

## **Written Submissions**

**Tuesday 23 June 2020**

### **Item 5 - P186 Application to divert part of Footpath 6, Gussage St Michael**

#### **Julian Grazebrook – Support**

In support I have been using the footpath since living in the village for 13 years, and prior to that when my parents lived in the village for 25 years. The amended route for the footpath, which covers a distance of little more than 100 meters, is a more suitable route than the original footpath; it is marginally shorter than the original footpath, is easier to follow, is much safer (see below) and is less obtrusive to the owner of Ryalls Farmhouse.

The original footpath is routed over two bridges – one is an old packhorse bridge which, although very attractive and unusual, is very small, steep and by modern standards would be considered completely unsafe by any HS officer. Photographs of this bridge should be viewed by the members of the Committee to allow them to determine whether they consider it a safe route, particularly for the elderly and very young. There is no room for a second person to easily assist crossing, and no handrails on what is a bridge made out of stone. On those grounds alone I believe that the footpath should be moved.

There are arguments that the bridge is unusual and therefore people should be allowed to use it. As the proposed footpath deviates only a few metres from the original footpath (but avoids having to cross two bridges) it is quite possible for all walkers to be able to view the original bridge without having to risk crossing it.

Being an objective and independent user of the footpath, I believe that there is very good reason to divert the path. I therefore urge the Committee to take a supportive stance for the diversion and submit such recommendation to the Secretary of State.

#### **Sydney Still – Support**

On my frequent visits to Gussage in the past 25 years I have walked the path past Ryalls many times. The views of the house and the packhorse bridge are delightful. It was something of a shock to find that the route of the footpath has now been altered to cross the packhorse bridge thus

depriving one of the view and making it more perilous particularly when one is in ones eighties. The alternative route preserves the view of the bridge and is so much safer.

### **Sue Judd – Support**

I am writing to support the alternative footpath route. I've had the pleasure of visiting the Gussages for over 30 years & always enjoyed the views of the packhorse bridge from the path, I was therefore surprised when the path I had got used to walking was altered to actually go over the packhorse bridge, especially as I had small children with me & I found it extremely hazardous. So I was delighted when this alternative route was opened - so much easier to walk, safe & a delightful view of the old bridge.

### **Jonny Haughton – Support**

I support the new footpath route. I have never seen anyone use the definitive path in the 5 years I have been a neighbour.

If you had seen the winterbourne in spate earlier this year, you would be out of your mind to use the bridge, extremely unsafe particularly for the older generation and children.

### **Jane Stiller – Support**

I'm writing to support the alternative footpath route in the matter of footpath 6 - Gussage St Michael. I've been visiting and walking in the Gussages all my life and find the new path and route is much better than the old one. The small bridge is really difficult to walk over and it feels uncomfortable walking through someone's garden. I much prefer the new path which is much safer. You also get a lovely view of the old bridge and the house without feeling you're intruding.

### **Simon Tong - Support**

I write as a resident of Gussage St Michael for the past 26 years, a regular walker and the former District Councillor for the area. I **strongly support the Order** to divert, as agreed by Dorset County Council's Regulatory Committee on 6 September 2018.

- The applicant has provided a superior alternative path which offers excellent views of the packhorse bridge in its garden context. Its aesthetic is appreciated more fully as a consequence.
- It allows appropriate privacy for the applicant while providing a safe and accessible route through his property.
- The former Authority considered this issue in depth and detail at the relevant meeting, which I attended and addressed, on 6 September 2018. The Regulatory Committee approved the Order after full debate.
- The objections since received simply reiterate the previous assertions considered then, and add nothing to the issues debated thoroughly at that meeting.
- I can see no reason why that decision should not now be implemented by the Secretary of State. Nothing has changed, except that an increasing number of walkers have been able to enjoy the many advantages of the new route.
- It is to be hoped that today's meeting will see the wisdom of its predecessor's decision. The Secretary of State must now weigh the evidence and determine the outcome.

### **Rosemary Tong – Support**

I strongly support the proposed diversion of the footpath. I have lived in the village for 26 years and am a keen and regular walker of local footpaths.

My emphatic support is based on the following points:

- The diversion offers a pleasant, flat and accessible path, safe in all weathers, with an excellent view of the packhorse bridge and Ryalls Manor.
- It is without question a substantially more convenient route and therefore adds greatly to public enjoyment.
- Its accessibility encourages healthy lifestyles, while enabling walkers to enjoy the views of the bridge and the natural assets of the area.
- It offers protection for the ancient monument, potentially endangered by walkers
- It benefits both the whole community and the landowner

As Clerk to the Parish Council for many years I have been well aware of the background to this matter. This is a small, village community of approximately 200 people. As a long-standing resident I am well acquainted with many regular walkers in this area. Equally, many of the objectors are known personally to me, and from my own daily footpath

walking over many years I have serious doubts about the veracity of their statements. I wrote in support when the matter was first debated by the County Council. Members considered the matter very carefully and thoroughly at the time and decided to agree the application to divert. There is absolutely nothing in the recent submissions which is different from any consideration in the earlier meeting. Therefore I most strongly urge the Council to take due note of that earlier, careful and well-considered decision made by its predecessor body and submit the application to the Secretary of State.

