

EAST DORSET DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes of the Meeting held on 3rd March, 2009 at 9.30 a.m.

Present:-

Councillor M. R. Dyer - Chairman

Councillor Mrs P. A. Reynolds - Vice-Chairman

Present: Councillors D. B. F. Burt, Mrs T. B. Coombs, S. G. Flower, S. C. Hearn, P. Holden, Mrs A. Holland, Mrs P. A. Hymers, D. J. Wallace and Mrs A. Warman.

492. Apologies for Absence

Apologies for absence were received from Councillors Mrs J. M. Hazel, I. J. Monks, B. E. Mortimer, P. W. Richardson and S. S. Tong.

493. Declarations of Interest

Councillor M. R. Dyer declared a personal and prejudicial interest in Minute No. 500 (Schedule of Planning Applications) Planning Application 3/08/0606/OUT (Matchams Park Stadium, Hurn Road, St. Leonards) and took no part in the processing of the application and left the room during the discussion and voting thereon.

Councillor D. B. F. Burt declared a personal and prejudicial interest in Minute No. 500 (Schedule of Planning Applications) Planning Application 3/08/1261/FUL (Summerhill, 44/46 Glenwood Road, West Moors) and left the room during the discussion and voting thereon.

Councillor Mrs P. A. Hymers declared a personal interest in Minute No. 500 (Schedule of Planning Applications) Planning Application 3/08/1109/FUL (Flight Refuelling Ltd, Brook Road, Wimborne) and remained present.

494. Background Papers

The Chairman informed the Committee that in addition to any specific background papers referred to, the relevant background papers for written reports and agenda items comprise of replies to consultations, objections and representations; relevant structure and Local Plans; and the file of the Council's related policies, copies of which had been available for inspection by Members prior to the meeting.

495. Minutes

The Minutes of the meeting held on 3rd February, 2009 were confirmed and signed as a correct record.

496. Presentations by the Public

Representations by the public to the Committee on individual planning applications are detailed in Minute 500 below. There were no questions,

petitions or deputations received on other items on this occasion.

RECOMMENDATION TO POLICY AND RESOURCES COMMITTEE

497. Protocol for Councillors and Officers, where a planning application is requested by a Member to come to the Planning Committee

The Chief Executive submitted a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

Members were informed that the report had been deferred at the request of the Head of Planning and Building Control.

RESOLVED that the report be DEFERRED until further notice.

Voting: Nem. Con.

DELEGATED BUSINESS

498. Tree Preservation Orders with No Objections

The Chief Executive submitted a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

Members were requested to consider the following Tree Preservation Orders recently made by this Authority and to confirm or not to confirm the Orders accordingly.

RESOLVED that the following Tree Preservation Orders are confirmed, without modification:

(1) The East Dorset District (Wimborne Road West Ferndown No. 12) Tree Preservation Order 2008;

(2) The East Dorset District (Laburnum Close, Ferndown No. 3) Tree Preservation Order 2008;

(3) The East Dorset District (Ringwood Road, St Leonards & St Ives No. 12) Tree Preservation Order 2008;

(4) The East Dorset District (Dewlands Road, Verwood No. 3) Tree Preservation Order 2008.

Voting: Unanimous

499. Tree Preservation Orders subject to modification

The Chief Executive submitted a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'C' to these Minutes in the Minute Book.

Members of the Committee were requested to consider the following Tree Preservation Orders recently made by this Authority and to confirm or not to confirm the Orders accordingly, subject to modification.

RESOLVED that the following Tree Preservation Orders are

confirmed, subject to modification:

(1) The East Dorset District (Lions Lane, St Leonards & St Ives No. 21) Tree Preservation Order 2008

(2) The East Dorset District (Sandy Lane, Three Legged Cross, Verwood No. 3) Tree Preservation Order 2009.

Voting: Unanimous

500. Schedule of Planning Applications

The Chief Executive submitted a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these Minutes in the Minute Book.

Members were requested to consider the planning applications contained within the schedule and to receive details of any withdrawn or requested deferred applications, if any.

The Head of Planning and Building Control circulated to Members the Riverside Development Design Guidelines relating to Planning Application 3/08/1109/FUL, Flights Refuelling Ltd, Brook Road, Wimborne, a copy of which appears as Appendix 'E' to these Minutes.

