

EAST DORSET DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes of the Meeting held on 20 March 2019 at 9.30 am

Present:-

Cllr M R Dyer – Chairman

Cllr B Goringe – Vice-Chairman

Present: Cllr D B F Burt, Cllr R D Cook, Cllr Mrs T B Coombs,
Cllr Mrs B T Manuel, Cllr D Morgan, Cllr D G L Packer and
Cllr D W Shortell

Apologies: Cllr C R W Beck, Cllr Mrs G Logan and Cllr Mrs C Lugg

316. Declarations of Interest

There were no declarations of interest made on this occasion.

317. Background Papers

The Chairman informed the Committee that in addition to any specific background papers referred to, the relevant background papers for written reports and agenda items comprise of replies to consultations, objections and representations; relevant structure and Local Plans; and the file of the Council's related policies, copies of which had been available for inspection by Members prior to the meeting.

318. Presentations by the Public

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.

319. Schedule of Planning Applications

The Development Management Manager submitted written reports, copies of which had been circulated to each Member and a copy of which appears as Appendices 'A' – 'C' to these Minutes in the Minute Book.

Members considered the planning applications as set out in Minutes 320-322 below.

320. 403 Wimborne Road East, Ferndown

Application No: 3/18/1267/FUL

Development: Erection of Class C2 Care Home, landscaping, parking and access following demolition of existing structures

Public Speaking

Mr K Poulton spoke in objection to the application on behalf of Ferndown & Uddens BID. He raised concerns over landscaping and the impact from the proximity and bulk of the proposal leading to increased pressure for further restrictions to be imposed on the industrial estate.

Mr M Poore spoke in objection to the application on behalf of DPD. He raised concerns with the close proximity and height of the proposal being overbearing and out of scale with existing buildings. He felt that the proposal would lead to overlooking and to lighting and noise complaints from the care home to their depot.

RESOLVED that Application No 3/18/1267/FUL be:-

- a) **GRANTED as per the officer recommendation 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.**
- or
- b) **REFUSED for the reasons set out in the report if the agreement is not completed by 16 July 2019 or such extended time as agreed by the Head of Planning Services.**

Voting: Unanimous

321. Land North and South of Edmondsham Road, Verwood

Application No: 3/18/2903/RM

Development: Reserved Matters Application (Phase 1) pursuant to Outline Application 3/16/1291/OUT for 43 dwellings (inc. affordable housing) and public open space with associated access and landscaping

Updates

Members were informed of the following additional consultee responses:

- Lead Local Flood Authority, received 14.1.19, raised no objection.
- Dorset Wildlife Trust, received 24.1.19, raised concerns with the incorporation of invasive species; lighting to comply with latest guidance; buffer zone to be protected by bollards; and periodic clearing out of the ditch will be necessary.

Members were also informed that Paragraph 8.10 of the report be replaced with 'Finished floor levels and roof heights are compatible with existing neighbouring dwellings'.

Members were further informed of the following amendment to Condition 1: Replace EPD2465_d036 rev H Soft Landscaping Design - delegated authority requested to approve subject to amendment to replace invasive species

Public Speaking

Ms H Chittenden spoke in objection to the application on behalf of EDEP. She raised concerns with the planting of invasive, non-native species and requested that officers ensure conditions are met and planting is looked at very carefully.

Ms A Wright, the agent for the applicant, spoke in support of the application stating that their client would be happy to work with EDEP to ensure planting is done appropriately. She highlighted the extensive consultation undertaken and the benefits of the proposal including landscaping, design, affordable housing, parking, play areas and the proposed SANG.

RESOLVED that Application No 3/18/2903/RM be GRANTED as per the officer recommendation subject to receipt of the amended landscaping plan.

Voting: 6:0 (1 Abstention)

The meeting adjourned at 10.30am and reconvened at 10.40am.

Cllr B Manuel joined the meeting at 10.40am.

322. Land South of Leigh Road, Wimborne Minster

Application No: 3/18/3305/FUL

Development: A hybrid application comprising:

- 1) An outline application for the erection of 174 dwellings, with all matters reserved save for means of access.
- 2) A full planning application for the erection of a community sports facility comprising club house, playing pitches, parking and landscaping together with the change of use of the land to leisure.

Updates

Members were informed of the following changes to the legal agreement heads of terms (changes are set out in bold):

5. A SAMM contribution of £42,142 **index linked from 1 June 2019 or alternative date to be agreed with the Head of Planning or lead officer at the time of completion of the legal agreement** using RPI from the date of this Committee Report and paid in two instalments prior to the 1st occupation and at 50% (87th) occupation.
6. A local health facility contribution of £13,920 **index linked from 1 June 2019 or alternative date to be agreed with the Head of Planning or lead officer at the time of completion of the legal agreement** using RPI to fund physical improvement in the provision of consulting rooms in local health facilities in Wimborne. Any unused monies to be repaid within 5 years of receipt.

