

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 5 NOVEMBER 2024

Present: Cllrs Richard Crabb (Chair), David Taylor (Vice-Chair), Barrie Cooper, Jack Jeanes, Sherry Jespersen, Carole Jones, Rory Major, Val Potheary, Belinda Ridout, James Vitali and Carl Woode

Apologies: Cllrs Les Fry

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

Jane Green (Planning Officer), Robert Lennis (Lead Project Officer), Hannah Massey (Lawyer - Regulatory), John Miles (Democratic Services Officer), Steve Savage (Transport Development Liaison Manager), Alex Skidmore (Lead Project Officer), Hannah Smith (Development Management Area Manager (North)) and Megan Rochester (Senior Democratic Services Officer).

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

14. Declarations of Interest

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

15. Minutes

The minutes of the meeting held on Tuesday 1st October were confirmed and signed.

16. 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.

17. P/OUT/2023/06654 - Land at Sandways Farm, New Road, Bourton

The Case Officer provided members with the following update:

- Section 18 recommendation – Change recommendation D) to:
- Unless otherwise agreed in writing by the Head of Planning, if the S106 legal agreement was not completed by 05/05/2025 then refuse planning permission for the following reasons: The proposed contributions and benefits of this scheme

have not been secured by a S106 legal agreement as such the adverse impacts of the proposed development would not outweigh the harm on the setting of the heritage asset Sandways Farm, nor the harm to the intrinsic character and beauty of the countryside in this particular location contrary to North Dorset LP Policies 2, 6 and 20, and paragraph 180, National Policy Framework.

- Section 14.0 – Contributions are also being collected towards:
 - Libraries: £75.00/dwelling
 - Bus service and sustainable transportation: £6072.00 to upgrade bus stop and maintenance
 - Rights of Way enhancements:
 - £3900 surface works to fp N57/16
 - £16,250 surface works to (N57/21) Clay Lane,
 - £52,00 to surface works to N70/16,
 - £379.50 for a pedestrian gate to Clay Lane
 - Note the mis-number of conditions 5 twice.
 - Note condition 11 drawing number has changed to 20083 -24.

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. The Case Officer included details of the indicative layout and explained that the proposal was an outline application for access only. Photographs of the field access, viewpoints looking towards the site and proposed site access were shown. Images of neighbouring properties, street scenes and site boundaries were also included. The Case Officer explained the planning history of the site and provided details of the biodiversity mitigation parameter plan. In addition to this, the Case Officer also noted the site constraints, including details that the proposal was outside the settlement boundary which had been acknowledged and there were two heritage assets of concern. There were also two other listed buildings to the southwest but due to slope of the land and intervening of development it was not considered to be a constraint.

Details of the location plan and site layout were included as well as an overview of the site history which had benefited from comments from urban design and conservation officers, who had formulated an indicative layout which officers supported. Members were informed that the proposed hall would have been situated more centrally within the site and it met policy. A viability assessment had been submitted and the Case Officer reminded members that they were only considering the principle of development and site access. No objections had been received from the Highways team and visibility splays were considered to be in excess of usual expectations. The access included in the officer presentation was in an indicative form which would link to existing footpath. The proposal was considered to be safe and met policy.

Therefore, the officer recommendation was to delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to:

A) Grant outline planning permission subject to the following conditions, and the completion of a legal agreement under section 106 of the Town and Country

Planning Act 1990 (as amended) in a form to be agreed by the legal services manager.

B) Refuse permission for the reasons set out below if the S106 legal agreement is not completed by 05/05/2025 or such extended time as agreed by the Head of Planning.

Public Participation

Mr Holmes spoke in objection to the proposal. He is a local resident who moved to the area for a rural lifestyle. He noted the current constraints on education and healthcare within the area, highlighting limited school spaces and the local doctor surgery being at capacity. Mr Holmes felt that the proposal failed to deliver meaningful infrastructure and would further contribute to environmental concerns. He also noted that while there was a site for a new village hall, it was disheartening that there was no commitment to fund or build it, leaving residents with the cost. Biodiversity was also a concern, highlighting that the development threatened critical habitats, contradicting the North Dorset Local Plan. The objector also discussed safety concerns, especially with an increase in traffic. Mr Holmes reiterated the number of objections and hoped members would put an end to over urbanisation of the village.

