

NORTH DORSET DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON TUESDAY, 11 MARCH 2008 AT 10.00 AM IN THE COUNCIL CHAMBER, SALISBURY ROAD, BLANDFORD

Present:

Committee Members

W Batty-Smith (Chairman)
N Cook
Mrs D Croney
C Dowden
V G Fox
J Hickish

Mrs S Hunt
M Jeffery (Vice Chairman)
G Miller
D Milsted
Mrs V Potheary
Miss T Lever

Officers, North Dorset DC

Nick Fagan, *Development Control Manager*

Jacqui Andrews, *Democratic Services*

Case Officers:

Andrew Williams
Hannah Powell
James Lytton-Trevers
Richard Towndrow

Officers, Dorset County Council

S Savage, *Senior Engineer, Development Liaison*

53. DECLARATIONS OF INTEREST

The following declarations of personal interest were made:-

D Milsted – 2/2007/1320 – the applicant is known to him in his capacity as a Director of the Blandford Vale Tourism Service.

Miss T Lever – 21/2007/1346 – the architect is known to her as they are both members of another organisation.

The following declaration of personal and prejudicial interest was made:-

N Cook – 21/2007/1346 – the architect is a neighbour and a friend.

54. MINUTES

Resolved

That the minutes of the meeting of the Committee held on 12 February 2008 were confirmed as a correct record and signed by the Chairman.

55. PLANNING APPLICATIONS

Resolved

- i. With regard to applications for permission to develop, to make the decisions as set out in **Appendix A** to these minutes;

- ii. In respect of the above applications, where the 21 day consultation period has not yet elapsed, where approval is given, it is given subject to no adverse comments being received;
- iii In respect of the above applications, where a developer is required to make a contribution towards community infrastructure, that contribution shall be received by the Local Planning Authority within eight weeks (minor and 'other' applications) or 13 weeks (major applications) of the application being submitted;
- iv. To delegate authority to the Development Control Manager to refuse the application if a contribution is not received in accordance with (iii) above.

56. PLANNING APPEALS

The Committee noted the report of the Development Control Manager for the period between 4 February 2008 to 29 February 2008.

The meeting closed at 1.40 pm

CHAIRMAN

NEW APPLICATIONS

APPLICATION:	2/2007/1182 Fyve Ash West, Marsh Lane, ANDERSON Full Planning (Minor)
Proposal:	Erect single storey extension to existing outbuilding (Retrospective)
Applicant:	Mr A Wills
Case Officer:	Richard Towndrow

Officer appraisal

The Case Officer presented the application for retrospective permission for a single storey extension to an existing outbuilding as set out in the agenda. He showed photographs of the partially erected extension that was to be clad with timber with a tiled roof. A local Parish Councillor objected to the application on a number of grounds as set out in the report. However, with regard to the claim that a number of examples of unauthorised building had taken place, investigation showed only one case which was in fact at the objector's own property. The officer advised that the application site was set well back from the road and was in keeping with the area with a sympathetic extension to the outbuilding.

Highway Authority

The Senior Engineer raised no objection to the application.

RESOLVED: to **APPROVE** planning permission subject to the following conditions:

Conditions:

1. FR11 - COMMENCEMENT (FULL PERMISSION)
2. MT04 - MATERIALS (MATCHING)
3. BS01 - RESTRICTION OF COMMERCIAL USE
4. PK02 - ACCESS, TURNING, GARAGING, PARKING PROVISION

Reason for Decision:

1. The proposal is of the appropriate design and scale and would not harm amenity.
2. In reaching this decision the policies in the Development Plan for the area, which currently comprises the Bournemouth, Dorset and Poole Structure Plan 2000 and the North Dorset District Wide Local Plan (First Revision) 2003, were taken into account. This includes specifically the following policies: 1.6, 1.8, 1.33.

Human Rights:

This resolution is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

APPLICATION:	2/2007/1320 Cole Street Farm, Coles Street Lane, EAST STOUR/ GILLINGHAM Full Planning (Major)
Proposal:	Change of use of farmhouse from residential (Class C3) to guest accommodation (Class C1). Change of use of Sette Brook Barn from Kindergarten (Class D1) to 4 No. dwellings. Change of use of Timber Barn from storage to 3 No. dwellings. Change of use of 7 No. holiday lets to residential. Erect 1 No. single storey boiler room / cycle store and 1 No. single storey cycle store.
Applicant:	Ms Amanda Pearson
Case Officer:	Miss Hannah Powell

Officer appraisal

The Case Officer presented the application set out in her report, identifying the location of the proposed development and showed the Committee a number of photographs and application drawings including proposed layout and floor plans. She advised the Committee that there was a lot of mature vegetation on the site and it was all to be retained except for 1 tree that would have to be removed for the installation of the bio-mass boiler. She pointed out the main differences between the application before Committee and the earlier one that had been refused. The proposal provided 7 affordable housing units with the others being open market (95%) with restrictions. The fall back position was that if the scheme were to fail then the site would be sold to a Registered Social Landlord (RSL).

