Dorset Council

DORSET COUNCIL - EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 10 FEBRUARY 2021

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

Also present: Cllrs David Walsh, Andrew Starr and Gary Suttle

Officers present (for all or part of the meeting): Kim Cowell (Development Management Area Manager East), Elizabeth Adams (Development Management Team Leader), Phil Crowther (Senior Solicitor) and David Northover (Democratic Services Officer).

Public Participation
Written submissions
Minute172
Alan Davies of Chapman Lily Planning (Agents)
Minute 173
Simon Groves
Kat Burdett – Ken Parke Planning Consultants
Linda and Vaughn Steele
Barry & Janet Moorhouse - applicant

167. **Apologies**

No apologies for absence were received at the meeting.

168. **Declarations of Interest**

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

Councillor Bill Trite indicated that he did not wish to participate in the discussion or vote on minute as he had chosen to comment solely as a local Ward Member. Other than speaking as local Member, he played no part in consideration of that minute.

169. **MInutes**

The minutes of the meeting held on 6 January 2021 were confirmed and would be signed at the first opportunity.

170. **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.

171. **6/2019/0656 - Outline application on a rural exception site for a development of 8 dwellings (6 affordable & 2 open market) with details of access (all other matters reserved) at Crack Lane, Langton Matravers**

The Committee were informed that application 6/2019/0656 – an outline application on a rural exception site for a development of 8 dwellings (6 affordable & 2 open market) with details of access (all other matters reserved) at Crack Lane, Langton Matravers - was being recommended by officers to be deferred in order to update the officer report to address the implications of the latest housing delivery figures for the Isle of Purbeck published on the 20 January 2021.

In understanding and acknowledging the reason given, the Chairman – on behalf of the Committee - agreed that application 6/2019/0656 should be deferred, to be considered at the earliest opportunity.

172. **6/2020/0292 - To erect a temporary agricultural workers dwelling at New Park Farm, Lytchett Matravers**

The Committee considered application 6/2020/0292, to erect a temporary agricultural worker's dwelling at New Park Farm, Dolmans Hill, Lytchett Matravers, in the form of a caravan, on land at New Park Farm, Lytchett Matravers.

With the aid of a visual presentation, officers provided context of what the main proposals, principles and planning issues of the development were; how these were to be progressed; what the proposal was designed to do; and what this entailed. The temporary dwelling would be for a three year period, so as to provide the applicant with the opportunity to develop their business and test the business model.

Plans and photographs provided an illustration of where the caravan would be located, its dimensions and appearance – being in a log cabin style - all being described to the Committee, along with what the characteristics of the landscape in which it was to be sited were. How it would be used, by whom and for what purpose was also explained: being necessary to accommodate herdsman to enable them to have close and ready access to their bovine livestock, so as to be able to monitor them at any given time. As the site was within the Dorset AONB, what considerations needed to be made and criteria to be met for such a development were outlined.

How the enterprise was proposed to be managed, so as to ensure it was as viable as it could be, was explained. A Rural Workers Dwelling Appraisal by

Reading Agricultural Consultants accompanied the application, setting out the perceived necessity for such a dwelling.

Having assessed the material considerations, officers considered there not to be any matters which would warrant a refusal of planning permission. Moreover, the proposal accorded with the focus of the NPPF on building and supporting prosperous rural economies by supporting sustainable growth and the expansion of all types of businesses in rural areas. Accordingly, officer's recommendation was being made on that basis.

The Committee were notified of the written submissions received and officers read these direct to the Committee. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that each one could be addressed by the provisions of the application.

Lytchett Matravers Parish Council had objected to the application on the basis that a precedent would be set by allowing open countryside, particularly in the AONB, to be compromised by very small holdings such as this being disaggregated in such a way to allow for unregulated piece meal development, particularly as there was already a ready supply of existing accommodation locally. However the consultants had established that there were no existing dwellings on site or buildings capable of conversion or indeed any practical alternatives.