RESOLVED that the applications contained in this schedule be determined or otherwise dealt with in accordance with the Head of Planning and Building Control's recommendation.

1. 3/08/0606/OUT

Outline Planning Application for the Demolition of Matchams Stadium and Ancillary Structures, and Redevelopment of the whole of the Matchams Stadium for 40 Units (Comprising 20 Detached Units and 4 Apartment Buildings each containing 5 Units), Restoration and Future Management of 38 Hectares for Nature Conservation Purposes ('The Reserve Area'), A B1 Office to be Possibly used by a Nature Reserve Manager, A Biomass District Heating System, 8 Hectares of Informal Open Space ('The Recreation Area'), A Pet Barrier, and a New Access and Localised Road Widening. Revised Scheme, (Resubmission of PA 3/07/0995/OUT) Matchams Park Stadium, Hurn Road, St. Leonards

Public Speaking:

Mr Brian Oliver advised the Committee that he was objecting to the application. Mr Oliver advised the Committee that he had a love of motor sport and had used the stadium for many years. He went on to state that the stadium had promoted and encouraged many careers in the sport and motoring industry and formed part of the local heritage. Mr Oliver argued that Matchams Stadium, situated in green belt land, was unique and internationally recognised with no other facilities like it within a 60 mile radius. Mr Oliver noted that the proposed scheme for 40 dwellings did not meet government requirements for affordable housing. Finally, Mr Oliver acknowledged that the current landowners had let the site deteriorate and go into a state of disrepair, whilst breaching noise nuisance conditions, something he felt was a deliberate action. Mr Oliver informed the Committee that if the site was

managed correctly and maintained to a good standard, the stadium could be a successful sporting venue.

Mr Ray Bryan advised the Committee that although he was a Member of the St. Leonards and St. Ives Parish Council, he was speaking as a local resident and not connected with the Parish Council. Mr Bryan advised Members of the Committee that the reason for supporting the application was not to stop people enjoying a recreational hobby or sport, but to protect the area in which he lived. Mr Bryan stated the application would require the demolition of many structures already on the site and the rebuilding of new dwellings in a concentrated area surrounded by a nature reserve. Mr Bryan argued that this would improve the openness of the green belt. Mr Bryan further stated that 38 of the 52 hectares of the site would be passed to a horticultural society for management, supported by annual payments to their costs. He noted that local residents did not object to the application on the basis of impact to the green belt. Mr Bryan argued that the development would undoubtedly improve the site and surrounding heathland; a development he felt offered a major conservational gain. Mr Bryan argued that the development presented very special circumstances which should warrant its approval.

Mr Mike Mitchell, another local resident continued on from Mr Bryan. Mr Mitchell made reference to Council policy, noting that policy SL6 permitted the redevelopment of the site subject to a proposal of plans to restore and manage the heathlands in line with green belt policy. Mr Mitchell highlighted that many of the consultees had raised concerns about the application, but he questioned whether they had recently visited the site and seen its current state of disrepair. Mr Mitchell referred to the comments submitted by Sport England, concerning the loss of a sports venue. He argued that the site was of benefit to very few people now and it had a high court injunction and consent order in place due to a breach of noise conditions. Mr Mitchell reported that with the court orders in place it greatly reduced the viability of the site. Mr Mitchell commented that only three of the comments listed within the agenda were from residents who lived in immediate proximity to the site. Mr Mitchell asked Members to visit the site before refusing the application.

REFUSED AS PER THE OFFICER RECOMMENDATION.

2. 3/08/1109/FUL

Demolition of All Existing Offices and Industrial Buildings and Construction of 268 dwellings with Associated Parking and Open Space (217 Flats and 51 Houses of which 97 Units are Affordable).
Flight Refuelling Ltd, Brook Road, Wimborne.

Public Speaking:

Mr Ephgrave informed the Committee that he was an employee of Flight Refuelling Ltd and was attending the Committee to represent the interests of the firm and its parent company, Cobham Plc. Mr Ephgrave advised the Committee that Flight Refuelling Ltd celebrated its 75th anniversary this year, being a company recognised both nationally and

internationally. Mr Ephgrave informed the Committee that the current buildings occupied by the company in Wimborne were exhausted and had reached the end of their useful working life. Mr Ephgrave stated that Cobham Plc would like a new building that provided cost effective support for the business and maintained a competitive position in a global market place. He advised that the future viability of the company in Wimborne was dependent on the sale of their current site to the developer wishing to construct 268 dwellings as detailed in the planning application. Mr Ephgrave acknowledged that the application would mean a change in use of the land and departure from the local plan but noted that its approval would also assist the Council's requirement for affordable housing in the District. He asked Members to support the application.

