

**DORSET COUNCIL - EASTERN AREA PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON WEDNESDAY 3 JULY 2019**

**Present:** Cllrs Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Alex Brenton, Cherry Brooks, Robin Cook, Mike Dyer, Beryl Ezzard (Arrived 14.27), Barry Goringe, David Morgan, David Tooke, Bill Trite and John Worth

**Apologies:** Cllrs

**Also present:** Cllr David Walsh

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

Elizabeth Adams (Principal Planning Officer), Lara Altree (Legal Services Manager), Andrew Collins (Principal Planning Officer), Kim Cowell (Development Management Team Leader), Alan Davies (Development Manager), Elizabeth Fay (Major Projects Officer), Naomi Shinkins (Planning Officer) and Elaine Tibble (Democratic Services Officer)

**6. Minutes**

The minutes of the meeting held on 29 May 2019 were agreed and signed as a correct record.

**7. Declarations of Interest**

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

**8. West Lulworth C of E Primary School, School Lane, West Lulworth, Wareham, BH20 5SA**

The Principal Planning Officer introduced the report which proposed the change of use of existing buildings, conversion of the existing school building, demolition of extensions and erection of 1½ storey extension to form 3 dwelling houses and erection of 6 dwelling houses with associated parking and landscaping.

He explained that the application had been deferred earlier in the year by the former Purbeck District Council following receipt of a late representation which raised the issue of surface water flooding. The applicant had commissioned a Flood Risk Assessment that the officers were satisfied addressed the concerns raised about flooding by the representation.

An update with an additional condition which required submission of a Construction Management Plan had been circulated to the committee members prior to the start of the meeting.

In relation to the history of the site the Principal Planning Officer advised that the application for redevelopment of the site had been submitted in 2017, this had been refused by Purbeck District Council due to the impact of the overall scale, form and layout of the development on the AONB, and overdevelopment of the site as well as failing to positively integrate with the surroundings.

Following refusal the applicant entered into pre-application discussions with Purbeck District Council to look for a solution. The revised application was not now considered to be detrimental to the AONB, there were no objections from Highways or Tree Officers although the Council's Tree Officer required a more detailed arboricultural method statement.

In summarising, all significant planning matters had been appropriately addressed, the principle of development on the brownfield site was acceptable and the application was recommended for approval.

Oral representation was received from Cllr Jackson on behalf of West Lulworth Parish Council. She pointed out that making a 66 mile round trip to attend the meeting went against climate emergency concerns. West Lulworth Parish Council felt that the homes would end up as holiday lets which would not help local housing needs. The Parish Council were disappointed that the site would go to private housing, there were flood issues with the site and although there had been some mitigation the water still ran off the site down to School Lane.

Oral representation in support of the application was received from Mr Whild, the agent for the applicant.

In response to the comments the Development Manager re-iterated that Officers and the applicant had come up with a scheme to mitigate the risk of flooding. There was no policy in relation to the internal layout of the development and referring to page 31 of the report advised that policies in the emerging Local Plan carried sufficient weight to include in the report a condition to ensure that the properties would only be occupied as the owners only or principal home.

He understood that internally the development would have raised flooring and plug sockets and the drainage engineers were happy that there were no problems with the site.

Members were conscious of the Parish Council's concerns about flooding, however felt that if the drainage engineers had put a plan together which would adequately mitigate against flooding. They were pleased about the second homes policy, but disappointed that there were no affordable elements to the scheme but accepted that the application fell below the policy threshold. It was requested that although it could not be conditioned, officers liaise with the agent and applicant to request they use materials in the construction of the homes that would not weather and go black.

Some Committee members felt that they should listen to the Parish Council and tended to agree that the overdevelopment of the site and scale would affect the AONB, the properties would not integrate sufficiently with the surroundings and an extra unit had been added to the proposal.

The Development Manager suggested, in response to being asked how the occupation of the properties would be monitored, that he was of the opinion that the Parish Council and local residents would bring this to the attention of the Dorset Council if the homes were not being used as a permanent residence and enforcement action would be taken where necessary. Solicitors would advise potential buyers of the condition and this would run with the properties not the owners.

**Proposed by Cllr Bartlett, seconded by Cllr Worth**

**Decision: that the application be granted subject to the conditions outlined in the appendix to these minutes to include the additional planning condition circulated at the meeting requiring a Construction Management Plan.**

**Cllr Ezzard did not take part in the vote as she had not been present for the presentation.**

**9. Land to the South of Howe Lane, Verwood, Dorset, BH31 6JF**

The application seeking approval for reserved matters of landscape, appearance and layout for the construction of 29 residential dwellings was presented by the Planning Officer. An email from the land owner had been received on the morning of the committee and this had been circulated to all committee members prior to the meeting.

