

EAST DORSET DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes of the Meeting held on 31st March, 2009 at 9.30 a.m.

Present:-

Councillor M. R. Dyer - Chairman

Councillor Mrs P. A. Reynolds - Vice-Chairman

Present: Councillors Mrs T. B. Coombs, S. G. Flower, S. C. Hearn, P. Holden, Mrs A. Holland, Mrs P. A. Hymers, I. J. Monks, B. E. Mortimer and Mrs A. Warman.

545. Apologies for Absence

Apologies for absence were received from Councillors D. B. F. Burt, Mrs J. M. Hazel, P. W. Richardson and S. S. Tong.

546. Declarations of Interest

The Head of Planning and Building Control (Mr M. Hirsh) declared a personal and prejudicial interest in Minute No. 550 (Application to carry out Tree works on TPO trees at 44 Rowlands Hill, Wimborne) and took no part in the processing of the application and left the room during the discussion and voting thereon.

547. 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.

548. Minutes

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

549. Presentations by the Public

Representations by the public to the Committee on individual planning applications are detailed in Minute 551 below. There were no questions, petitions or deputations received on other items on this occasion.

DELEGATED BUSINESS

550. Application to carry out works on TPO trees at 44 Rowlands Hill, Wimborne

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 requested to consider the following application and to determine if the proposed tree work should be approved or refused at 44 Rowlands Hill, Wimborne and whether consented work should be subject to a condition of replacement planting.

Public Speaking:

Mr Allison, the applicant informed the Committee that he had discussed the issues with Council Officers and was happy to assist with the proposals as laid out in the Officer report.

RESOLVED that consent is granted and refused as detailed within the recommendations and conditions on page 13 of the Officer Report.

Voting: Unanimous

Mr M Hirsh (Head of Planning & Building Control) declared a personal and prejudicial interest in this item and took no part in the processing of the application and left the room during the discussion and voting thereon.

551. 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 'B' 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.

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. 3/08/1265/FUL

Replacement Dwelling (Demolish Existing Dwelling). Bankside, Holtwood, Wimborne.

Public Speaking:

Mrs Livesey, a neighbour, informed the Committee that she objected to the proposed development. Mrs Livesey argued that the building would be materially larger in height than the current property, even though the floor level had been dropped into the ground. Mrs Livesey objected to the mass of the building, stating that it would have a detrimental impact on the openness of the green belt. Mrs Livesey also raised concerns about the proposed orientation of the building, noting that the new positioning would permit overlooking into her adjacent property. Mrs Livesey advised the Committee that the houses in Holtwood were positioned in a linear pattern, parallel to the main road; she stated that the development would not be in keeping with the current layout. Finally, Mrs Livesey argued that the proposal did not conform to planning policy.

Mr Lewis, informed the Committee that he was representing objections raised by local residents, and in particular Mr and Mrs Livesey of Ambleside, Holtwood. Mr Lewis advised the Committee that 'Ambleside' was the property most affected by the proposals. Mr Lewis

explained that the neighbours did not object to a property on the site, but rather its proposed orientation. He stated that the proposed orientation would have an adverse effect on the openness of the green belt, as well as overlooking neighbouring property 'Ambleside'. Furthermore, Mr Lewis stated that the orientation of the proposed build was in not keeping with the linear pattern of housing in Holtwood. Mr Lewis requested that Members conduct a site visit to see the full impact of the proposal.

Mr Thompson, the architect, informed the Committee that the applicants were a young family wishing to develop a family home. He advised Members that the applicants had tried hard to address the objections raised by local residents. Mr Thompson stated that the design of the new dwelling would visually improve the area and was appropriate in the setting. Mr Thompson explained that the proposed cellars could not be classed as habitable space, noting that the ground space had therefore only increased by 49%. Mr Thompson stated that there was no particular pattern or positioning of housing in Holtwood, and the proposed orientation of the build would actually improve the openness of the green belt. Mr Thompson informed the Committee that the applicants were happy to negotiate the location and positioning of the garage. Finally, Mr Thompson advised that the property would be at least 75 metres from the neighbouring property, causing minimal disturbance.

GRANTED AS PER THE OFFICER RECOMMENDATION.

2. 3/08/1361/FUL

Demolition of Existing Building and Construction of a 35 Bedroom Care Home (C2 use) with Associated Parking and Access. 46 Hilltop Road, Ferndown, Dorset.

Public Speaking:

Mr Launder, a neighbour, informed the Committee that he objected to the proposed development at 46 Hilltop Road. Mr Launder advised the Committee that the roads surrounding the site were narrow with cars regularly parking up on pavements. As a consequence, Mr Launder stated that large vehicles such as ambulances and delivery lorries would struggle to pass through the roads. In addition, Mr Launder advised that if the unmade part of Hilltop Road was to be improved and restored, this would further increase the amount of vehicles using the road. Mr Launder raised concerns about the disturbance this would cause on neighbouring properties. In sum, Mr Launder stated that the project was not suitable in the residential area.