Mr Chris Ingram of Simon Cooper Design advised Members that he was acting as both the architect and agent for the application. Mr Ingram advised that the design company had been brought in to fine tune the planning proposals and complete the planning application process. Mr Ingram stated that the original application had raised a number of issues and these had since been addressed; he detailed how the present application addressed previous concerns. Mr Ingram noted that the design of the builds did not reflect those common within the market town of Wimborne as the site was situated outside of the town. Mr Ingram argued that the application presented a highly permeable site with access to the river front for new and existing residents, green open spaces and a regard to retain trees already in situ on the site. He advised that a flood risk assessment had been carried out with a mitigation plan in place. Furthermore, Mr Ingram stated that the application fulfilled a requirement for affordable housing on both a local and national level. Finally, Mr Ingram asked Members to support the application.

REFUSED AS PER THE OFFICER RECOMMENDATION.

3. 3/08/1215/FUL
Sever Land to Form Plot and Erect Dwelling and Garage as Amended by Plans Received 12/01/09. Bailie Leaze, 8 Station Road, Sturminster Marshall.
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GRANTED AS PER THE OFFICER RECOMMENDATION.

4. 3/08/1261/FUL
Two Storey Extensions and Change of Use to Rest Home incorporating Owners Accommodation. Summerhill, 44/46 Glenwood Road, West Moors.
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Public Speaking:

Mr Simon Legg, a neighbour informed the Committee that he objected to the application. He raised concerns about the scale and size of the building, noting that the existing 3 bed house would be extended to a 12 bedroom care home. He felt that the size of the proposed extension would be out of character with the local area and not compatible with the special character area guidance. Mr Legg commented on the loss of open spaces between the buildings and also the loss of garden and

amenity space. Mr Legg noted that the single storey extension, to be used as a utility room, was positioned in close proximity to his neighbouring property and he was concerned that this would cause noise disturbance. Finally, Mr Legg advised the Committee that the proposed car parking was not suitable or functional and would mean the loss of the front garden and associated landscaping to accommodate the required number of spaces.

Mrs Denise Farrar, the applicant, advised the Committee that the present application had addressed concerns raised by the planning officers. Mrs Farrar advised Members that landscaping dividing the front of the properties would be retained in order to give the impression that there were two houses on adjacent plots rather than just one big property. Mrs Farrar also noted that the shrubbery screening the front of the properties would be retained. She also advised that the front door of 44 Glenwood Road would be used as a fire exit only causing minimal disturbance. Mrs Farrar stated that the emergency services were called to the Nursing Home on average 4/5 times per year and they too, would use only the main entrance. She also advised that the car park would be landscaped for the benefit of the elderly residents to view. Mrs Farrar informed the Committee that the car park was never used to its full capacity and the overflow car park had been proposed in order to meet a statutory requirement for a certain number of car parking spaces.

West Moors Parish Councillor Ken Warren advised Members of the Committee that the Parish Council objected to the development. He reported that the mass and size of the building, as well as its commercial use, were not consistent with the special character area of West Moors. Parish Councillor Warren informed Members that he was the major emergency planning representative for West Moors, reporting that the area was subject to fire risk evacuation in hot summers. Parish Councillor Warren reported that the design scheme and associated access for the care home were not sufficient and would not permit a rapid evacuation from the building should it be required. He also noted that the number of car parking spaces were inadequate. Parish Councillor Warren asked Members to consider these issues before making a decision on the application.

GRANTED subject to the removal of two of the proposed car parking spaces in front of 44 Glenwood Road and appropriate landscaping across the front of the site, approval be delegated to Head of Planning and Building.

5. 3/08/1337/FUL
Erect Two Chalet Bungalows. 40 St. Ives Park, Ashley Heath, Ringwood.
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GRANTED AS PER THE OFFICER RECOMMENDATION.

