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EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 7 FEBRUARY 2024

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

Apologies: Cllrs Julie Robinson

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

Lara Altree (Senior Lawyer - Regulatory), Marianne Ashworth (Lawyer - Regulatory), Kim Cowell (Development Management Area Manager (East)), Andrew Douglas (Senior Tree Officer), Joshua Kennedy (Democratic Services Officer), Chris Mcdermott (Senior Housing Enabling & Policy Officer), Megan Rochester (Democratic Services Officer), Naomi Shinkins (Lead Project Officer) and Alison Turnock (Service Manager for Conservation)

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

58. Declarations of Interest

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

59. Minutes

The minutes of the meeting held on Wednesday 10th January were confirmed and signed.

60. Registration for public speaking and statements

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.

61. Planning Applications

Members considered written reports submitted on planning applications as set out below.

62. TPO/2023/0089 - 2 Brune Way, West Parley, Ferndown, Dorset, BH22 8QG

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the site location and details of the current and proposed tree preservation orders were shown. Members were informed that several objections had been made by residents regarding the protection order, as well as concerns of harming neighbouring properties, however, there was no evidence to support this.

Public Participation

Mr Bratchell spoke against the proposal. He felt that the TPO had been issued under false pretences and that nobody had taken the time to view or discuss the impacts on neighbouring properties. This had been an ongoing issue and after years of neglect the trees are imposing. Mr Bratchell discussed the damage that the trees were doing to his property, in particularly branches falling and damaging greenhouses, as well as being a result of constant maintenance on garage roofs. He informed members that this is something that he struggles to do now and is becoming dangerous for him to constantly clear up mess from trees on his property. He hoped members would consider the application carefully and asked that they remove the Tree Preservation Order to safely manage and maintain properties.

Mr Tyler requested that the committee remove the existing Tree Preservation Order on his property. He informed members that the trees were imposing and had been majorly neglected. This was shown through damaging the property structure and the flooding of garages. It was highlighted that pedestrians had been scared to walk in front of his property due to the damage that had been caused. Mr Tyler felt that it posed significant risks to neighbouring properties. He highlighted that there were no other TPOs on the road and felt singled out from neighbours which he didn't feel was fair. He urged the committee to remove the TPO in its entirety to ensure trees on his property could be maintained.

The Parish Councillor hoped the committee would retain the Tree Preservation Order as a safeguarding action. Cllr Manuel noted the statements and comments made from residents, however, still felt the order was necessary. It was highlighted that the Parish Council was not aware of the TPO on the site initially, but it did receive her support and she noted the importance of preserving the trees.

Members questions and comments

- Members thanked the officer for his report and presentation.
- The purpose of Tree Preservation Orders was future proofing.
- Noted that in the past the trees had been neglected which would hopefully be maintained in the future to mitigate further damage.
- Benefits and difficulties of upholding a temporary Tree Preservation Order.
- Members noted the importance of protecting significant trees through serving Tree Preservation Orders.
- Clarification as to whether consultation has been made with highways regarding impacts on footways.

- Confirmation as to whether the tree had damaged neighbouring properties and if this was the result of lack of maintenance.
- Proximity of tree to neighbouring property.
- Lack of assurance over impacts on neighbouring property.
- Questions regarding whether the tree was mature when existing dwellings were built.
- Clarification on the implications and liability of damage to properties.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representations; and what they had heard at the meeting, a motion to **approve** the officer's recommendation to confirm the TPO with modifications to the schedule and site plan as recommended, was proposed by **Cllr Alex Brenton, and seconded by Cllr John Worth.**

Decision: To confirm the TPO as modified.

63. **P/MPO/2023/06436 - Land at Ringwood Road Alderholt**

The Case Officer provided members with the following update:

- The emerging Local Plan had reached Regulation 18 of the (Town and Country Planning (Local Planning) (England) Regulations 2012 stage and included policy maps and proposed allocations towards meeting housing need. Therefore, as detailed under Paragraph 226 of the NPPF (December 2023), for decision-making purposes only, the Council was only required to identify a minimum of 4 years' worth of deliverable housing sites.
- The East Dorset area could not demonstrate a four-year supply of deliverable housing sites as required by the National Planning Policy Framework (NPPF), with the current supply position standing at 3.9 years. This meant that applications involving the provision of housing, the policies which are most important for determining the application are deemed to be out of date and the application should be considered favourably unless the proposal conflicts with specified NPPF policies or the adverse impacts would significantly and demonstrably outweigh the benefits (NPPF paragraph 11).

