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## **DORSET COUNCIL - EASTERN AREA PLANNING COMMITTEE**

### **MINUTES OF MEETING HELD ON TUESDAY 12 MAY 2020**

**Present:** Cllrs Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Alex Brenton, Cherry Brooks, Robin Cook, Mike Dyer, Beryl Ezzard, Barry Goringe, David Morgan, David Tooke and John Worth

**Apologies:** -

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

Kim Cowell (Team Leader - Development Management), Andrew Collins (Principal Planning Officer), Ellie Lee (Planning Officer), Lindsey Watson (Senior Democratic Services Officer), Phil Crowther (Legal Business Partner – Regulatory) and David Northover (Democratic Services Officer).

**82. Apologies**

There were no formal apologies received from members of the Committee.

**83. Introduction by the Chairman**

Given that the meeting was being held as a virtual meeting - in being delivered as a MS Team Live Event – owing to the need to do so during the coronavirus/Covid -19 pandemic, the Chairman took the opportunity to explain how the meeting would take place, the way this would be done and the reason for this. She explained the protocols and processes to be followed and that doing so give gave the Council the ability to continue to fulfil its obligation of delivering the planning function and determining applications.

**84. Declarations of Interest**

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

Councillors Alex Brenton and Cherry Brooks having both served previously on Purbeck District Council, mentioned that minute 88 had been discussed and debated within that Council but neither had come to a view on the matter that would constitute their predetermination of the application, so felt able to participate fully in the meeting.

**85. Minutes**

The minutes of the meeting held on 11 March 2020 were confirmed and would be signed at the first opportunity.

**86. 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.

**87. 3/20/0178/FUL - Single storey extension to south-west elevation and alterations to ramp and railings at Verwood Library, 1 Manor Road, Verwood**

The Committee considered an application 3/20/0178/FUL - single storey extension to south-west elevation and alterations to steps and railings at Verwood Library, 1 Manor Road, Verwood which was designed to provide a new staff and accessible toilet. Doing this would enable the library's toilet facility to be more accessible to those working at and visiting the library and comply with the necessary statutory regulations relating to this. Whilst reference had been made for a ramp to be constructed for access purposes, officers confirmed that this was not the case and never formed part of the proposals of the formal, with the steps being considered satisfactory to serve the purpose of access.

With the aid of a visual presentation, officers explained what the main proposals and planning issues of the development were; how these were to take place; why they were necessary; and what the benefits of the development entailed. Plans and photographs provided an illustration of the location, dimensions and configuration of the library, its setting within Verwood; how the new extension and access arrangements would look and where the steps would be; the materials to be used and the reasons for why it was to be orientated in the way proposed. Officers showed its relationship with neighbouring property and amenity, including the united reformed Church, with the characteristics of the site being shown too.

Whilst the proposed extension, new steps and its associated railings would be visible from the public realm, due to its modest scale and form it was considered that this would have a very limited impact on the appearance in the wider sense. Whilst the extension would bring the building closer to the side/south-western boundary by approximately 1.2m, no new windows were necessary, with the existing external window being replaced with an internal door for access to the new toilet. And as such the separation distance was not considered to be harmful. Moreover, this part of the library already accommodated a toilet so there was no change of use, merely an increase in size. Accordingly, it was considered to be acceptable as there was no significant harm to neighbouring residential amenity.

Having assessed the material considerations - as outlined within the report - with the proposal considered to accord with policy HE2 of the Local Plan,

officers considered there not to be any matters which would warrant a refusal of planning permission in this case and the Committee's approval was now being sought, subject to conditions. Given that the application was made by Dorset council, the need for Committee consideration gave it credibility and ensured transparency of the decision making process.

Formal consultation had not met with any formal objections, Verwood Town Council included.