### **Susan Hanstead (Councillor for Gussage St Michael (footpath lead officer, Vale of Allen Parish Council) – Support**

I have lived in Gussage St Michael for 13 years and became a Vale of Allen councillor in May 2019 when our village joined the Parish Council in April 2019. At that point, the 'Village Meeting' and that committee ceased to exist.

I have walked both routes and here are my comments on both:

- The current route over the packhorse bridge has a general signpost with the undefined route crossing a lawn to the packhorse bridge. Walking over the bridge is not a pleasurable experience as it is steep, extremely uneven and a big trip hazard. There is no handrail and it would be fairly easy to trip and fall off the bridge, causing injury. The drop is not substantially high, but with the winterbourne running, would not be a pleasurable experience.
- The proposed path is signposted and is a defined route which is wide, even and much much safer. The path does go between a building and a hedge, but not for very long, and then it opens out to see the bridge from the side, which is a much better view than the one when walking over it.
- I support that the route be diverted to the present permitted path

These are my comments on reading the whole application:

- The objections to the change citing 'lack of views' can be applied to most walks as parts of footpaths usually pass between hedges.
- The distance in the "corridor" (the path behind the building) is minimal compared to the lovely views gained from the walk from our village to the bridge.
- The accessibility is not an issue because part of this walk is crossing two wooden bridges with a stile at each end, so that

would exclude some users. These bridges do have a handrail on one side though.

- The packhorse bridge is part of the village history, which should be preserved and not have people and animals walking across it.
- Walking through a garden is not ideal.
- The view of Ryalls is still maintained from the proposed footpath.
- The proposed footpath maybe on the boundary, but it does not pass near to anybody else's house, so I do not think there is an issue with lack of privacy.

I took some photographs recently of the area, but the ones included in the application show it as it is, so I have not included them here.

### **Anthony Fortescue – Support**

I have received notification of the Order regarding Part of Footpath 6, Gussage St Michael at Ryalls as I live in one of the adjoining properties Ryalls Lodge.

I am familiar with the proposed order as my neighbour, David Hall has discussed it with me. I support it because it makes good sense.

By way of background I have lived at Ryalls Lodge with my family since summer 1993, so 27 years this summer. The footpath goes past our kitchen window and so we notice the volume and frequency of walkers who use the path. Both are quite modest, no more than a handful on a weekday and perhaps double that at weekends. The regular users are a couple of keen walkers from the village; the occasional rambler following the Cursus and the most regular users are my neighbour Steve Mills (from Morar) and my family.

Over the past 27 years it has been noticeable users of the path have not walked over the bridge but rather walked to the side roughly along part the route of the proposed diversion. I suspect this is due to people naturally not wanting to invade the occupier's privacy plus, and more significantly, it is much easier not to walk over the bridge due to its size and form. Walking over the bridge adds little to the enjoyment of that part of the walk, particularly for the 6+ months of the year when the winterbourne is dry.

It has been very noticeable how much more the path has been used during Covid-19 lockdown, not least by my family, and I have not seen anyone choosing to use route over the bridge.

I hope the proposed order will be approved.

### **Stephen Mills - Support**

I am writing to inform you that I am in favour of the footpath diversion to use the permissive footpath instead of using the original footpath which navigates you across the packhorse bridge. I have lived in Gussage St Michael since 1986, & I use this footpath twice a day everyday walking my dog, & on occasion also with my grandchildren & other family members. The new permissive path has all the advantages over the existing footpath, it has easy access, is level, so making it ideal for those that have a mobility problem, easy & safe to use for young children, & from the path gives you a good view of the packhorse bridge & Ryalls Farmhouse.

On my daily walks I have encountered a lot of ramblers & those from the village who have said to me that they would rather walk this new permissive path because of the benefits already mentioned, rather than try to navigate the slippery uneven packhorse bridge, they also mention that they feel uncomfortable actually walking through someone's garden, which I can understand. All of my time of walking the footpath, I have never seen anyone actually walk over the packhorse bridge, every time they would use the new permissive footpath. Personally I find this new path a win win situation for both walkers & the landowner.

