given that there were acceptable alternative means of access.

Officers showed the development's relationship with the neighbouring residential estates and how that access to the store might be achieved. Views into the site and around it were shown, which provided a satisfactory understanding of all that was necessary.

Officers considered that the proposed development would provide a clear economic benefit to Upton and surrounding areas. The development would generate 30 full time equivalent jobs in the store. This was considered to be a positive benefit to the area.

Given all this, officers considered that all material planning considerations had been addressed and were acceptable, with the development making best use of previously developed land and would result in a positive contribution to townscape. As such, members were now being asked to agree to what was being recommended.

Formal consultation had resulted in Lytchett Minster and Upton Town Council not objecting to, and accepting, the principle of the development but, amongst some other practical suggestions, asked that vegetation be managed to improve sightlines so as to improve what was being proposed. Similarly,

Natural England and the Environment Agency both raised no objection, in principle.

Dorset Council Highways Team had no objections, subject to the provision of an uncontrolled pedestrian crossing and bus shelters, a layby and a right turn lane being required. There were 372 third party representations received, with 24 objecting to the proposal - including one representing Lidl – and 310 in support.

The Committee were notified of those written submissions received and officers read these direct to the Committee - being appended to these minutes. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that, where applicable, each one could be addressed by the provisions of the application.

The Committee were joined by local Ward Councillors Bill Pipe and Andrew Starr. Councillor Pipe welcomed what he considered to be a much needed development to serve the needs of the local population with any effect on local established convenience stores being minimal. This store would offer the opportunity for residents to be able to do a weekly sized shop in close proximity to their homes. He was also supportive of the benefits for employment and the economy.

Councillor Andrew Starr similarly supported this development for the same reasons but asked that the vegetation be managed to improve sight lines, the pedestrian access be made more user friendly and felt that it was necessary to have a fully functioning light controlled crossing available from the outset given the demographic profile of those shoppers anticipated and their need for this facility.

The opportunity was given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Particular reference was made to the appearance of the store; access arrangements; traffic management and speed limit provision; how parking spaces were to be determined and their layout; and what the requirement there was for the introduction of a controlled pedestrian crossing. They asked officers to consider the application of a barrier at the entrance to the car park to restrict use of the site outside store operating hours and so as to deter such use.

Officers addressed the questions raised providing what they considered to be satisfactory answers. As well as clarifying aspects of the development of the store itself, in particular the Highways Advisor explained how the access arrangements were designed to operate and the safety issues that had been addressed in doing this. He was of the view that the quality of the proposed pedestrian access around the perimeter of the site could be improved so that it was of a suitable standard to all users. Any direct access - as had been suggested from the north eastern direction - was not able to be addressed by this application given the current ownership issues, but could be addressed - should any future negotiations be necessary - through a separate application.

Moreover, in particular, officers clarified that there was a need for evidence of use to be gathered and analysed before consideration could be given and it determined to whether a light controlled crossing was justified or whether the pedestrian refuge which currently existed would suffice and that this evidence could only come after the store had opened and was being used. Members were assured that the s106 agreement provided for a commitment from Aldi to apply those enhanced measures if necessary.

Officers considered that the request for a barrier was acceptable and could be accommodated – by condition - to address any potential unauthorised activity in addressing those concerns Members raised.

Whilst some members maintained their reservations at what access arrangements were being proposed and how, seemingly, these could not necessarily be enhanced as they would have liked, the general view was that the development was acceptable and would contribute quite significantly to both employment opportunities and economic growth in the area and would be an asset in meeting local retail needs.

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 presentation, the written representations; and what they had heard at the meeting, and having received satisfactory answers to questions raised, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this and, on that basis - and being proposed by Councillor Robin Cook and seconded by Councillor Shane Bartlett - on being put to the vote, the Committee unanimously agreed that the application should be approved, subject to the conditions set out in paragraph 17 of the report; and taking into account the addition of a condition to provide for a vehicle height barrier upon entry to the site; and the application of a s106 agreement for the provision of a controlled pedestrian crossing, as necessary.

Resolved

That the **grant** of planning permission, in respect of application 6/2019/0443, **be delegated to the Head of Planning**, subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), in a form to be agreed by the Legal Services Manager to secure the following:-

- a monitoring agreement requiring at least annual surveys for the first five years after the store has opened to establish whether the pedestrian crossing will need to be upgraded to a signal controlled crossing.

and subject to the conditions contained in paragraph 17 of the report with **an additional condition** in respect of:-

- details of a vehicle barrier to be installed at the entrance must be submitted to the Local Planning Authority prior to the store opening to

the public. The barrier must be installed before the store is opened to the public and permanently retained in accordance with the details. The barrier must be closed when the store is not open to members of the public.

