

## **NORTHERN AREA PLANNING COMMITTEE**

### **MINUTES OF MEETING HELD ON TUESDAY 1 OCTOBER 2024**

**Present:** Cllrs Richard Crabb (Chair), Barrie Cooper, Les Fry, Sherry Jespersen, Rory Major, Val Potheary, Belinda Ridout and Carl Woode

**Apologies:** Cllrs David Taylor, Jack Jeanes, Carole Jones and James Vitali

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

Jim Bennett (Senior Planning Officer), Philip Crowther (Legal Business Partner - Regulatory), Enrico Dimarino (Engineer (Development Liaison)), Joshua Kennedy (Democratic Services Officer), Claire Lewis (Planning Officer), Pete Markham (Planning Officer), Hannah Smith (Development Management Area Manager (North)), Jennie Roberts (Senior Planning Officer) and Megan Rochester (Democratic Services Officer).

**2. Declarations of Interest**

Cllr Val Potheary made a declaration in respect of agenda item 8 and 9, that she would not take part in the debate or vote but would speak as the Local Ward Member and would withdraw from the meeting once she had made her representation.

**3. Registration for public speaking and statements**

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.

**4. Planning Applications**

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

**5. P/FUL/2024/01856 - Land at Mampitts Lane, Mampitts Lane, Shaftesbury, SP7 8GL**

The Case Officer updated members that there had been an additional amendment to condition 6.

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Members were informed that the application had been

resubmitted to address the previous reasons for refusal. Photographs of the proposed block and floor plans, montages of the proposed scheme and images of the surrounding area were shown. The proposal was modest and had carefully utilised the space whilst ensuring the retention of the open green space, hedgerows and trees to mitigate visual impacts. The Case Officer discussed the proposed floor plans in further detail, highlighting that the first-floor plan would have been for flexible use and provided an outdoor seating area. Parking arrangements were also discussed and had been considered to be adequate and would not have had any adverse impacts on road safety. The Case Officer informed members that if the application were to be approved, the scheduled Cabinet meeting in October would determine whether the scheme before members today or the previously approved scheme would be most appropriate and approved. Each scheme should have been considered on its own merit and therefore, was not a consideration for members of the Northern Area Planning Committee.

The location was sustainable, and the proposal was deemed acceptable in terms of its scale, layout, design and landscaping. It was compatible with its surroundings and would not have had any negative impacts on amenity. The development would have provided a much-needed community facility. It complied with the policies of the development plan and there were no material considerations which would have warranted refusal of the application. The recommendation was to grant subject to conditions set out in the officer's report.

### **Public Participation**

Mr Yeo spoke in objection to the proposal. He made members aware that he was a town councillor and a trustee of Mampitts Charity Plus but was speaking in his own personal capacity. Mr Yeo did not feel as though the application had been submitted lawfully as it had never been presented to a town council meeting and therefore was not considered to be lawful. He didn't feel as though it complied with the section 106 agreement of the whole estate and was not a sustainable development. Parking had not changed, and he felt that it was dangerous and would have encouraged illegal parking. To conclude, Mr Yeo felt that the building was a poor use of the site, it didn't meet the needs of local residents and in his opinion was an unlawful application. He hoped members would refuse.

Mr Larrington-White also spoke in objection and explained that he lived near to the proposed site and currently enjoyed looking at the green from his property. He felt that the creation of a community hall would create an increase in urbanisation. This was not what residents wanted and he strongly objected. Mr Larrington-White also highlighted parking and traffic in the area which he felt would have been worsened by the proposal. To conclude, he highlighted that none of the councillors involved lived near the site and did not feel as though the proposal was for local residents. He urged the committee to refuse.

Mr Glennon also lived on Maple Road and spoke in objection. In his representation, he felt that the Town Council had ignored resident views, and a two-storey building would have been detrimental to local residents. He felt that if approved, the development would have urbanised the village green and contributed to illegal parking. Only minor changes had been made from the

previously refused application. Mr Glennon referred to the scheme that was approved in March 2024 and urged the committee to refuse a poorly cobbled together town council application.

Mr Hollingshead spoke in support of the proposal. He referred to the previous application which had been considered in March 2024 and highlighted the reasons for refusal based on the grounds that the layout would have created urbanisation of the site. He referred to comments raised by the Highways team and felt that the proposal was exciting and visually pleasing. It reflected the wishes of the community, and it should have been granted.

