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## EASTERN AREA PLANNING COMMITTEE

### MINUTES OF MEETING HELD ON WEDNESDAY 7 APRIL 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:** Cllr David Walsh

**Officers present (for all or part of the meeting):** Kim Cowell (Development Management Area Manager East), Elizabeth Adams (Development Management Team Leader), Colin Graham (Engineer (Development Liaison)), Phil Crowther (Legal Business Partner – Regulatory) and David Northover (Democratic Services Officer).

#### **Public Representation / Written Submissions**

##### Minute 189

Mr and Mrs Aldous

John and Helen Locke

Ian Ventham - Chairman, Bere Regis Parish Council

Kat Burdett – for Ken Parke Planning Consultants - Agent/Applicant

#### 184. **Apologies**

No apologies for absence were received at the meeting.

#### 185. **Declarations of Interest**

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

As Councillor David Morgan sat on the Allendale Centre Management Committee he considered he had an interest in the outcome of that application so would only speak as Local Ward Member but not take part in the debate or vote.

Councillor Shane Bartlett was Chairman of Folk Festival and café and on the Centre's Committee but, having taken advice, decided that he was able to speak as the other local member, as part of the Committee and would vote on that application.

#### 186. **Minutes**

The revised minute 173 of the meeting held on 19 February 2021 and the minutes of the meeting held on 10 March 2021 were both confirmed.

**187. 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.

**188. 3/20/2057/FUL - Replacement roof to existing building at Allendale Community Centre, Hanham Road, Wimborne Minster**

The Committee considered application 3/20/2057/FUL on a proposal for the replacement of the roof to the existing building at Allendale Community Centre, Hanham Road, Wimborne Minster. The application was being brought before Members for decision given that it was a Dorset Council application and in the interest of transparency and probity of the process.

With the aid of a visual presentation, officers provided context of what the main proposals, principles and planning issues of the development was; how these were to be progressed; in that the proposed new roof would provide weatherproofing and ensure that the building continued to be fit for purpose as a community centre. The presentation focused on not only what the development entailed and its detailed design, but what benefits it would bring with plans and photographs providing an illustration of the location, orientation, dimensions and appearance of the roof – to have a very shallow roof pitch - with part of the existing flat roof remaining. Two new windows – to replace those existing – were being proposed at a high level to the front of the building, facing east and west, so as to illuminate the interior ground floor space.

The buildings setting within that part of Wimborne and its relationship with other adjacent development was described and officers explained that the roof was designed to be in keeping with the characteristics of the current setting and the established local environment.

In summary, officers planning assessment adjudged that the overall design of the roof was acceptable, with all, significant, planning matters having been appropriately, or adequately, addressed. Having assessed that the material considerations were acceptable, the recommendation made by officers to approve the application was based on this.

Formal consultation had seen no objection from Wimborne Minster Town Council and both local Ward Members were supportive. Whilst Councillor Morgan had decided not to take part in the vote given his involvement in the Centre's Management Committee but was supportive of the proposal given the need to secure the buildings integrity by weatherproofing. Similarly Councillor Shane Bartlett considered the works needed to be done, for the same reason and to ensure there was no further degradation of the building.

The opportunity was then 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 the questions raised providing what they considered to be satisfactory answers, which the Committee saw as acceptable.

Having had the opportunity to discuss the merits of the application; having taken into account the officer's report and presentation; and what they had heard at the meeting - particularly in taking account of the views of the two Ward members - in being proposed by Councillor Barry Goringe and seconded by Councillor Robin Cook, on being put to the vote, the Committee agreed unanimously to grant permission subject to the conditions set out in paragraph 13 of the officer's report. Councillor David Morgan took no part in the vote.

### **Resolved**

That planning permission for application 3/20/2057/FUL be granted, subject to the conditions set out in paragraph 13 of the officer's report.

### **Reasons for Decision**

- The proposal is for a replacement roof over part of the existing building
- The proposed development would not be harmful to the character of the Wimborne Minster Conservation Area
- There would be no adverse impact upon the setting of Allendale House, the adjoining listed building
- No change in floorspace proposed
- The Allendale Centre building lies mainly within flood zone 1, an area with a low probability of flooding. No flood risk assessment required.
- No trees or hedges affected by the proposal
- Adequate parking provision is available for users of the facility and no parking spaces would be lost as a result of the proposal
- There are no other matters which would warrant refusal of planning permission

189. **6/2020/0013 - To erect 17 dwellings, creation of an access and associated parking and landscaping - Land at White Lovington, Bere Regis:**

The Committee considered application 6/2020/0013 to erect 17 dwellings and the creation of an access and associated parking and landscaping at land at White Lovington, Bere Regis.