7. A contribution of £443,938 **index linked from 1 June 2019 or alternative date to be agreed with the Head of Planning or lead officer at the time of completion of the legal agreement** using RPI from the date of this Committee Report to fund Education:-
 - i. **proportionate contributions towards expansion of Primary School, Middle School and Upper School provision in East Dorset; and**
 - iii. **£2500,000 paid prior to commencement of private market dwellings and the remainder (£193938) at 50% (87th) residential occupation (all tenures);**
 - iv. **Any unused monies to be repaid within 10 years of receipt.**
8. Provision of new Community Sports Facility at Land South of Leigh Road as approved in application 3/18/3305/FUL (with sole exception of that set out in criterion 7 below), the delivery of which shall be phased, with clauses preventing further residential development in the event of non-completion, as follows:-
 - i. Commencement of the Community Sports Facility Clubhouse no later than the occupation of the 90th residential dwelling (all tenures);
 - ii. Community Sports Facility Clubhouse foundations complete by 100th (all tenures) residential occupation;
 - iii. The Site Promoter to provide the Local Authority with a Clubhouse Progress Report on or before the 130th residential occupation (all tenures);
 - iv. Full completion of the Community Sports Facility Clubhouse to an agreed specification and standard including full utility servicing and completion of all necessary works, subject to a reasonable snagging clause, on or before the 160th residential occupation (all tenures);
 - v. Commencement of the Community Sports Facility access routes, hard surfaces and car parking no later than the occupation of 60th residential dwelling (all tenures);
 - vi. Full completion of all Community Sports Facility access routes, hard surfaces and car parking on or before the 100th residential occupation (all tenures); and
 - vii. **Suitable Bond covering the delivery of the Community Sports Facility to be lodged prior to first occupation of the first residential unit**
9. A contribution of £1.41m index linked using RPI **from 1 June 1029 or alternative date to be agreed with the Head of Planning or lead officer at the time of completion of the legal agreement** to fund new natural grass and artificial pitches, pitch drainage and floodlighting, the delivery of which shall be project managed by the

Local Planning Authority only, within the Community Sports Facility subject to the following:-

Members were informed of the following updates and amendments to the recommended conditions:-

4. The development hereby permitted shall be carried out strictly in accordance with the following approved plans:
 - Site Masterplan Ref: P1-02 Rev. I (September 2018) (received 13/2/2019)
 - Land Use Plan (February 2019) (Ref: P1-16)
 - ~~Illustrative Residential Layout Ref: P1-03 Rev. F (September 2018) (received 13/2/2019)~~
 - Community Sports Facility Site Plan Rev. H (September 2018) (received 13/2/2019)
 - Pavilion Plans Ref: P1-05 Rev. A (November 2018) (received 13/2/2019)
 - Pavilion Elevations, Section and 3D View Ref: P3-01 Rev. A (November 2018) (received 13/2/2019)
 - Lighting Column Ref: 0881-DFL-1300-001 Rev. A (13/2/2019)
 - Location Plan Ref: P1-01 Rev. D (September 2018)
9. No development within the Community Sports Facility site, including any ground works, shall take place until a Heritage Management Plan for the Roman Road scheduled monument has been submitted to and approved in writing by the Local Planning Authority.

The Management Plan shall include:

- (i) The creation of an effective fenced boundary around the Management Plan area.
- (ii) A baseline record of the area of the Roman Road scheduled monument to confirm the location of its archaeological features and record the current condition of the site.
- (iii) Maintaining the site of the Roman Road and its surroundings under suitable surface treatment and managing it so as to prevent the growth of trees and scrub or damage by vehicles or burrowing animals.
- (iv) Regular monitoring and reporting of site condition at agreed intervals, with arrangements for remedial action to address any site conservation management problems (e.g. dealing with encroaching weeds, burrowing animals or other damage).
- (v) A programme for implementation, with agreed timescales.

Development shall be carried out in accordance with the agreed Heritage Management Plan.

10. Prior to the commencement of development within the phase of residential development containing the route of the existing Public Right of Way the developer shall apply and thereafter diligently

pursue the submission and approval of an application under Section 257 of the Town and Country Planning Act 1990 for the diversion of Footpath 19 - Corfe Mullen as recorded on the Dorset County Council Definitive Map and Statement of rights of way in accordance with a draft diversion scheme first agreed in writing by the Local Planning Authority. Should the footpath diversion order be approved the diversion scheme shall be subsequently implemented in full in accordance with a timetable first agreed with the Local Planning Authority.

Reason: To give effect to the development for which outline planning permission is hereby granted

11. No development on the Community Sports Facility Site shall be carried out until a bird strike hazard management plan has been submitted to and approved by the Local Planning Authority in consultation with the Aerodrome Safeguarding Authority for Bournemouth Airport. The development shall be undertaken in accordance with the approved birdstrike hazard management plan and any measures therein shall be retained as such indefinitely unless otherwise agreed in writing by the Local Planning Authority after formal consultation with the operators of Bournemouth Airport.

Reason: To reduce the attractiveness of potential feeding, nesting, breeding and roosting opportunities for hazardous bird species in the vicinity of the Airport in order to avoid the interception of bird and aircraft flight lines in the interest of aviation safety.