The Case Officer went through the relevant planning policies referred to in her report. She also advised the Committee of letters of support that had been written by 2 local tourism organisations, comments made by the Highway Authority in respect of potential other uses of the site and also Counsel's opinion that had been obtained by the applicant.

The application indicated a good layout for the co-housing site although officers had concerns about the limited amount of common space. Officers did not consider it necessary that a co-housing project needed to be on a rural site as other successful schemes had been identified in urban areas.

She pointed out that the Environment Agency had suggested that water efficiency measures should be incorporated into the scheme that would assist in conserving natural water resources and offer some contingency in times of water shortage.

The Case Officer said that whilst the 7 affordable units met the Council's priority of providing affordable housing, the site did not meet the exception site requirements.

The proposals included the provision of education courses that would be run with the Dorset Centre for Rural Skills and also aimed for green tourism offering a discount for anyone arriving on site by public transport. She referred to the fallback position set

out within her report with regard to traffic levels and said that it would be hard to measure the levels of traffic on and off site.

In conclusion, whilst the Case Officer said a number of positive benefits were recognised, the application was contrary to a number of policies and failed to make adequate contribution towards community infrastructure and for this reason refusal was recommended.

Highway Authority

The Senior Engineer advised the Committee that the site was accessed from Cole Street Lane which was a D classified road and this access would continue to be used with the historic farm access being retained for emergency use only. The site was very close to the rights of way network providing pedestrian links to Gillingham town centre. He referred to the sustainable transport plan that had been submitted which proposed to limit the number of cars on site and also expressed the importance for the number of movements on and off the site to be limited by the instigation of the this plan. He advised that the County Council would not support anything that would increase traffic on and off the site.

Local Member

Cllr Webb said that the application had received lots of support and he commended the applicant on the work he had done to put together the application that was before the Committee. He felt that it was a complex application that met many needs of the local community. There were social advantages attracting a community approach and also the efficiency of using existing buildings and it was within easy travelling distance of the town. However, he recognised that officers had to apply adopted policies which he felt they had interpreted rigidly. He expressed the view that it was a very forward looking application and felt the Council's policies were backward looking concentrating on the public interest of the past and not the future.

Public Participation

Mrs Bennett spoke on behalf of the CPRE and commended the officer's balanced report. Whilst the CPRE recognised the benefit of the provision of affordable housing and the assurance officers could take from the transport plan, they were concerned that no evidence had been produced showing the impact of the development on the brook, wildlife and the environment. They were also concerned that there was no land for a proper smallholding to meet the needs of all the residents. Although the CPRE felt the scheme was imaginative, on balance they opposed the proposals.

The Policy Manager for Housing and Community Safety reminded the Committee of the need for more affordable housing. A district-wide survey had identified a need for a further 400 units per annum to meet the demand. A survey had been undertaken with people on the Council's housing waiting list and there was sufficient interest expressed in joining the co-housing project.

The Planning Policy Manager explained that the scheme was contrary to policy ie it was development in the open countryside, it did not meet the exception site requirements and was also adding to the oversupply issue in the district. In its favour, the proposals utilised existing buildings and there were recognisable

sustainability benefits such as green lifestyles, sustainable construction and heating. Should the Committee be minded to approve the application, he stressed the importance of securing the fallback position that should the co-housing scheme fail then the site would become 100% affordable housing. However, in his view he felt that the benefits of the proposal did not outweigh the policy considerations.

The Development Control Manager echoed the Planning Policy Manager's comments stating that the application was clearly contrary to policy and was not development on an exception site. However, it was for the Committee to weigh the benefits against the policy conflicts. He also referred to the definition of brownfield sites set out in the Case Officer's report and was of the view that this was not a brownfield site. In his view the benefits of this application were not sufficient to warrant approval.

Mr Payne spoke on behalf of East Stour Parish Council and said that they supported this application as it provided much needed affordable housing whilst reducing the environmental impact of development on the site.

