

EAST DORSET DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes of the Meeting held on 2nd February, 2010 at 9.30 a.m.

Present:

Councillor M. R. Dyer - Chairman

Present: Councillors D. B. F. Burt, S. G. Flower, P. Holden, Mrs A. Holland, Mrs P. A. Hymers, I. J. Monks, Mrs P. A. Reynolds, P. W. Richardson and D. J. Wallace.

455. Apologies for Absence

Apologies for absence were received from Councillors Mrs T. B. Coombs, Mrs J. M. Hazel, S. C. Hearn, B. E. Mortimer, S. S. Tong (Vice-Chairman) and Mrs A. Warman.

456. Declarations of Interest

Councillor D. J. Wallace declared a personal interest in Minute 461 (Schedule of Planning Applications) Planning Applications 3/09/1016/OUT and 3/09/1017/OUT (Land at the Warren, Badgers Walk, Ferndown) and remained present.

Councillor P. Holden declared a personal and prejudicial interest in Minute 461 (Schedule of Planning Applications) Planning Applications 3/09/1016/OUT and 3/09/1017/OUT (Land at the Warren, Badgers Walk, Ferndown) and after addressing the Committee left the meeting during the discussion and voting thereon.

Councillor I. J. Monks declared a personal interest in Minute 461 (Schedule of Planning Applications) Planning Application 3/09/1128/FUL (Rijan, Daggons Road, Alderholt) and remained present.

Councillor S. G. Flower declared a personal interest in Minute 461 (Schedule of Planning Applications) Planning Application 3/09/1144/COU (6 Penn Court, Station Road, West Moors) and remained present.

457. 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.

458. Minutes

The Minutes of the meeting held on 5th January, 2010 were confirmed and signed as a correct record.

459. Presentations by the Public

Representations by the public to the Committee on individual planning applications are detailed in Minute 462 below. There were no questions, petitions or deputations received on other items on this occasion.

DELEGATED BUSINESS

460. Application to Carry Out Work on Protected Trees at Oak Trees, Holt Lane, Holt

The report was submitted, 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 considered the following application received from an employee of East Dorset District Council and to determine whether the tree works should be approved.

RESOLVED that consent be granted to carry out the tree work (ref. T.10.002) at Oak Trees, Holt Lane, Holt as detailed in paragraph 6 of the report.

Voting: Unanimous

461. Tree Preservation Orders with Objections

The report was submitted, 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 considered the following Tree Preservation Order recently made by this authority and to confirm or not confirm the Order accordingly.

Public Speaking:

Mr Colin Stiles, who objected to the Order, informed Members that he had three additional tree surgeons visit and report on the subject trees. Mr Stiles' principle concern was one of health and safety. Tree T2 was over a bus stop and given the history of falling tree debris posed an unacceptable level of risk. The trees had suffered from years of poor management and Mr Stiles requested to fell the trees and replace them.

RESOLVED that the following Tree Preservation Order be confirmed without modification:

a) the East Dorset District (Woodlinken Drive, Verwood No. 4) Tree Preservation Order 2009.

Voting: 7:0 (1 abstention)

462. Schedule of Planning Applications

The report was submitted, 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 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 Development Management's recommendation.

1. 3/09/0950/FUL

Erect a 3 Bedroom Detached House. 22 Highmoor Road, Corfe Mullen
DEFERRED to allow a site visit during the Planning Committee of 2 March, 2010.

2. 3/09/1016/OUT

Erection of 3 Storey Class C2 Care Home for the Elderly (Additional Information Received 14 December 2009). Land At The Warren, Badgers Walk, Ferndown.

Public speaking:

Mr David Jobbins, the applicant's agent reminded Members that this was an outline application for a care home for the elderly and those that suffered from dementia. There was a need for a quiet site that would allow a home to be developed that was sensitive to neighbours and met an increased need in the area for care homes. Members were informed that care homes do not attract high traffic volumes and that the distance of proposed buildings from existing residential sites would limit noise.

Mr Hennessey, a neighbour of the site, spoke on behalf of the residents of Badgers Walk who strongly objected to the proposal. Mr Hennessey questioned the projected traffic volumes as they took no account of administrative or catering staff, health care professionals or deliveries. It was stressed that Badgers Walk was a narrow residential road not built for this type of commercial development.