Ms Elmendorff also spoke in support. She noted that views from residents had been considered and highlighted some which had been made. Particularly that residents felt as though it was an excellent project and were looking forward to the development of the site. The community hub would've created a good open space with all profits contributing to numerous charities. It would've created a safe space for all people and provided jobs for young people. Ms Elmendorff also discussed how the café would've supported local efforts in sustainability through the use of local produce. She hoped members would support the officer recommendation.

Cllr Virginia Edwyn-Jones spoke on behalf of Shaftesbury Town Council. Together they formulated a questionnaire which was circulated to all Shaftesbury households which identified clear requests. Residents wanted a social hub and a café. The Town Council briefed the architect and formulated a design which echoed the essence of the existing development. Cllr Edwyn-Jones also referred to car parking and hoped the committee would vote for approval, supporting the officer's recommendation.

### **Members questions and comments**

- Clarification regarding whether the bollards were part of the scheme or not.
- Members noted that there had been several objections raised, therefore sought clarification that the proposed application was lawful and complied with policies.
- Members were aware that the application was previously presented at committee in March and remembered it well. They felt that the initial concerns had been addressed and felt that the proposal had a good layout and was a natural surveillance of the area. They could not have seen any planning reasons to warrant refusal.

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 **GRANT** planning permission as recommended, was proposed by Cllr Belinda Rideout, and seconded by Cllr Les Fry.

**Decision:** To grant the officer's recommendation for approval.

6. **P/OUT/2023/05838 - Kentom House, Bay Lane, Gillingham, Dorset, SP8 4ER**

The Case Officer provided members with the following update:

- The annual position statement had fixed the land supply to 5.02 years.

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site as well as important heritage assets and explained the proposal and relevant planning policies to members. Photographs of the indicative site plan, site boundaries and views from within the proposed site and surrounding areas were shown. Members were informed that the site wasn't within the conservation area and there were no Tree Protection Orders on site. Details of the topographical survey were provided, and the Case Officer referred to the existing and proposed site access and road layout. Comments had been raised by the Highways team in which they had identified that the access road was narrow but had been deemed acceptable subject to conditions. To conclude the presentation, the officer identified key issues such as the principle of development being within the settlement boundary, character and appearance, living conditions, flood risk, highways safety and parking. The Case Officer's recommendation was to grant subject to conditions.

### **Public Participation**

Local residents spoke in objection to the proposal. They highlighted the congestion issues which had been an ongoing problem, particularly due to school traffic and were concerned that further development would have contributed negatively to an already busy lane which was not easily passable. Both Mr Ward and Mr Savoy were also concerned regarding difficult areas for access as well as highlighting issues surrounding inadequate drainage systems. Public objectors hoped that members would refuse the application.

Mr Grimwood thanked the committee for allowing him to speak and spoke in support of the proposal. He had visited the site for several years and felt that the proposal would have been a result of gentle infilling. There were no adverse impacts on the character of the area and was pleased to see that the proposed properties would have been set back from the road, providing ample off-site parking. Mr Grimwood did highlight the traffic movements, however, did not feel as though the proposal would have caused an increase in parking. Therefore, he hoped members would support the officer recommendation.

Mr Baimbridge spoke as the agent and thanked the officers for their report. He highlighted that there had been no objections from technical consultees or the Case Officer. The Highways authority was satisfied with the proposal and the plans submitted were indicative which demonstrated the accommodation of three dwellings. The agent felt as though the proposal was an effective use of the land and was in keeping with Bay Lane. Mr Baimbridge referred to the loss of the fruit trees and orchard, however, noted that it was not a reason for refusal. It was a small site with a particular interest to contribute to housing land supply and complied with Local Plans and the NPPF. He respectfully requested the committee to approve.