Reason: In the interests of security and anti-social behaviour.

and the inclusion of the **Informative Note** - The applicant should carefully consider the management of deliveries on the site.

Reasons for Decision

Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise

- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application
- The proposal is not considered to harm the viability or vitality of either Upton or Poole Town Centres.

110. **6/2020/0167 - Alterations to field gate and creation of pedestrian gate at St Georges Primary School, 76 High Street, Langton Matravers**

The Committee considered an application - 6/2020/0167 - for the alterations to field gate and creation of pedestrian gate at St Georges Primary School, 76 High Street, Langton Matravers so as to improve the safety of access to the playing field by providing a separate pedestrian access from the vehicular one, being recognised as an asset of community value. The application was being considered by the Committee as it was a Dorset Council application.

With the aid of a visual presentation, officers explained what the reason for the alteration was; how it would look and what this entailed. Plans and photographs provided an illustration of the location and appearance of what was being proposed and why it was necessary on safety grounds. As the site was in the Langton Matravers Conservation Area the preservation of its significance was essential and the proposal would provide for this by the means and materials to be used, without harm to the surrounding wider

landscape or residential amenity. As such, officers were recommending approval.

The local Ward member, Councillor Cherry Brooks, was supportive of the application, considering it to be necessary on safety grounds and would enhance the accessibility of the school. Langton Matravers Parish Council and Dorset Highways supported the application too.

The opportunity was given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Officers addressed the questions raised providing what they considered to be satisfactory answers.

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 presentation; and what they had heard at the meeting, and having received satisfactory answers to questions raised, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this and, on that basis - and being proposed by Councillor Shane Bartlett and seconded by Councillor Toni Coombs - on being put to the vote, the Committee unanimously agreed that the application should be approved, subject to the conditions set out in paragraph 17 of the report.

Resolved

That planning permission be granted subject to the conditions in paragraph 17 of the officer's report.

Reasons for Decision

The principle of the development was acceptable and it will improve and allow safe access between the school and the playing field and for the whole community.

- The proposal is acceptable in its layout, appearance and general visual impact.
- The character and appearance of the Langton Matravers Conservation Area will be preserved.
- The natural beauty of the Dorset Area of Outstanding Natural Beauty and the special character of the Purbeck Heritage Coast will not be harmed.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

111. 3/19/2271 - Demolish the existing buildings and erect a dementia care home with new vehicular access and parking provision at 5 - 7A Edmondsham Road, Verwood

The Committee considered application 3/19/2271 to demolish the existing buildings and erect a dementia care home with new vehicular access and parking provision at 5 - 7A Edmondsham Road, Verwood. The Committee were informed that two previous applications had been refused and

modifications had been made to address the reasons for refusal in this application.

With the aid of a visual presentation, officers explained what the main proposals, principles and planning issues of the development were; how these were to be progressed; how the development would contribute to meeting care needs; and what this entailed.

Plans and photographs provided an illustration of the location, dimensions – form, bulk, size and mass - and appearance of the development, along with its ground floor plans and internal design; how it would look; the materials to be used; what landscaping there would be; its relationship with the highway network; the characteristics of the site; access arrangements and its relationship with the local highway network; its relationship with other adjacent residential development and the variety of dwellings therein; what local amenity there was and; its setting within Verwood. The comparative distance to Verwood Heath – some 400 metres - was mentioned. Views into the site and around it were shown, which provided a satisfactory understanding of what the application entailed. The security of the site and how this could be assured was explained to Members.

The Committee's attention was drawn in particular to the staff car parking stacking system that was to be implemented and how this would operate in practice; its appearance; what safety measures it had; and why it was necessary. Officers took the opportunity to describe this feature in some considerable detail as it might well be unfamiliar to some members and so that they had a clear understanding of what this entailed and why it was necessary. The safety features associated with the system and the limited times when it would be necessary to be operated were also described, only being installed to manufacturer's specification and being fob operated.

Other material considerations of merit were the contributions to be secured through Community Infrastructure Levy of some £74605 (approx.) and the opportunity for employment gains with the creation of 20 jobs.