### **Mary Mills – Support**

I have been walking the footpath at Ryalls for over 30 years with my husband my children and now with my grandchildren. We now use the new proposed foot path which is so much more accessible for everyone especially for very young children and is safer than walking over the very narrow and at times very slippery Pack Horse Bridge. We get a really lovely view of the Pack Horse Bridge. All the time I have walked the permissive footpath I have not seen one person using the Pack Horse Bridge.

### **Kate Mitchell, Parish Councillor, Gussage St Michael - Supporting**

With the previous application being approved by the Regulatory Committee in September [2018](#), I am surprised to read that Dorset Council are now proposing to stay neutral in respect of the footpath being moved.

The situation has not changed since then, and therefore the Council should stand by the previous decision to approve the diversion.

I am supporting the proposed change to the footpath, based on the facts as I see them.

Current path:

- 1) The bridge should be preserved for future generations to enjoy. Sustained use will continue to cause wear and tear to it. It will be very sad if the bridge were to fall into disrepair.
- 2) The current route over the bridge is imposing on the homeowner and prevents them from quiet enjoyment of their own garden.
- 3) The homeowner was misled in respect of the footpath route when he purchased the property.
- 4) The route through the garden isn't clearly defined, which may lead to users wandering over more of the garden.
- 5) Actually walking over the bridge takes care and attention due to the narrowness, gradient and surface not being ideal.
- 6) The bridge is steep and uneven, with nothing to hold onto for support nor balance.

Proposed alternative path:

- 7) The new route is clearly marked and easy to identify.
- 8) The new route is wide and fairly flat with no obstacles, which makes it easy to move through.
- 9) Using the alternative route allows users to view the bridge from a short distance away, giving a more dramatic view of the arch and stones. The view from the side is more impressive than viewing it from above.
- 10) The house can still be seen, but at a more respectful distance.
- 11) The new route improves security for the homeowner.

## **Mary Jones – Support**

I write regarding the above disputed footpath .

I have been using the footpath for 20 years and I have always walked on the path next to the hedge , never across the pack horse bridge . I have to say that I had never seen the packhorse bridge until the recent dispute and certainly never walked over it . Having now seen it across the garden , I notice that it is steep , narrow and uneven and very unsafe for older or less physically able walkers to cross . It is however an attractive feature of times past which should not be eroded by use , but can be seen and enjoyed from the other alternative footpath , which

has been created by David Hall which is safe , flat and accessible to all walkers in all seasons .

I hope the committee will view this with sympathy .

### **Sarah Kennedy – Supporting**

I am contacting you to offer my support to the proposed alternative footpath route at 6 Gussage St Michael. I've visited the Gussages a number of times and it has never occurred to me to walk across the packhorse bridge. The path - so you can see the view of the bridge - is a much more sensible route. I would be nervous about having my toddlers walk across that bridge.

I very much hope the Council will come to the right decision and approve the alternative footpath route.

### **Kim Gray – Supporting**

I'm writing to you in support of the alternative footpath route in the matter of footpath 6 - Gussage St Michael.

I've been a regular visitor to the area for the last 5 years and have enjoyed the surrounding countryside and warm welcome that I have received.

My observation is that the alternative path and route is significantly better option over the old one which requires traversing an extremely old and small pony bridge through someone's garden.

It is clear to me that the alternative path has been created with care, seemly at some expense, and represents a sensible, pragmatic and most importantly safer route. Walkers can still visually enjoy the small bridge from a short distance and in my opinion get a much better view of the arch which gives us a fascinating insight into its construction.

Secondly, there seems little to be gained and much to be lost by persisting in signalling a route which is through what is ostensibly private property - an uncomfortable experience for all I'm sure. Whilst I recognise balancing our intrinsic rights to roam it doesn't seem proper when there is a superior route available.

Finally, We must also consider our duty to make exploring the countryside as accessible as possible which includes assisting where we can people who may have reduced mobility. The small pony bridge has a very steep ascent and decent across an narrow uneven and slick surface with no access to a hand or guard rail. Exclusionary but also an accident waiting to happen.

Interestingly and perhaps because of the points above I've never seen a single person actually use the old route through the garden!

I know these matter can be emotive but as I've already said I think the alternative route that has been created is the best solution and should therefore be ratified.

### **Clarice Hine – Supporting**

I'm writing in support of the alternative footpath at Gussage St Michael.

My family and I have enjoyed the footpaths of the Gussages for now three generations. The newer footpath that appeared some years ago was an improvement for us, as it avoided the section over the bridge, which was often quite treacherous for the elder members of our party - and likely would be once the smallest ones are walking without reins and piggybacks! The new path was a safer option.

