

## **EASTERN AREA PLANNING COMMITTEE**

### **MINUTES OF MEETING HELD ON WEDNESDAY 5 APRIL 2023**

**Present:** Cllrs Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Alex Brenton, Robin Cook, Mike Dyer, David Morgan, David Tooke and Bill Trite

**Present remotely:** Cllrs

**Apologies:** Cllrs Mike Barron, Barry Goringe, Julie Robinson and John Worth

**Also present:**

**Also present remotely:**

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

Philip Crowther (Legal Business Partner - Regulatory), Kim Cowell (Development Management Team Leader), Elizabeth Adams (The Development Management Team Leader), Cari Wooldridge (Planning Officer), Diana Mezzogori-Curran and Steve Savage (Transport Development Manager)

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

344. **Agenda**

345. **Apologies**

Apologies for absence were received from Cllrs John Worth, Barry Goringe, Julie Robinson, Mike Barron.

346. **Declarations of Interest**

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

347. **Minutes**

The minutes of the meeting held on Wednesday 8<sup>th</sup> March were confirmed and signed.

348. **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.

349. **Planning Applications**

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

350. **P-FUL-2022-03050 - Change of use of agricultural buildings at Battle Farm to use Class B8 (storage or distribution) Battle Farm Throop**

An update from the Case Officer was provided as follows:

Cllr Wharf submitted a statement regarding the application after the officer report had been published and agreed for his statement to be relayed to members of the committee.

Cllr Wharf worked with the parish council in respect of this application and had expressed concerns that insufficient information had been received to enable proper consideration of the proposal. He supported the Parish Council's position on the application and requested the submission of revised baseline traffic figures that are independently verifiable prior to determination of the application.

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site in relation to settlement boundaries and explained the proposal and relevant planning policies to members. Photographs of the existing agricultural buildings were included in the officer presentation together with details of their scale and floorspace. Details regarding parking provision, job opportunities and the proposed parking bay and site access signage were provided. Members viewed short videos outlining routes to and from the site and informal passing places. The Case Officer outlined the history of the site as a poultry farm, noting the lawful agricultural use could include heavy goods vehicle movements.

The Case Officer informed members that concerns had been raised by the parish council and residents, particularly regarding the impacts on the area arising from an anticipated increase in traffic movement. However, members were informed that on balance no significant adverse impact has been identified and the benefits outweighed the potential harm. The Officer's recommendation was to approve, subject to conditions set out in the officer's report.

**Public Participation**

Residents, the Parish Council and Local Ward Member spoke in objection to the planning application. They raised their concerns regarding an anticipated increase in traffic movement, especially by HGV's, which they consider would be unsuitable travelling on narrow country roads and they believed would be detrimental to residents' way of life. They informed members that the road leading to the site access was used by a range of pedestrians and horse riders. If members were to approve the proposal, safety for local road users and residents would be impacted. Objectors also raised their concerns regarding the impacts on biodiversity and protected wildlife species. Residents were concerned about the lack of specific details as what would be stored or distributed at the site. They did not believe that the location was sustainable for the scale of the development. They found it

difficult to see any benefits and believed the proposed application was flawed due to reliance on unrealistic agricultural traffic movement data and additional traffic on highways including Yearlings Drove which is signed as being unsuitable for HGVs. Members were informed of the number of objectors due to the scale and increase in traffic movement. All objectors felt the site would result in harm and did not believe the benefits outweighed the harm.

The Parish Council explained their concern that tourist spending would be impacted as a result of harm to the environment and did not believe that economic benefits would result nor that environmental and public harm had been properly considered. The Local Ward member felt that the site did not meet the requirements of the area and considered that more engagement was necessary with the Parish Council. He recommended deferral to allow for more collaboration or refusal as they do not believe the proposed development was acceptable.

Mr Tregay and Mr Culhane spoke in favour of the proposed application. They believed that the site would have several benefits, including the creation of both part time and full-time jobs. They reiterated to members that the current building was no longer fit for purpose and the proposal would attract new businesses and would promote development. Mr Culhane explained that the transport statement was informed both by data from the previous operator and nationally accepted TRICs data which identified limited traffic movements would arise. He noted that no objections were raised by highways authority. They believed that there were no impacts on wildlife and hoped members would support the officer recommendation.