### **Members questions and comments**

- Clarification regarding whether the Highways department consider visitor parking when conducting their assessments.
- Concerns regarding offsite parking and whether there would have been impacts on the visibility splays.
- The proposal provided sufficient off-street parking.
- Cllr Jespersen noted the officer view, however, did feel as though the proposal was an overdevelopment of the site. She also highlighted biodiversity mitigation and was not convinced that the site access wouldn't have been impacted by further development. Cllr Jespersen did not feel as though this was a good scheme.
- Members noted the large scale of the proposal. However, noted that it was not for consideration.
- Cllr Rideout understood the concerns of the local residents and other members, however, did feel as though it was sustainable location with adequate parking and there were no issues raised from Highways colleagues. Therefore, there were no substantive reasons to refuse.
- Members considered the biodiversity impacts due to the loss of the orchard.
- Comments regarding additional conditions which incorporated loss of trees and biodiversity.

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 **GRANT** planning permission as recommended, was proposed by Cllr Les Fry, and seconded by Cllr Rory Major.

**Decision:** To grant the officer's recommendation for approval.

### **7. P/FUL/2024/01781 - Site adjacent Plant World Nurseries, Kendall Lane, Milton on Stour, Gillingham, SP8 5QA**

The Case Officer provided members with an update in respect of 5-year housing land supply.

- The annual position statement had fixed the land supply to 5.02 years.

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the proposed layout, elevations and floor plans were shown. Images of views along cycle paths were also included which identified that there was no street lighting. The presentation aided members in identifying the existing access as well as the location of the proposed dwellings. Details of the visibility splays and proposed building materials were also provided, highlighting a traditional design had been considered. A non-designated heritage asset had been identified in the Gillingham neighbourhood plan as well as nearby listed buildings. The Case Officer also discussed a number of mature trees and hedgerows on the site which acted as a screen to the proposed site from the

surrounding area, noting that tree officers were concerned that there had been no details for mitigation for loss of trees. Members were also informed of the tree constraints plan in which there were a number of trees in the area of which the houses were proposed.

The planning considerations were set out, highlighting that the proposal was outside the development boundary contrary to the settlement boundary. It was not considered to be acceptable, and the proposal had not demonstrated that the development would have been acceptable in relation to trees. The benefit of proposal was the provision of 7 dwellings, 3 of which would have been first homes however this did not outweigh the unsustainable location, contrary to the spatial strategy. The Officer's recommendation was to refuse for the following reasons:

- principle of the proposed development was unacceptable, as the site was located outside of any settlement boundary, therefore it was an unsustainable location.
- In the absence of a mitigation scheme for the loss of trees on the site, it had not been possible to properly assess the impact of the proposed development on the trees.

### **Public Participation**

Mr Williams thanked the committee for the opportunity to speak. The agent referred to previous council in which the location was unsustainable, however, he felt the policy was out of date and the proposal was now situated in what he considered to be a sustainable location. Mr Williams discussed the direct pavement and cycle way links which would have ensured connectivity. There was also a tree mitigation proposal which would have limited loss. The agent was pleased that the town council and a lot of local residents supported the proposal, and they were happy to accept any conditions the committee felt necessary. Mr Williams hoped the committee would support the proposal.

Cllr Hurst spoke in support of the proposal. She felt that the argument that the site was in an unsustainable location was provers and it did not negatively impact the character and appearance of the area. In addition to this, Cllr Hurst felt that the proposed design and materials were sympathetic, and it was well screened, mitigating impacts on the surrounding area. There was a severe housing need and a shortage of building land. She felt that the locally rare brown field site was large enough for the proposed works and addressed comments raised in the officer's presentation regarding trees on site. Cllr Hurst also highlighted the site access and the number of amenities which were in walking distance. She hoped members would support the application.

The Local Ward member made a representation in support of the proposal. She highlighted the need to deliver housing and referred to section 5 of the NPPF which stated that the sufficient supply of homes should be delivered. The proposal would have provided 3 affordable homes which were well screened and within a lovely village with an excellent school, however, there were no homes for young families. Cllr Potheary noted that the site was outside the settlement boundary and highlighted that local amenities were walking distance. The Local Ward member hoped the committee would support the proposal.