Councillor Peter Wharf - one of the two local Ward Members – had requested that the application be presented to Committee due to concerns regarding the perceived increase in dwellings compared to the number allocated in the Bere Regis Neighbourhood Plan.

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; how the development would contribute to meeting housing needs; and what this entailed. What the application entailed – with 6 of the dwellings being affordable, with monies provided to secure 40% provision - and the planning history of the area – the site being allocated for residential development in the Bere Regis Neighbourhood Plan (BRNP) - were also detailed. The presentation focused on not only what the development entailed and its detailed design, but what benefits it would bring and the effect it would have on residential amenity and the character the area.

Plans and photographs provided an illustration of the location, orientation, dimensions – form, bulk, size and mass - and appearance of the development and of the individual properties, with examples being given of how typical properties would be designed, along with their ground floor plans; how it would look; proposed street scenes; the materials to be used; access and highway considerations; environmental considerations; the means of landscaping and screening and its setting within that part of White Lovington and the wider landscape of Bere Regis, particularly that - whilst it was within the Settlement Boundary of Bere Regis - it was within 400m from Black Hill Heath ,designated as SSSI heathland and Dorset Heaths Special Area of Conservation.

Officers showed the development's relationship with other adjacent residential development and how the buildings were designed to be in keeping with the characteristics of the established local environment. The characteristics and topography of the site was shown and its relationship with the highway network and to properties in the adjoining roads in particular. Views into the site and around it were shown, which provided a satisfactory understanding of all that was necessary.

How the relationship between the proposal and the provisions of the Local Plan; the NPPF and the BRNP were applied and what considerations needed to be given to each were explained, as well as the weight to be given to each.

In summary, officers planning assessment adjudged that the overall design of the development was now considered to be largely acceptable, with all, significant, planning matters having been appropriately, or adequately, addressed. Having assessed the material considerations these were seen to be acceptable and sufficiently compliant with national and local planning policies – and addressed and complied with the provisions of the Neighbourhood Plan - so the recommendation being made by officers to approve the application was based on this.

The Committee were notified of the 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.

Formal consultation had seen an objection from Bere Regis Parish Council. The Committee were then notified of those written submissions received and

officers read these direct to the Committee. Key issues and objections raised, the Parish Council included, related primarily to concerns that the proposals were not in accordance with the BRNP because the proposals were for 17 dwellings and this is considerably more than the 'approximately 12' cited in the Plan. 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.

Of importance was that officers did not consider that the proposal conflicted with the BRNP for the following reasons:

- the site is allocated for housing in the BRNP
- Policy BR7 stated '*New residential development will be allowed on the five allocated sites shown on Map 3, comprising...*'
  - o *White Lovington- Land extending to about 1.0 Hectare (2.5 acres) approximately 12 homes'*
- the preamble noted that the site '*should be developed at a lower density to respect the existing development in that area*' but the policy did not include an upper limit on housing numbers and the impact of the proposed development on the character of the area is considered appropriate.
- The Neighbourhood Plan encouraged developers to '*work closely with BRPC, parishioners and PDC to consider development density and architectural styles before submitting planning applications for any of the sites*' but such engagement was not a policy requirement which could influence the determination of the application.

The Committee were informed that in the light of the Housing Delivery test it has been necessary to consider this application against paragraph 11 of the National Planning Policy Framework (NPPF). In this case the NPPF policies did not provide any clear reasons for refusing the development proposed and no adverse impacts had been identified that would outweigh the benefits. The proposed erection of 17 dwellings made efficient use of land without harming the character of the area and would contribute to housing supply, including the provision of affordable housing which can be secured by a planning obligation. The proposed dwellings were considered to be of an appropriate scale, size and design and acceptable in terms of impact on the character and appearance of the local area. The impact on neighbouring amenity, highway safety, biodiversity and drainage were also considered to be acceptable subject to conditions and securing appropriate heathland mitigation via a planning obligation. The proposal was therefore considered to be sustainable development for the purposes of NPPF paragraph 11. The application had been considered in the light of the presumption in favour of sustainable development so officer's view was that permission should be granted. It was now for the Committee to adjudge whether this was the case and whether the number of dwelling proposed was acceptable.

The opportunity was then 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.

Some important points raised were:-

- access arrangements being proposed as they were and the possible use of Rye Hill.
- footway needs and how these were to be accommodated.
- access to the rear of properties and what measures were in place to manage this.
- what Heathland mitigation there was to be and the timeframe for this and an understanding that the south western part of the site was unlikely to be developed because of heath.
- how the number of buildings proposed conformed with the Neighbourhood Plan and what considerations should be taken in to account in how this might be satisfactorily addressed so as to provide what was necessary and, in doing so, maintain the affordable housing ratio.
- the provision for green space/ recreation.