Mr Curry also spoke in objection to the proposal. He discussed the application which was previously presented for a development in Bourton for 30 houses, amenity space and a new village hall to be built at the entrance. The hall and car park were to be gifted to the community and was central to the Parish Council's decision to work with the developer. Mr Curry highlighted the provision of affordable housing, which was barely 17%, not the 40% requirement. This was not acceptable. He also discussed the location of the proposed hall site; it would have been situated at the low point of the development in an unsuitable area. Mr Curry concluded his representation by stating that the plan was not suitable, receiving over 100 objections. If built, the development would have stood for generations as a brutal reminder that local democracy was ignored. He urged the committee to refuse the application.

Mr Williams thanked members for the opportunity to speak and introduced himself as the agent for the application. He commended the officer's report which provided a very comprehensive and impartial assessment of the proposal in the context of relevant planning policies. He recalled that a previous application was refused by the Committee in March last year, as per the officer recommendation. Following the refusal, they had engaged extensively with officers and the scheme had been designed to secure the collective agreement of the Council's conservation, urban design, highway, ecology and flood management officers. Mr. Williams highlighted his client's commitment to delivering the layout presented. However, only access was to be approved at this outline stage so if members had any concerns regarding the indicative layout, informatives could have been placed on the outline permission to guide the detailed design.

The District Valuer had independently reviewed the scheme for the Council and confirmed the scheme was viable to enable the requirements of Neighbourhood Plan Policy 5. Mr. Williams referenced the number of objections which represented

less than 10% of the village population. To conclude, the agent explained that the layout had been designed to satisfy officers following the previous refusal and therefore hoped members would grant outline planning permission in accordance with the recommendation.

Cllr Peter Williams spoke against the proposal on behalf of Bourton Parish Council. He felt that the current application included the site for a new Village Hall in a far less acceptable location than previously proposed. He noted that the proposal was only for the plot for a new Hall, presenting the community with a challenge of funding its construction. The preferred New Hall location is on the site of the existing barn, where it would have much greater accessibility, appeal and financial viability. Having an adjacent carpark would make its designation much more viable than with the current application, in which there was a big gap between the main carpark and the Hall site, risking its utilisation by residents, thereby restricting access to the Hall for many individuals. The Local Parish Councillor also felt that the proposed development would have been contrary to the Local Plan on a number of issues which included policies 2,6 and 20. Highlighting that there was no local need for an additional 30 dwellings. Cllr Williams also discussed the harm to the setting of the heritage asset and insisted that the application be refused.

Members questions and comments

- Clarification regarding flood mitigation and details of a drainage scheme.
- Questions to confirm what changes were made from the previously refused application to make it acceptable.
- Points of clarification regarding viability of the site.
- Cllr Jones requested further detail regarding leeway with S106 and whether financial contributions could have been put to another use.
- Members highlighted the concerns raised regarding the Neighbourhood Plan and sought clarification as to how a small housing development should be interpreted.
- Cllr Potheary queried the distance between the site access point and the proposed location of the village hall as well as from the site access to the proposed car park. Concerns were raised regarding accessibility for residents.
- Members did not feel that the proposed parking or the indicative layout for the village hall was sufficient. Cllr Jespersen requested that if members were minded to approve, to add an informative note to this effect so that they matter could be addressed in any reserved matters application. Clarification regarding educational contributions and whether they would likely benefit a school in Bourton
- Viability had reduced the proportion of affordable housing
- Cllr Potheary noted that years had been spent creating the Neighbourhood Plan and felt that the indicative proposal was of a poor design which included parking which was not accessible for all residents. She also did not feel as though there was a local need for 30 houses which was contrary to several policies and was disappointed that there had been no engagement with the local community. Cllr Potheary recommended refusal on the basis of the Neighbourhood Plan and policies 2,5,6,20,23 of the Local Plan. Less than substantial harm to the

setting of the adjacent listed building was not outweighed by public benefit of the proposed market housing provision, affordable housing, open space, and the provision of the land for the village hall.

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 **REFUSE** planning permission as recommended, was proposed by Cllr Val Potheary, and seconded by Cllr David Taylor.

Decision: To refuse planning permission on the following grounds;

1. The proposed development site was located in the countryside outside of the settlement boundary in the adopted Local Plan and would not have been addressing local housing need contrary to Policies 2 and 5 of the Bourton Neighbourhood Plan, Policies 2, 6, 8 and 20 of the adopted North Dorset Local Plan Part 1 (2016), and the National Planning Policy Framework.

2. The proposed development would likely have an adverse impact resulting in less than substantial harm to the setting of Sandways Farm which would not be outweighed by public benefits contrary Policy 5 of the adopted North Dorset Local Plan Part 1 (2016), and the National Planning Policy Framework.

