

NORTH DORSET DISTRICT COUNCIL

MINUTES OF THE DEVELOPMENT CONTROL COMMITTEE MEETING HELD ON TUESDAY 14 FEBRUARY 2012 AT 10.00 AM IN THE COUNCIL CHAMBER, NORDON, SALISBURY ROAD, BLANDFORD FORUM, DORSET

Present:

Committee Members:

Bill Batty-Smith MBE (Chairman)
Esme Butler
Charles Dowden
Vic Fox
Joe Hickish
Su Hunt
Mervyn Jeffery
Sherry Jespersen
Geoffrey Miller
Val Potheary
David Walsh

Apologies:

David Milsted

Officer, North Dorset District Council:

John Hammond, *Acting Development Control Manager*
Jacqui Andrews, *Democratic Services*

Case Officers:

Hannah Smith
Andrew Williams

Officers, Dorset County Council

S Savage, *Senior Engineer, Development Liaison, Dorset County Council*

42. **DECLARATIONS OF INTEREST**

Cllr Potheary declared a personal interest in application number 2/2011/1265 as the applicants were friends, although they rarely met.

43. **MINUTES**

Resolved

The minutes of the meeting held on 17 January 2012 were confirmed as a correct record and signed by the Chairman.

44. **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;

45. **PLANNING APPEALS**

The Committee noted the report of the Development Control Manager for the period between 9th January 2012 and 3rd February 2012.

The meeting closed at 15.05 pm.

CHAIRMAN

UPDATE REPORT

APPLICATION:	2/2010/1222 Tesco Store Ltd, Stour Park, BLANDFORD ST MARY Full Planning (Major)
Proposal:	Erect extension to existing store and install mezzanine floor to accommodate café. Create 113 additional car parking spaces (change existing floor layout and demolish part of west elevation).
Applicant:	Tesco Stores Ltd
Case Officer:	Hannah Smith

Officer Appraisal

The Case Officer reminded the Committee that the application had been deferred from their meeting in December to officers to review the more recent application for developments including a retail store on land off Shaftesbury Lane Blandford . She advised the Committee that an update report set out officers initial appraisal of the later scheme which led them to conclude it did not represent a material factor that would require further delay in the determination of the Tesco application. She presented her report showing all relevant plans, drawings and photographs. She advised the Committee that since writing the report a further 7 letters of support and 11 letters of objection had been received on the same issues raised in earlier letters. Under PPS4 the site was classed as out of centre and there was a public footbridge linking the site to Stour Park and the Town Centre. The Case Officer described the site which was bounded by the A354 to the East and the Brewery to the West, with B1 class businesses adjoining the area. The site was outside of the AONB and not within the setting of any listed buildings. However, the site was within the Conservation Area and there was an area Tree Preservation Order covering all the trees. The Case Officer reminded the Committee that there had been significant planting around the site when the Tesco store was originally constructed and Members were shown the current layout and elevations of the store and it was pointed out that the store had a low profile roof which was required by the original application. The proposal for consideration was for an additional 113 parking spaces, to relocate the service yard and erect an extension over the area currently used as a service yard. She confirmed that it was not intended to increase the overall height of the building. The Case Officer showed the proposed layout and elevation plans, and pointed out that there would be a need to remove some of the existing tree planting. Concerns were raised about this issue and the applicants had now enhanced their proposed planting scheme, particularly in the new car parking area and around the new service yard. Due to concerns raised in respect of the impact of the proposals on the Conservation Area, a green wall was proposed to soften the impact of the extension.

The Case Officer confirmed that the pedestrian path from the entrance of the store to the existing bus area would be retained, and she felt that pedestrian safety would be improved when the service yard moved as pedestrians currently crossed the entrance used by large goods vehicles.

The Case Officer said that the land was allocated as employment land in the Local Plan and the harm of loss of this land had to be balanced against any benefit achieved by the extension to the Tesco store. She said that the proposals by reason of the use of an established retail site layout were considered to be a relatively efficient way to achieve retail benefits which officers felt in this instance outweighed the loss of some 0.42 hectares of employment land.