### **Anna Thomson – Supporting**

I am writing to support the alternative footpath route. As a family, we enjoy walking the footpaths around the Gussages during our holidays and short breaks, and have for many years. The path we had been using is apparently an alternative, which is highly surprising because the route over the packhorse bridge is rather perilous, especially when walking with a young child. It also feels very intrusive to walk into someone's beautiful garden and this has put us off using the path at all.

The alternative route is much better thought out, much safer and affords views of a lovely house and the old bridge without being dangerous or making you feel like a trespasser!

**Dr Janet Davis (Area Countryside Secretary) and Jan Wardell (Footpath Secretary), Ramblers, Dorset Area - Objecting**

Dorset Area of the Ramblers objects to this order on the grounds that it is incapable of confirmation because the proposed diversion would have a significant detrimental effect on public enjoyment of the path or way as a whole (section 119(6)(a) of the Highways Act 1980). Concerns about the impact on public enjoyment of the path are the main thrust of the other objections to the order.

This view was shared by the officer who prepared the report on the application to the Dorset County Council Regulatory Committee on 6 September 2018. Paragraph 3.11 of that report states:

“Based on objections received, officers consider that the diversion would have a significant effect on the enjoyment by the public of the route as a whole.” That report recommends that the order should not be made because it does not fully meet the tests for confirmation in the Highways Act but the Committee rejected this view and went on to make the order. Public enjoyment of the path as a whole is impacted in the following ways:

The definitive route makes use of a Grade 2 listed pack horse bridge. This unusual feature adds considerably to the attraction and interest of the route. There are also extensive views of the listed Ryalls farmhouse. The proposed alternative route is narrow and enclosed, passing between a fence and outbuildings. It takes three sharp turns, and in places is less than Dorset Council’s two metres recommended minimum width. When visited in January 2020 it was waterlogged in places. This part of the route changes the character of the path completely.

At the consultation stage the Ramblers did not object to the proposal but because of concern about the potential of proposed route section I – J, between two hedges, to become overgrown suggested that a maintenance condition be included in the order to ensure its long-term availability. Because the East Dorset Footpath Secretary who submitted that response is no longer in post, and because no such condition was included in the Order, two members of the Area Footpath Committee made a further site visit to ensure that response was still appropriate. Our conclusion was that the existing route, (A-B-C-D) was far more enjoyable than the proposed diversion (A-E-F-G-H-I-J-K-D). The differences between the routes are only truly apparent on a site visit as the plan does not capture the situation on the ground.

One of the pleasurable effects of recreational walking is the awareness of walking in the steps of previous generations, who have used routes, perhaps over hundreds of years, connecting ancient settlements. Features such as the pack horse bridge are an integral part of that pleasure and the unique legacy that is the public rights of way network. We therefore urge Dorset Council to resolve to abandon this order.

### **David Hall, Applicant , Support**

1. My purchase of Ryalls in September 1989 was contingent on the footpath going through the adjacent property Hawneferne. Mr Pigdon owner of both properties had persuaded the Council in the late 70s that the definitive path went through Hawneferne. [Letter from the County Council in September 1979 confirming sent to Mrs Pigdon and the Ramblers Association] The East Dorset District Council confirmed this at the time of my purchase. The proposed diversion is an attempt to right the wrong Mr Pigdon did me compounded by the error by the District Council.
2. The objectors to the diversion make statements that are not true. It was in 2016 that it was possible to walk the definitive path following the installation of the bridge on to Ryalls. 13 of the 17 objectors in 2018 claimed to have walked the path regularly for many years, this was not possible. [The majority of these objectors were not on the electoral roll of Gussage St Michael and were not therefore 'local']. 11 of the 16 objections on the most recent consultation also claim to have walked the route 'regularly' 'for many years', again this is not true. 3 of the remaining objections refer to me as being 'selfish' and 'disgusting' in what I am proposing.
3. I have made an enormous effort and gone to considerable expense to create a footpath that is enjoyable, safe and with better access than the definitive path. [see Impact Assessment] I have consulted widely with users including my local District and County Councillors, taken professional advice and created a path that is used more frequently than any of the various paths that have been used across Hawneferne and/or Ryalls in the last 30 years.
4. The public clearly prefers to walk the diversion rather than the definitive path. I put up a small Permissive Path sign indicating the diversion, this has been removed/broken on at least three

occasions . In spite of there being no clear sign at one end of the path the use of the definitive path over the packhorse bridge by the public has been virtually nothing., Between January 2017 and June 2017 there was a team of builders working at Ryalls, on no occasion did they see anybody walk the definitive route over the packhorse bridge. Since March 14<sup>th</sup> I have worked in my study overlooking the definitive path, one person has used it. A neighbour who walks the diversion twice a day has never seen anybody use the definitive path over the packhorse bridge since the diversion was created in 2017.