Mr Mwsandube, Group Director of Synergy Housing, spoke on behalf of East Dorset Housing Association who worked with the Council on housing matters and had a lot of affordable housing in Dorset. He advised the Committee that Synergy had participated in an Open Day where everyone on North Dorset's housing list was invited to attend a meeting to learn about the co-housing project. They were shown around the site and proposals were explained and at the end of the process 21 households indicated that they would be interested in accommodation in one of the affordable units. He expressed a need for a specific nomination and lettings process to be developed for the scheme and efforts would be made as with conventional housing to prevent voids. The standard Tenancy Agreement would be amended to include clauses that were needed specifically to cover co-housing issues. He reiterated to the Committee that if the scheme failed the site would be sold to East Dorset Housing Association for 100% affordable housing provision. He felt that this was an opportunity for North Dorset District Council to participate in an innovative scheme.

Mrs Beckley spoke on behalf of Gillingham Town Council supporting the scheme which it was felt would benefit the town, and the proposal was to re-use existing buildings sympathetically.

Mr Stephens of Battens spoke on behalf of the applicant addressing issues of enforceability. He said that the applicants could be asked to keep records of traffic movements and car parking and submit these to the Council. He also said that a Section 106 Agreement could be required in respect of the fallback position. Mr Stephens also raised the issue of the classification of the land as a brownfield site, and disagreed with officers' views that once the land had been used for agriculture it could not be classed as brownfield. With regard to disregarding traffic movements from the previous nursery use, he said that any D1 use of the site could recommence with out further application so these movements should not be disregarded.

Mr Heeks spoke on behalf of the applicant. He said that there had been national media interest in the project that would provide the only educational establishment with co-housing in the country, and the only co-housing project with RSL affordable housing on site. Mr Heeks said that the proposals had the following benefits:

- Sustainable living
- Economic development of the area
- Affordable housing
- Involvement of the community
- Low risk – the project has been running successfully on a pilot basis for the last 3 years. However, a larger community was needed to ensure future viability.
- The failure rate of co-housing projects was very low.
- Regulated by a non-profit making company
- 65% of the site was for education or affordable housing
- Fallback position providing 100% affordable housing on site in the event the co-housing project failed.

Members' questions

Cllr Milsted asked for confirmation on what constituted a brownfield or greenfield site. The Development Control Manager referred to the Case Officer's report that advised that PPS3 had actually tightened up the definition specifically excluding land that "has been" occupied by agricultural buildings.

Cllr Mrs Croney asked the Policy Manager, Housing and Community Safety what position tenants would be in if they found that the co-housing style of living did not suit them. He said that they would have the same rights as any other Housing Association tenant in that they could apply for a transfer and it would be up to the individual Housing Association what priority weighting they would give to the application.

Cllr Miller asked a number of questions about the nature of the non-profit enterprise, the ownership of the retained 5% of the "open market" units, and how the dwellings would meet the Decent Homes Standards set by the Housing Corporation which required a certain size of dwelling. Mr Heeks responded saying that the site would be owned by a community interest company that could not pay out profit or dividends. Two high street lenders had indicated that they would be willing to mortgage the properties. With regard to the Decent Home Standards, the Housing Corporation had visited the co-housing site at Stroud and had accepted that the requirements would be different for co-housing units. Each individual property would be smaller as there were a number of shared areas.

Cllr Jeffery asked about disabled access on site, particularly for wheelchair users and was advised that all 7 new dwellings and the main shared areas would be fully accessible.

Members' debate

Cllr Milsted said that the last application was refused on the ground that there was no land available for food growing which there was now. He felt that the Local Plan didn't support the application which had attracted huge support and met a need that fell between open market housing and RSL housing. The only way of providing 'intermediate' housing was through co-housing or Community Land Trusts. He felt this was an exceptional application but did not meet the exception site requirements as there wasn't 100% affordable housing provision and the site wasn't adjacent to the town. He hoped it would be possible to marry the development policies with the

community policies in the future. He proposed approval of the application subject to conditions and heads of agreement coming back before the Committee for approval before being referred to Council.

Cllr Fox agreed that the policies the Council was working to were out of date and felt that the involvement of a RSL gave weight in favour of the application. He seconded Cllr Milsted's proposal.

Cllr Mrs Croney commended the advice given by the officers which had been well present both in favour of and against the application.

The Development Control Manager reminded the Committee that all officers agreed that the proposal did not comply with the current policies. The Committee could only approve the application if they felt the benefits outweighed the policy considerations.