The opportunity was given for members to ask questions of the presentation and what they had heard. However, whilst the relevance of the ramp mentioned was not part of what the Committee were being asked to consider, some members asked why this could not be the case, considering that a ramp would be beneficial for those less able to use steps. Officers confirmed that in any event there would not be room to accommodate these and there were already sufficient means of access throughout the library that were accessible for all, which were wholly DDA compliant. Moreover the steps were predominantly for staff access, with there being alternative public toilets available in the nearby vicinity.

The Committee understood the need for the extension and saw it as a valued public asset and recognised what the benefits of this would be to the library overall. Whilst some members maintained their reservations about there not being a ramp and asked if some further consideration could be given to this if practicable, officers reaffirmed that the ability to accommodate these could well prove prohibitive.

Having had the opportunity to discuss the merits of the application, having understood what was being proposed and the reasoning for this; having taken into account the officer's report and what they had heard at the meeting and the position of the Town Council, the Committee were satisfied in their understanding of what the proposal entailed and, on that basis – being proposed by Councillor Bartlett and seconded by Councillor Cook - on being put to the vote – the Committee agreed, unanimously, that the application should be approved, subject to the conditions set out in the officer's report.

### **Resolved**

That planning permission be granted for application 3/20/0178/FUL subject to the conditions set out in paragraph 12 of the officer's report.

### **Reasons for Decision**

- public benefit by creating an accessible toilet at the library.
- sustainable location
- acceptable design and general visual impact.
- no significant harm to neighbouring residential amenity
- scale, layout, design and landscaping respects the context of the site
- no material considerations which would warrant refusal of this application.

88. **6/2019/0585 - Erection of 9 dwellings and associated works at the former Royal British Legion Club, Wimborne Road, Lytchett Matravers**

The Committee considered application 6/2019/0585 for the construction of 9 dwellings and associated works at the former Royal British Legion Club, Wimborne Road, Lytchett Matravers.

With the aid of a visual presentation, officers explained what the main proposals and planning issues of the development were; how these were to be progressed; and what this entailed. The application focused on the provision of Plots 7 and 8 and how these would complement the previously granted development permission. Plans and photographs provided an illustration of the location, dimensions and appearance of the development and the individual properties, along with their ground floor plans; how it would look; proposed street scenes; the materials to be used; the means of landscaping; and its setting within the landscape - which was incorporated within the Green Belt. How the previous British Legion building looked was shown too. Officers showed the developments relationship with other proposed residential development sites to its southern, western and northern sides, with reference to policy H6 of the emerging Purbeck Local Plan. The construction of Plots 7 and 8 were considered to be limited infilling and acceptable in the circumstances, due to its relationship with existing development and sites-identified for development in the emerging Local Plan. The characteristics and topography of the site was shown and its relationship with the highway network and to properties in Lions Court, located to the west.

Officers explained that the Committee was being asked to consider the application following the scheme of delegation referral process, this being necessary to allow consideration of the impact on the Green Belt. Members noted that this was exactly the same scheme as application 6/2018/0022, which had been dismissed at appeal. Subsequently, a smaller scheme - for 7 dwellings - had been granted and construction of these was already progressing. Views into Lytchett Matravers, and further along Wimborne Road, showed the dwellings being built.

However, officers were of the opinion there were material planning considerations as to why this application could now be considered acceptable as there were materially different circumstances. Previously, the proposals were considered under previously developed land criteria and there was therefore a requirement to assess the proposals on impact upon the openness of the Green Belt. The Committee were informed that in light of the Planning Inspectorate's view that weight could now be given to the Emerging Purbeck Local Plan, as this proposal was considered to be infill development in the Green Belt, consequently, there was not an obligation for this impact to be assessed on grounds of openness. The approved scheme for 7 houses had omitted the area of Green Belt land, whilst the proposed layout plan included the area within the Green Belt, which was proposed to be used for the gardens of Plots 7 and 8 only.

Reference was also made for the need for substantial weight to be given to any harm upon the Green Belt, as outlined in paragraph 144 of the National Planning Policy Framework (NPPF) and to an extract from the Emerging

Purbeck Local Plan Policy H6, regarding the proposed allocation of housing in Lytchett Matravers.

