

**DORSET COUNCIL - NORTHERN AREA PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON TUESDAY 15 SEPTEMBER 2020**

**Present:** Cllrs Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Tim Cook, Les Fry, Matthew Hall, Brian Heatley, Carole Jones, Emma Parker, Val Potheary, Belinda Ridout and David Taylor

**Also present:** Cllr Tony Alford, Cllr Graham Carr-Jones and Cllr David Walsh

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

Brian Convery (Locum Property Lawyer), Mike Garrity (Head of Planning), Robert Lennis (Area Lead (Major Projects) Eastern), Simon McFarlane (Area Lead Planning Officer, Gillingham), Steve Savage (Transport Development Manager), Allison Sharpe (Business Support Officer), Hannah Smith (Planning Area Manager), James Weir (Conservation Officer), Huw Williams (Lead Project Officer - Corporate Projects), Jackie Witt (Planning Technical Officer), Judy Saunders (PA to Chairman and elected members), Hayley Caves (Member Development and Support Officer) and Fiona King (Democratic Services Officer)

**1. Apologies**

An apology for absence was received from Cllr Ridout for the afternoon session only.

**2. Declarations of Interest**

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

With regards to Item 5a, Cllr Fry declared an interest in respect of predetermination as his wife works at Dorset County Hospital. Cllr Fry undertook to not take part in the debate and agreed to speak only as a Local Member for this item.

**3. Minutes**

The minutes of the meeting held on 30 July 2020 were confirmed and signed.

**4. 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.

## 5. **Planning Applications**

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

## 6. **WD/D/19/002627, Dorset County Hospital, Williams Avenue, Dorchester, DT1 2JY**

**Cllr Fry spoke as the Local Member only and then removed himself from the meeting for this item.**

The Lead Project Officer introduced the application for the erection of a multi storey car park and improvements to internal site roads and temporary change of use of former school field to car parking and Dorset County Hospital.

The officer identified the whole hospital campus and drew members' attention to the main access points on the site. The location and extent of the Dorchester conservation area was highlighted and it was noted that no development was planned in the designated conservation area. The nearby Listed Buildings were also highlighted. The proposed site plans and the proposed elevation and section drawings were highlighted to members.

There was no in principle land use objection and the main considerations in the determination of the application were set out in the application report.

The officer highlighted a number of updates for members since the publication of the report which included:-

- A review of screening under the EIA Regulations, environment impact was not considered necessary and the original screening opinion considered to be sound.
- Further consultation responses from the Council's Transport Planning Manager and Flood Risk Management Team:
  - The Travel Plan was now acceptable.
  - Surface water discharge element objection was still not resolved and this was explained to members.
- Representations in support of the proposed development had been received from Richard Drax MP and Simon Hoare MP. 6 further representations supporting the proposed development had also been received including previous county councillor and representative on the Hospital Board, Ian Gardner.
- Further representations objecting to the proposed development included a petition from the residents of Damers Road. Further representations had also been received expressing concern about air quality impact and damage to properties during the construction period.

The Conservation Officer had no further comments to make.

The Transport Development Liaison Manager highlighted that on-site parking provision would be increased to 1064 spaces once the works were completed.

The view from the Highways Authority was that the proposed development was satisfactory and robust and had no objection in principle to the proposal.

A number of written submissions supporting and objecting to the recommendation and a statement by the applicant were read out at the meeting and are attached to these minutes.

Cllr Tony Alford who was the Dorset Council representative on the hospital Board addressed the committee. He focussed on the concept of heritage significance and noted that it was not clear from the report that Historic England had set any guidance about how heritage should be discussed. He felt this was missing from the Planning Officer's report. He concluded from the report there would be a very low level of harm arising from the proposed development. There was a high level of compliance with other areas of the application. Sustainable development was mentioned in the report, and this application would help to deliver all three elements. He highlighted that approval of this application would ensure the funding of £62.5m for the hospital was secure.

#### **Local Members for Dorchester West – Cllr Les Fry**

Cllr Fry highlighted that this application was contentious for a number of reasons but felt this could be avoided. He felt the point on conservation was not relevant as there were plenty of buildings nearby that did not compliment the town. Whilst he did have sympathy for the residents the hospital needed to adapt and expand. He felt that the multi-storey car park would stand out but not as much as the buildings on Poundbury. He had worked with the Hospital Estates Team to try and sort a number of parking issues on the current site. He asked if the hospital had taken into account COVID and the number of people that were now working from home and if the car park was still needed. Cllr Fry made reference to the water issues and solar panels and asked for a condition to be added that local people had a say in what the final building would look like.

