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EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 13 MARCH 2024

Present: Cllrs Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Mike Barron, Robin Cook, Mike Dyer, Barry Goringe, David Morgan, Julie Robinson and David Tooke

Apologies: Cllrs Alex Brenton, Bill Trite and John Worth

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

Elizabeth Adams (Development Management Team Leader), Marianne Ashworth, Kim Cowell (Development Management Area Manager (East)), Robert Hanson (Engineer), Joshua Kennedy (Democratic Services Officer), Anna Lee (Service Manager for Development Management and Enforcement), Claire Lewis (Planning Officer), Hannah Massey (Lawyer - Regulatory), John Miles (Democratic Services Officer), Steve Savage (Transport Development Liaison Manager), Naomi Shinkins (Lead Project Officer) and Sam Williams (Lead Senior Engineer)

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

66. **Declarations of Interest**

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

67. **Minutes**

The minutes of the meeting held on Wednesday 7th February 2024 were confirmed and signed.

68. **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.

69. **Planning Applications**

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

70. **P/OUT/2022/04113 - Land off Blackfield Lane, West Moors, Ferndown,**

BH22 0NH

The Case Officer provided members with the following update:

Changes to officer report:

- Officer report referred to use class D (1) and should have referred to F1 (f) (*For, or in connection with, public worship or religious instruction*)
- Paragraph 15.8.7 and the appropriate assessment referred to 'close care', this should have referred to 'nursing care'.

Dorset Council Adult Social Care comments

- Comments were received on Tuesday 12th March.

Conditions to be to be added or amended:

- Renewable energy condition
- Water efficiency condition
- Limit to number of bedrooms (60 bedrooms maximum)
- Grampian condition required for the removal of the telegraph pole on Station Road
- Removal of permitted development rights for F1 (f) use class
- Condition 15 LEMP – addition required in relation to Dorset Heathland fires.

Dorset Council update to Strategic Flood Risk Assessment (SFRA):

- Dorset Council SFRA had been updated and published in March 2024
- There were no changes to the application site flood risk assessment.

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 views looking towards and from within the site were shown. Members were informed that the site was within the urban area of West Moors and was surrounded by the Green Belt. In addition to this, the presentation also provided details regarding the site history and outlined the previous reasons for refusal. The Case Officer also highlighted the number of local objections, responses received by consultees and areas of concerns made by the Dorset Council Landscape Officer.

Details of the indicative plans of the proposed buildings were discussed as well as outlining the site location in relation to settlement boundaries. The Case Officer discussed the impact on neighbouring amenities as well as the proposed site access, surface water drainage, foul drainage, and the scale of the development. In addition to this, members were informed of the noise assessments which had been submitted by both the applicant and neighbours, where reviewed by an independent consultant who advised the Applicant NIA presents a more accurate and reasonable overall assessment compared to the Residents NIA. Local housing need assessments carried out for the Local Plan identified the need for care home beds across the county. Included in the officer's presentation were

details of the revised design which had a reduced footprint, resulting in the proposed care home accommodating 60 bedrooms. The Case Officer highlighted highways considerations, including parking which had been deemed as acceptable and informed members that there were no protected trees on the proposed site but were adjacent to it. Therefore, tree conditions were required.

The application site was adjacent to the heathlands and the proposed would have a likely significant effect on protected sites. The presentation also outlined biodiversity impacts. The officer's summary of recommendations was to:

- A) Grant permission subject to conditions and 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 include planning obligations as follows: - Secure Biodiversity requirements including biodiversity management plan and step-in rights. - Secure Dorset Heathland restrictions required by Habitats Regulation Assessment (HRA). - Secure surface water drainage connection outside of the site boundary (or provide proof of ownership, where surface water drainage obligations would no longer be required).

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.

Public Participation

The first objector, Mr Brenchley, raised concerns as to the scale of the proposal. Mr Brenchley was of the opinion that insufficient details had been submitted by the applicant for members to understand the impact of the site. He also spoke about separation distances and did not feel that access was suitable to the site. Mr Brenchley's representation also spoke about noise levels generated from the care home and church being estimated to be in excess of WHO recommendations, he felt that there was only one logical conclusion and he hoped members would support objectors and refuse the application.

Mr Skeats raised concerns regarding highway safety. He felt that it was imperative that members undertook a site visit to enable them to experience the demand of the site. His representation also highlighted the increase in traffic at peak times, which would have resulted in an increase in danger to road safety. Mr Skeats did not feel as though there was a need for the development and hoped the committee would have felt the strength of the objectors.