### **Members questions and comments**

- Clarification regarding location of local amenities such as doctor surgeries in comparison to the proposed site.
- Sought confirmation on the definition of first homes
- Members noted that the inclusion of first homes would have been a benefit to the scheme as it catered to a specific market, and it would not have impacted residents on the housing register.
- Pleased that there were close local connections between the site and local amenities.
- Cllr Woode declared an interest to agenda item 8, in which he had made comments in consultation response, however he was setting out the Town Council's view and was not pre-determined. Therefore, he would take part in the debate and vote.
- Further information regarding the grading of trees on site.
- Additional condition for a mitigation plan to protect trees on the site.
- Contrary to policy which the committee have fought to uphold. The Local Plan had set out clearly the policies and it had not been supported by the housing enabling team.
- Cllr Jespersen noted the benefits of the proposal, highlighting that it would have delivered 7 new homes, there was a regular bus service and cycle path, however, it was not considered to be within a sustainable location and was outside the settlement boundary. She emphasized the importance of following the policies set by Dorset Council and the proposal went against them.
- Cllr Rideout felt that the location was fairly sustainable and was pleased to see the inclusion of several first homes proposed. The proposal had been well designed and would have met the needs of local residents. However, if members were minded approving, they requested further detail on the provision of a tree mitigation plan.
- Clarification regarding the provision of sustainable materials such as charging points and solar panels.
- Cllr Fry informed the committee that he would have been voting against the proposal due to it going against policy, however, he did not dislike the application.

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 overturn the officer's recommendation and **GRANT** planning permission, was proposed by Cllr Belinda Rideout, and seconded by Cllr Rory Major.

**Decision:** To overturn the officer's recommendation and grant permission and delegate to the head of planning for the following reasons:

- The development would have provided 7 dwellings, including First Homes, there was a bus service and a cycle lane, the site was close to the school and doctors' surgery. The dwellings were well designed.

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

8. **P/FUL/2024/01782 - Plant World Nurseries, Kendall Lane, Milton On Stour, Gillingham, SP8 5QA**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the proposed elevations and floor plans were provided as well as details of the proposed site plan and constraints. Members were informed that the café was to be ancillary which would have been run by the applicant and the workshop was speculative development. Parking provision was also detailed, highlighting that two disabled parking spaces were proposed to be allocated for the café and two proposed for the workshop. The Case Officer referred to the tree protection plan which had identified those to be removed and those to be retained. Details of the visibility splays and existing site entrance were provided. The key planning considerations were considered to be acceptable. The proposal was for an employment site and had been supported by policy. If approved, it would have provided full time equivalent jobs. However, it was not considered to be appropriate in the countryside, nor was there an overriding need for the business within the proposed location. Therefore, the principle of the development was not acceptable. There were no impacts on neighbouring properties, and it was well screened from non-designated assets to the south. Highways were satisfied with the proposal, subject to conditions. The proposed ancillary café would have supported the nursery business and provided further employment opportunities at the site, whilst also providing a community hub for the village. In contrary, the officer's recommendation was to refuse.

**Public Participation**

Mr Hunt addressed the committee and explained that the garden centre had grown, offering customers full range of garden products and employed 70 full time and part time staff. However, it needed to grow further in order to thrive and be on par with completion. The applicant loved what he did however it was a harsh environment to thrive, let alone grow further. He discussed the need for small, traditional businesses and stated that it was a vocal point for the area. He was happy to accept conditions which would have helped to secure their future. Mr Hunt also explained that additional planting would have been carried out if approved.

Cllr Hurst addressed the committee and spoke in support. She stated the need for a community facility and supported the economic development of the area. Other similar businesses have café areas; therefore, this proposal was worthy of approval. It was a well screened site and would have been beautified with planting in its environment. Cllr Hurst felt that it was in the public interest and the benefits outweighed the harm.



The Local Ward member spoke in support and praised the applicant. She expressed that there was currently no meeting place for residents and the proposal offered further employment opportunities. There were numerous petitions to support and considered it to be important to allow for businesses to have a level playing field. There were no highways concerns nor were there any negative amenity issues. The scale and design were appropriate, and it accorded with sections 4, 7, 11, 20, 23, 24 and 25 of local plan. Cllr Potheary hoped the committee would support a growing business.

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

- Members felt that it was an interesting application, and it was important to allow business growth.
- It would have been ancillary to the business.
- It was noted that there was a lot of enthusiastic support for the proposal which had been supported by employment policies.
- Good use of a brown field site.

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 representations; and what they had heard at the meeting, a motion to overturn the officer's recommendation and **GRANT** planning permission, was proposed by Cllr Les Fry, and seconded by Cllr Sherry Jespersen.

**Decision:** To overturn the officer's recommendation and grant permission and delegate to the head of planning for the following reasons:

- The development would have provided local employment, is a brownfield site, and would support the local business by creating footfall.