In light of the above I urge the Committee to make a positive recommendation.

## **Item 7a - Planning application 2/2019/1649/REM - Land East of Barnaby Mead, Gillingham**

### **Anne Hicks - Objecting**

I would like the committee to take into account the following points and reject the proposed plan.

The inclusion of the bungalows on the south side shows a great deal of consideration and respect for the existing residents. The developers should be thanked for this. But :-

the roof pitches are not in keeping with those in Barnaby Mead. They are much higher and should be reduced but the exclusion of permitted development is a move in the right direction.

Flats are not in keeping with the area. Whilst the flats are only 2 storey, they are higher than any of the houses. Add to this their elevated position on the plot and they would totally dominate the development. Why can't they be changed to cluster houses. You would get the same amount of residences without the domination. I have seen it done.

The town council, by a large majority, rejected this plan. I will not list their reasons here because they are many and on file. The committee will doubtless know them and they will be raised elsewhere today. They represent us and it would be a travesty if their views were not fully appreciated by the committee. They live there. They know the area. They know what the area needs.

What we, the residents, are asking for, is consideration and common sense. Both of these are within the ability of the committee to exercise.

### **Jo Kelliher – Objecting**

I live in Bay Farm, adjacent to a part of the housing development south of my property known as “The Orchard”, where it is proposed to build 6 new houses, namely plots 8 to 13.

I have confined my comments to this area of the site.

The Bay Farm Solar Array is one of the most productive domestic solar arrays in Dorset. It even supplies excess electricity back to the Grid throughout the year.

I commissioned a study by a local architect to determine in detail what the impact of new housing would be.

The survey data clearly indicates that the proposal to build the tall houses on The Orchard will result in significant shading to the Bay Farm solar array. The array will be disabled by loss of direct sunlight for a significant portion of the year.

Survey data can be applied to the empirical yield data from 2011. The loss of generating capacity, particularly in the winter months, is significant and is calculated to be in excess of 25% per annum. Whilst Gillingham TC acknowledged the validity of my objection, the current report by Hannah Smith attempts to dismiss this as insignificant. The loss of 25% of the electricity generated by this installation cannot be anything other than significant.

I object to the planting of three trees directly adjacent to my solar array. These include 1No. Alnus Glutinosa, height 5 to 5.5 metres and 2No. Acer Campestre height 3.5 to 4 metres. Planted in the positions shown, this tree planting would result in the array being almost completely shaded and hence rendering the array disabled throughout the entire year.

The Council is considering a bespoke landscaping condition relating to the boundary between the site and Bay Farm. If this condition were to be so worded that the planting scheme both now and in the future, must not impact the performance of the solar array, then this would go some way to alleviating my objections on landscaping terms alone.

## **Climate Emergency**

Sustainability is a priority in the North Dorset Local plan and the National Policy Planning Framework.

In June 2019 Dorset Council declared a climate emergency, which included a statement. The council now must regard this statement alongside policy on sustainable development and climate emergency.

## **Summary**

Building tall houses to the South of Bay Farm in the area of land known as The Orchard will partially shade the Bay Farm Solar Array. Loss of light will be significant and independent survey data provided supports this prediction.

In addition the current landscaping plan by the developer includes a tree planting plan which would completely shade and significantly impair the performance of this array.

### **Karl Goatley – Objecting**

I won't waste anybody's time by regurgitating the many objections made in respect of this application, but I would like to take the liberty of highlighting two overarching considerations...

- The density and type of housing (particularly the incredulous introduction of flats) is entirely inappropriate, which is lucidly emphasised through the scale of objection and the passion exuded therein
- Sadly, Gillingham residents feel detached from the planning decisions made on their behalf having witnessed first-hand the ad-hoc and often inappropriate development of our small town, and with their views and feelings often ignored. It is truly heart-warming to hear our Town Mayor speak up at local planning meetings in relation to always having to accept "second best", and I beg you to ALWAYS ensure such feedback is fully considered.

The development at Barnaby Meads is generally supported by local people, along with our Neighbourhood Plan, but providing it's not just another 'second best'.

Many thanks in anticipation for demonstrating integrity in action today - whilst discharging your duties - and with a focus on the people who have to live with your decisions for many years to come.

### **Ivan Faulkner, Objecting**

I would like to make a formal representation against the above planning application which is due to be heard on Tue 23 Jun 20. I object to the proposed development on the following grounds:

Density of the development site - 50 dwellings is far too many for such a small site it is not in keeping with the local surroundings or the Local Town Plan, it was agreed by Gillingham Town Council that this is over development on the site.