RESOLVED: Members were **MINDED TO APPROVE** planning permission subject to conditions and a draft Section 106 Agreement being brought to the Committee for approval, prior to a recommendation being made to Council.

Reason for Decision:

The sustainability benefits of the application outweighed the policy considerations.

Human Rights:

This resolution is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

APPLICATION:	2/2008/0038 Puricombe, Pound Lane, GILLINGHAM Full Planning (Minor)
Proposal:	Raise roof to provide additional accommodation.
Applicant:	Mr M Drewitt
Case Officer:	Andrew Williams

Officer appraisal

The Case Officer presented the application set out in his report, identifying the location of the proposed development and showed the Committee a number of application drawings. Since the report had been written the applicant has offered to include obscure glazing in the 1 window where there was the possibility of overlooking, and this could be included as a condition if Members thought it necessary. A condition regarding surface water drainage had been included although officers did not expect this to be a problem.

Public Participation

Cllr Mrs Beckley spoke on behalf of Gillingham Town Council advising that they had felt that the extension was too large and they had taken account of a number of objections that had been received concerning overlooking, overshadowing and loss of privacy. The Town Council were also concerned that the materials proposed were not in keeping with those in the area and that there had been insufficient space provided for car parking.

Mr Wilson, a neighbour, spoke against the application stating that he was of the view that the increase in height of the roof would cause a 24m shadow to be cast into his main living room. He was concerned that he would lose light and heat from the sun and this would result in an increase in energy use to provide more light and heating. He also expressed concern about the potential for additional surface water from the proposed roof which would be about 40% greater in size than at present. He felt that there was potential for parking problems as the proposal was to alter the bungalow to a 4 bedroom dwelling with inadequate parking on site. He felt that overall the proposal was too large.

Mr Griffin spoken on behalf of the applicant whose family requirements meant that he needed a 4 bedroom property. The proposal had been designed to avoid the possibility of overlooking and obscure glass could be used in the 1 window where this was a possibility.

Local Member

Cllr Mrs Pothecary expressed the same concerns as the Town Council at the potential loss of natural light.

Members' questions

Cllr Mrs Croney asked officers about the nature of the street scene which they described as there were no photographs available. She also asked about the rise of roof heights which were confirmed as set out in the officer's report.

Cllr Milsted asked if the additional roof height was necessary. The architect confirmed that a 2.1m ridge height was necessary to be able to accommodate the 4 bedrooms that the applicant desired.

Members' debate

Members expressed concern about the impact of the proposal on the street scene.

RESOLVED: to **DEFER** consideration of the application for a Committee site visit.

Reason for Decision:

The Committee wished to assess the potential impact of the proposal on the surrounding area.

APPLICATION:	2/2007/1346 The Headmasters House, Milton Abbey School, MILTON ABBAS Full Planning (Minor)
Proposal:	Erect 1 No. three storey, 2 No. two storey and 2 No. single storey extensions to form new school boarding house.
Applicant:	Milton Abbey School
Case Officer:	James Lytton-Trevers

Officer appraisal

The Case Officer presented the application set out in his report, identifying the location of the proposed development and showed the Committee a number of application drawings. The proposal was to extend the current modern headmaster's house to form boarding accommodation for girls. Since refusal of an earlier application, the design of the building had changed and it was now proposed to use natural timber cladding and a sedum roof. The height and size of the proposed extensions remained unchanged. He said that Members had previously refused the application on size, design and impact of the proposals on the AONB, and officers were still concerned about the effect of the extension on the Listed Park. The Case Officer read an extract of a letter from the Garden History Society which set out an objection to the application which they felt constituted further erosion of the Listed Park. In the officer's view there was a suitable alternative site for the boarding house where the existing service buildings were located (Site 2). Officers felt the existing proposals were still bulky and harsh in appearance regardless of the cladding that was proposed.

The Policy Manager, Environment, agreed with the comments made by the Case Officer and added that despite the impact of the existing headmaster's house and the proposal to use more sympathetic cladding, the bulk of the proposal would have an adverse impact on the location and the Listed Park. Site 2 was already damaged in his view and he felt that this was a suitable alternative location for the erection of a boarding house.

Public Participation

Mr Tice, Chairman of the Parish Council, said that whilst understanding the District Council's views, the Parish Council were in support of the application with the proposed additional tree planting and cladding. He said that the economic contribution the school made to the area in terms of employment, local purchasing, and opening facilities to the public was huge and that if the school did not remain in Milton Abbas it would be a huge loss to the community.