The Agent discussed how the development would create job opportunities. Mr Whittaker informed members that the visual impacts were small and believed that the site access was safe and suitable. The Agent assured members that a lot of time and planning had gone into the proposal and all areas had been considered. He hoped members would have confidence in the officer's recommendation and support.

Steve Savage, Dorset Council's Transport Development Manager, confirmed to members that no objections had been raised by the Highways team. Mr Savage accepted that issues had been raised regarding traffic movement, however, he reminded members that the site had a baseline unfettered agricultural use. He assured members that the appropriate measurements had been carried out and the predictions indicated that the traffic would not result in highway capacity or safety issues. The Transport Development Manager highlighted to members that the road network was typical of Dorset roads. He informed members that there were no highways safety reasons to refuse.

### **Members questions and comments**

- Members felt that they needed more information on environmental impacts.
- Questions regarding when the previous site stopped operating.
- Point of clarification as to what would be stored on site.
- Comments regarding large number of parking spaces on site at one time.
- Queries about the storage of hazardous materials on site
- Members commented on the road being constructed for horses and carts and now being widely used by pedestrians.

- Comments about the limited width of the roads and informal passing places not being useable during winter months which could increase accidents. Would also result in verges and hedging being damaged due to passing cars.
- Concerns regarding detrimental effects on the environment and area.
- Alter the local quality of life for the worse.
- Clarification on collision data on the local road infrastructure.
- Site is in an isolated and unsustainable location.

Cllr Trite agreed with the Local Ward member to defer for more engagement with the Parish Council. A motion to defer the application was proposed by Bill Trite and seconded by Alex Brenton. On reconsideration, Cllr Alex Brenton withdrew her vote to second and the proposal fell.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **refuse the officer's recommendation to approve planning permission as recommended**, was proposed by Cllr Alex Brenton, and seconded by Cllr Robin Cook.

**Decision: To overturn the officer's recommendation and refuse planning permission due to the site being in an isolated, inaccessible, and unsustainable location which is not appropriate for a storage and distribution use which is associated with potentially significant trip rates. The traffic movements generated along single track country roads through Briantspuddle and Throop will result in an adverse impact on the environment and the amenity of residents which is judged to outweigh the benefits of the scheme. The proposal is contrary to policies CO, D, E and IAT of the Purbeck Local Plan and NPPF para 83 and 105.**

351. **6/2021/0342 - Use of lake for recreational activities (outdoor swimming) and retrospective siting of shipping container to provide changing room facilities - Swineham Farm Bestwall Road Wareham BH20 4JD - Elizabeth Adams ( deferred at the 22 Feb 2023 Committee to allow notice to be served on a landowner)**

With the aid of a visual presentation, the Case Officer explained the planning application to Members. Details including photographs of site access and proposed design of changing rooms were provided. Members were informed that following the receipt of bird survey details Natural England were satisfied that the site would not have any negative impacts on protected species. The Case Officer also informed members that woodland management had been included to improve the area for nature. An amended condition was proposed to require the provision of temporary toilet facilities during the swimming sessions. The Officer's recommendation was to approve.

## **Public Participation**

Mr Patterson spoke in objection to the application. He believed that use of the small private road serving the site was not acceptable nor suitable. He also discussed biodiversity as well as the environmental consequences and flooding risks. Mr Patterson also raised his concerns regarding light pollution. He hoped members would refuse the application.

The applicant spoke in favour of the application. Ms Weeks informed members that traffic would be restricted due to the restricted number of swimmers. She informed members that the site was only open twice a week and would only be open during the summer months, therefore, there would be no light pollution. The applicant discussed the water quality and informed members that there were no risks. Ms Weeks reinforced that bird species would not be impacted and told members that she'd be happy using a portable toilet again. She hoped members would approve permission in accordance with the officer's recommendation.

Mr Pratten spoke in favour of the application. He believed that the use of the site had no adverse impacts on biodiversity and enhanced appreciation of nature. He also praised the health benefits that the site would have on residents both physically and mentally. Mr Pratten informed members that swimmers were mindful of nature and showed a greater interest. He supported the officer's recommendation to approve.