Style of the dwellings - all new developments are to be in keeping with the local estates (Gillingham Town Plan) to allow the erection of a two storey block of flats is not in keeping with the existing dwellings in Bayfields and Bay Lane, final planning permission should not be granted based on the current proposal.

Increased traffic through the Town High Street and through Barnaby Mead and Bayfields is a risk to the local residents Health and Safety and based on this planning permission should not be granted.

Please forward my concerns to the Committee for consideration.

### **Randy Coldham – Objecting**

I refer you to my objections date 5 June 2019 and 19th January 2020. I live at Honeymead (formally Bauhinia) Bay Lane. I am concerned with the threat of surface water flooding from the SE corner of the development as the land slopes towards my boundary and surface water ingress can be seen on photographs contained in my objection dated 19th January.

The SW drain ends some 20 metres away from my boundary with the land from the drain sloping 0.6metres to my boundary. Throughout this planning process I have raised objections, at one time the developer's agent agreed to extend the drainage further to the East, this was subsequently removed. Although the developer states that they have consulted us at no time have they directly addressed this nor have the council officers offered any support.

I would remind you that some years ago after Council development work this property was affected by severe SW flooding with the result that the Council were required to underpin a corner of the property. The Environment Agency state that the area between my house and the corner of the development is subject to SW flooding which is now exacerbated by the slope of the land without any drainage protection.

### **Ben Moore – Objecting**

I object yet again to this persistent planning application as a resident that will be affected by this proposal. There are so many reasons for objecting, which can't all be put in a 450 word statement. This has been voted against at all stages by the councillors of this town, our Mayor and

ALL residents. I have strong reason to believe that the one councillor (that is keen for this to be approved) is doing it for personal gain.

The development cannot house 50 homes safely. It is grossly out of character with the neighbouring houses and this area does not have any flats nearby. This proposal will cause flooding to the nearby homes. The entrance to this plot cannot safely accommodate 50 houses worth of vehicles as the entrance is onto a very narrow high street (end of Gillingham high street) of which the traffic report was produced at a time of low traffic which gives an unrealistic result of what the High Street can actually cope with.

This has been turned down at all stages yet the developers continue to pursue without lowering the number of homes (50). They have not met with us (residents) directly and have not attempted to accommodate feedback throughout this process. The 'planting proposal sheet' shows more evidence of incompetence from the developer; the tree's proposed to be planted next to Bay farm and Banisters will destroy these historic buildings as their roots grow underneath the current buildings. The entire property at Banisters has also not been shown on the maps provided by the developer throughout the planning application to make it appear that the boundary is bigger, which it is not. This demonstrates yet more malicious lies from the developers; or it could be sheer incompetence.

I beg the committee to do the right thing and decline this proposal, again. Thank you for your time.

### **Suzy Moore - Objecting**

There remains serious neglect for remaining issues at hand. Serious consideration is required to ensure that National Planning Policy Framework (NPPF) and Gillingham Neighbourhood Plan is taken into account as it states the land should be designated as a conservation area. There remains clear conflict with the NPPF para 12 and as a result the application shouldn't be granted but instead should lapse and be re-reviewed.

It's respectfully and strongly urged for councillors to refrain from granting such application as a tickbox for the housing quota as the Local Plan already lists 3 year+ supply of deliverable housing sites up to the year

2031. This application vastly surpasses the quota, is superfluous and should be disregarded.

Nevertheless, the applicant still fails to address the most salient, significant, detrimental and material considerations which remain in issue. Councillors are strongly urged to view the site and read the full objections which appear, so far, to have been deliberately and unfairly disregarded without explanation.

Safety: The location is unsuitable for development of 50 dwellings and 100+ vehicles. With high housing quota, lack of employment opportunities would be saturated, leaving people forced to travel by car for work (This is also against the Gillingham Neighbourhood Plan (para 7.13) and NPPF (paras 109-110)). The only entrance/exit leads directly onto tight Gillingham high street resulting in unsafe amount of congestion to the area. Up to date traffic reports should be undertaken to assess current impact of the local highway as previous reports are now significantly out of date.

Drainage: The site's on a floodplain, heavily flooded this year covering  $\frac{3}{4}$  of the area (evidence available). There's been little to no attempt to address continuing drainage concerns and issues. Transport and Drainage Consultees have failed to address significant risks or review/approve any proposed drainage strategy. This is critical and must be considered for the sake of neighbouring properties. The application must significantly reduce the number of properties and keep remaining plot on higher ground.

Environmental: There's no indication to retain the character of the area or support sustainability whatsoever. The application fails to address using sustainable materials or support neighbouring solar array. The Neighbourhood Plan specifically addresses that the 50 proposed dwellings should '*retain the qualities and character of nearby buildings*' and be a transition. There's no such transition here with red brick and a large block of flats which detrimentally contrasts the character of the area including historical stone farmhouse and barn which sits on the boundary line. With no sustainable and in-keeping materials used, immediate amendments should be made.