6. 3/08/1378/COU
Change of Use to Chiropody Surgery and Mixed Retail Use (Part Retrospective) as Amended by Plans Received 12/02/09. 34 and 36 High Street, Wimborne, Dorset.
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Public Speaking:

Mrs Lesley Davies, the applicant, advised Members of the Committee that she was a qualified chiropodist and had been building up a practice in Wimborne for the last 8 years. Mrs Davies advised that in 2001 she applied to have chiropody on her shoe shop premises, which was granted. Mrs Davies advised that last year, she had made the mistake of assuming that since she already had the permission, she did not have to inform the Council of her plans to expand the service. Mrs Davies advised Members of a number of actions she had taken to reinstate the retail service in her shop and conform to her original planning permission, also reporting that the blinds in the windows would be removed. Mrs Davies advised that the Surgery room situated in the front of the shop had been designed for her disabled patients and to allow ease of access. She noted that it could be reduced in size if required. Mrs Davies informed the Committee that she employed seven staff and provided a much needed service in the community. Finally, Mrs Davies stated that if she had to remove the surgery rooms it would have a catastrophic financial effect and thus put her business in jeopardy.

Members of the Committee did not agree with the recommendation of the Head of Planning and Building Control. Members were of the opinion that the proposal was on balance and made good use of the shop facilities. Furthermore, Members noted that the chiropody surgery provided a much needed service in the town and would ensure the future viability of the retail premises.

GRANTED subject to the permission being made personal to the applicant, approval be delegated to the Head of Planning and Building Control.

7. 3/09/0001/FUL

Side Extension and Raise Roof to Form First Floor Living Accommodation. 6 Burrows Lane, Verwood, Dorset.

GRANTED AS PER THE OFFICER RECOMMENDATION.

8. 3/09/0020/FUL

Retain Dwelling as Built (Retrospective) as Amended by Plans received 23/01/09. Harts Farm House, Harts Lane, Holt.

GRANTED.

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and any subsequent re-enactment thereof no garage, car port or extension to the dwelling shall be erected without express planning permission first being obtained.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and any subsequent re-enactment thereof no windows, doors, roof lights or any other openings shall be inserted in the roof of the dwelling hereby permitted.

3. The proposed bat roost shall be provided as shown on the approved drawings and completed in all respects within one month of the date of this permission and it shall subsequently be retained to the satisfaction of the local planning authority.

NOTE:

In determining this application the local planning authority has taken into account the advice set out by the Government in Planning Policy Guidance Note 2 "Green Belts".

In determining this application the local planning authority has taken into account the advice set out by the Government in Planning Policy Statement 9 "Biodiversity and Geological Conservation."

Voting: Applications 1 & 7 – Unanimous.
Applications 2, 3, 5 & 6 – Nem. Con. (1 Abstention).
Application 4 – 5:3 (1 Abstention).
Application 8 – Nem. Con. (3 Abstentions).

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Councillor Mrs P. A. Hymers declared a personal interest in Planning Application 3/08/1109/FUL (Flight Refuelling Ltd, Brook Road, Wimborne) and remained present.

501. To inform Members of Delegated Decisions

The Chief Executive submitted a report for information, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'F' to these Minutes in the Minute Book.

Members noted the delegated decisions listed in the submitted report.

502. Outcome of Appeals and New Appeals Lodged

The Chief Executive submitted a report for information, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'G' to these Minutes in the Minute Book.

Members were informed of notified appeals and appeal decisions and agreed to take them into account as a material consideration in the Planning Committee's future decisions.

503. Planning Application 3/02/0162 – Use land for Camping for 28 days in July/August in 2009 and 2010 (Variation of Section 106 Legal Agreement) Oakdene Forest Park, Ringwood Road (A31), St. Leonards

The Chief Executive submitted a late report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'H' to

these Minutes in the Minute Book.

Members were requested to consider the request of Shorefield Holidays Limited to vary the Section 106 Agreement to allow the land on the south side of the site to be used for tents for 28 days at the end of July and into August.

The Development Control Manager reported to Members that the Officer Recommendation had changed to one of refusal due to the responses received from consultees, primarily the Environment Agency.

Members were advised that the Environment Agency had reported to the Council that the proposed land for camping at Oakdene Forest Park was inappropriate due to the land intended for use for camping being situated in a Flood Zone 3 Area where a high probability of flooding could occur and thus, they objected to the application.

Members considered the points raised by the Development Control Manager and agreed to refuse the application.

RESOLVED that the application be REFUSED.

Voting: Nem. Con. (2 Abstentions).

The meeting ended at 1.15 p.m.

CHAIRMAN