#### **Members comments and questions**

In respect of the question regarding staff working from home at the hospital, the officer advised that he had had some discussion with various people, and on occasions when he had visited the car park had not had any difficulty parking but recognised this was not the finding of other people. With reduced visitor numbers he felt there may have been a noticeable reduction in parking demand during the COVID period. However, he felt that planning decisions should not be taken on the basis of what remained an emergency situation.

With regards to the incorporation of renewable energies, the officer advised there were no proposals within the application for onsite renewable generation, but later noted that the photovoltaic cells are proposed on the roof of the service cores. In terms of climate change impact the proposals for providing a car park with electric vehicle charging points and a commitment to green travel was a positive element to the application.

Cllr Jones asked if there were any specialist reasons to consider in order for members to go against the officers' recommendation. The officer advised that

the decision members were being asked to take involved balancing the harms that had been identified by council officers against the public benefits claimed by the applicants and that are acknowledged in the application report. There was nothing in the report that invited members to put weight to issues that were not material planning considerations. The recommendation for refusal related to the landscape, townscape and visual impacts of the proposed multi storey car park and related implications for designation of heritage assets. The committee can and should have regard to the public benefits associated with the proposed development. Members should not approve unless they were satisfied that the harm to the significance of designated heritage assets was clearly and convincingly outweighed by the public benefits.

Cllr Taylor asked if a sprinkler system was planned for the building. The officer advised any such system would be covered under building regulations.

Cllr Andrews highlighted the social and economic benefits of the scheme and highlighted his experiences of trying to secure a disabled space when visiting the car park. He was content to proposed that the recommendation be refused.

Cllr Heatley felt the application was centred on 3 areas, parking, the future plans for the hospital and potential damage to heritage. He had no objection to the modest increase in parking capacity and felt in respect of the heritage and landscape, it was sometimes too easy to make too much of this.

Cllr Potheary found the recommendations to be brave and exemplary. However, the word harm was subjective and she would vote to approve application. She asked that an informative be included regarding the objection raised by the Flood Risk Management Team.

Cllr Ridout noted that the development was large but was part of the site so would be viewed in context and was outside the conservation area. She appreciated there were heritage assets close by but there was distance. The proposed development was in the best location on the site and would be a huge benefit to staff, patients and visitors. It was important for the hospital to carry on increasing their green travel plan. In her view the public benefit far outweighed the harm.

Cllr Jones highlighted the £62.5m increased funding to the area which could not be taken lightly.

Following a vote, members agreed to grant planning permission for the multi-story car park at Dorset County Hospital.

The Lead Project Officer highlighted some headline conditions that members may wish to impose should they be minded to approve the application. Members discussed these and agreed to leave the detailed wording for the Head of Planning, to be agreed in consultation with the Chairman. The Chairman asked that a condition be included regarding the involvement of the community in the choice of design and artwork of the exterior of the building.

Cllr Ridout wanted to ensure that the proposal for planting 170 new trees off-site would go ahead and asked if that would be in the landscaping condition. The officer advised that he thought that this was included in the biodiversity mitigation and enhancement plan, but could reasonably be secured by condition.

**Proposed:** Jon Andrews

**Seconded:** David Taylor

#### Decision

1. To grant planning permission on the grounds that the social and economic benefits in respect of parking and funding for the hospital outweighed the harm to the landscape, to visual amenity and to the significance of heritage assets. Members were satisfied that the harm to heritage significance was clearly and convincingly outweighed by the public benefits associated with the proposed development.

2. That the Head of Planning, in consultation with the Chairman, agree the conditions.

3. That an advisory note be added regarding community involvement in the design and artwork of the exterior of the building.

#### 7. **2/2020/0379/FUL, West of Shaftesbury Road at Land South of Gillingham, Shaftesbury Road. Gillingham**

The Area Lead Planning Officer introduced the application for the construction of a principal street, associated access, landscaping and infrastructure works in Gillingham.

The officer highlighted the holding objection by the Environment Agency to members and explained why this featured in the recommendation.

He advised that the road had been designed as a tree-line road which would be 6.75m wide, widened at the bends, where necessary. There would be shared use footway/cycleways provided and therefore the Highways Authority fully supported the proposal.