#### **9. P/HOU/2024/03857 - White Gates, 9 Church Hill, Shaftesbury, SP7 8QR**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Images from within the site showed the relationship between the proposed dwelling and neighbouring property which represented good separation differences. Photographs of the existing site, particularly the existing elevations and proposed floor plans were shown which demonstrated the character and appearance of the area. Members were informed that the dwelling was set back from the main road and there were no concerns regarding the proposal causing overbearing issues to neighbourhood properties. There were no further impacts on biodiversity than the existing dwelling nor was there any additional flood risks. The Case Officer highlighted the existing and proposed roof plans, identifying the addition of dormer windows and noting that the increase in ridge height was less than a metre. The key planning considerations were discussed, particular detail was given to the design in which members were informed that the glazed aspect would have created an interesting focal point. The materials and design were considered to be acceptable. The impacts on local heritage assets and listed buildings were identified. The officer's recommendation was to grant subject to conditions set out in the report.

### **Public Participation**

Cllr Edwyn-Jones spoke in objection to the proposal. She explained that the town council supported homeowners wherever possible however on this occasion they did not feel as though could support. They felt that the design had too much glazing which didn't conform with the character of the area and therefore would have no benefits to it. In addition to this, she also discussed concerns regarding impacts on the conservation area and the altered ridge height. Cllr Edwyn-Jones felt that the proposal was a major remodelling of the existing dwelling, and it was excessive and architecturally incoherent. The town council hoped members would have been inclined to refuse.

### **Members questions and comments**

- Members felt that the proposal had been carefully designed and was well screened.

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 **GRANT** planning permission as recommended, was proposed by Cllr Rory Major, and seconded by Cllr Belinda Rideout.

**Decision:** To grant the officer's recommendation for approval.

#### 10. **P/FUL/2024/03916 - County Hall, Colliton Park, Dorchester, DT1 1XJ**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies. Members were informed that the proposal was a heritage asset at risk, a Victorian wall built on top of Roman ramparts, situated within the designated Dorchester conservation area. The retaining structure was tilting, cracking and bulging to the extent that the walls were at risk of collapse and were temporarily supported. To help preserve the historic wall, it would have been carefully dismantled and rebuilt to limit harm and the historic fabric would have been salvaged and reused wherever possible. It was agreed that if approved, careful supervised demolition by hand would be carried out as well as only agreed power tools. To ensure strict methodology, a detailed photographic record of the entire project would have been collected and submitted to the LPA and Historic England. Some supervision by archaeologists would have also been required and a sample panel would have been built and approved by conservation officers and remain in situ to be used as a benchmark for all subsequent workmanship. The proposal had been carefully considered and whilst there was harm resulting in the proposal, essential nature of works securing the longevity of the wall and public safety outweighed the harm. The officer's recommendation was to grant planning permission subject to conditions.

### **Public Participation**

There was no public participation.

### **Members questions and comments**

- Members noted the importance of preserving the wall and were pleased to see the proposal before them as the temporary support had been an eye sore. It was a great heritage asset which needed protecting and members were pleased to see the detail behind the proposal.

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 **GRANT** planning permission as recommended, was proposed by Cllr Les Fry, and seconded by Cllr Rory Major.

**Decision:** To grant the officer's recommendation for approval.

## 11. **P/LBC/2024/03235 - County Hall, Colliton Park, Dorchester, DT1 1XJ**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the surrounding wall were shown, and the historic significance was highlighted. Details of nearby listed buildings were provided, showing the distances between them and the proposal. Sections of the historic wall were to be demolished and rebuilt to limit harm. This complied with paragraph 206 of the NPPF. The Case Officer noted that less than substantial harm would have resulted from the proposal. The recommendation was to grant listed building consent subject to conditions.

### **Public Participation**

There was no public participation.

### **Members questions and comments**

- There were no questions or comments.

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 **GRANT** planning permission as recommended, was proposed by Cllr Les Fry, and seconded by Cllr Belinda Rideout.

**Decision:** To grant the officer's recommendation for approval.

## 12. **Urgent items**

There were no urgent items.

13. **Exempt Business**

There was no exempt business.

**Decision Sheet**

**Duration of meeting:** 10.00 am - 1.50 pm

**Chairman**

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