The Woodland Trust raised concerns regarding the new site location on account of potential disturbance to Old Park Farm Wood.
The opportunity was given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Officers addressed what questions were raised, providing what they considered to be satisfactory answers.

Local ward member, Alex Brenton, was of a similar view to the Parish Council in that this proposal would compromise the open character of the site and would be an encroachment on the Green Belt that could well set a precedent. She considered that everything should be done to protect the principle of the Green Belt. This view was shared by some other members.

However the majority of the Committee considered the proposal to be a practical means for fulfilling the needs of this rural activity and could see the reasons why this would be beneficial. The proposal also supported and encouraged rural business opportunities and economic growth. However, they asked that the condition governing its habitation be limited to, and exclusive for, agricultural activity associated with herdsman and livestock.

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 presentation, what they had heard at the meeting, the views of the local ward Member and having received satisfactory answers to questions raised, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this and, on

that basis - in being proposed by Councillor Robin Cook and seconded by Councillor Shane Bartlett - on being put to the vote, the Committee agreed 7:3 that the application should be approved, subject to the conditions set out in paragraph 16 of the report and the amendment of the condition governing habitation.

Resolved

That planning permission be granted for application 6/2020/0292 subject to the conditions set out in paragraph 16 of the officers report and the amendment of Condition 4 to read – "the occupation of the residential caravan shall be limited to a person solely or mainly employed in managing livestock on the land holding shown edged in blue on the site plan, including any dependant of such persons residing with him or her".

Reasons for decision

- There was an essential need for a full-time worker to live on-site, as identified the Council's Agricultural Consultant
- The proposed scale, design of the unit would not significantly and demonstrably harm the character and appearance of the area.
- On the basis of the identified need, the principle of development within the Green Belt to support an agricultural business was accepted as a 'very special circumstance' subject to a condition ensuring the accommodation is temporary (3 years)
- There were no material considerations which would warrant refusal of this application and no objections had been raised from the Council's Highways and Drainage Departments.

173. **6/2020/0281 - To erect single storey extensions with pitched roofs and insert three rooflights within the north east elevation and install a rainwater harvest tank at 5 Ballard Estate, Swanage**

The Committee considered an application - 6/2020/0281 - proposing alterations to an existing dwelling at 5 Ballard Estate, Swanage, so as to erect single storey extensions with pitched roofs and insert three rooflights within the north east elevation and install a rainwater harvest tank.

With the aid of a visual presentation, officers provided context of what the main proposals, principles and planning issues of the development were; how these were to be progressed; what the proposal was designed to do; and what this entailed. The presentation focused on not only what the development entailed and its detailed design, but what effect it would have on residential amenity and the character of that area of Swanage, being in the Dorset AONB. The planning history of the site and the Ballard estate was described too.

Plans and photographs provided an illustration of the location, dimensions – form, bulk, size and mass - and appearance of the extension, along with ground floor plans, layout and elevations; comparisons between the existing dwelling and that proposed; the materials to be used; the topography of the site; its relationship with the highway network; the characteristics of the site; its relationship with other adjacent residential development; and the impact on

amenity, environmental and planning designations relating to its setting within Swanage. Views into and around the application site were shown, which provided a satisfactory understanding of what the application entailed.

Whilst a number of objections had been received including from the Town Council, assessments made by officers had considered it to be acceptable in terms of scale, height, design and layout and in terms of impact on local character and neighbouring properties and on that basis, the recommendation to approve was being made.

Following formal consultation, Swanage Town Council had objected to the application on the grounds of its bulk and being detrimental to the street scene and character of the area, considering it to have a potential adverse impact on neighbouring amenity. Representations received from neighbouring residents, also objecting, raised concerns about the design and dimensions of the extension, with its height and mass giving rise to concerns of overbearance: being not in keeping with the character of the area. It was not seen to accord with restricted covenants and conditions emplaced on the estate – particularly that all dwellings on the estate should be single storey.