#### **Local Members for Gillingham**

##### **Cllr Walsh**

Cllr Walsh addressed the committee and advised that he had been involved in the scheme for the past 8 years. He had seen this evolve over the years and noted that it was being led by the community. Previously, he had spoken in Parliament regarding this issue and highlighted that the funding was time limited. The residents of Gillingham designed and supported this development.

##### **Cllr Potheary**

Gillingham Town Council resolved to recommend approval of this application subject to pedestrian islands, to make crossing the road safer. Highways have stated that given the number of people wanting to cross the street there would only be a need to include dropped kerb crossing points and asked for their location with regards to footpaths. The officer highlighted them in his presentation. The Transport Development Liaison Manager noted that Dorset

Council had advised that there was no need for any controlled crossings along the principle street. It was felt to be safe to cross a 30mph road at that width and anyone using the Rights of Way footpaths should be safe to cross the road.

#### **Cllr Ridout**

Gillingham was fortunate to have received funding at the outset of the development and she felt that any impacts had been addressed and mitigated. The application had gone through a rigorous public consultation. She asked that the tree and landscaping detail be discussed and liaised with Gillingham Town Council.

#### **Members comments and questions**

Cllr Cook made reference to the link to the B3081 and asked if this didn't come to pass what would be the implications for buses coming down the street and would there be enough space for them to turn? The Transport Development Liaison Manager advised that the road has not been designed with a turning head at the eastern end. The officer advised that the draft phasing plan illustrated that development would start at the Eastern end of the site and therefore it was highly likely that this connection to the B3081 would be provided in the early stages of development as the intention is that the link will be provided, most probably at the first phase of residential development. In the unlikely event that this connection was not delivered the Transport Development Liaison Manager added that there were always engineering solutions to any problems that might be encountered.

**Proposed:** Jon Andrews

**Seconded:** Belinda Ridout

#### Decision

That the application be approved subject to no adverse comment from the Environment Agency and the conditions outlined in the appendix to these minutes.

#### **8. 2/2019/1710/REM, Land at E 373794 N 117227, Thornhill Road, Stalbridge**

The Area Lead Planning Officer introduced the application for the erection of 60 No. dwellings, form public open space, local equipped area of play and attenuation pond. (Reserved Matters application to determine appearance, layout, landscaping and scale; and to discharge Condition Nos. 15 - Landscape Environment Plan, 17 - Soft Landscaping, 18 - Footpath Link, 21 - Materials Palette, 22 - Public Art and 24 - Lighting and Signage; following grant of Outline Planning Permission No. 2/2017/1095/OUT).

The officer highlighted the proposed site layout and the layout specifics. The proposed development was a mix of 2, 3 and 4 bed houses and flats. There were no design constraints as the application was not in a conservation area.

There was a holding objection from the lead local flood authority in place. Conditions had previously been imposed on the outline application that prior

to commencement of development drainage matters had to be agreed. With these in place already this matter had been adequately addressed.

The key planning matters were highlighted – neighbour amenity and matters of design and layout.

The Transport Development Liaison Manager highlighted that the road layout complied with a speed limit of 20mph. Car parking was built in line with council guidance, the provision being all on-street. The Applicant had stated that the road would remain private and would not be offered for adoption.

A number of written submissions supporting and objecting to the proposal and a statement by the applicant were read out at the meeting and are attached to these minutes. One late representation was received raising concerns about boundary fencing adjacent to existing properties.

### **Local Member for Stalbridge – Cllr Graham Carr-Jones**

As the portfolio holder for housing Cllr Carr-Jones was very pleased to have this 100% affordable homes development within his ward. He made reference to local chatter about the homes not being available for local people and explained to members how the housing register worked. He was still slightly disappointed with the design site layout. However, he was not asking for the application to be refused but asked that if there was anything in planning that could be done to mitigate the layout. He asked who would be responsible for the maintenance of the trees and lighting specifics. The Areas Lead Planning Officer advised that with regards to lighting the applicant would have to assign a management company to undertake maintenance and due care in the roads. In respect of tree management, condition 17 was around soft landscaping, and that the developer would need to notify Dorset Council for the first 4/5 years so the tree officer could go and see that it was all acceptable.

### **Members comments and questions**

Cllr Fry asked about the size of the 2 bed houses and if they fitted with national criteria. The Area Lead Planning Officer advised that officers could not enforce the size as this was guidance. In terms of renewable energy to make them climate change complaint, the officer advised that the applicant was not proposing any solar renewable element at the present time. It was sustainable by its location and would meet the building regulations. Following a question about how high the hedging would grow, the officer advised that this was set out in the landscape management plan submitted. The residents would be entitled to cut what was on their property but the Management Company would be responsible for this.