Mr Roberts, a neighbour, advised the Committee that he objected to the proposed development. Mr Roberts argued that the size, mass and height of the proposed building were not in proportion with the surrounding properties. Furthermore, Mr Roberts stated that the proposal would have a detrimental impact on the nature and environment. Mr Roberts noted that there were no other businesses operating in the immediate area and a Care Home should not be an exception to this rule. Mr Roberts advised that the long term residents had protected the unique character area and would continue to do so

in the future. Mr Roberts raised concerns about the protection of trees and their roots on the site. He asked Members of the Committee to refuse the application.

Mr Homes, the applicant's agent informed the Committee that the development of a care home was considered to be an appropriate use of the site; having regard to the surrounding residential area. Mr Homes advised Members that care had been taken to ensure the design and style of the building was in keeping with the area and presented a continuation of the current street scene. Mr Homes noted that the application had also taken into account the nearby heathland. Mr Homes stated that the impact on neighbouring properties would be minimal, the applicant had endeavoured to preserve the neighbours' amenity space and windows had been carefully positioned and obscure glazed to prevent any overlooking. Mr Homes also advised Members that the building materials had been carefully selected. Lastly, he advised that the development would provide care accommodation in the area and meet an identified need for now and into the future.

REFUSED.

1. The area surrounding the site comprises relatively small-scale dwellings set in modest sized plots, which gives a domestic character to the area with a correspondingly fine grain of development. The proposed building is very large with a significantly greater ridge height, frontage length, depth and bulk than the individual dwellings that exist on the land adjoining the site, and it would introduce a coarser grain of development into the street scene which is considered to be at odds with the predominately fine grain of development that currently exists.

The significant scale of the building will make it readily apparent in the street scene, and it will not relate well to the existing residential development surrounding the site accordingly, appearing as an incongruous feature. This will be despite the screening offered by the oak trees on the front boundary.

Therefore the proposal is considered contrary to Policy HODEV3 of the East Dorset Local Plan 2002, as its scale, bulk and site coverage will be damaging to the character of the local area. It is also contrary to Policy DES8 of this local plan, as it is incompatible with its surroundings in terms of its layout, site coverage, scale, bulk, height, visual impact and relationship to nearby properties.

2. The relationship of the proposed development with the dwelling at 6 Siskin Close and 4 Dunnock Close is considered unacceptable on account of the scale of the building and its close proximity to the boundary, which will result in severe loss of outlook for the occupants of these properties. Additionally, two extra heavy standard trees are proposed to be planted close to the boundary of No.6 Siskin Close, and these are likely to overshadow that property to the detriment of its occupants.

There is a full height first floor window serving a hallway on the north

elevation of the rear projection of the proposed building that will look directly into the rear garden of 6 Siskin Close, which will cause unacceptable levels of overlooking.

Therefore the proposal is contrary to Policy HODEV3 of the East Dorset Local Plan 2002, as its scale, bulk and site coverage will be damaging to the amenity of neighbouring residents, and it will adversely affect the amenity of neighbouring residents through loss of light and privacy. It is also contrary to Policy DES8 of the same Local Plan, as it will be incompatible with its surroundings in terms of its relationship to nearby properties.

3. The proposal, on account of the location of parking and manoeuvring areas in close proximity to the boundary with 40 Hilltop Road, will result in disturbance to the occupants of this property. The level of disturbance experienced is likely to be significant due to the noise from deliveries to the kitchen, which could be made via the ground floor door on the east elevation. These deliveries would involve commercial vehicles which would disturb the occupants of 40 Hilltop Road from audible reversing alarms, unloading noise, door slamming and revving engines.

There is a full height first floor window serving a hallway on the east elevation facing the side boundary with 40 Hillside Road, which is not shown to be obscure glazed, and as such may result in adverse levels of overlooking of the rear garden of No.40.

Therefore the proposal is contrary to Policy HODEV3 of the East Dorset Local Plan 2002, as it will adversely affect the amenity of neighbouring residents through loss of privacy, and vehicle manoeuvring and parking areas are likely to result in disturbance to neighbouring residents by their proximity to ground floor windows of adjoining properties. It is also contrary to Policy DES8 of the same Local Plan as it will be incompatible with its surroundings in terms of its relationship to nearby properties.