The officer's recommendation was for permission to be granted on the basis that the modifications made in this application to address the reasons for previous refusals were considered to now be satisfactory and acceptable, in that:-

- the proposed basement amenity space had been removed
- the bedrooms in the basement had been removed and the number of bedrooms reduced from 38 to 29
- hard landscaping had been reduced
- parking had been reconfigured as per the amended hard landscaping
- the two storey element to the north had been further set back away from the neighbouring property
- flood and drainage information had been revised
- a signed Biodiversity Mitigation and Enhancement Plan (BMEP) had been updated

The officer then provided the following updates to the published report in her

presentation:-

Condition 1 - added as underlined:

(a) Before any development is commenced details of all 'Reserved Matters', that is the following matters in respect of which details have not been given in the application and which relate to the landscaping (including boundary treatment details) shall be submitted to and approved in writing by the Local Planning Authority.

(b) An application for approval of any 'Reserved Matters' must be made not later than the expiration of three years beginning with the date of this permission.

(c) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: (a) This condition is required to be imposed by the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015: (1) of the (b) and (c) These conditions are required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 2 – amended as underlined:

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

J18067 001 Rev F Proposed Basement Floor Plan

J18067 002 Rev N Proposed Ground Floor Plan

J18067 003 Rev M Proposed First Floor Plan

J18067 004 Rev L Proposed Second Floor Plan

J18067 005 Rev G Proposed Front Elevation

J18067 006 Rev F Proposed Rear Elevation

J18067 007 Rev F Proposed Side Elevation

J18067 008 Rev F Proposed Side Elevation

J18067 009 Rev G Proposed Street Elevation

J18067 010 Rev G Section AA

J18067 011 Rev E Section BB

J18067 012 Rev L Block and Location Plan

J18067 013 Rev E Bin Store Details

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

Condition 16 – added as underlined:

Prior to the commencement of the development of the care home, hereby permitted, a noise assessment for any external plant/condensers shall be conducted in accordance with BS4142:2014 for all plant including fans associated with the extract system, refrigeration

condensers, air conditioning units, 9 car stacking system and any other plant likely to be audible at neighbouring premises from the care home. The assessment shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme (together with any required measures) shall be installed to the agreed specification prior to the first use, and maintained and operated in that condition thereafter.

Reason: to protect neighbouring amenity of adjoining neighbouring properties

Condition 18 – duplicated materials condition deleted and replaced with:

The 9 car stacking system here by approved as identified on drawing J18067-012 L shall only be used by staff employed on the premises and remain in the closed position at all times except for the purpose of loading and unloading vehicles.

Reason: to protect the amenity of future occupants.

On the basis of these modifications – particularly that its mass had been sympathetically modified, so that its roofline was now tiered, rising gradually, from 1 storey to 3, away from the nearest property - and taking into account the merits of the application, officers were now recommending approval of the application.

Formal consultation had generated an objection from Verwood Town Council on the grounds of form; appearance and traffic generation, with 66 representations being received objecting to the proposal on the grounds of incongruous design; the impact on the character of neighbouring amenity; adverse effect on trees, Verwood Heath and the highway network and; the disruption from its construction.

The Committee were then notified of those written submissions received and officers read these direct to the Committee - being appended to these minutes. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that each one could be addressed by the provisions of the application and the assessments made.

One of the three local ward members - Councillor Simon Gibson - was given the opportunity to speak, in considering that the development still did not adequately or fundamentally address the reasons for previous refusals and concerns remained, as they did for the Town Council. The scale of the development was inappropriate for such a constrained site and how the staff parking was to be accommodated was unacceptable on local amenity. Among his other concerns was the internal layout, that the staff rest room was now proposed for the basement and that residential amenity would be compromised by the activities proposed externally. In supporting those neighbours who had objected, he asked the Committee to refuse the application.

The opportunity was given for members, to ask questions of the presentation

and what they had heard, in seeking clarification of room sizes, design and the internal arrangements and layout; the need for the facility; the security of the site and the necessity for the car stacking system.

Officers addressed the questions raised, providing what they considered to be satisfactory answers based on the assessments made, the material planning considerations applicable and for the reasons set out in their report and presentation.

Officers reiterated that to accommodate staff parking on the site the car stacking system was a tried and tested means of doing this successfully and in a managed way. Whilst this system might well be unfamiliar in parts of rural Dorset, such parking was commonplace in more urban areas throughout the country as a satisfactory solution in meeting a typical challenge.

