

EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 6 APRIL 2022

Present: Cllrs Shane Bartlett (Vice-Chairman), Alex Brenton, Robin Cook, Barry Goringe, David Morgan, David Tooke, Bill Trite and John Worth

Apologies: Cllrs Toni Coombs, Mike Barron, Mike Dyer and Julie Robinson

Also present: Cllrs Gary Suttle and David Walsh

Officers present (for all or part of the meeting): **Mike Garrity**, Kim Cowell, Liz Adams, Peter Walters, James Brightman, Lucy Page, Phil Crowther, David Northover, Megan Rochester and John Miles

263. Chairmanship of the meeting

In the absence of the Chairman, Councillor Toni Coombs, the Vice-Chairman, Councillor Shane Bartlett, assumed the Chairmanship of the meeting.

He appointed Councillor Robin Cook as Vice-Chairman for the meeting.

264. Apologies

Apologies for absence were received from Councillors Toni Coombs (Chairman), Mike Barron, Mike Dyer and Julie Robinson.

265. Declarations of Interest

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

Cllr Bill Trite – being one of the two Ward Members for minute 268 - decided to speak as part of the Committee, so as to be able to vote on that item accordingly.

266. Minutes

The minutes of the meeting held on 9 March 2022 were agreed as a true record.

267. Public Participation

Representations by the public to the Committee on individual planning applications are detailed within their respective minute. There were no questions, petitions or deputations received on other items on this occasion.

268. Planning Applications

6/2021/0314 - Demolition of former school, buildings & structures. Erection of 90 dwellings & the formation of a new vehicular access from Northbrook Road at the Purbeck Centre (former Grammar School), Northbrook Road, Swanage.

The Committee considered application 6/2021/0314 for the demolition of the former school, buildings and structures and the erection of 90 dwellings and the formation of a new vehicular access from Northbrook Road at the Purbeck Centre (former Grammar School), Northbrook Road, Swanage.

With the aid of a visual presentation, and taking account the detail in the report, officers provided context of what the main proposals, principles and planning issues of the development were; how these were to be progressed; 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 and the character the area, taking into account the policies against which this application was being assessed.

The planning history of the site was drawn to the Committee's attention, with the site history being explained. Members were informed that the northern part of the site had received planning permission at appeal for 52 houses and could be enacted and that the southern part of the site had outline planning permission for 39 houses, with the possibility of a reserved matters application being submitted, allowing the application to enact this permission.

Plans and photographs provided an illustration of the location, orientation, dimensions – form, bulk, size and mass - and appearance of the development and of the individual properties, with examples being given of how typical detached, semi-detached, terraced and apartment block properties were designed, along with their ground floor plans and elevations; how it would look; proposed street scenes; the materials to be used; how utility services would be provided and accommodated and by whom, including what waste management provision there would be; drainage and water management considerations; access and highway considerations; open space and SANG arrangements; the means of landscaping, screening and tree cover, and its setting within that part of Swanage and the wider landscape – particularly within the Dorset Area of Outstanding Natural Beauty (AONB).

What affordable housing would be available – 30 units – was mentioned, as well as how this proportion compared to that being proposed for the northern and southern application sites respectively. Whilst the affordable housing provision would meet the need in the area, as this number was below the 50% threshold, vacant building credit was being applied, which housing officers were satisfied with.

Officers showed the development's relationship with other adjacent residential development – including that Compass Point development being built on the western side of Northbrook Road, and the Little Birds preschool and St.Mary's Primary School - and how the buildings were designed to be in keeping with

the characteristics of the established local environment. The characteristics and topography of the site was shown and its relationship with the highway network and to properties in the adjoining neighbourhood. Views into the site and around it were shown, which provided a satisfactory understanding of all that was necessary.

Whilst the development and the schools were able to readily coexist - as in many other towns – concerns raised about nuisance and disturbance were to be mitigated during the building period by way of a Construction Management Plan.

What assessment had been made in the officers coming to their recommendation were drawn to the attention of the Committee, with the proposal being considered to be acceptable in relation to material planning considerations, with all significant planning matters having been appropriately, or adequately, addressed.

Public speaker Carla Danesh was concerned that the development would generate nuisance to and overlooking of the Little Birds nursery on the northern flank, given its dominance and close proximity to the facility and considered little regard had been given to this.

Sophie Holdsworth was concerned that the nuisance caused – certainly during the construction period - would set back the children's learning and development and that noise and dust would compromise air pollution. The boundary fence was insubstantial in her view and would not provide the necessary boundary screening between the two. She asked that the application be refused.