## **Chris Haugvik - Objecting**

I write in connection with Planning Application Ref No: 2/2019/1649/REM - East of Barnaby Mead, Gillingham, Dorset, to which I wish to strongly OBJECT to the proposed development.

Despite the recent Case Officer's report (published 15 Jun 20) I believe that in line with the circa 200+ well founded and comprehensive Objections raised, which have been spread over the last three years, the primary rationale for objecting to this proposal has not been answered.

The over-development of such a small site; its scale and proportion will have an overwhelming negative effect for the habitants of Barnaby Mead, Bay Lane and Gillingham's town centre. The builder's proposed changes to design, layout and appearance have not overcome the material reason to the large number of houses identified for the site.

The inordinate amount of extra traffic heading directly into a busy town centre will create unacceptable levels of noise, pollution, over parking and is a serious risk to pedestrians alike. The visual impact on the landscape from such a high-density build is undeniably out of character with the historic Bay area of Gillingham. Sky lining and overshadowing on the extant houses on both the east and west side of the development is unavoidable with this application, which clearly contravenes the Gillingham Neighbourhood Plan.

In short, the residential amenity impact would be **not** be acceptable, the impact to local highway safety is **not** acceptable and the increased potential for flooding of the surrounding houses in **not** acceptable. These factors are all linked to over development and have been realised in many other poorly developed new homes and estates witnessed throughout the UK.

This application must be rejected once gain so that the builder can rethink the design and layout of the site to ensure that only an acceptable number of dwellings are developed in line with Gillingham's neighbourhood plan.

## **Nigel Jarvis – Agent, Supporting**

I would like first to commend the report and thank the officer for her consistent work assessing this application. I am grateful you will consider this statement.

Outline planning permission was granted by the Council in October 2017 and the site was sold to my client. Aster are a Registered Provider whose mission is to deliver affordable housing and, as a charity, it re-employs any profits back into meeting that objective. Their main goal is to maximise affordable housing provision from this site, while delivering a sympathetic and high quality development.

After the previous reserved matters refusal Aster reflected thoroughly on the council's reasons for refusal and took note of the level of local response to that application. Aster reacted positively, undertaking a contextual analysis of surrounding development, holding a series of meetings with neighbouring residents at their homes to better understand their concerns, and continuing discussions with officers and local representatives.

These proposals fully overcome the prior reasons for refusal. Firstly through revisions to unit siting and the incorporation of three bungalows they comprehensively improve the relationship of the development to existing Barnaby Mead properties.

Secondly the mix and configuration of dwelling types in the scheme has changed dramatically. This enabled opportunities for greener more spacious streetscenes and, the much more comprehensive landscape buffer to the eastern boundary with Bay. As a consequence the perceptible density has greatly reduced compared with the previous scheme. The total number of dwellings remains the same, however, as officers advise this is not a high density scheme in and of itself. As the NPPF sets out, it is important to make effective use of land and meet housing needs on sustainable sites so far as possible.

Significant attention has also been paid to lifting the quality of design through numerous improvements to the use of materials and elevational detailing. We recognise, with sympathy, the site will continue to be unpopular with some as a location for housing, but it has outline permission. Some persistent objections lie with the principle of development or other matters resolved by the outline planning permission and cannot be solved by the detailed matters.

Statutory consultees raise no objection such as to drainage or highway matters. The proposals before you would deliver a high quality scheme that will complement the character of existing development and a significantly better development than was illustrated at the outline stage, or in the previous reserved matters. In this case as the proposals will not cause any significant adverse effects there are significant grounds in

the applications favour, including the weight to be given to securing housing from the site in this instance. We therefore hope the committee will endorse the recommendation.

## **Item 7b - 2/2019/1554/FUL, Bleet Farm, Bleet Lane, Gillingham**

### **Matt Williams – Agent – Support**

Thank you for the opportunity to submit this written statement in support of application 2/2019/1554/FUL for the Applicants.

#### **Main Issue**

The only issue with this application is whether the proposal addresses specific concerns raised by the Inspector who dismissed the previous appeal on the grounds of visual impact.

#### **Assessment**

We commend the Case Officer's report and recommendation which provides a very thorough and impartial review of the proposed development in the context of relevant policies and the previous appeal decision.

The proposal has been the subject of extensive pre-application advice which is encouraged by the Council and the scheme design has been refined with some helpful feedback from the Case Officer.

#### **Visual Impact**

Both the Inspector and Case Officer confirm that a proposed replacement dwelling with a contemporary design on this site complies with Policy 28 as a matter of principle.