Officers addressed the questions raised providing what they considered to be satisfactory answers, which the Committee saw as generally acceptable.

Whilst the majority of the Committee considered the proposal to be acceptable - understanding the fundamental issue of housing land supply and the delivery of the necessary number of houses in Purbeck, given it had failed the housing delivery test, there was a presumption to grant unless there was clear reason otherwise to demonstrably outweigh this - members considered that this development would significantly contribute to the housing supply in Dorset and was seen to be an asset. A balanced judgement had to be made on what number of dwellings was acceptable but, given the officer's recommendation and the basis for this; that the site was allocated for residential development; that this development would make the best use of the land available and still be deemed as being too dense - with affordable housing being guaranteed - then they considered the proposal to be acceptable, as proposed. Moreover, it was mentioned that if the number of properties were to be reduced, this would have an adverse effect on the affordable number too.

However other members were of the view that whilst affordable housing should be welcomed, in their view this didn't override the provisions of the BRNP and what this was designed to achieve – through a democratic process – in terms of housing numbers, and that its provisions should be upheld. They considered that the applicant should have made a greater effort to engage with the Parish Council on how the application might be seen to be acceptable.

The Solicitor clarified that the planning judgement to be made was not necessarily to focus on a quantifiable assessment, but should be based on a quality, density and impact assessment. Moreover, absolute numbers were less crucial to any decision than, if the Committee were minded to refuse - should state why 17 was considered unacceptable.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having taken into account the officer's report

and presentation; the written representations; and what they had heard at the meeting, in being proposed by Councillor Shane Bartlett and seconded by Councillor Robin Cook, on being put to the vote, the Committee agreed - by 6:4 - to grant permission, subject to the conditions set out in paragraph 17 of the officer's report.

### **Resolved**

1) That planning permission be granted for application 6/2020/0013 subject to the conditions set out in paragraph 17 of the report.

B) That planning permission be refused for the reasons set out in paragraph 17 of the report if the s106 obligation is not completed by October 2021 or such extended time as agreed by the Head of Planning.

### **Reasons for Decisions**

- The land is allocated in the Bere Regis Neighbourhood Plan for residential development.
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- It is possible to secure mitigation to make the development acceptable in relation to internationally protected Dorset Heathland.
- There are no material considerations which would warrant refusal of this application

#### **190. Planning Appeals summary**

A planning appeals summary was presented to Committee for its information and consideration.

#### **191. Urgent items**

There were no urgent items of business for consideration.

#### **192. Statements and Written Representations**

**6/2020/0013 - To erect 17 dwellings, creation of an access and associated parking and landscaping - Land at White Lovington, Bere Regis**

**Mr and Mrs Aldous**

*"This submission has been prepared and discussed by the residents of White Lovington and is submitted with the agreement of all those who signed the request for an extension on 30/3"*

Planning Application 6/2020/0013  
Location : Land at White Lovington.  
Application: to erect 17 dwellings.

With regard to the **Planning Officers Report** and Recommendation, we express our disagreement and further concerns as follows:-

Fundamentally, we believe the planners judgement, that the application is **NOT IN CONFLICT** with the Bere Regis Neighbourhood Plan (BRNP) is perverse. Major implications for planners Paras 15.2-15.9

The BRNP was prepared after lengthy consultation with all parties, and overwhelmingly supported by the residents of the village and the Parish Council. We fully support the Parish Council statement in its objections to the current development plan.

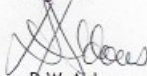
The unilaterally enlarged development plan offers nothing to the strategic needs of the village or County, and yet it is being forced upon a quiet residential cul de sac, inhabited mainly by retired people some of whom are seriously disabled. (e.g. 28 affordable homes are contained within the BRNP)

Significant benefits will accrue to the developers who failed to live up to their own consultative promises and responsibilities (See BR PC objections), and of their own volition produced a seventeen home plan plainly in conflict with the original BRNP plan for twelve.

We refer below to my previous letter of objection dated 24th February, 2020 and urge the committee to re-examine some detailed reality, which the planners report downplays throughout.