James Cross of Barrett Homes exuded the virtues of the development in providing much needed quality housing for the area and would complement the existing houses in look and style. Concerns raised had been acknowledged and addressed in terms of better screening and the Construction Management Plan, with the CIL receipts being generated, as part of any permission, benefitting other facilities for the town. On that basis he asked that the application be approved.

Whilst supporting the principle of the development and the need for houses, Ward Councillor Gary Suttle echoed the concerns of the two speakers in that the nuisance and disturbance which would be generated was unacceptable and the mitigation of this was insufficient. He was also concerned at traffic speeds in Washpool Lane and the consequences of this for the development. He asked that the Committee visit the site to see first-hand the issues.

The other Ward Member, Councillor Bill Trite, was of a similar view that nuisance, overlooking and air pollution would all compromise the ability to satisfactorily run the Little Birds nursery as would be wished. The boundary fence was of insufficient height, safeguarding issues were of concern and construction practices unacceptable. Of particular concern to him was the safety issues regarding Washpool Lane and how these would only be exacerbated by virtue of the development. He called for safety improvements

to be made, including a speed limit and footpath provision. Given all this he too proposed that a site visit be held to see the issues at hand. However, on being put to the vote, this proposal was lost by 5:2.

Formal consultation had seen Swanage Town Council raise no objection, but asked for certain considerations to be taken into account. Dorset AONB had raised no objection either to the principle of the development. Those objections received related to overlooking, traffic concerns, overdevelopment, loss of wildlife habitat and nuisance from the construction process.

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.

The opportunity was then 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. Some important points raised, some of which they considered still required clarification, were:-

- issues about nuisance from the development and dust, in particular, from the construction process and that consideration be given to the provision of a dust control sheeting/dust proof netting to mitigate for this
- the proximity to the Little Birds nursery and how this might affect the day to day running of the facility and the children's wellbeing
- consideration be given to the siting of the main construction processes so that these were sufficiently far from the nursery so as to be not a significant issue
- what assurances that the commitment to affordable house would be fulfilled
- consideration of low carbon enhancements in the build
- how drainage and the attenuation pond would work and that consideration be given to the enclosure of the pond on safety grounds
- consideration be given to enhancing the screening on the northern side of the development where it bounded the Little Birds nursery
- what considerations had been given to a school and a residential area being able to satisfactorily coexist
- how access and traffic management arrangements might be able to be enhanced by a footpath scheme and speed limits, particularly on Washpool Lane and to provide a link between the primary school and Ullwell Road
- how enforcement of the conditions would be managed
- what arrangements there were for use of the SANG and how this might be achieved
- what opportunity there was for the access road to be located further south to lessen the impact on a congested stretch of road and could the southern internal estate link road be used for access during the construction period

Officers addressed the questions raised – and provided what clarification was needed - providing what they considered to be satisfactory answers, which the Committee understood to be, and saw, as generally acceptable.

Officers in particular confirmed that the scheme was approved in the Local Plan, with the principle being established, with the applicant being able to still enact the extant permission for the northern section of 52 houses, which could be implemented on the basis of not having the negotiated modifications now being proposed to adequately safeguard the Little Birds nursery.

It was confirmed that there would be no windows directly overlooking the Little Birds nursery as garages were proposed for that area, with adequate screening being ensured too. The boundary treatment of a 1.8 metre high timber fence would be sufficient as a barrier.

Dust management would be part of the Construction Management Plan with the cutting of material being done to the south of the site. It was therefore regarded that there was a suitable degree of mitigation sufficient to address the issue of dust and air pollution. A condition to enhance this mitigation with the provision of a dust proof screening could be accommodated. Likewise, the fencing of the attenuation pond could be achieved through condition also.

The Highway Authority had raised no objection to the provisions of the application as it stood and the highway issues raised were not part of this application so could not be considered. Those particular issues should rather be taken up with the Highways Authority direct, as necessary.

The Inspector had established that a school and residential could coexist satisfactorily and the relationship was not unacceptable, this being an allocated site in development plan, consulted upon and adopted after inspection. The principle was considered acceptable. Of importance was that officers considered there to be no material considerations which would warrant refusal of the application and that this was the basis of the assessments made and the recommendation before the Committee.

