

EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 18 DECEMBER 2024

Present: Cllrs David Tooke (Chair), Duncan Sowry-House (Vice-Chair), Toni Coombs, Beryl Ezzard, Scott Florek, Spencer Flower, David Morgan and Andy Skeats

Present remotely: Cllr Alex Brenton

Apologies: Cllrs Barry Goringe, Hannah Hobbs-Chell and Bill Trite

Also present: Cllr Shane Bartlett

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

Elizabeth Adams (Development Management Team Leader), Kim Cowell (Development Management Area Manager (East)), Joshua Kennedy (Democratic Services Officer), Emma MacDonald (Planning Officer), Hannah Massey (Lawyer - Regulatory), Jade North (Heathland Mitigation Officer), Megan Rochester (Democratic Services Officer) and Naomi Shinkins (Lead Project Officer)

37. Declarations of Interest

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

38. Minutes

The minutes of the meeting held on 6th November 2024 were confirmed and signed.

39. 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.

40. P/MPO/2024/02946 Lands East of New Road West Parley Dorset

With the aid of a visual presentation including plans and aerial photographs, the Lead Project Officer identified the site and explained the proposal, which was to swap the delivery of SANG A and B that had previously been given approval.

The planning history of the site was outlined and it was explained that the SANGs made up part of a wider development that had been given approval and due to changes in the construction phase of the development the applicant was requesting to change the order of delivery of the SANGs. Photographs of the

SANG were provided, showing that it was under construction. The changes proposed were explained to members.

The Lead Project Officer explained that consultees, including Natural England and the Dorset Council Heathland Mitigation team, had no objections to the application. There had been a number of objections based on the impact on neighbouring amenity, however it was considered that the screening capabilities of the western SANG were limited and that the construction of the dwellings was controlled by the approved construction management plan.

Public representation was received in objection to the application from Mr Elliott, Cllr Barber on behalf of West Parley Parish Council and Cllr Parry the local Ward Member. They expressed concern that the developer was trying to maximise profit at the expense of delivering the initially agreed scheme and that there had been poor communication between the developer and local residents. They also considered that the parking provision was insufficient for the site and that access to the site would be unsafe while construction was still ongoing on the rest of the development.

Mr Nash spoke in support of the application, as the agent for the application. He noted that there had been changes to the construction of the site, that required the delivery of the SANG's to change and that the applicant had agreed to deliver a larger SANG area than was required for the size of the development. He also noted the changes to the planning obligation allowed for the occupation of the affordable housing on site, which had recently been completed.

The Heathland Mitigation Officer clarified that there was a two-hectare space of grassland, which provided access to the SANG for existing residents and that it had been agreed with the Site Manager to install signage to make it clear that people were able to cross the site, while construction was ongoing nearby. It was also noted that the SANGs would be maintained by the developer until they were transferred to a management body.

In response to members questions, the Lead Project Officer provided the following responses.

- The application was to change the delivery of the SANG, so the applicant was entitled to start construction under the previous approval.
- Outline permission was granted for the site under a different applicant and the current applicant had since taken over the site.
- Both SANGs were secured by a S106 legal agreement, so an application would have to be brought to committee if the applicant no longer wanted to deliver both SANGs.
- The parking, access and layout for the site had been agreed under the outline permission and was not a part of the application under consideration.

Several members expressed concern that the access to the SANG for members of the public may be unsafe, particularly while construction was ongoing elsewhere on the site.

The meeting adjourned to allow officers to construct a suitable form of wording to reflect the concern raised by members. 11:00 – 11:13

It was proposed by Cllr Coombs and seconded by Cllr Sowry-House to Grant as per the officer recommendation with the addition that the SANG management plan also be required to include safe access for the public during construction of the whole development across the 2ha SANG entrance area to the eastern SANG with details delegated to the Head of service in consultation with the Committee chair.

Proposed by Cllr Coombs and seconded by Cllr Sowry-House.

Decision:

A) That permission be granted subject to 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 to amend planning conditions as follows and with the addition that the SANG management plan also be required to include safe access for the public during construction of the whole development across the 2ha SANG entrance area to the eastern SANG with details delegated to the Head of service in consultation with the Committee chair:

- Swap the references to SANG A and B on Plan 1.
- Reverse references to SANG A and B in the definitions (where there is a distinction in the wording between the two types of SANG).
- Reverse the Successors in Title paragraphs 7.3.3 and 7.3.4.
- Reverse the definitions in Schedule 6 (including the certificate/practical completion and step-in maintenance contribution references).
- Swap S6 Parts 2 and 3 and reverse the SANG references therein.
- Mechanism inserted to secure the 2ha of temporary grassland is planted across the old SANG A (what will be SANG B).
- Secure delivery of local equipped area for play (LEAP) by July 2025.
- Amend SANG delivery trigger to prior to the occupation of the 49th dwelling.

Or

B) Refuse permission if the legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) is not completed by (6 months from the date of the committee) or such time as agreed by the Head of Planning.

41. P/FUL/2024/02833 The Weld Estate Lulworth Cove Main Road West Lulworth Wareham BH20 5RL

The meeting adjourned for a comfort break. 11:17 – 11:21

With the aid of a visual presentation including plans and photographs, the Planning Officer identified the site and explained the proposal, which was for the demolition of an existing shed and construction of a building, to be used as a sauna, along with a woodstore and ladder.