Cllr Jones asked if members could ensure a minimum maintenance standard of the road if they are not adopted. The officer confirmed that this would be the responsibility of the Management Company. The Transport Development Liaison Manager advised that there was no obligation on the Highways Agency to check on comment on the road.

Cllr Penfold asked about the improvements to the footpath and what this would entail. The officer advised that typically the surface and links to the footpath would be tarmacked but there was no further work planned to the existing footway.

Cllr Hall asked why there was not more permanent fencing instead of hedging in the application. The officer advised that he had considered different types of fencing. Following a further discussion about the native hedging, the officer advised that the Tree Officers and Landscape Officers had raised no objections on this matter.

Cllr Andrews preferred the fencing and hedging proposal.

**Proposed:** Carole Jones

**Seconded:** Les Fry

#### Decision

That the application be approved subject to the conditions outlined in the appendix to these minutes.

#### 9. **2/2018/1808/OUT, Land North of Burton Street, Marnhull, Dorset**

The Area Lead Planning Officer introduced the application to develop land at Marnhull by the erection of up to 61 No. dwellings, form vehicular and pedestrian access, public open space and attenuation basins. (Outline application to determine access).

The application had been originally determined by the former North Dorset District Council in 2019. However, the reason the application was before members was because there had been a change to the terms of the Section 106 Agreement, specifically the NHS contributions could not be secured and their request for contributions had been retraced. Therefore, members were now being asked to review the application and approve.

A number of written submissions supporting and objecting to the proposal and a statement by the applicant were read out at the meeting and are attached to these minutes.

#### **Local Member for Marnhull – Cllr Graham Carr-Jones**

There has been broad acceptance that Marnhull could take some development, although the application had not been that popular. Parishioners would rather not have street lighting in the development, if they have to have something could it be sympathetic and considerate. He asked that a condition be added to the application that reduces the speed limit down to 20mph. The Transport Development Liaison Manager advised that Traffic Regulation Orders (TROs) and Planning Permissions were governed by separate legal processes. He suggested that the normal procedure would be that the Parish Council would pursue a TRO with Dorset Council. He felt it was not particularly essential to this planning application. With regards to street lighting, the Area Lead Planning Officer advised that these details had

not yet been supplied and would be brought forward at the layout stage. However, the officer felt that the applicant would want to address this.

### **Members comments and questions**

Cllr Cook made reference to the 40% affordable housing in this location and asked for details how much the NHS contribution would have been and if there was a way in asking for affordable housing to make up what the developer was going to give to the NHS. The Area Lead Planning Officer advised that the Section 106 was legally binding and officers were unable to secure any additional contributions.

Cllr Fry asked about the consideration of renewable energies being included. The Chairman advised that this application was an outline application at the present time, more details would follow at a later date. The Area Lead Officer advised that he would add an informative on this matter.

Cllr Jones considered if members should be reviewing the other Section 106 monies as the original application was submitted in 2018 and approved in 2019. The Area Lead Planning Officer advised that this was specific to the NHS Trust as they had withdrawn their request for Section 106 money and then proceeded to this basis. It was not made clear what needed to be reviewed as this was a bespoke issue relating solely to the NHS Trust.

Cllr Potheary proposed approval of the application and that members did their 'best endeavours' to support Marnhull Parish Council in their plans for a TRO. Any comments members can make to support the Parish Council with the TRO would be useful.

Cllr Fry supported the comments regarding the TRO. He felt it was hard to enforce 20mph zones and asked if there were any other options that could be considered. The Transport Development Liaison Manager explained the work planned to make the bend wider to avoid instances of speeding round corners. It was the role of the Police to support the TRO. In respect of traffic calming, this required lighting and signage and there would be issues of where it would be located, and they were not usually placed in isolated areas.

**Proposed:** Val Potheary

**Seconded:** Les Fry

### Decision

1. That the application be approved subject to the conditions outlined in the appendix to these minutes and a S106 legal agreement, without NHS contributions.
2. That Marnhull Parish Council be supported in their endeavours to obtain a 20mph speed limit.
3. That an informative be added regarding the inclusion of renewable energies.

## 10. **Urgent items**

There were no urgent items of business.

**Duration of meeting:** 10.00 am - 3.37 pm

**Chairman**

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