From debate, the majority of the Committee considered the proposal to be acceptable - in meeting an identified need and in making the best use of the land available – and considered that this development would be of benefit to that part of Swanage and serve to meet the issues Purbeck had in being able to satisfy its identified housing need.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having taken into account the officer's report and presentation; the written representations; and what they had heard at the meeting, in being proposed by Councillor John Worth and seconded by Councillor Robin Cook, on being put to the vote, the Committee agreed - by 5:0 – with 2 abstentions, to grant permission, subject to the conditions and informative notes set out in paragraph 17 of the officer's report and the conditions relating to the dust proof screening and fencing of the attenuation pond.

Resolved

- 1) That application 6/2021/0314 be granted permission subject to the conditions and informative notes set out in paragraph 17 of the report - to include additional conditions in respect of dust proof netting provision during the construction period and the fencing of the attenuation pond - and the completion of a satisfactory planning obligation to secure Affordable Housing and SANG Management
- or
- 2) Refuse permission if the required Legal agreement to secure Affordable Housing and SANG Management is not completed by 6 October 2022 or such extended time as agreed by the Head of Planning.

Reasons for decision

- 1) as set out in paragraph 16 of the report
 - 2) 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
 - 3) The site is identified in the Swanage Local Plan as being suitable for the provision of 90 dwellings.
 - 4) The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
 - 5) There is not considered to be any significant harm to neighbouring residential amenity.
 - 6) There are no material considerations which would warrant refusal of this application
 - 7) The development will secure 30 affordable housing units and an integrated SANG Management through a section 106 legal agreement.
- or
- Refuse for the reasons set out in the officer report if the Legal agreement is not completed: as set out in paragraph 16.

3/19/2378/FUL - Change of Use and Conversion of Four Existing Agricultural Buildings to form 9 Dwellinghouses, Works and Alterations to other Outbuildings and Associated Landscaping and Demolition of Redundant Buildings as amended by plans rec'd 17/7/20 to revise window sizes and positions on Unit D; show provisions for refuse collection and add a parking space and plans rec'd 4/1/22 to propose access via the existing road to the south only (and not to the west via the existing agricultural track) at Grange Farm, Colehill, Wimborne, Dorset, BH21 4HX.

The Committee considered application 3/19/2378/FUL for the Change of Use and Conversion of Four Existing Agricultural Buildings to form 9 Dwellinghouses, Works and Alterations to other Outbuildings and Associated Landscaping and Demolition of Redundant Buildings as amended by plans rec'd 17/7/20 to revise window sizes and positions on Unit D; show provisions for refuse collection and add a parking space and plans rec'd 4/1/22 to propose access via the existing road to the south only (and not to the west via

the existing agricultural track) at Grange Farm, Colehill, Wimborne. Additional informative notes relating to how the access arrangements should be applied were drawn to the attention of the Committee.

The planning history of the site was drawn to the Committee's attention, there being an extant permission for developments as well as refusals and non-determination of other applications. Members noted that should permission for this application not be granted, the applicant could still invoke the fall-back position in respect of being able to develop some of the site from permissions already granted and also from prior approval consents.

Plans and photographs provided an illustration of the location, orientation, dimensions – form, bulk, size and mass - and appearance of the development and of the individual properties; how the conversion would look, its design and elevations; what was to be retained by reason of the conversion and what was to be modified or lost; the materials to be used; how utility services would be provided and accommodated and by whom, including what waste management provision there would be; drainage and water management considerations; access provision and highway considerations; the means of landscaping, screening, and its setting within that part of Holt parish and its wider landscape – particularly within the Green Belt.

Officers showed the development's relationship with other adjacent residential rural development and how the buildings were designed to be in keeping with the characteristics of the established local environment and maintain the feel of a pastoral setting. The characteristics and topography of the site was shown and its relationship with the highway network and to properties in the adjoining neighbourhood in that part of Holt parish. Views into the site and around it were shown, which provided a satisfactory understanding of all that was necessary.

Of particular importance was how the development would be accessed and the arrangements for this. Whilst the original submission had proposed access to the site from a long private track to the west, this option was no longer the case, with the proposal being amended to show alternative access provision to the site via an existing road to the south. Officers advised that what rights of access existed over that length, and any legal agreements to be reached to achieve what was necessary, were matters for the developer to negotiate with the respective landowner, should permission be granted, as the right for vehicles to use the access was a matter of land law and not a material planning consideration.

Accordingly, a condition provided for vehicular access to the development should only be from the south using the existing road that also provides access to the adjacent residential properties to the south, with the western access to be modified to prevent vehicular access and signage erected accordingly.