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of site location, surrounding features as well as views from North and South from Ringwood Road were shown. Members were informed of the site history and were reminded of the outline application allowed at appeal, the reserved matters application which was approved in 2023 and the previous modification to affordable housing reducing it to 15% also approved in 2023. Included in the officer's presentation was details of the approved dwelling

mix with the inclusion of visual aids of sample one- and two-bedroom flats. The Case Officer highlighted the key planning issues and noted responses from consultees and local representatives. It was recognised that no objections had been raised from the Parish Council or Housing Officers. Comments from the Parish Council regarding the loss of 3 bed homes were noted but it was advised this was considered under the previously approved reserved matters application. Members were well informed that the loss of homes had been discussed, however, it was considered under previous modifications. The definition of first homes was outlined and the number of affordable homes agreed based on a viability assessment, was discussed. Members were informed that the details of the proposal before them would be secured by a section 106 legal agreement.

The officer's recommendation was to:

- a) Grant permission 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 amend planning obligations as follows:

-replace affordable for rent units with first homes.
- b) Refuse permission if the legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) is not completed by (6 months from the date of committee) or such extended time as agreed by the Head of Planning.

Public Participation

The agent spoke in support and thanked the officers for their comprehensive report. He informed members that they had sought a registered provider, however, they had been unsuccessful finding a one to take the affordable rent homes on. This had been raised with MPs as well as Dorset Council. Members were informed that without provision for affordable housing, they had reconsidered and proposed affordable first homes which would only be sold to people with a local connection as set out by Dorset Council. Mr Lofthouse assured members that they were not seeking to reduce the number of affordable homes and the proposed would respond to local needs.

Members questions and comments

- Referred to Dorset Council's housing strategy which was recently approved.
- Questions raised why Dorset Council could not take the affordable to rent homes on and when this could happen in the future.
- Confirmation of local eligibility criteria.
- Clarification on discount for future sales.
- Significant number of residents in Dorset in need of housing.
- Members sympathised with the Local Ward member; however, it was noted that it was still affordable housing to purchase which would benefit residents.

- Families and key workers would benefit from the opportunity to buy homes at a discounted price in their local area.
- Considered as good homes in a needed area.
- Some members were disappointed and felt the proposal was a disservice.
- Substantially lower cost to help residents on the property ladder.
- Developer could have considered arrangements with Dorset Council.
- A motion to defer, was proposed by Cllr Dave Tooke, and seconded by Cllr Shane Bartlett. A vote was taken, and the motion was overturned.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **approve** the officer's recommendation to **grant** as recommended, was proposed by **Cllr John Worth, and seconded by Cllr Robin Cook.**

Decision: To grant the officer's recommendation for approval.

64. **Urgent items**

There were no urgent items.

65. **Exempt Business**

There was no exempt business.

Decision Sheet

Duration of meeting: 10.00 - 11.59 am

Chairman

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Eastern Planning Committee 7 February 2024

**Eastern Area Planning Committee
Wednesday 7th February
Decision List**

Application Reference: TPO/2023/0089

Application Site: 2 Brune Way, West Parley, Ferndown, Dorset BH22 8QG

Proposal: To protect trees within the designated Area

Recommendation: Refuse

Decision: To confirm the TPO as modified and set out in Appendix B.

Application Reference: P/MPO/2023/06436

Application Site: Land at Ringwood Road Alderholt

Proposal: Application to modify S106 dated 1 October 2017 (variation 10 July 2023) to planning approval 3/16/1446/OUT AND 3/19/2077/RM - To agree tenure of affordable homes as first homes tenure.

Recommendation: To grant the change of tenure from affordable to rent homes to first homes.

Decision: A) Grant permission 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 amend planning obligations as follows:

- replace affordable for rent units with first homes

OR

B) Refuse permission if the legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) is not completed by (6 months from the date of committee) or such extended time as agreed by the Head of Planning