4. Situated on and adjacent to this site are many protected mature Oak trees that contribute significantly to the sylvan characteristics of the locality. These trees are subject to the East Dorset District Council Hilltop Road No.2 and Hilltop Road No.3 Tree Preservation Orders. The application has failed to take into account the future pressure that will be placed on these trees to fell or severely prune them should the structure be erected as proposed, due to the lack of both sunlight into the building and obstruction to natural daylight. This restriction of light would also be contrary to the requirements of Planning Policy Statement 3: Housing (PPS3). The loss or damage to any of these trees would be to the detriment of the locality, and as such is contrary to Policy DES8 of the East Dorset Local plan 2002.
5. The site for the proposed care home lies close to (within 400m) Slop Bog and Uddens Heath Site of Special Scientific Interest (SSSI). This SSSI is also part of the designated Dorset Heathlands SPA (Special Protection Area) and Ramsar site, and is also part of the Dorset Heaths SAC (Special Area of Conservation). The proximity of these European sites (SPA and candidate SAC) means that

determination of the application should be undertaken with regard to the requirements of the Habitat Regulations 1994, in particular Regulations 48 and 49. It is considered that the applicant has failed to demonstrate in accordance with the Habitat Regulations that the proposals will cause no harm to the SPA and SAC heathland. In particular the applicant is unclear about the age range and physical abilities of the proposed occupants and do not confirm explicitly that residents will not access local facilities; indeed from the submitted travel plan it appears that occupants may be encouraged out of the building for recreational health reasons. Under these circumstances were the Local Planning Authority to carry out an Appropriate Assessment it is bound to find that the proposed development would in combination with other plans and projects within close proximity to heathland, be likely to have a significant effect on the SPA, Ramsar site and candidate SAC features. For these reasons the proposal is considered contrary to the recommendation of the Bern Convention Standing Committee on urban development adjacent to the Dorset Heathlands as well as Environment policies A, B and D of the Bournemouth, Poole and Dorset Structure Plan and Policy NCON4 of the East Dorset Local Plan (2002).

NOTE:

Regard was had to the advice set out in PPS3: Housing (2006) in the determination of this application.

3. 3/09/0074/FUL

Two Storey Extension to Walford Mill to provide New Education, Gallery, Café, Workshop and Shop Building together with Lift and Board Walk to New Entrance. Walford Mill Crafts, Knobcrook Road, Wimborne.

GRANTED AS PER THE OFFICER RECOMMENDATION.

4. 3/09/0075/LBC

Listed Building Application for Internal Alterations to Walford Mill and External Alterations to North Elevation together with Two Storey Extension to provide new Lift, Education, Gallery, Café, Workshop and Shop Building. Walford Mill Crafts, Knobcrook Road, Wimborne.

GRANTED AS PER THE OFFICER RECOMMENDATION.

5. 3/09/0090/FUL

Relief of Conditions 4, 8 and 10 Approval Ref 03/09/0570/FUL. Creation of a Cycle Path Adjacent to Ex Footpath to Relocated Bicycle Compound. Provide 2 Disabled Spaces. Installation of Automatic Barrier System to Ex Car Park Area. Verwood Trinity CE VA First School, Coopers Lane, Verwood.

GRANTED AS PER THE OFFICER RECOMMENDATION.

6. 3/09/0144/FUL

Erect Front Porch. Verwood Memorial Hall, Ringwood Road, Verwood.

GRANTED AS PER THE OFFICER RECOMMENDATION.

7. 3/09/0148/FUL

Erect Three Bedroom Dwelling. Plot Between 16-22 Windmill Lane, Avon Castle, Ringwood.

Public Speaking:

Mr Thomson, the applicant's architect, informed the Committee that the local area surrounding the application site had changed in recent years; showing no particular pattern of development. For this reason, he argued that the plot of land should now be developed to provide an additional residential dwelling. Mr Thompson noted that the design of the building was appropriate in the setting.

Notwithstanding the clear pattern of decision making including three appeals which had been decided in favour of the Council; 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 plot was large enough to accommodate the proposed dwelling. Members considered that a smaller dwelling than those recently approved in the vicinity would be appropriate. Furthermore, Members noted that the proposal would not adversely impact the pattern of housing in the residential area. If the applicant later required a garage then a building of reasonable design could be accommodated on the location of the parking spaces shown on the plan.

GRANTED subject to the issue of conditions, approval be delegated to the Head of Planning and Building Control.

8. 3/09/0153/FUL

Erect Single Storey (Booster) Pumping Station. Matchams WTW, Wattons Lane, Matchams.

GRANTED AS PER THE OFFICER RECOMMENDATION.

9. 3/09/0195/FUL

Erection of a Closed Circuit Television Camera and Equipment on a 7m High Mounting Pole at Potters Wheel Car Park, Verwood. Potters Wheel Car Park, Ringwood Road, Verwood.

GRANTED AS PER THE OFFICER RECOMMENDATION.

Voting: Application 1 – 8: 1 (1 Abstention)
 Applications 2, 6 & 8 – Unanimous
 Applications 3 & 4 – 6: 4
 Application 5 – 9: 1
 Application 7 & 9 – Nem. Con. (1 Abstention).

552. 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 'C' to these Minutes in the Minute Book.

Members noted the delegated decisions listed in the submitted report.

553. 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 'D' 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.

The meeting ended at 12.10 p.m.

CHAIRMAN