The site was located mainly within the settlement boundary of Lytchett Matravers, as defined in the Purbeck Local Plan part 1, with the area to the south not being within the settlement boundary and within the Green Belt.

It was recognised that this application had become quite contentious, with Lytchett Matravers Parish Council and some neighbours raising concerns which had already been addressed by the later grant of planning permission and also justification for including the Green Belt.

However, the basis of the officer's report was for approval of the application and this was the recommendation being made to Committee.

Formal consultation had generated an objection from Lytchett Matravers Parish Council on the basis that the site would become over-developed and was not in keeping with the characteristics of the area; there would be insufficient parking provision; and that as the proposal crossed the Green Belt boundary, it would compromise its openness. The other objections primarily cited this Green Belt issue too.

The Committee were notified of written submissions received from:-

- Cindy Wood, resident of Lions Court, who opposed the application on procedural grounds, in that as there was no material changes between this application and that which had been refused, it should not be being considered by Committee, but rather by the Planning Inspectorate. Moreover, as this piece of land was never part of the Emerging Local Plan, there was no grounds for it being considered in the way it was.
- Jo Tasker, on behalf of the agent, Ken Parke Planning Consultants, asked the Committee to approve the application in that, as the small area of Green Belt land formed part of the wider development, the application was considered to be part of an infill residential scheme within a village. It is considered therefore as a matter of course to be appropriate development, which, by definition, was not harmful to Green Belt. Moreover, as land to the south and surrounding the element of Green Belt was also proposed to be allocated for housing, it would be removed from the Green Belt leaving the small parcel of Green Belt application land, isolated by residential development on all sides, therefore not meeting any of the requirements of Green Belt land. Consequently, the agent considered this would be better utilised as residential gardens.

The opportunity was given for members to ask questions of the presentation and what they had heard, in seeking clarification of the distances between plots 7 and 8 and their neighbouring plots; having an understanding of the relationship between the Green Belt and the development and what this meant in practice and; what would be permissible in/the constraints of the gardens.

One of the three local members, Councillor Alex Brenton, supported the view of the Parish Council in that she felt this application was incongruous with the characteristics of that eastern side of the village and would be conspicuous and obtrusive in its form, appearance and protrusion, being seen as adversely affecting the density of the development.

Given this, the Committee acknowledged that whilst Purbeck District Council had previously refused the initial application on the grounds of density and overdevelopment, the Inspector had determined that the design, character and density would be appropriate, but had dismissed the appeal on the basis of the impact on the openness of the Green Belt. As this was no longer the issue – as infilling had no bearing on openness and the best use was being made of the land - there was no reason why the application should not be approved. Moreover, the provisions of the NPPF were being complied with in practice and its principles fulfilled, with the isolated small area of Green Belt to now to be used as gardens, which could be seen, in itself, as a valued environmental asset.

However, the local member and another member maintained that the site was best designed to accommodate 7 properties only and that the 9 proposed would compromise the optimum density of the development.

Having had the opportunity to discuss the merits of the application, having understood what was being proposed and the reasoning for this; having taken into account the officer's report, the written representations and what they had heard at the meeting, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this and, on that basis – and being proposed by Councillor Shane Bartlett and seconded by Councillor Mike Dyer, on being put to the vote, the Committee agreed - by 7:2 - that the application should be approved, subject to the conditions set out in paragraph 7 the officer's report.

### **Resolved**

That planning permission be granted subject to the conditions set out in paragraph 7 of the report.

### **Reasons for Decision**

#### **Retain a 5 year land supply**

- Paragraph 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.
- The site is considered that the proposal is for limited infilling in a village and so in principle is appropriate development within the Green Belt.
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal.

89. **Urgent items**

There were no urgent items for consideration at the meeting.

90. **Valediction**

The Chairman took the opportunity to thank all who had participated for their contribution in making the meeting the success it was.

**Duration of meeting:** 10.00 - 11.20 am

**Chairman**

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