

EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 5 OCTOBER 2022

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

Apologies: Cllrs Mike Barron and Julie Robinson

Also present: Cllr David Walsh – Portfolio Holder for Planning

Officers present (for all or part of the meeting): Kim Cowell, Naomi Shinkins, Steve Savage, Hannah Massey, Phil Crowther, Megan Rochester and David Northover

Public speaker

Cllr Bill Richmond, Wimborne Minster Town Council

292. **Chairman's Introduction and acknowledgement of the passing of Queen Elizabeth II and the Succession of King Charles III**

The Chairman took the opportunity for introductions and the Committee acknowledged the passing of Queen Elizabeth II and the succession of King Charles III and would have the opportunity to acknowledge this further at the next Full Council meeting.

293. **Apologies**

Apologies for absence were received from Cllrs Mike Barron and Julie Robinson.

294. **Declarations of Interest**

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

295. **Minutes**

The minutes of the meeting held on 7 September 2022 were confirmed and signed.

296. **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.

297. **P/VOC/2022/01598 - To vary condition 2, 3, 4, 6, 9 and 19 of PA 3/21/1556/FUL (Redevelopment of Wimborne Market to continuing care community comprising of 67 age restricted apartments, 26 age restricted bungalows, 6 age restricted chalet bungalows, one wellness centre, 9 open market houses, parking , highway improvements and pedestrian link (description amended 24.09.2021 as agreed to include dwelling numbers)) to allow for: - amend incorrect plans - include phasing plan - rewording of pre-occupation conditions to refer to phasing at Wimborne Market Station Terrace Wimborne Minster**

The Committee considered application P/VOC/2022/01598; to vary condition 2, 3, 4, 6, 9 and 19 of PA 3/21/1556/FUL (Redevelopment of Wimborne Market to continuing care community comprising of 67 age restricted apartments, 26 age restricted bungalows, 6 age restricted chalet bungalows, one wellness centre, 9 open market houses, parking , highway improvements and pedestrian link (description amended 24.09.2021 as agreed to include dwelling numbers)) to allow for: amend incorrect plans - include phasing plan - rewording of pre-commencement conditions to refer to phasing at Wimborne Market, Station Terrace, Wimborne Minster.

This application had been deferred from the July Committee meeting on the basis that members required more information about construction traffic routing through the town and how the phasing of the development would be readily achieved before they could come to a decision. Given this, the usual practice would be for the Committee to now just be asked to consider those deferred matters. However, given the attendance rate at the meeting in July and so as to ensure a decision could be taken by those at this meeting, officers, after consultation with the Chairman, agreed to present the application again in full.

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, but what effect it would have on residential amenity, the highway network and the character the area, taking into account the policies against which this application was being assessed.

Officers provided an illustrative summary of the location and appearance of the development and what it would entail in terms of its characteristics; its construction phasing; access and highway considerations; environmental considerations; drainage and water management considerations and its setting within that part of Wimborne Minster and the wider landscape. Viability, flooding, heathland mitigation and affordable housing issues were all given particular consideration. Views into the site and around it was shown, which provided a satisfactory understanding of all that was necessary. What contributions were to be secured through Section 106 legal agreement were also detailed.

Officers showed the development's relationship with other adjacent residential

development, with the characteristics, topography and elevations of the site being shown. Views into the site and around it was shown, which provided a satisfactory understanding of all that was necessary to assess the application. The planning history of the site was outlined – it having previously been the town's market place.

The proposal was to vary conditions:-

- 2 (approved plans plans),
- 3 (access construction),
- 4 (turning and parking),
- 6 (biodiversity mitigation),
- 9 (landscaping),
- 19 (acoustic fence).

What assessment had been made in the officers coming to their recommendation were drawn to the attention of the Committee. The reasoning for why this had been assessed to be necessary was explained: in how it was to be delivered - to only provide for the development to be built and occupied in phases, which did not materially change the approved design of the scheme.

Moreover, the applicant had submitted additional information since the application was deferred in July 2022 including:

- an updated Construction Traffic Management Plan and Construction Method Statement for the discharge of condition 5 of PA 3/21/1556/FUL.
- legal opinion related to whether construction traffic routes can be refused.