How this development within the Green Belt could be achieved, and the officer's reasoning for being able to do this, was also explained.

What assessment had been made in the officers coming to their recommendation were drawn to the attention of the Committee, with the proposal being considered to be acceptable in relation to material planning considerations, with all significant planning matters having been appropriately, or adequately, addressed.

Formal consultation had seen Holt Parish Council object to the scheme on the grounds of harm to the openness of the Green Belt, that the development was too excessive with permission already for 3 dwellings and the existing holiday lets and increased traffic concerns.

Similarly, Dorset Council Planning Policy had objected on the grounds that the proposed change in the buildings use constituted inappropriate development in the Green Belt and would result in loss of openness but had advised it was for officers to consider whether the proposed development would lead to an enhancement to the site's immediate setting as part of their consideration of the application.

The local ward member, Councillor Robin Cook, advised that he had initial concerns about the arrangements necessary to secure the use of the southern access and how this might be achieved and what arrangements there were for the collection of refuse, so as to be convenient to all.

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.

The opportunity was then 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. Some important points raised, some of which they considered still required clarification, were:-

- what open space there might be and if there was any requirement for a Suitable Alternative Natural Greenspace (SANG) in these circumstances
- how the waste management arrangements would be applied
- what access arrangements there were – both in terms of legal and practical considerations - and how these would be applied given the status of the tracks and the legality of using them

Officers addressed the questions raised – and provided what clarification was needed - providing what they considered to be satisfactory answers, which the Committee understood to be, and saw, as generally acceptable.

Officers, in particular, confirmed that it was considered the buildings to be converted were of permanent and substantial construction for the purposes of planning policy and the proposed conversion should be assessed under NPPF paragraph 150 exception (d).

Whilst the Council could demonstrate a 5 year housing supply and Local Plan Policy KS2 was up-to-date accordingly, any conflict with this policy was

adjudged to be outweighed by the benefits of reusing existing buildings, in a manner which would have a visual improvement to the immediate setting.

Moreover officers had regard to the Policy Planning advice and representations received from the public but considered that the proposal accorded with the exceptions to inappropriate development in the Green Belt provided by the NPPF; the development would result in an improvement to Green Belt openness from the removal of existing buildings and would not conflict with the purposes of including land within the Green Belt.

Whilst the reliance by future occupants on the private car as a result of the location and resulting modest impact on the rural character of the area weighs against approval but this would not significantly and demonstrably outweigh the benefits of the scheme which will contribute to housing supply and enhance visual amenity.

From debate, the majority of the Committee considered the proposal to be acceptable - in making the best use of the land available and in the modification of the use of the structures that were already there – and considered that this development would be of benefit to that part of Grange/Holt and served to contribute towards meeting an identified housing need.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having taken into account the officer's report and presentation; the written representations; and what they had heard at the meeting, in being proposed by Councillor John Worth and seconded by Councillor David Morgan, on being put to the vote, the Committee agreed - by 4:2 - to grant permission, subject to the conditions and informative notes set out in paragraph 16 of the officer's report.

Resolved

That planning permission be granted in respect of application 3/19/2378/FUL subject to the conditions set out in paragraph 16 of the report.

Reasons for Decision

- The proposal would not result in harm to the Green Belt.
- The proposal had an appropriate layout and design and would not have an adverse impact on the character and appearance of the area or the landscape
- There was not considered to be any significant harm to neighbouring residential amenity and the occupants of the proposed dwellings would enjoy an acceptable standard of amenity.
- The proposal would not have an adverse impact on road safety and the access proposed and on-site parking provision are acceptable
- The proposal would provide appropriate mitigation for its impact on biodiversity and biodiversity enhancement would be provided
 - With appropriate ground investigation, any contamination present on the site from former uses would be identified and mitigation can be required by condition
 - Other issues raised by consultees have been assessed and there are not any which would warrant refusal of the application. The adverse

impact from the proposal would not significantly and demonstrably outweigh the benefits of the scheme

3/21/1277/FUL - Change of use and conversion of existing redundant agricultural building into 2 no 4 bedroom dwellings at Bedborough Farm, Uddens Drive, Colehill, Wimborne, BH21 7BQ

The Committee considered application 3/21/1277/FUL for a change of use and conversion of existing redundant agricultural building into 2 x 4 bedroom dwellings at Bedborough Farm, Uddens Drive, Colehill, Wimborne.