The Case Officer highlighted the off-site highway works including 2 new pedestrian crossings and proposed alterations around the filling station to try to alleviate any potential congestion. She said that the applicant had demonstrated that the existing Wimborne Road roundabout had adequate capacity to deal with any additional traffic and it was proposed to move the bus stop in agreement with the bus companies. There was sufficient disabled parking provision on site.

The Case Officer went on to talk about Retail Impact and PPS.4. To assess this issue fully Officers engaged consultants to advise upon the merits of the proposal and had looked at the sensitivity test carried out by the applicant, and the Council had also looked at the level of turnover in the town and the anticipated population growth. It was predicted that the extension would divert approximately £3million from the town centre potentially causing harm to existing businesses. The Case Officer said that the applicant had put forward mitigation proposals that were set out in the report. In summary these were proposals looking at a refresh of the town, including improvements to pedestrian links, £100,000 towards shop front enhancements and also empty property improvements. The Case Officer pointed out that the sequential test in PPS.4 was met as there were no other suitable sites available. With regard to the suggestion that determination of the Tesco application was delayed until the Asda application could be considered alongside it, the Case Officer reminded Committee that officers had sought advice including legal advice on this matter and considered that there were not sufficient grounds to delay the determination of the Tesco application which subject to the enhancement works identified in the report was now considered acceptable in its own right.

The Senior Engineer for Dorset County Council said that a Transport Assessment had been submitted and the final version met with the approval of the Highway Authority. He said that subject to mitigating measures, the proposals would not adversely impact the strategic highway network, and the scheme was recommended for conditional approval.

Public Participation

County Councillor Cooper expressed concern that the additional trip generation would result in traffic backing up to the roundabout on the bypass. He was also concerned that enhancements in the town centre would affect traffic flow which was already an issue. He asked if the owners of land not in the Highway Authority's ownership had given their permission for the proposed enhancements as he was concerned that some of the proposals would not come to fruition. Cllr Cooper was concerned that the increase in the size of the Tesco store would have an adverse impact on the town centre.

Cllr Harrocks spoke on behalf of the Town Council that had decided not to reaffirm its support for the Tesco application, but requested that the Tesco and Asda

applications were considered together. Town Councillor White also added that the Town Council were disappointed that they had not been consulted on the proposed enhancements within the town. The Case Officer pointed out that when the scheme was drawn up the Council's Regeneration Officer and Community Partnership were engaged and in addition the local District Council members had been consulted and were involved in the process.

Parish Councillor Mr Albery said that the Blandford St Mary Parish Council were in full support of the application. They were delighted to see the proposals for pedestrian crossings and felt that it would serve well the potential future developments in the village and would be good for the community.

Mr Bellman had successfully run a business in Blandford for 30 years that was now based at premises adjacent to the application site. He didn't agree that the Tesco application should be considered in isolation from the Asda application as he suggested that if the Tesco application was approved no other company would want to come to the town and he suggested that competition was greatly needed. Mr Bellman pointed out that an additional store would provide healthy competition but would also attract shoppers from outside of the area who would bring additional wealth to the town. Mr Bellman's business was situated in 1 of 4 prestigious office buildings on land adjacent to the application site. He said that Tesco had allowed the land, that was allocated for business use, to lay dormant for years and were now proposing to site a car park and service area. Mr Bellman was concerned that this created a safety issue for his staff and customers and also for others using the pedestrian area, as large lorries would be reversing in and out of the service yard. He asked the Committee to insist that the service access remained in its current position and was widened to the same width of the Hall & Woodhouse access that was opposite.

Mr Drummond was working with Asda in preparing an application to include a new store and business centre at Higher Shaftesbury Lane, providing employment opportunities for start-up businesses and also for young people. A number of colleges had expressed interest in Asda's proposals. There would be the creation of new jobs. He said that objections were being raised in respect of the Tesco application on the grounds of amenity, highways issues and to the proposals being contrary to policy. Mr Drummond pointed out that the decision was very important to the well-being of the town and he urged the Committee to defer determination of the application so it could be considered at the same time as Asda's application.