The assessment had considered the acceptability of the proposal in relation to the Development Plan, taken as a whole, and all other material considerations, with all the foregoing factors being considered in relation to the social, economic, and environmental benefits to be provided by the proposal. Proposed changes to conditions only allow construction and occupation in phases and do not materially change the nature of the conditions to be amended and, accordingly, it was considered the proposal was acceptable in relation to material planning considerations

Wimborne Minster Town Council had objected to the application considering that the original requirements made for conditions prior to occupation to be adhered to were for a reason and should remain valid. They saw no reason why this should not be the case. However, they recognised that Dorset Council planning officers were best placed to judge this.

Cllr Bill Richmond of the Town Council acknowledged the updates provided by the applicant and officers and saw how this was designed to address some of the issues previously raised, but asked that whatever decision was taken, would be in the interests of the Wimborne community.

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 access arrangements had been made and what guarantees were in place in use of the industrial estate access given the limitations of Granville Road and Station Road within a densely built residential area
- the reasoning for how the construction was to be phased and the sequencing of this, including the timescales involved
- parking arrangements for construction traffic and how this could be best accommodated
- how and when the acoustic fencing would be erected, members considering this should be affected prior to the occupation of the first home

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. Confirmation was given that there would have to be compliance with a construction management plan; HSE guidance; and design and construction regulations - all of which officers were confident would satisfy those concerns raised. However, officers considered that the proposal by Cllr David Tooke, and seconded by Cllr John Worth, in respect of the when the acoustic fence should be erected, could be accommodated. Officers also confirmed that there was sufficient provision on site for construction vehicle parking so as to not necessarily impact residential streets or local car parks.

One of the two Local Ward members, Councillor Shane Bartlett, still had reservations how access to the site by construction traffic would work in practice, given the limitations of the road network. He considered there should be more assessment of the logistics of how this might be achieved given the access and routing constraints around that part of Wimborne. As at the previous meeting when this application was considered, he provided his own thoughts on how this might be best achieved and, particularly, that Granville Road should only be used in the final phasing. Other members still had concerns about the phasing aspect of the development and the practicalities of this being achieved satisfactorily.

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 Highway Officer confirmed that the issues of routing raised previously had now been addressed as best they possibly could be, having taken into account some of the points raised by members previously, with revisions now having been made by the applicant in that regard. He confirmed that there was no capacity issue on the strategic highway network, nor any road safety issues that could warrant refusal. Whilst various routing options had been given consideration, it was considered that this was as good a compromise as could be made in the circumstances and – in his professional, considered opinion - was unable to be opposed on highway safety grounds. The routes

being proposed were acceptable in highway terms and in use of the highway network, as necessary.

Officers confirmed that the fundamental primary construction work taking place initially would use the more convenient and acceptable route through the industrial estate, with only the light industry trade bodies and tradesmen then needing to use the, seemingly, less convenient residential roads. The Construction Management Plan now available provided details of how this would be achieved and why it was necessary for this to be achieved in the way it was being proposed.

Moreover, the reasoning why the phasing was being done as proposed was explained to the Committee - given the practicalities and logistics of achieving what was necessary and in a way which met the needs of the development.

From debate, the Committee considered that the principle of the permission granted in respect of PA 3/21/1556/FUL to still be acceptable, but that issues remained over the routing of construction traffic and how the phasing could be best managed. Some members remained unconvinced by how this was being done – including both local ward members - and considered that alternatives to this were more acceptable and could be delivered. However, the majority of the Committee accepted what was being done and how it was being done, understanding the need for this and appreciated the considerations given by the applicant to address – as best they could – the matters which had necessitated the deferral.

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; and what they had heard at the meeting, in being proposed by Councillor Mike Dyer and seconded by Councillor Barry Goringe, on being put to the vote, the Committee agreed – by 5:4 - to grant permission subject to the conditions set out in the officers report, to include confirmation that the erection of the acoustic fence should take place prior to the occupation of the first property.

Resolved

1) That application P/VOC/2022/01598 be granted permission, subject to conditions set out in Paragraph 17 of the report, to include reference to the acoustic fencing being erected prior to the occupation of the first home and 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 necessary - for the following reason:

- Proposed changes to conditions only allow construction and occupation in phases and do not materially change the nature of the conditions to be amended.

Or

2) Refuse permission for the reasons set out below if the agreement is not completed by 20 January 2023 or such extended time as agreed by the Head of Planning.

Reasons for Decision

- Para 11 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
- Proposed changes to conditions only allow construction and occupation in phases and do not materially change the nature of the conditions to be amended.
- There are no material considerations which would warrant refusal of this application.

298. **Urgent items**

There was no urgent business for consideration.

Duration of meeting: 10.00 - 11.30 am

Chairman

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