24. No **external** amplified or other music shall be played, nor shall any public address system to be used, in the Community Sports Facility at any time.
30. No residential dwelling shall be occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping for the Community Sports Facility Area (as defined in the s106) only, in the residual areas outside the boundaries of the Natural and Artificial pitches (as defined in the s106) only, in conformity with the submitted Landscape Strategy with Alternative Access (Plan 5) (Enderby Associates, December 2018, Drawing No. 439/05).

The hard landscaping details shall include the highway traffic management features, proposed finished levels or contours, car parking layouts and materials, other vehicle and pedestrian access routes and circulation areas, together with hard surfacing materials in general. The access road will be 6m wide and constructed in tarmac except where it crosses the Roman Road alignment, where the road will be made from resin bonded gravel. The hard landscaping details shall include the construction of an appropriate traffic calming scheme for the internal vehicular access route. The approved hard landscaping details, **except that set out in the below paragraph**, shall be completed prior to the occupation of the 100th residential dwelling.

Details of the Community Sports Facility earthworks (bunds) to be undertaken outside of the Natural and Artificial Pitch Areas, as illustrated in Plan 5 Landscape Strategy with Alternative Access (December 2018) in the Landscape and Visual Impact Assessment Supplementary Assessment (Enderby Associates, December 2018) should be submitted to and approved in writing by the local planning authority on or before the 15th residential occupation. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out strictly in accordance with the approved details and shall be completed on or before the occupation of the 30th residential dwelling (all tenures).

The soft landscaping details shall include the locations of trees and shrubs to be retained and proposed planting, schedules of proposed plants noting species, plant sizes, and proposed numbers and/or densities. In addition, full details of the use of 'Silva Cell' or similar features for tree planting and appropriate irrigation shall be provided. All planting, seeding or turfing relating to a phase of development shall be carried out in the first planting season following the completion of development within that phase, and any trees or plants which within a period of 5 years from completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Both the hard and soft landscaping should take suitable account of the Roman Road Scheduled Monument and historic line, in line with Historic England's comments. All soft landscaping within the Community Sports Facility must be completed by the 165th residential occupation.

32. Before the **CSF** development hereby approved is first occupied or utilised the turning and parking shown on the submitted plans must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.
38. No development of the Community Sports Facility Clubhouse (pavilion) hereby approved shall commence on the development hereby approved until a schedule and samples of all the external materials to be used on the external surfaces and roofs of the Community Sports Facility Clubhouse (pavilion) have first been submitted to and approved by the Local Planning Authority. For the avoidance of doubt samples should be provided for all blocks, bricks, glazing, external security doors, roller shutters, roofing materials, joinery, timber cladding, rainwater goods, mortar and other external finishes. The materials shall all be of suitable regressive colours given its location in the Green Belt. The development shall thereafter be carried out in accordance with the approved details.

40. Acoustically rated glazing and alternative ventilation to some properties (to enable residents to occupy them with windows closed) is required. Residential development must therefore be strictly constructed in accordance with the submitted Noise Impact Assessment (24 Acoustics Technical Report: R7520-1 Rev 1 13th November 2018) recommendations (summarised in Paragraph 5.4) so that the modelled noise climate is achieved. In line with Paragraph 5.5 of the above report, full acoustic specifications for the glazing and ventilation systems should be provided on a plot by plot basis as a detailed design matter (these are contingent on the volume of each space and the area of each window). The reserved matters submission(s) shall demonstrate that an acceptable noise environment is achieved for all future residents in line with the submitted Noise Impact Assessment (November 2018) in the interests of amenity.
53. Prior to the commencement of development a phasing plan shall be submitted to and approved in writing by the LPA. Development shall be carried out in accordance with the approved details

Public Speaking

Ms C Miles, the agent for the applicant, spoke in support of the application stating that modifications were made in response to comments from consultees. She highlighted the social, economic and environmental benefits of the proposal including the Section 106 contributions and the positive impact to the local area and local residents.

Cllr P Hymers spoke in support of the application on behalf of Wimborne Town Council. She thanked the officers for their work on this proposal and highlighted the positive impact to Wimborne. She raised concern with the low number of 3-bed affordable housing provided.

Cllr S Bartlett, the Local Ward Member, spoke in support of the application highlighting the positive impact the proposal would bring to the area and applauded the officers for their work done to achieve this and addressing the concerns of local residents.

RESOLVED that Application No 3/18/3305/FUL be:

- a) **GRANTED as per the officer recommendation 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 Head of Planning.**
- or
- b) **REFUSED for the reasons set out in the report if the agreement is not completed by 31 May 2019 or such extended time as agreed by the Head of Planning Services or relevant Lead Officer.**

Voting: 7:1

323. Outcome of Appeal Decisions

A report was submitted, for information, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these Minutes in the Minute Book.

Members noted the appeal decisions.

As this was the last Planning Committee for East Dorset District Council, the Chairman thanked Members and Officers for their work through the years and wished everyone well on their future endeavours.

The meeting ended at 11.50 am

CHAIRMAN