With the aid of a visual presentation, and taking account the detail in the report, officers provided context of what the main proposals, principles and planning issues of the development were; how these were to be progressed; 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 and the character the area, taking into account the policies against which this application was being assessed.

Plans and photographs provided an illustration of how the conversion was to look – including its design, dimensions, elevations and appearance; access and highway considerations; environmental and land management considerations; drainage and water management considerations, the means of landscaping and screening and the development's setting within that part of Colehill - and in being within the Green Belt. The planning history of the site was also drawn to the Committee's attention

Officers showed the development's relationship with other adjacent residential development, with the characteristics and topography of the site being shown. Views into the site and around it was shown, which provided a satisfactory understanding of all that was necessary.

What assessment had been made in the officers coming to their recommendation were drawn to the attention of the Committee, with the proposal being considered to be acceptable in relation to material planning considerations, with all significant planning matters having been appropriately, or adequately, addressed.

Ferndown Town Council had opposed the application on the grounds that it would have a detrimental impact on the openness of the Green Belt; it would be visually intrusive and there was concern regarding refuse collection access; and issues the planning inspector had raised had not been overcome. With the agreement of the Chairman, a statement was read by the Clerk on behalf of the agent - Adam Bennett, Ken Parke Planning Consultants – who was unable to attend in person as he had to attend a Planning Inquiry. He considered the application to be of merit and one which would make best use of the structures currently there: in being converted to much needed housing. Whilst he acknowledged that the development was within the Green Belt and

the restrictions this carried, the re-use of buildings - provided they were of permanent and substantial construction - was not inappropriate where the development did not harm openness or the purposes of the Green Belt designation. In his view this was the case here and asked that the application be approved.

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.

The opportunity was then 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.

An important point raised, which they considered still required clarification, was how effective the wooden posts proposed to segregate those on the footpath from parked vehicles would be and whether an earthen bund would be more appropriate to ensure traffic did not encroach onto the public highway.

Officers addressed the question raised – and provided what clarification was needed - providing what they considered to be a satisfactory answer, which the Committee understood to be, and saw, as generally acceptable.

Whilst similar manoeuvres were habitually undertaken to negotiate access to the properties and solar farm already in the vicinity, officers considered that the issue raised about vehicular parking in close proximity to a public right of way could be drawn to the attention of the applicant by way of an informative note: in that the most appropriate means of hard and soft landscaping should be used by the applicant, in agreement with the officers and the Chairman, as necessary, as a means of delineating and segregating those two aspects.

Of importance was that officers considered there to be no material considerations which would warrant refusal of the application and that this was the basis of the assessments made and the recommendation before the Committee.

From debate, the majority of the Committee considered the proposal to be acceptable in principle - in meeting an identified need, in making the best use of the land available and by the conversion of a redundant farm building – but some Members remained concerned of the access issues and parking arrangements – in being so close to a public right of way in the Green Belt.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having taken into account the officer's report and presentation; the written representations; and what they had heard at the meeting, in being proposed by Councillor Barry Goringe and seconded by Councillor David Morgan, on being put to the vote, the Committee agreed - by 4:3 (with the Chairman voting in favour too) - to grant permission, subject to the conditions and informative notes – updated as necessary - set out in paragraph 17 of the officer's report.

Resolved

That permission be granted for application 3/21/1277/FUL, subject to conditions set out in paragraph 17 of the report and to the informative notes, updated as necessary.

Reasons for Decision

- For the reasons set out in paragraph 17 of the report
- Paragraph 11d of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless the application of the policies that protect areas or assets of particular importance provide a clear reason for refusal or the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole. In this instance the proposal would re-use an existing agricultural building to provide two additional dwellings which is considered to represent appropriate development in the Green Belt given that the design and layout of this residential development would ensure that it would not have a greater impact on openness than the existing situation and would not encroach into the countryside in accordance with paragraph 150 of the NPPF. The development is an appropriate layout and design and would not have an adverse impact on the character and appearance of the area or the surrounding landscape.
- The development would not result in any significant harm to neighbouring residential amenity and the occupants of the proposed dwellings would enjoy an acceptable standard of amenity in accordance with Policy HE2 of the Local Plan.
- The proposal would not have an adverse impact on road safety and would provide an acceptable level of on-site parking provision.
- The proposal would provide appropriate mitigation for its impact on biodiversity and biodiversity enhancement would be provided.

269. Urgent items

There were no urgent items for consideration.

Duration of meeting: 10.00 am - 1.30 pm

Chairman

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