The Committee heard directly from one of the two Ward members for Swanage, Councillor Bill Trite – on this occasion solely as a Ward member in his own right – who agreed with the views of those objecting and the Town Council - expressing concern that this could well be regarded as a two storey property and, as such, should not be supported.

In asking the Committee to refuse the application, he also asked that there be a site visit, so his concerns might be seen at first hand. The Council's Solicitor had previously outlined the guidance from the Planning Advisory Service and the LGA that, in the current circumstances, site visits were not appropriate at this time and could not necessarily accord with social distancing measures. The Chairman, in accepting this advice, felt that it was unnecessary to visit the site as the Committee had all the information they needed before them. The other local Ward Member, Councillor Gary Suttle, similarly agreed with the sentiments of Councillor Trite in that the application should be refused.

The Committee were then notified of those written submissions received and officers read these direct to the Committee - being appended to these minutes. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that each one could be addressed by the provisions of the application and the assessments made.

The opportunity was given for members, to ask questions of the presentation and what they had heard, in seeking clarification of the proposal and what it entailed. In particular reference was made to the height and mass of thr extension , to the necessity of the roof light windows Officers addressed the questions raised, providing what they considered to be satisfactory answers based on the assessments made, the material planning considerations applicable and for the reasons set out in their report and presentation.

In making their planning assessment, officers had considered the proposed

development to be acceptable in principle, of an acceptable scale and design and, on balance, it was considered to be acceptable in terms of the impact on the character and appearance of the area and the amenity of the occupiers of neighbouring properties. Whilst recognising the perception that the extension was not typical of he form of the original estate, officers considered that there were a number of other properties in that part of the estate that had similarly extended their footprint in varied configurations. Windows in other property roofs were also readily apparent. Officers confirmed that as there were no internal stairs proposed within the property, there was no reason to believe the residency would not remain a single storey bungalow. Officers also confirmed that there was no policy to govern the comparative volume of any extension; i.e. there was no means for proportionality to be calculated and that the proposed installation of roof lights could be achieved under permitted development in any event.

However, whilst accepting the clarifications made, the majority of Members remained concerned – and somewhat unconvinced - that what was being proposed could be seen to constitute a two-storey dwelling and would compromise the amenity and character of that part of the Ballard Estate and, if approved, could well set a precedent for similar applications to be made on those grounds and, similarly, be successful. However other members considered the application to be acceptable on the basis that the estate was seen to have evolved into a varing size and appearance of properties and, in that context, this proposal was not considered to be out of keeping.

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 presentation; the written representations; and what they had heard at the meeting; and the views of Councillors Bill Trite and Gary Suttle, the Committee were satisfied in their understanding of what the proposal entailed and the reasoning for this. The Committee considered that, notwithstanding the assessments made by officers that the proposal should be granted permission, they could not agree to what was being recommended by reason of the bulk of the roof, in having a harmful impact on the local character of the Ballard Down area contrary to policy STCD of the Swanage Local Plan (2017) and policies LHH and D of the Purbeck Local Plan (2012).

Before being put to the vote, the officer provided the proposer and seconder with an opportunity for them to accept a form of wording for refusal she had drafted. On that basis, on being put to the vote, the Committee agreed that the application should be refused.

Resolved
That planning application 6/2020/0281 be refused.

Reason for Decision
The proposal would, by reason of the bulk of the roof, have a harmful impact on the local character of the Ballard Down area contrary to policy STCD of the Swanage Local Plan (2017) and policies LHH and D of the Purbeck Local Plan (2012).

174. **Planning Appeals**

For its information, the Committee received a summary of recent appeals – and their outcomes - to planning decisions made by the Council.

175. **Urgent items**

There were no urgent items for consideration at the meeting.

Duration of meeting: 10.00 am - 12.30 pm

Chairman

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