Mr Angus, a neighbour of the site, spoke on behalf of residents of Martins Drive and the Woodland Walk Residents Association, all of whom had registered strong objection to the proposal. Mr Angus explained the planning policy history of the site since the 1980s' and made reference to a previous planning brief for the site that had not been made available to Members. Mr Angus believed neighbouring residents were owed a duty of care.

Cllr Mrs Lesley Dedman spoke on behalf of Ferndown Town Council who objected to the proposal. It was regarded as an inappropriate development in a residential area and in a community well served by care homes. Traffic movements would result in an unacceptable increase in noise and movement.

Members did not agree with the recommendation of the Head of Development Management. Members considered the application as an inappropriate development due to the proposed mass and form. Members also considered that the increase in traffic would have a negative impact on the area's amenity due to increased noise and disturbance.

Refused.

1. The form, mass and bulk of the proposed building would be out of character with the prevailing low density dwellings in the vicinity and as proposed to be built by the applicant. The planning application is therefore in conflict with Policy HODEV3 of the East Dorset Local Plan (adopted January 2002) which advises that such proposals as this are acceptable in the urban area only if certain criteria are met and in this context at (a) it is advised:

'It is not of such a scale as to create a building whose bulk or site coverage is damaging to the amenity of neighbouring residents or the character of the local area.'

2. The proposal, by reason of the general disturbance of vehicles attending the site, including the traffic movements of shift workers late at night, would be unacceptable in this particular wholly residential location and would therefore conflict with Policy DES2 of the East Dorset Local Plan (adopted January 2002) which advises:

'Developments will not be permitted which will either impose or suffer unacceptable impacts on or from existing or likely future development or land uses in terms of noise, smell, safety, health, lighting, disturbance, traffic or other pollution.'

In this respect the proposed Staff Travel Plan is considered insufficient to overcome these concerns.

Notes: In determining this application the Council has had regard to the Unilateral Undertaking dated 10 November 2009 which overcomes the Council's concerns in relation to the Interim Heathland Policy as the site lies within 400 metres of an internationally designated heathland site.

3. 3/09/1017/OUT
Erection of 3 Storey Class C2 Care Home for the Elderly (Additional Information Received 14 December 2009). Land At The Warren, Badgers Walk, Ferndown.

Members did not agree with the recommendation of the Head of Development Management. Members considered the application as an inappropriate development due to the proposed mass and form. Members also considered that the increase in traffic would have a negative impact on the area's amenity due to increased noise and disturbance.

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4. 3/09/1081/OUT

Outline Planning Permission (layout and access to be determined) for Three Detached Dwellings on Land Adjacent to 16 Pear Tree Close (to rear of 10-12 Park Lane), Alderholt. Adjacent to 16 Pear Tree Close, (R/O 10 And 12 Park Lane), Alderholt.

Officers informed Members that the policy reason given in condition 1 should be HODEV2 and that an additional reason for refusal, a cramped form of development, would be added.

Public speaking:

Mr Jerry Davis, the applicant's agent, expressed concern that an additional reason for refusal had been added at such a late stage which they had been unable to consider. The proposed plots had the same site density in depth as adjoining plots to the north. The site had clear development potential and original plans of the estate suggested that there would be future development for this plot.

Deferred.

5. 3/09/1078/FUL

Erect 2 Pairs of Semi-Detached Houses (4 in Total) to Provide Affordable Housing to Rent Including New Access and Parking Area (Revised Scheme from Planning Permission 3/09/0522). Land Adjacent Briarlea, Hinton Martell, Wimborne.

Public speaking:

Cllr Mrs Barbara Willis spoke on behalf of the parish council who objected to the application. The parish council understood that the principle of affordable housing for the site had been established, but could not believe this was the case when the site was deemed unsuitable for market housing. The Vale of Allen Housing Needs Survey, which had formed the basis for this application, had identified

an overwhelming need for 2 bedroom homes. The parish council therefore questioned the need for these proposed 3 bedroom houses.

Mrs Jill Arnett, a neighbour, objected to the proposal. The site location was not suitable for market development so was not suitable for affordable housing. Mrs Arnett believed there had been an error made in traffic assessment as there was a high level of danger on the stretch of road to the front of the site. The site was also in an Area of Outstanding Natural Beauty and was outside of the village envelope.