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

- Professional swimming lake which would be a good benefit to the local area.
- Responsibility of maintenance for road surfacing and parking clarified.
- Clarification regarding species of bird on the lake.
- Controlled management of swimmers and ecological structure.
- Additional condition for temporary period of 5 years starting from the date of decision proposed to enable the impacts on biodiversity to be monitored.
- Comments regarding biodiversity, the character of the AONB and Greenbelt openness.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **approve the officer's recommendation to approve planning permission as recommended**, was proposed by Cllr Shane Bartlett and seconded by Cllr Robin Cook subject to updated condition 10 in the officers report and the additional condition for the use permitted to be for a temporary period of 5 years starting from the date of the decision with the use to be discontinued and any associated paraphernalia removed from the land on or before 6 April 2028.

**Decision: To approve the officer's recommendation to grant subject to amended and additional conditions.**

In accordance with Procedural Rule 8.1 the committee voted to extend the duration of the meeting.

352. **6/2021/0262 - Erect detached self-build rural exception site dwelling -**

## **Withy Lakes Church Knowle BH20 5NG**

The Case Officer re-presented members with details of the proposal, focusing on the new details since the scheme was previously considered: namely the 5-year housing land supply; the completion of a legal agreement to secure the building as an affordable dwelling in perpetuity; and a scheme to demonstrate nutrient neutrality. The old septic tank is to be replaced with 2 new wastewater tanks. Members were informed that as a result there would be no adverse impacts on Poole Harbour. Natural England had been consulted and no objections were raised. The scheme was in accordance with planning policy; therefore, the recommendation was to grant planning permission.

### **Public Participation**

The applicant Mr Smith addressed the committee, explaining the amount of work and collaboration with Natural England. He informed members of the need for housing and that the scheme would represent an ongoing benefit for the local community due to it being affordable housing.

Cllr Cherry Brooks, the Local Ward Member, informed members that the applicant had her support. She praised the amount of time and work that had gone into the proposed development by the applicant and hoped members would support the officer's recommendation to approve planning permission.

### **Members questions and comments**

- Members praised the inclusion of affordable housing and recognised the benefit that this would have on the local area.
- Clarification regarding the strength of a Section 106 agreement.
- Members praised the Case Officer's report.
- Clarification as to whether officers were satisfied that the development met the nutrient neutrality requirements.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **approve the officer's recommendation to approve planning permission as recommended**, was proposed by Cllr Shane Bartlett, and seconded by Cllr David Morgan.

**Decision: To approve the officer's recommendation to grant planning permission subject to the completion of a legal agreement to secure the nutrient neutrality mitigation and refuse if the legal agreement is not completed within a timeframe agreed by the Head of Planning.**

### **353. P/FUL/2022/06807- Sever plot and erect a 4no bedroom detached house - April Cottage South Instow Harmans Cross Swanage BH19 3DS**

With the aid of a visual presentation, including aerial photographs and a map of the site the Case Officer explained the planning application to Members. Included were also street scene elevations as well as the proposed design of the dwelling. The Case Officer informed members that there was a presumption in favour of sustainable development due to the lack of 5-year housing land supply. Due to the site context very limited impacts on the AONB were anticipated which would be

mitigated by design and additional plant screening. Details regarding separation distances between properties and the topography were provided to identify potential for overlooking of neighbouring properties/gardens and impacts on neighbours' amenities. The Case Officer informed members that the development would not result in harm to the character of the area nor the protected tree. There were no objections raised by the Highways team. The proposal was judged to accord with planning policies and the recommendation was for approval.

### **Public Participation**

The agent and the applicant spoke in favour of the application. They explained how careful consideration had gone into the design of the proposed development and that they had taken on board comments raised by neighbouring properties. The applicant informed members that the protected tree had been at the heart of the proposal and was carefully considered to ensure its protection. Both noted that the proposed site was within the settlement boundary, would not harm the AONB and that there were no adverse impacts or harm to protected species. Members were informed that Natural England had been consulted and that no objections had been raised. The proposed development complied with local and national policies. They strongly believed that the development was unique and suitable for the area.

### **Members questions and comments**

- Comments regarding Dark Skies Policies.
- Clarification of distance from Woodstock building to the window.
- Waste collection and management
- Members praised the detailed officers report presented to them.
- Members noted the minimal impact from road scene.
- Members felt that the applicant had tried to overcome any concerns raised by neighbours.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **approve the officer's recommendation to approve planning permission as recommended, was** proposed by Cllr Shane Bartlett, and seconded by Cllr David Morgan.

#### **354. Urgent items**

There were no urgent items.

#### **355. Exempt Business**

There was no exempt business.

### **Decision Sheet**

**Duration of meeting:** 10.00 am - 1.29 pm

**Chairman**

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