Objection was received from Mr Tester who spoke as a representative on behalf of Origin Transport Consultants, who had been appointed by the owners of residential properties adjoining the development site and attended at the request of West Moors Town Council, to assess the suitability of the proposed access and

surrounding highway surrounding network. He discussed the proposal and the disruption which would have been caused by traffic movements. Concerns were raised regarding visibility splays being below the standards required by Manual for Streets and speed surveys showing that motorists regularly travelled above the speed limit. Mr Tester referred to paragraph 115 of NPPF and did not feel that in his professional opinion, the junction could have been deemed safe in highway terms. He hoped members would reconsider the officer's recommendation and refuse the proposal on the basis of highway safety.

Mr Davidson informed the committee that he had experience working with property developers. He did not feel that there was a need for the proposed development and highlighted that it had a sensitive ecology on and around the site. Mr Davidson expressed the importance of the safety of young children and elderly people; he urged the committee to visit the site to have a real representation of the junction. He felt that there had been a lot of unanswered and unacceptable questions. Mr Davidson urged the committee to consider the implications if they were minded to grant permission.

Ms Povey understood the importance of members and officers following policies and guidance. However, she felt that there was no local need for the type of care that was proposed at the care home. She highlighted the existing struggles that nursing homes had experienced, particularly issues regarding employment. Ms Povey referred to the local housing need and did not feel as though the proposal before committee was better than the previous refused scheme. It was highlighted that there was an impractical outdoor space and lighting standards could not have been achieved. As an ecological climate emergency had been declared by Dorset Council, she urged the committee to consider the information that had been presented to them.

Mr Cunningham spoke in support of the application. He felt as though the site was ideally located and would have served the local need for Dorset. Included in his representation was a clear emphasise on the local need and the benefits that the proposal would have, in particular the reduction in bed blocking and the reduction of pressures on the NHS as well as the release of family housing stock. Mr Cunningham reflected on the local demographics and would have contributed to the local economy and provided better job opportunities.

Mr Taylor was a member of the Plymouth Brethren Christian Church (PBCC) who was hoping to move to the local area. He noted the public concerns and comments, however, he felt that the proposal would have been a significant benefit to the community and guidelines had to be followed. Mr Taylor was hopeful that the committee would grant the officers recommendation to allow for a local church community. He had offered help to the local community, which had not yet been welcomed, however, he assured that he would continue to try.

Mr Silverthorne made a representation as a member and trustee of the PBCC. He highlighted the number of church halls across the UK and was hopeful that the committee would support a growing congregation in East Dorset. He was disappointed that in 2024, Christians had not been welcomed to the community and was not seen as having community value. Mr Silverthorne felt that the

proposal would have met local needs of the community and was a suitable development for the area.

The agent, Giles Moir, spoke in support of the proposal and was pleased with the officer's recommendation to grant planning permission subject to conditions and planning obligations. Mr Moir highlighted that the development site was in an area of low flood risk and was not surrounded by any Heritage Assets. He felt as though the application before members had responded to previous concerns and had evolved following policies. Mr Moir assured members that careful consideration had been given to ensuring positive relationship with neighbouring properties, noise mitigation and biodiversity development. Included in his representation was the need for care provision. The agent hoped members would support the officer's recommendation.

The Local Town Councillor Nikki Senior spoke in objection to the proposal. Cllr Senior highlighted road safety issues and felt that if granted, the proposal would have negative impacts on the local community. She also discussed noise pollution as well as how the proposal had not responded to local need but would add to additional pressures, specifically on medical services. Cllr Senior also discussed difficulties in staffing across local nursing homes and was concerned that if granted, the proposal would face the same challenges. The Town Council also had concerns regarding traffic and lack of public transport to and from the proposed site. Cllr Senior suggested that the proposal would have a negative impact on the surrounding heathland despite the proposed mitigation measures and biodiversity enhancement.

The Local Ward member, Cllr David Shortell, addressed the committee and strongly objected to the proposal. Cllr Shortell felt that the proposal was an overdevelopment which would have had repercussions on pedestrian safety due to a severe increase in traffic movements. He also discussed poor visibility and restricted views from the junctions. Cllr Shortell felt that if the proposal had been granted, there would have been a strong mix of vehicles and foot traffic. He strongly urged the committee to object and requested a site visit.