The site was highlighted on a map and it was explained that it fell within the Dorset National Landscape. Photographs of the site were provided, showing the existing building that was proposed to be demolished, as well as the surrounding area. Plans of the proposed development were shown, it consisted of a modular unit to be used as a sauna, with black timber cladding and a log store and ladder access. There were also works included to address the stability of the cliffside.

The key planning issues were summarised and it was explained that officers considered that the proposed development would be an improvement on visual amenity compared to the existing dilapidated shed. There were third party objections to the application on the grounds of impact on visual amenity and light pollution, however officers considered that the conditions were sufficient to mitigate the impacts. The Coastal Risk Management team at Dorset Council were consulted on the application and they considered the proposal acceptable, following amended plans being submitted which amended the position of the sauna and included a retaining wall.

Public representation was received in support of the application from Mr Wilkes, who spoke on behalf of Saltwater Sauna Ltd, who were the operators of the proposed sauna and Mr Mayger, the agent for the application. They noted the important wellbeing benefits that the proposal would have for users and the small scale of the proposal which would have a minimal impact on the Conservation Area.

Cllr Jackson spoke on behalf of West Lulworth Parish Council, in opposition to the application. She was concerned about the visual impact of the proposal and did not believe the site was low risk from coastal erosion, as was stated in the officer's report. She opined that the daily checks by the sauna operator would be insufficient to ensure the safety of users.

The Planning Officer clarified that the initial position of the sauna was considered low to medium risk, however the revised proposal, which had amended the location and included a retaining wall was considered low risk and manageable.

In response to questions from members the Planning Officer provided the following responses:

- The proposal included a small window in the sauna to limit light pollution from the artificial light inside the sauna.
- Temporary permission of three years was proposed to ensure that if there were any changes to the stability of the cliffside or visual amenity of the building then the proposal could be reconsidered in the future.
- There was a condition included to ensure that an inspection from a qualified engineer would take place following any visual change noticed from the daily inspections of the cliff side.

- Officers were not concerned about the visual impact of the building, given its scale and that it was an improvement on the existing shed.
- The existing building had been in place for approximately 30-40 years and was historically used as storage for fishing equipment.
- It was not considered necessary to ensure that the logs used were specifically kiln dried logs, however this was raised in objections to the proposal by members of the public.

Members considered that although the proposal was broadly acceptable, it was necessary to address concerns about the smoke produced by the log burner, the visual impact of the building and the frequency of inspections by a qualified person.

It was proposed by Cllr Sowry-House and seconded by Cllr Morgan to grant permission, with added conditions that stipulated that only dried logs be used, a more sympathetic stain be used on the exterior cladding with details to be submitted to the Planning Authority and an additional stability check by a qualified person to take place following any named storm that impacts the area.

Proposed by Cllr Sowry-House and seconded by Cllr Morgan.

Decision: That the application be granted subject to the conditions set out in the appendix to these minutes.

42. **P/FUL/2023/03855 Kemps Country House, Wareham Road, East Stoke**

With the aid of a visual presentation including plans and aerial photographs, the Eastern Area Team Leader identified the site and explained the proposal and relevant planning policies to members. It was explained that Members had previously resolved to grant permission at the committee meeting in July 2024, however whilst the appropriate assessment was under consideration the Planning Inspectorate confirmed that Dorset Council was now able to demonstrate a five-year housing land supply and therefore the tilted balance that was instrumental in the previous decision no longer applied.

The location of the site was shown, as well as the proposed and existing site plans, floor plans and elevations.

There were concerns raised by neighbours about the loss of visitor parking, however it was considered that although there was a loss of parking, the proposal did meet the guidance on parking provision, when compared with the approved parking scheme for the existing terraced properties.

Mr Howells, the agent for the application spoke in support of the proposal. He noted that the application had previously been approved by the committee and that it was still acceptable in all other terms. The proposal would also offer benefits, in providing new housing, which was much needed in Dorset.

Members expressed that material considerations had changed since giving approval to the application and they now considered the application to be unacceptable.

Proposed by Cllr Sowry-House and seconded by Cllr Coombs.

Decision: That the application be refused for the reason set out in the appendix to these minutes.

43. **P/FUL/2024/05639 St Catherines Roman Catholic First School Cutlers Place Colehill BH21 2HN**

The Eastern Area Team Leader presented the application, which included various works to a currently unoccupied school. The location of the site was shown and the site boundaries highlighted. It was explained that the school closed in 2021 and remained vacant, however the proposal would facilitate the re-use of the school and secure 60 school places and this was given significant weight in line with the NPPF.

Details of the proposal were shown and included the construction of a multi-use games area, all weather walking track, fencing, a dining canopy and hard standing areas to situate a bin store, sub-station and water storage. The proposal also included reconfiguration of the carpark to provide additional spaces, accessible spaces and a pick-up and drop-off area.

Details of the fencing and landscaping were provided and it was explained that four trees would be lost, however the large pine tree on the site would be retained. There was no objection from Dorset Council's Tree Officer.

Mr Pattie spoke in support of the application, as the agent. He explained that the application was important for the operational development of the school.

In response to a question from one member the Eastern Area Team Leader clarified that Dorset Council did not own the school, but did own the land around the school.

Proposed by Cllr Ezzard and seconded by Cllr Morgan.

Decision: That the application be granted subject to conditions set out in the appendix to these minutes.

44. **Urgent items**

There were no urgent items.

45. **Exempt Business**

There was no exempt business.

Decision List

Duration of meeting: 10.00 am - 12.55 pm

Chairman

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