3. In the absence of completed and signed Section 106 legal agreement to secure affordable housing, allotments, NHS infrastructure, education, pre-school provision, community leisure and sport facilities, land for village hall, land for amenity space/open space, amenity space maintenance, formal outdoor sports facilities, libraries, bus service and sustainable transport, and rights of way the proposal would be contrary to Policies 4, 8, 13, 14 and 15 of the adopted North Dorset Local Plan Part 1 (January 2016), and the National Planning Policy Framework.

18. **P/RES/2023/05407 - Land South of A30 and East of Shaftesbury, Salisbury Road, Shaftesbury, Dorset**

The Case Officer updated members on the additional conditions which were not within the report.

- 3. All planting, seeding or turfing comprised in the approved details of landscaping PERSC2412011 Sheets 1 to 7 received 04/11/2024 shall be carried out in the first planting and seeding seasons following first occupation of the development; and any trees or plants which, within a period of 5 years from the completion of this phase of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed with the Local Planning Authority.
- 4. The development hereby permitted shall be undertaken in accordance with the details set out in the Arboricultural Method

Statement ref. PERSC24120amsA Rev A:27/07/2023 and Tree Protection Plans ref. PERSC24120-03a Sheets 1 to 5. All trees and hedges shown to be retained on the approved Tree Protection Plan shall be fully safeguarded during the course of site works and building operations.

- 4. A Landscape Management Plan shall be submitted and agreed in writing by the local planning authority prior to the construction of any part of the development above dampproof course level, covering landscaping, including long term design objectives, management responsibilities, maintenance schedules and a timetable for implementation and/or all landscape areas (other than small, privately owned domestic gardens). Thereafter the Landscape Management Plan shall be implemented as approved.
- 5. The construction of the development hereby approved shall be limited to between the hours of 07:00hrs-18:00hrs on Monday to Friday, 08:00hrs-13:00hrs on Saturdays, with no activity on Sundays or Public holidays.

The Case Officer updated members on the additional conditions which were not within the report. 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. The site was on the edge of Shaftesbury in which outline had previously been granted. Members were informed that the proposal before them was for reserved matters only and they were considering appearance, layout and landscaping. The Case Officer identified the approved access which was situated near a signalised junction with pedestrian crossings. Photographs of the front, side and rear elevations were shown as well as ground and first floor plans which would have mirrored the house types of existing neighbouring properties. Images of the existing site and the western neighbouring scheme which would have connections for pedestrian access were also included. The proposal was situated on an allocated site which sat in the Parish of Melbury Abbas and Cann. Objections had been received from the Parish Council and therefore the matter was before members for determination. The Case Officer identified the proposed LEAP to the south of the site and provided details of street planting and larger attenuation to support the site.

The Officer recommendation was to grant consent, subject to conditions set out in the officer report.

Public Participation

The agent, Mr Walker spoke in support of the proposal. He explained that if granted, it would have provided 107 much needed homes created by several housing mixes. There was also the inclusion of a site for a new school which was needed within the area. Mr Walker was proud of the benefits to the local community, especially the mixture of starter homes to support first time buyers getting on the property ladder as well as the inclusion of part buy to deliver relief. The agent also discussed the employment land for a care home, school and hotel and noted that they had worked hard with officers to sensitively preserve the character of the area. Site buffers had also been expanded and comments from

landscape officers had been responded to. The agent was pleased with the positive collaboration and hoped members would support the proposal.

Members questions and comments

- Cllr Jespersen requested the officer to confirm the building materials and to add an informative note that some forms of render would not be approved. Further details of the phasing plan were also requested.
- Queried whether there was a plan to build the school.
- Confirmation that the roads would be made to an adoptable standard.
- Questions regarding whether additional tree planting could be considered and whether an extension could be made from the current landscape conditions from 5 years to 10.
- Members queried whether a condition could have been added to ensure that phase 3 of the development could be completed within a set timeframe.
- Clarify pedestrian site access and the housing mix on the site.
- Cllr Jeanes sought clarification that the LEAP was a legal requirement for the site and the makeup of affordable housing.
- Concerns regarding lighting.
- Members were pleased to see the inclusion of affordable housing and reduced speed limit on the site, however, felt that it needed a robust tree management plan.
- Clarification regarding conditions to ensure that the proposal would have been laid out in accordance with details presented to committee.
- Assurance that there was sufficient parking provision.

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 Sherry Jespersen, and seconded by Cllr Belinda Ridout.