The Case Officer responded to the public representations, reiterating that conditions had been included to restrict the use of the proposal. In addition to this, members were assured that officers were satisfied with the proposed scale of development and that suitable separation distances had been implemented. The Case Officer also touched upon noise assessments and consultants who were satisfied with the proposal before members of the committee. There was sufficient amenity space on the proposed site and the previous reasons for refusal set out in the officer's report were overcome. The case officer explained layout was a reserved matter. It was also noted the housing needs assessment identifies a lack of nursing beds in East Dorset. The Case Officer discussed the management of the proposal, explaining that if granted, the site would have been managed by consultants who would have been required to submit monitoring reports to LPA.

The Transport Development Liaison Manager responded to highways concerns. He highlighted the difference between the two schemes and noted that the

proposal represented a reduction in scale and trip generation. Mr Savage discussed the visibility splays, acknowledging that standards would be below those required by Manual for Streets and commented upon the data which had been submitted by third party consultants. He informed members of the collision data, implementation of traffic speed cameras as well as traffic movements. The Transport Development Liaison Manager highlighted to members that additional traffic which would have been generated by the proposal would be modest and whilst visibility at the northern junction was not ideal it was not considered that proposal would have an unacceptable impact on highway safety or that the residual cumulative impacts on the road network have been severe such that permission should be refused in accordance with paragraph 115 of the NPPF. The Highway code requires drivers and road users to be responsible.

Mr Williams assured members that securing conditions would have allowed for Dorset Council to manage the proposal accordingly. Mr Hanson, Flood Risk Engineer, discussed the prevailing surface water flood risk and fluvial flood risk to the site. He also highlighted the work that had been carried out by the applicant to assess the existing fluvial flood risk from the adjacent water courses which surrounded the site. In addition to this, the engineer also responded to concerns regarding the proposed surface water drainage alone with the proposals for the surface water outfall.

Members questions and comments

- Members felt that a site visit during peak times would have been beneficial as they would have been disadvantaged due to conflicting views and assessments.
- Clarification regarding non determination deadline and extension of time. It was confirmed by officers that the deadline for determination was the 20th March 2024 and that an extension of time would need to be agreed with the applicant.
- Members highlighted the importance of a private site visit which could not have any public intervention.

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 **defer** to allow for members and officers to undertake a site visit, as recommended, was proposed by Cllr Mike Dyer, and seconded by Cllr Barry Goringe.

Decision: To defer the proposal to allow for members to undertake a site visit.

71. P/HOU/2024/00111 - 9 Campion Gardens, Wimborne Minster, BH21 4FH

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 street views, site photographs, floor plans, and elevations were shown. Members were assured that due to the limited nature of the proposals there would be no impact to the street scene or to the character of the area. The Case Officer also highlighted the available parking provision and

advised that if granted, the loss of one off-street parking space would not negatively impact current on-street provision. The recommendation was to grant subject to conditions.

Public Participation

There was no public participation.

Members questions and comments

- Members were pleased that the garage door was retained.
- Clarification regarding ancillary use and noise mitigation.

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** planning permission as recommended, was proposed by Cllr Shane Bartlett, and seconded by Cllr David Morgan.

Decision: To grant in accordance with the officer's recommendation, subject to conditions set out in the report.

72. P/ADV/2023/07233 - Holton Heath Garage, Wareham Road, Holton Heath, BH16 6JW

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, proposed site plan and proposed elevations were shown. Members were provided with details of the historic and approved signage and were informed that the proposal was within the Green Belt. The recommendation was to grant advertisement consent subject to conditions.

Public Participation

There was no public participation.

Members questions and comments

- Members noted that there had been no objections raised by highways officers and the benefits of the reduction of illumination levels compared to the extant consent.

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** planning permission as recommended, was proposed by Cllr Shane Bartlett, and seconded by Cllr Robin Cook.

Decision: To grant in accordance with the officer's recommendation subject to conditions.

73. **P/FUL/2023/06620 - Land west of The Priests House, Opposite The Ship Inn, Dorchester Road, Wool, Wareham, BH20 6EQ.**

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 proposed pod elevations were shown. Members were informed that the proposal was before committee due to it being on Council owned land. The recommendation was to grant planning permission subject to conditions set out in the report.

Public Participation

There was no public participation.

Members questions and comments

- Members noted that there had been no objections from the Parish Council or Local Ward Members.
- The proposal would benefit the community.

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** planning permission as recommended, was proposed by Cllr Shane Bartlett, and seconded by Cllr Barry Goringe.

Decision: To grant in accordance with the officer's recommendation for approval subject to the suggested condition.

74. **Urgent items**

There were no urgent items.