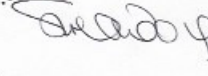
- Para.6 BRNP "would like to see all (28) affordable homes located on 2 sites closer to the village centre so that residents can make use of local shopping and facilities". 72% of the village respondents voted in favour." BRNP.
- Para.6 "The "Accommodation Schedule" - Provides a potential bedroom count of 93 persons - Three times the current population of White Lovington.
- Para. 7 The "Transport Statement" stated the "implications on traffic flow are minimal" the consultants estimate of daily traffic movements of the 17 houses, is estimated at only 122 a day. Based on the consultants formula, a realistic minimum number of residential movements will be 274, PLUS service vehicles, deliveries, friends etc.
- Para. 7 The development will turn a quiet cul de sac into a through road for houses 10-14, significantly increasing risk and noise.
- Para. 8 Car parking is unrealistic and the planners report simply refers to "52" impractical re-arranged spaces. See BRNP for current densities and likely growth.
- Para. 9 More than doubling traffic movements and trebling of pedestrian movements will self evidently increase road safety risks substantially for residents who are mostly in their 70's or 80's.
- **THE PLANNERS REPORT:**
- Para. 12 "Equalities duty" - what consideration has been given to this duty-None shown?
- Para.15 Inadequate description of the objectors concerns.

Signed:



D.W. Aldous

Signed :-



S.M. Aldous

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## John & Helen Locke

*(This submission has been prepared and discussed by the residents of White Lovington and is submitted with the agreement of all those who signed the request for an extension on 30th March. To avoid unnecessary contact during COVID restrictions we have not collected signatures a second time but can provide e-mail confirmation of support if needed)*



We wish to express our disagreement with the planning officers' recommendation for this application as follows:

1. The planning office report, Para 15.6 & 15.7 states that the "officers consider that the proposal does not conflict with the Bere Regis Neighbourhood Plan (BRNP)". We disagree, and fully endorse the statement of the Parish Council in this regard.

Specifically, the wording "approximately 12 homes" was discussed by the community, agreed with the Parish Council and voted on by the village. Approximately 12 means 12 plus or minus a small number. Not a 42% increase.

Surely local buy-in is important to achieving sustainable development.

2. The proposed development will have a significant detrimental impact on the SSSI, with new housing built up to the limit of the 400m buffer zone, the main access road running through it, with a significant projected flow of vehicle and pedestrian traffic. The effect will be to marginalize the SSSI boundary. The mitigation offered involves a temporary HIP to be developed on site until the proposed SANG at Back Lane, on the other side of the village, becomes available. The land for the temporary HIP, which currently has no public access, will then revert to agricultural use. This seems to be very ad hoc and not consistent with the concept of sustainable development, and would benefit from more consultation with the local community, as indicated by the Parish Council.

3. Para 15.58 of the planning office report is confusing. The 11m x 62m area mentioned is an established woodland/copse frequented by wild life, includes a number of protected trees and with no public access. Is this part of the application? What landscaping is being proposed and if so where is the detail?

4. In paras 15.27 to 15.36 the officers have dismissed the concerns of residents of White Lovington about the loss of privacy and security resulting from the new road and public access to the rear of their properties. The officers, in a number of places, erroneously refer to the existence of 'mature trees and hedgerows' as mitigation of the noise and disturbance. In fact, many of the existing houses in White Lovington have open aspects to the rear with no significant screening by hedgerows or mature trees. The proposed development of housing, access road and path will result in a significant loss of privacy and security which has not been addressed adequately.

5. The proposed new road and path layout (Drawing 19-1057-003-P3) is confusing. Does the new footpath only extend in front of Nos 12 to 16?

**We request the committee to urge the applicant to engage directly with the Parish Council and amend the proposal to bring it into line with the Neighbourhood Plan.**

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**Ian Ventham - Chairman, Bere Regis Parish Council**

Bere Regis Neighbourhood Plan (BRNP) was completed and adopted by Dorset Council following a local referendum in August 2019 and after full consultation with all statutory consultees and residents. It is very much in

favour of development on the White Lovington site (BRNP Policy BR7: Residential Development (page 18)).

However, Bere Regis Parish Council believes this application does not conform with the BRNP in a number of key respects:

1. BRNP Policy BR7 Residential Development, in respect of White Lovington, (page 18) states:

"Land extending to about 1.0 Hectare (2.5 acres) approximately 12 homes".

We do not consider an increase of 42% in house numbers from 12 to 17 is acceptable. The figure of 12 dwellings was originally put forward by the developer and land owner during the early consultation process and was accepted by Bere Regis Parish Council (BRPC). This density was confirmed by the then planning authority, Purbeck District Council, as being appropriate and 'in line with the requirements being included in their local plan'.

2. BRNP Development Sites section (page 17) states:

"The White Lovington site should be developed at a lower density [than other sites in BRNP] to respect the existing development in the area, and this site is expected to provide around 12 dwellings". We do not consider 17 dwellings to meet this requirement.