The Inspector decided that the previous proposal would be harmful because of the cumulative impact of the size of the replacement dwelling (a 70% increase), the bulk of development being positioned on the site boundary and across the ridge, and the extensive glazing.

In response, the size of the proposed dwelling has been significantly reduced to represent a 47% enlargement (therefore within the 50% policy guideline), the bulk of the dwelling has been stepped and is set back 5 and 15 metres from the boundary so that it does not run across the ridge, and the extent of glazing has been reduced.

#### **Light Pollution**

The Inspector was concerned about the extent of glazing but did not dismiss the appeal on the grounds of light pollution from this glazing. Local Plan Policy 25 only relates to light pollution from external artificial lighting. Nevertheless, a combination of curtains/blinds for privacy and the limited hours when indoor lights are switched on will ensure that

there will be no light pollution, and there is very limited activity in this area at night time when any lighting may be perceived.

### Reflection

There is some local concern about the visual impact of reflection from windows although, once again, this was not a specific concern raised by the Inspector. In any case, there will not be any impact from window reflection because the windows are set behind a 3 metre covered balcony and will face north-west.

### **Conclusion**

The Applicants and their Architect have fully engaged with the Council's Planning Service to ensure that the proposed replacement dwelling addresses the Inspector's concerns and complies with the Local Plan.

The appeal was not dismissed on the grounds of light pollution or reflection from windows, and we therefore respectfully ask the Committee to agree with your Case Officer's impartial and professional analysis by granting planning permission for this development.

**Item 7c - 2/2018/0372/OUT, Land at E373160 N117864, Pond Walk, Stalbridge**

**Robert Sanger - Objecting**

In opposition to the proposed development I would like to reiterate my past objection letter in case it becomes overlooked.

Firstly pond walk is in effect a cul-de-sac which the residents enjoy a low traffic flow The benefits of which provide a safe place for children to play and ride their bikes etc.

This haven would be destroyed by increased traffic.

The new buildings would spoil the views across the Blackmore vale enjoyed by the local residents.

The extra numbers of cars would further compromise the catastrophic situation That presently exists in the Stalbridge high street area, and has been considered in previous decisions of local building applications.

Stalbridge has few wild places left for people and wildlife, this would disappear.

There are some large venerable horse chestnut trees on the site which are apparently to be retained. I feel that the developers know that to remove them would cause public uproar but to retain them is not preferable to them.

In reality to have such large shading trees in the vicinity of the houses shedding leaves and possibly causing problems with roots and falling branches, the new residents will no doubt apply to have them removed or butchered , or the developers would state that the trees are diseased and must be removed. My experience in these cases know this to be true.

**Gregory Evans , Applicant - Supporting**

This is a statement on behalf of North Dorset LLP, the applicant, in support of the application at Pond Walk. We thank the Chairperson and Members of the Planning Committee for considering this application under the current unusual circumstances. We thank the Officer for their

report and we welcome the recommendation that this outline planning application for nine new homes should be approved.

The site is sustainably located within the settlement boundary of Stalbridge, a larger village identified for growth. Local facilities can be accessed by foot and it is served by public transport. Historically, permission was granted at the site in 2015 for 20 units but this permission has since lapsed. Importantly, the principle of residential development at this site is accepted.

The applicant has worked closely with officers throughout the determination process and is excited that the indicative layout of this scheme, which includes six bungalows and three houses, is considered by your officers to be appropriate at this location.

The nine new homes proposed will positively contribute towards the Council's housing supply, which should be welcomed as we note the Council cannot currently demonstrate a five-year housing land supply. In line with the NPPF, the presumption in favour of sustainable development applies.

Existing residential amenity of surrounding residents is protected, parking standards will be met, safe vehicular and pedestrian access is provided, and Dorset Highways has no objection. No protected trees would be lost, and ecological mitigation and enhancement will be provided to achieve a net gain in biodiversity at the site. The Council's archaeologist has no objection. A planning condition will ensure homes on the site are protected from surface flooding and foul water drainage will comply with policy requirements.

Significantly, in line with guidance from the Conservation Officer, the indicative layout includes a large swathe of open space in the eastern part of the site which is closest to Grove Court and older trees which are to be retained. We welcome that the Officer's report concludes that the Stalbridge conservation area and setting of listed buildings would be preserved.

In summary, the proposal accords with local and national planning policy. This application represents sustainable development of nine new homes, at a site inside the settlement boundary, for which there is a presumption in favour.

We welcome that the application is recommended for approval. Accordingly, we respectfully request that the Committee follows the

Officer's positive recommendation and resolves to grant planning permission. Thank you.