GRANTED subject to the negotiation of a legal agreement issue be delegated to the Head of Development Management.

6. 3/09/1128/FUL
Demolish Existing Dwelling and Erect 4 Dwellings (Revised Scheme).
Rijan, Daggons Road, Alderholt.

Public speaking:

Ms Carol Evans, the applicant's agent, explained that they had listened to comments made at the time of the previous application for the site. These comments highlighted the tendency for nearby properties to be detached with larger gardens. The current application provided an enhancement to the previously approved scheme as it would result in a better layout of plots. Existing pedestrian access and 2 off-road parking spaces per plot would be maintained. Existing hedgerows would also be retained and reinforced.

GRANTED AS PER THE OFFICER RECOMMENDATION.

7. 3/09/1144/COU
Change of Use From Shop (A1) to Cafe/Restaurant (A3), New Shop Front, Provision of Enclosed Yard and Installation of Ventilation Grills (as Amended by Plans Received 12 January 2010). 6 Penn Court, Station Road, West Moors.

Granted.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The premises shall only be open to the public between the specified hours of 07:30 and 18:00.
3. The development hereby permitted shall be carried out in accordance with the following approved plan: 553/1-Rev. A.
4. The premises shall not be used for the sale of hot food to be consumed off the premises.

Notes: 1. The installation of any external flues or extractor equipment will require the express written consent of the local planning authority.

8. 3/09/1171/FUL
Erect Block of Two Stables With Concrete Block Walls Clad in Timber Boarding (Revision to 3/07/0347). Mulberry Stables, Pompeys Lane, Longham.

Officers summarised letters of objection that had been received since

the agenda for this Committee had been published.

Public speaking:

Mr Phillip Warner, a neighbour, objected to the proposal as the building should be constructed entirely of wood, in keeping with current buildings. A wooden building would weather in time to blend in with the rural environment. The applicant, a local property developer, had previously committed to sell the land with stable but had not done so. Mr Warner believed permission for a building built with concrete could establish the principle for other buildings on the site.

Granted.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. No mobile field shelters or other structures shall be placed on the land edged in blue on the submitted plan.
3. The existing vegetation and tree screen along the north east boundary of the land edged in blue on the submitted plan shall be retained and reinforced as necessary in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before any on site work is commenced. This shall include an agreed programme for implementation and maintenance for a 5 year period thereafter.
4. The stable building hereby approved shall have its walls clad with horizontal timber boarding and use a corrugated cement sheet roof, details or a sample of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works to construct the building. The building shall be clad using the approved materials before being brought into use and not materially altered thereafter.
5. No development shall take place unless and until all existing stables/mobile field shelters or any other structures have been removed from the land edged in blue on the submitted plan.
6. The development hereby permitted shall be carried out in accordance with the following approved plans:

1:7500 scale location plan received 31.12.2009

1:5000 scale location plan received 20.01.2010

1:2500 scale location plan received 31.12.2009

1:500 scale block plan received 20.01.2010

Drawing No. FES/1425/01 Rev C dated September 2009 by Forest Edge Surveyors Ltd

Notes: 1. Regard was had to the advice set out in Planning Policy Guidance Note 2: Green Belts (1995) in the determination of this application.

Voting: Applications 2, 3, 7 – Unanimous
Application 4 – 5:2 (1 abstention)
Application 5 – 4:2 (2 abstentions)

Application 6 & 8 – 7:1

(Councillor D. J. Wallace declared a personal interest in Planning Applications 3/09/1016/OUT and 3/09/1017/OUT (Land at the Warren, Badgers Walk, Ferndown) and remained present.)

(Councillor P. Holden declared a personal and prejudicial interest in Planning Applications 3/09/1016/OUT and 3/09/1017/OUT (Land at the Warren, Badgers Walk, Ferndown) and after addressing the Committee left the meeting during the discussion and voting thereon.)

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(Councillor S. G. Flower declared a personal interest in Planning Application 3/09/1144/COU (6 Penn Court, Station Road, West Moors) and remained present.)

463. To inform Members of Delegated Decisions

The report was submitted 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 noted the delegated decisions in the submitted report.

464. Outcome of Appeals and New Appeals Lodged

The report was submitted for information, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'E' 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 12.45 p.m.

CHAIRMAN