75. **Exempt Business**

There was no exempt business.

Decision Sheet

Duration of meeting: 10.00 am - 12.35 pm

Chairman

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Eastern Area Planning Committee
Wednesday 13th March 2024
Decision List

Application Reference: P/OUT/2022/04113

Application Site: Land off Blackfield Lane, West Moors, Ferndown, BH22 0NH

Proposal: Outline application for erection of a church / community hall & care home with associated parking & an area for biodiversity enhancement (all matters reserved except access and scale).

Recommendation: Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to:

A) Grant permission subject to the following conditions and 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 include planning obligations as follows: - Secure Biodiversity requirements including biodiversity management plan and step-in rights. - Secure Dorset Heathland restrictions required by Habitats Regulation Assessment (HRA). - Secure surface water drainage connection outside of the site boundary (or provide proof of ownership, where surface water drainage obligations would no longer be required).

B)

OR

C) 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.

Decision: **DEFER**, the proposal to allow for members to undertake a site visit.

Application Reference: P/HOU/2024/00111

Application Site: 9 Campion Gardens, Wimborne Minster, BH21 4FH

Proposal: Retain partial conversion of garage to ancillary living accommodation

Recommendation: GRANT subject to conditions

Decision: GRANT, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

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

001 Location and Block Plan

002 Existing floor plan and elevations

003 Proposed floor plan and elevations

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

3. The development permitted shall not be occupied at any time other than for purposes ancillary to the residential dwelling known currently as 9 Campion Gardens, Wimborne Minster, BH21 4FH.

Reason: The accommodation is not considered suitable as a separate dwelling, because of the relationship with adjacent dwelling(s).

Informative Notes:

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The application was acceptable as submitted and no further assistance was required.

Application Reference: P/ADV/2023/07233

Application Site: Holton Heath Garage, Wareham Road, Holton Heath, BH16 6JW

Proposal: Erection of new advertising Totem Pole sign

Recommendation: GRANT advertisement consent subject to conditions.

Decision: **GRANT**, subject to the following conditions:

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

PP-12667023 1 Location Plan

KKR-1516 PS-05 Block Plan and Location Plan

KKR-1516 PS-03 A Proposed Site Plan

KKR-1516 PS-04 A Proposed Elevations and Pole Sign Details

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

2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3. No advertisement shall be sited or displayed so as to; a)danger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); b)obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or c)hinder the operation of any device used for the purposes of security or surveillance or for measuring the speed of any vehicle.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7. The illumination of the advertisement hereby permitted must be static, have no moving parts, no flashing lights, no animation, no reflective material and no images that could lead it to be confused with a formal road signs.

Reason: In the interests of amenity and public safety

8. The sign hereby approved shall not be illuminated outside of the opening hours of 6am - 11pm of the business to which this signage relates.

Reason: In the interests of amenity.

9. Any lighting and/or floodlighting must be located and screened in such a manner that no illumination is directed towards the adjoining highway.

Reason: To ensure that drivers aren't dazzled or distracted by the light.

10. The illumination of the advertisement hereby permitted shall not at any time exceed sections levels above 175cd/m² as identified on approved plan KKR-1516 PS-04 A - Proposed Elevations and Pole Sign Details.

Reason: In the interests of amenity and public safety.

Informative Notes:

1. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway, to ensure that the appropriate licence(s) and or permission(s) are obtained.

Application Reference: P/FUL/2023/06620

Application Site: Land west of The Priests House, Opposite the Ship Inn, Dorchester Road, Wool, Wareham, BH20 6EQ.

Proposal: Retention of a VDSL sidepod cabinet

Recommendation: The committee be minded GRANT to planning permission subject to the conditions set out in section 18 of this report.

Decision: **GRANT**, subject to the following conditions:

1. The development hereby permitted shall be maintained in accordance with the following approved plans:
location plan at a scale of 1:1,250 covering a larger area,
location plan at a scale of 1:1,250 covering a smaller area,
proposed site plan at a scale of 1:200,
drawing detailing the elevations and plan of the proposed equipment cabinet
drawing detailing the dimensions of the proposed equipment cabinet
submitted as part of the application.

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

Informative Notes:

1. Informative - Contact Dorset Council Highways Department.

The applicant should contact Dorset Highways by telephone on 01305 221020, by E mail at - dorsethighways@dorsetcouncil.gov.uk or in writing at - Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway, to ensure that the appropriate licence(s) and or permission(s) are obtained.

2. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

-The application was acceptable as submitted and no further assistance was required.

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