This section (page 18) further states:

"...White Lovington sites should include areas for informal recreation". This application fails to include any such recreational area.

3. In the Housing section of BRNP ( page 15), it states clearly that "Developers need to work closely with BRPC to consider development density...before submitting planning applications...."

Sadly, since the initial consultation which proposed 12 dwellings on this site, the developer has not entered into any discussions, despite numerous emails from BRPC since the Plan was adopted in August 2019 inviting them to consult with us. No responses have been received and no indication of the intention to increase the number of dwellings by 42% has been given.

4. Regarding comments put forward by the developer regarding housing land supply, we can confirm that figures included in the adopted Neighbourhood Plan were based on the most up-to-date evidence of housing need, and not on figures included in PLP1. Consequently, the figures shown in the adopted Plan are sound and, in our opinion, the arguments put forward by the developer for a higher density of housing are ill founded'.

Bere Regis Parish Council believes that the adopted Neighbourhood Plan should carry considerable weight and needs to be taken seriously when determining planning applications within the Plan area, as, indeed this committee did when considering another site within Bere Regis some months ago.

We would reiterate that the Parish Council is firmly in favour of development on this site, but requests that the developer be asked to submit new plans that are in accordance with the agreed, consulted upon and adopted Neighbourhood Plan

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**Agent/Applicant - Kat Burdett – for Ken Parke Planning Consultants**

Councillors, the application before you seeks permission for the delivery of one of the housing site allocations within the Bere Regis Neighbourhood Plan. The site forms part of the Council's housing land supply and the principle of the development of the site for housing has been considered acceptable by an Independent Planning Inspector and by the local public in passing the plan through referendum to adoption.

The site is formally allocated for residential development and has been brought into the settlement boundary. Planning permission should be granted therefore, subject to consideration of the matters of detailed design and layout.

The public highway White Lovington is surrounded by an existing pocket of modern residential development. The houses were built in the early 1990s, the result of a series of interlinked planning permissions and comprise generous family homes, set over two storeys with well-proportioned gardens and off-street parking.

The Applicant is seeking consent for the erection of 17 dwellinghouses including the creation of a new access and associated landscaping and parking, arranged about a new estate road which snakes through the site and features several changes in surfacing, broken up with stone setts, in order to both control vehicular speeds and provide some variation to reduce the perceived amount of hard surfacing.

The scheme as proposed is heavily landscaped with properties featuring large rear gardens and modest front gardens and incorporating both all of the existing trees on site and allowing for new planting. Sufficient buffers have been provided to existing trees in order to ensure there is no future pressure to prune or fell resulting from the development.

The dwellings have been carefully detailed and articulated to provide interest through changes in materials and the design and form of the dwellings. The dwellings have been individually designed as opposed to reliance on a more uniform house type to ensure that they respond positively to their particular setting on the site and relationship with other dwellings. Separation distances to existing dwellings at White Lovington are substantial.

The proposals will deliver 6 affordable dwellings, all of affordable rented tenure, and a commuted sum contribution for a percentage of a unit to deliver a fully policy compliant 35% affordable housing provision. **(CONTINUES BELOW)**

The development will see mitigation land, in the form of a Heathland Infrastructure Project (HIP), secured immediately to the south-east of the site, which will provide space for dog walking and general recreation to reduce pressure upon protected designations of the Dorset Heathlands. This land will be secured by way of s106 legal agreement.

The proposal also seeks to deliver pedestrian improvements to White Lovington, comprising the creation of additional footway to link the site of the existing footway and promote sustainable methods of transport.

There are clear public benefits arising from the development. The development will not impact on the neighbouring residential properties and there are no objections from technical consultees to the proposals.

The presumption in favour of sustainable development applies and there are no issues which significantly or demonstrably outweigh the presumption in favour of the grant of permission.

I ask members to support their Officer's recommendation and vote for approval

The development will see mitigation land, in the form of a Heathland Infrastructure Project (HIP), secured immediately to the south-east of the site, which will provide space for dog walking and general recreation to reduce pressure upon protected designations of the Dorset Heathlands. This land will be secured by way of s106 legal agreement.

The proposal also seeks to deliver pedestrian improvements to White Lovington, comprising the creation of additional footway to link the site of the existing footway and promote sustainable methods of transport.

There are clear public benefits arising from the development. The development will not impact on the neighbouring residential properties and there are no objections from technical consultees to the proposals.

The presumption in favour of sustainable development applies and there are no issues which significantly or demonstrably outweigh the presumption in favour of the grant of permission.

I ask members to support their Officer's recommendation and vote for approval

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**Duration of meeting:** 10.00 am - 12.30 pm

**Chairman**

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