Decision: To grant planning permission subject to conditions set out in the officer report and the additional conditions set out below;

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan - LP.01; Site Layout drawing no. SL.01 Rev E; Boundary Details drawing no. BD_01; Proposed Streetscenes drawing no. 100 revision P1; Brick Structure Substation Rev A; Phasing Plan drawing no. PH.01; Proposed Levels and Contours Plan drawing no. P988/02 Rev G; Bin Collection Layout drawing no. BCL.01 Rev C; Green Energy PV and ASHP layout drawing no. GEL.01 Rev B; Heights Site Layout drawing no. HSL.01 Rev D; Materials Site Layout drawing no. MSL.01 Rev E; Tenure Plan drawing no. TL.01 Rev E; Infiltration Basin Plan drawing no. P988/42 Rev A;

House types dated 07/07/23: Grizdale HT shared ownership plots 58, 57; Rendlesham_Mid HT shared ownership plots 38, 47; Rendlesham_End HT shared ownership plots 37, 46, 39, 48; Haldon_End HT affordable rent plots 71, 91, 93, 73, 92, 94; Haldon_End HT shared ownership plots 35, 36; Apartments 01 (Plans) affordable rent plots 020-022, 023-025; Apartments 01 affordable rent plots 020-022, 023-025; Grizdale HT affordable rent plot 26; Rendlesham_End HT affordable rent plots 27, 40, 43, 44, 28, 41, 42, 45; Haldon_Mid HT affordable rent plot 72; Haldon_End HT Plots 82, 101, 84, 102; Apartments 01 (plans) plots 011-013, 014-016; Apartments 01 plots 011-013, 014-016; Kielder HT plot 107; Kielder HT plot 107; Greenwood HT plots 87, 51; Barnwood_Dt HT plots 74, 95, 17, 70; Barnwood_Dt HT plots 74, 95, 17, 70; Knebworth HT plots 75, 80; Galloway DT plots 18; Barnwood HT Variant 1 plot 81; Barnwood HT plots 06, 50, 103, 07, 59, 88; Sherwood_HT plots 31, 32, 49, 104; Saunton_HT Variant 1 plots 77, 79, 76, 78; Saunton _HT plots 61, 60; Galloway Mid HT plot 55; Galloway HT plots 29, 54, 64, 66, 68, 89, 30, 56, 65, 67, 69, 90; Chiltern HT Variant 1 plots 01, 53, 03, 85, 105; Chiltern HT plots 19, 97, 33, 63, 99; Danbury Mid HT plot 2; Danbury HT Variant 1 plots 52, 86, 106; Danbury HT plots 8, 62, 96, 9; Redhill HT plots 10, 98; Redhill HT plots 10, 98; Haldon_Mid HT plot 83; Alnmouth HT plots 4, 5, 34, 100.

Reason: For the avoidance of doubt and in the interests of proper planning.

2. Prior to development above dampproof course level, samples of materials to be used in the construction and finish of the development shall be made available on site and retained in that location for inspection by the Local Planning Authority. Any such samples shall be approved in writing by the Local Planning Authority and thereafter, the development shall proceed in accordance with such materials as have been agreed.

Reason: To safeguard the visual amenity of the locality.

3. Prior to the construction or installation of any boundary walls, samples of the brick and stone to be used for the walls must be submitted to and approved in writing by the Local Planning Authority. Prior to the construction or installation of any boundary fences or railings, visual details of the fences and railings must also be submitted to the Local Planning Authority for approval in writing. The development shall thereafter be implemented in full accordance with the approved details.

Reason: In the interests of the amenities of the area.

4. All hard and soft landscape works must be carried out in accordance with the approved drawings number PERSC2412011 (sheets 1 to 7) and Soft Landscape Specification received 04/11/2024. The soft landscaping works detailed on the same approved drawing must be carried out in full during the first planting season (November to March) following commencement of the development. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 10 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

5. The development hereby permitted shall be undertaken in accordance with the details set out in the Arboricultural Method Statement ref. PERSC24120amsA Rev A:27/07/2023 and Tree Protection Plans ref. PERSC24120-03a Sheets 1 to 5. All trees and hedges shown to be retained on the approved Tree Protection Plans shall be fully safeguarded during the course of site works and building operations.

Reason: To ensure that trees and hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity.