Much was made of what evidence there was for the need for the facility and its proposed internal layout with officers confirming that whilst the Dorset Social Care Team had some reservations that the internal design and arrangements did not appear to have regard to modern Dementia friendly design standard or that consideration did not appear to have been given to smaller household units within the home, this was not necessarily critical, given that the proposed design was of a satisfactory care standard and would meet the needs of its residents quite acceptably. Despite some representations questioning the need for another care home, the Social Care team had identified there being a need in East Dorset for acute levels of dementia care to be met together with the principle for a contribution to be made to deliver such accommodation in urban areas in the local Plan to relieve such pressures on more environmentally sensitive areas.

As to the impact on the character of the area, officers considered this to be acceptable in that the design, appearance and bulk was acceptable and in keeping with the blend of styles in the area and that proximity to neighbouring properties had now been mitigated by the redesign to a tiered structure and in now being located some further distance away.

Traffic and highways issues were clarified by the Transport Liaison Development Manager including what traffic movements there currently were and what was anticipated to be generated by the home. How this would translate in additional traffic generation on the network was seen to be minimal and would have little effect on peak periods, as traffic flows were relatively low on Edmondsham Road. He was also confident that there would be no conflict with the finishing times of the nearby Trinity First School. However members were not convinced this would be the case as in their view, the peak times for both the home and the school appeared to coincide.

In response to what effect on the development could have on Verwood heath the limitations on any additional residential properties being built within 400 metres of the heath did not apply to a care home such as this given the nature of the activities taking place and what limited opportunities there might be in it being readily accessible to residents. Natural England had acknowledged as

much and it was acceptable within the provisions of the Dorset Heathland Planning Framework.

One member mentioned what archaeological surveys had been done as part of the application with officers clarifying that what was necessary had been complied with in this regard; it being anticipated that there was no reason to believe that there was anything of significance on site which would constitute a material consideration.

However whilst accepting the clarifications made, Members remained somewhat unconvinced that what was being proposed would meet the need for which it was designed and were concerned that the site was too constrained to accommodate a development of the scale, bulk and form proposed and that the stacking parking system being proposed was testament to this and should not be necessary if the size of the site was adequate and fit for purpose. Although the case for the car stacking system had been adequately explained in detail by officers, Members still considered it to be undesirable – if not unacceptable – for this site and considered there to be a need to provide adequate, traditional on-site parking to ensure a satisfactory standard of residential amenity for residents. The density of the development was considered to be too restrictive and compromised what a care home should have to offer. It was acknowledged that the design of a development had an effect on well-being and it was their opinion that this proposal did nothing to enhance that. Moreover, there was a need to accommodate the needs of those most vulnerable in society but felt that this would not be achieved by what was being proposed.

Furthermore, whilst a bedroom was no longer proposed for the basement, members felt that this was still not the place to site a staff rest room and what this had to offer. Other reservations members had were not necessarily material considerations and, therefore, a case could not be made to justify refusal on their basis.

As the Planning Authority, members said that the Council had an obligation to ensure development achieved good planning standards and design and met what was necessary and expected, in being wholly satisfied that those standards had been met. They considered that this was not the case for this development.

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 presentation; the written representations; and what they had heard at the meeting; and the views of Councillor Simon Gibson, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this. The Committee considered that, notwithstanding the assessments made by officers that the proposal should be granted permission, they could not agree to what was being recommended on the basis that the site was too constrained, with the internal arrangements not being of a satisfactory standard to meet the need of a modern care home and the parking proposed inadequate.

On that basis – and being proposed by Councillor Shane Bartlett and seconded by Councillor Alex Brenton - on being put to the vote, the Committee agreed, unanimously, that the application should be refused.

Resolved

That planning application 3/19/2271 be refused.

Reason for Decision

The site is too constrained to accommodate development of the scale, bulk and form proposed together with the need to provide adequate on-site parking and a satisfactory standard of residential amenity for residents. For these reasons the development is considered to constitute overdevelopment of the site contrary to Policy HE2 of Christchurch and East Dorset Core Strategy and paragraphs 122 (e) and 127 (f) of the NPPF 2019 that require a good standard of amenity for existing and future occupants.

112. **Urgent items**

There were no urgent items of business for consideration at the meeting.

113. **Summary of Statements of Representation**

Application 6/2019/0443

Duration of meeting: 10.00 am - 4.30 pm

Chairman

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