The architect, Mr Watt, said that the proposal had been redesigned in response to the views raised at both the Parish Council and North Dorset District Council meetings. The mass of the building was the same but the roof now had lower overhanging eaves. It was intended that the cladding used would blend with the area and a sedum roof would be used. Proposed glazing had been removed from some elevations to reduce the potential for light pollution and he confirmed that the school

did not propose to light pathways from the school to the boarding house. He advised that advice had been taken from English Heritage in preparing the design which had been created for phased construction. He indicated that the applicant would be prepared to accept a possible split decision ie permission for part of the phased proposals.

The headmaster, Mr D'Aeth, explained that the school was responsible for the maintenance of the historic buildings on site and that the costs for this were rising. In order to meet these additional costs the school proposed to increase its intake of pupils to a maximum of 290. He said that the school didn't want to do anything that would damage the parkland setting, and had taken English Heritage advice in preparing the proposals. Extension of the existing headmaster's house was the school's preferred site as it was the best area to ensure security of the pupils and would enable phased development and it fitted in with the social areas of the school. He said that Site 2 was not suitable for a number of reasons and emphasised that the Governors welcomed and encouraged conservation of the site and tree management plans within the part of the Listed Park the school owned. He said that the long term future of the school depended on the boarding house being built.

Local Member

Cllr Cox expressed the view that the Listed Park had been graded for its historical importance, and not its beauty and talked of how it had evolved. He was concerned about who would maintain the Park if the school were not on site. He felt that the proposals blended in well in a corner of the Park and quoted from Bill Bryson of CPRE who talked of managing the local environment.

Cllr Mrs Jones added that the school had grown over the years but had always kept this low key ensuring that they maintained the beautiful setting. She didn't think the proposal was detrimental to the setting and was needed to enable the school to operate its business effectively.

Members' questions

In response to a question from Cllr Fox, the Committee were advised by Mr Watt that the cladding would be cedar or chestnut without stain to enable it to blend into its surroundings effectively. The headmaster also confirmed that there would be no lighting between the school and the boarding house and he was not concerned that this would be a safety or security issue.

Members' debate

The Chairman felt that it was necessary to ensure that the existing buildings could be maintained and the school needed the boarding house to be able to increase funds to enable this to be done. He didn't think the proposal had an overly adverse impact with background screen and a sedum roof.

Members felt that as the site was already developed the impact was not as severe as if there was nothing there. They also felt that the proposed buildings were an improvement on what was on site already.

RESOLVED: Members were **MINDED TO APPROVE** planning permission subject to conditions and an amended landscaping scheme being brought to the Committee for approval.

Reason for Decision:

The proposed extensions were in keeping with the landscape and would not have a detrimental affect on the AONB, the conservation area or the Listed Park and would have only a limited affect on the Listed Building.

Human Rights:

This resolution is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

APPLICATION:	2/2008/0070 Duncliffe, Poplar Hill, SHILLINGSTONE Full Planning (Minor)
Proposal:	Erect two storey side extension
Applicant:	Mr and Mrs Walker
Case Officer:	Miss Hannah Powell

Officer appraisal

The Case Officer presented the application for a two storey side extension showing location and elevation plans. The design was considered appropriate for the area and was in line with both North Dorset and National Policies.

RESOLVED: To **APPROVE** planning permission subject to the following conditions:

- 1.FR11 - COMMENCEMENT (FULL PERMISSION)
- 2.MT04 - MATERIALS (MATCHING)
- 3.PK02 - ACCESS, TURNING, GARAGING, PARKING PROVISION
- 4.AC05 – ACCESS CROSSING CONSTRUCTION
- 5.DR10 – SURFACE WATER DRAINAGE – APPROVAL PRIOR TO DEVELOPMENT

NOTE IF12 - (VEHICLE CROSSINGS)

Reason for Decision:

1. In reaching this decision the policies in the Development Plan for the area, which currently comprises the Bournemouth, Dorset and Poole Structure Plan 2000 and the North Dorset District Wide Local Plan (First Revision) 2003, were taken into account. This includes specifically the following policies: 1.8, 1.24, 2.11.

2. Policy 1.8, 1.24 and 2.11 are complied with as there will be no detrimental impact on the amenity of surrounding land users, the character and appearance of the conservation area will be preserved, and the extension is a subsidiary addition to the dwelling.

Human Rights:

This resolution is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.