6. A Landscape Management Plan shall be submitted to and agreed in writing by the local planning authority prior to construction of any part of the development above dampproof course level, covering landscaping, including long term design objectives, management responsibilities, maintenance schedules and a timetable for implementation and/or all landscape areas (other than small, privately owned domestic gardens). Thereafter the Landscape Management Plan shall be implemented as approved.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

7. Prior to construction of any part of the development above dampproof course level, an amended biodiversity improvement plan shall be submitted to the local planning authority for approval, including a timetable for implementation. The improvement measures shall be implemented in accordance with the agreed measures as set out in the approved timetable.

Reason: To mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

8. Prior to the construction of any part of the development above dampproof course level an amended landscape and ecological management plan (LEMP) shall be submitted to and agreed in writing by the local planning authority. The content of the LEMP shall include the following: description and evaluation of features to be managed, ecological trends and constraints on site that might influence management, aims and objectives of management, appropriate management options for achieving aims and objectives, prescriptions for management actions, preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5 year period), details of a body or organisation for implementation of the plan, ongoing monitoring and remedial measures. The LEMP shall also include the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the relevant management body(ies) responsible for its delivery. The plan shall set out where the results from monitoring show that the conservation aims and objectives are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The above

shall be implemented in accordance with timescales submitted to and approved by the local planning authority.

Reason: To mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

9. The construction of the development hereby approved shall be limited to between the hours of 07:00hrs – 19:00hrs on Mondays to Fridays, 08:00hrs – 13:00hrs on Saturdays, with no activity on Sundays or Public Holidays.

Reason: To safeguard the amenity of the area and living conditions of any surrounding residential properties.

19. **P/FUL/2024/03951- Shortwood Farm, Hammond Street from Brockhampton Bridge, Mappowder, DT10 2EW**

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 for a County Farm. Photographs of the existing site and views across the site were shown. Members were informed that the proposal was located beyond the field boundary hedge, ensuring that it would have been discreet to mitigate visual impacts. The nearby footpath and bridleway would not have been impacted if members were minded to grant and details of the where the lagoon would have been situated on the site were included as well as further details relating to a manure management plan to reduce odour impacts. The Case Officer informed members that a minor tree was to be removed, however, this had been compensated for and the protection and retention of existing trees and hedgerows and additional planting were secured through conditions. There were no significant concerns relating to flooding or drainage, nor were there any adverse impacts on highway safety as traffic movements would not have increased due to storing the slurry on site. The officer recommendation was to grant subject to conditions set out in the officer report.

Public Participation

The agent thanked the committee for the opportunity to speak. He noted that the recommendation for approval was subject to appropriate conditions and was before members as the farm was owned by Dorset Council. The applicants were tenants of Shortwood Farm and had invested in the necessary slurry infrastructure project in order to ensure that the dairy farm remained viable. The size and features of the lagoon were necessary due to regulation and environmental agency requirements, who have raised no objections to the scheme. The application fully aligned with national and local policies which supported sustainable rural development, as evidenced in the planning officer's recommendation to approve. Mr Haskell referred to consultees who had raised no objections and supported the proposal. The applicants had worked with the planning officer and colleagues to ensure an acceptable scheme, these included landscaping and ecological enhancements. The slurry lagoon would have ensured Shortwood Farm's continued compliance with regulatory and environmental

standards, as well as benefitting future tenant or business at Shortwood Farm. This was an important piece of infrastructure which would have allowed the continuation of the dairy farm as well as compliance with environmental standards. The agent hoped members would support the proposal.

Members questions and comments

- Queried the proposed materials.
- Members fully supported the proposal and felt that they should do all that they can to support local farms.

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 David Taylor, and seconded by Cllr Sherry Jespersen.

Decision: To grant planning permission subject to conditions set out in the officer's report.

20. **P/LBC/2024/04880 - Wilkins Farm, Bozley Hill, Cann, SP7 0BH**

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 proposal was a Grade 2 listed farmhouse building which was situated on a derelict farm. Internal and external photos of the proposal were shown as well as southeast elevations. The Case Officer highlighted that the application was to retain previously completed work to the roof and cellar and detailed the materials. Evidential work had been carried out and no harm had been identified, the proposal would not have harmed the character and historic fabric of the listed building. The ecological team were happy with the proposal before the committee, however an informative was requested in case a further survey was required.

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 Carole Jones, and seconded by Cllr David Taylor.

Decision: To grant planning permission subject to conditions set out in the officer's report.

21. **Urgent items**

There were no urgent items.

22. **Exempt Business**

There was no exempt business.

Decision Sheet

Duration of meeting: 10.00 am - 12.32 pm

Chairman

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