There were a number of mature trees on the site which were the subject of Tree Preservation Orders and there had been some issues raised during consultation regarding land ownership, but the Planning Officer was able to confirm that the land was within the ownership of the applicant.

In 2015, a full permission had been granted for 3 bungalows on part of the site with a condition to protect the oak trees, and in 2016, 29 dwellings had been approved in outline at appeal. A further application to amend conditions had been dismissed. The 2015 application had lapsed but the 3 bungalows were now proposed again as part of the 29 dwellings.

There had been 2 neighbour objections which had already been addressed in the Inspector's appeal decision.

An element of affordable housing was proposed and would be located to the west of the site. The proposed road would be private but built to adoptable standards.

In summary the officer recommendation was to approve.

Oral representation was received from Mr Charalambakis, he was concerned about the possibility of flooding into neighbouring gardens due to the development and asked about traffic management and yellow lines. He also wanted to know who would be responsible for compensating him if his fence fell down.

The Major Projects Officer responded that these concerns had already been considered as part of the outline application which had been approved by the Inspector, there was a drainage condition which has not yet been discharged but officers were confident that this could be dealt with. Traffic on site had also been considered by the Inspector at appeal and it was concluded there was no evidence that the local road network could not accommodate the traffic created by the new development. Boundaries were a civil matter and not part of granting planning consent.

The Chairman pointed out that Dorset Highways would wait a while to see if there was an impact on the area to decide if yellow lines were needed.

In response to a question regarding the estate road not being suitable for adoption, members were advised that due to the requirement of a bridging structure over the tree routes the Highways authority could not consider it suitable for adoption but would ensure the construction was to required standards. This had also been considered in the appeal decision, but the Highways authority had not wanted to take on the responsibility of the structure.

Officers were confident that a suitable layout could be put in place to protect trees and cover drainage.

Although some members found the design of the houses uninspiring, generally they felt that the site fulfilled the criteria, was workable and manageable.

The affordable housing contribution was negotiated in the 2016 section 106 agreement and was not negotiable at reserved matters stage

**Proposed by Cllr Bartlett, seconded by Cllr Worth**

**Decision: that the application be approved subject to the conditions outlined in the appendix to these minutes.**

**10. Frampton's Yard, Holt, Wimborne, Dorset, BH21 7DX**

The application to demolish existing outbuildings and erect three single storey dwellings, convert existing offices to three flats and improve vehicular access junction with the highway was presented by the Principal Planning Officer.

The application had come to Committee with the agreement of the Chairman, following an objection by the Parish Council to the proximity of the proposal to nearby Sites of Special Scientific Interest (SSSI), as the site lay within the Green Belt.

A Unilateral Undertaking had been received since the publication of the agenda and members were advised that the second part (b) of the recommendation was therefore no longer required.

The site had lawful use as open storage, vehicle and plant parking and manoeuvring and as an HGV operating centre.

The conversion of building to flats would not impact on the Green Belt and when considering the proposal against extant consent, the buildings would be placed perpendicular to allow more openness

The Tree Officer was content that the back gardens were of sufficient length to avoid harm to trees. There was equine use of the road but no demonstrable impact on road safety. No objection had been raised by Natural England in relation to the proximity to the SSSI; the planning obligation has secured mitigation in relation to internationally protected European Sites.

In summary the application was recommended for approval

Oral representation was received from Mr Hirsh, the Planning Consultant on behalf of the applicant. He regarded the proposed scheme to be well developed with no increase in volume of buildings, which confirmed to policy and would deliver a planning gain

Members considered the application to be well designed and well considered. There would be no harm to the Green Belt and the development would deliver much needed homes. This was a Brownfield site which could be used for residential purposes.

In response to a query about nearby archaeological sites the Team Leader – Development Management advised that as the site has already been disturbed and developed, there was no reason to justify an archaeological search and Officers could only apply such a condition when reasonable and necessary. It was agreed that an informative note would be put on the decision notice asking the applicant to be aware but there was no reason to put the applicant to additional expense for measures that were not needed.

**Proposed by Cllr Morgan, seconded by Cllr Cook**

**Decision: that the application be delegated to the Development Management Manager to grant permission, subject to the conditions outlined in the appendix to these minutes and including an informative in relation to archaeological finds.**

11. **Urgent items**

There were no urgent items.

12. **Exempt Business**

There was no exempt business.

**Appendix**

**Duration of meeting:** 2.00 - 3.56 pm

**Chairman**

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