Mr Sprague of Telesoft Communications occupied premises to the north of the development site and agreed with the comments made by Mr Bellman with regard to safety of pedestrians including his staff and customers. He said that it would be difficult for lorries using the service yard and they would be turning vehicles in an area used by children on their way school, the skate park and also users of Stour Meadows and people walking to town. Mr Sprague was also concerned about the security of his own business. He pointed out that the site had been identified as a key area for office development and he felt that its use as a car park and service yard would diminish the value of the neighbouring offices.

Mrs Way was very concerned about the application from Tesco being considered in isolation and felt that the Committee should not make its decision without considering the application from Asda. She felt that the town could not sustain 2 stores of this

type and considered that the Tesco and Asda applications should be considered side by side to enable the right decision to be made for Blandford and its residents.

Mr Hopkin, Store Manager for Tesco at Blandford said that he had been in post for 7 years, having spent a year at the Blandford store. He said that when the store was originally built some 17 years ago the town was much smaller. During customer question times carried out in store, 90% of respondents said that they would like a bigger store with bigger ranges, a café and more non-food items. He advised that residents had said that they often travelled to use the store at Poole as they couldn't get what they wanted in the Blandford store. Mr Hopkin said that Tesco were a great employer and hoped to take on many more staff. He said that with rising fuel costs people wanted to be able to get the goods they wanted without having to travel out of the town.

Mr Hooper spoke on behalf of the applicant. He said that they had been negotiating with the Council for approximately 18 months to develop a proposal that was satisfactory. Mr Hooper said that 35 letters of support had been received and that 90% of people attending a public exhibition were in support of the proposals. He referred to a report by an independent retail advisor that said that the proposal would increase choice and improve pedestrian links to the town centre and would also claw back shoppers travelling to places such as Poole and Yeovil. The proposals would also create about 125 new jobs. Mr Hooper referred to other benefits including £457,000 contribution to town centre enhancements and shop front improvements. He said that the small loss of employment land would not prevent the District Council meeting its needs. He didn't believe there were any grounds to defer the application further and felt this would simply frustrate the town centre enhancements and highway improvements.

Local Member

Cllr Stayt supported the application but said that he was concerned that it was not being considered with the application from Asda.

Members' questions and debate

The Chairman invited the Planning Policy Manager to comment on the issue of loss of employment land. The Manager said that the area adjacent to Tesco would normally be for B1, B2 or B8 use. However, the 0.42ha of land affected was a small area of part of the wider Brewery site where there were other employment opportunities. Whilst the loss of employment land was recognised, it was felt that the benefits outweighed the loss of this allocation. Referring to the land at Shaftesbury Lane in Blandford, this was also allocated as an employment site but involved the loss of 3.4ha of employment land which was 8 times that which would be lost if the Tesco application was approved. Whilst it had been suggested that the land at Tesco could attract higher end employment users, the Manager pointed out that these users could also use the land at Higher Shaftesbury Lane.

Cllr Butler asked if any assessment had been made of the effect on the traffic flow through the town centre of users of Tesco. The Senior Engineer for Dorset County Council said that the roundabout at Wimborne Road would not be adversely affected and it hadn't been considered necessary to look at vehicular movements through the town centre. Cllr Butler also expressed concern that the location of the bus stop

would cause traffic to queue through Blandford St Mary and that the pedestrian crossing would exacerbate existing problems.

Cllr Dowden asked how the proposed service yard would compare with the existing yard, and whether the entrance was larger enabling lorries to enter in forward gear. The Senior Engineer said that the entrance was sufficiently wide and it was considered that the proposed access was safer for pedestrians than the existing arrangement. In response to a question from Cllr Jespersen, the Senior Engineer confirmed that the constraints of the site meant that the gates could not be set in as this would hinder movements on site.

The Acting Development Control Manager sought to clarify the position regarding requests that the Tesco application should be deferred to enable it to be considered with the Shaftesbury Lane application. Having taken legal advice he said that it was clear that it was the Committee's duty to make a decision on the planning application before it and to treat the application on its own merits. He said that there was a degree of harm that Tesco had proposed mitigation for. The Acting Manager said that the scheme at Shaftesbury Lane was not currently free of concerns and these were set out in the update report. The application which would need to be worked on so the Committee had no choice but to proceed with the application before them and the Shaftesbury Lane would be brought forward once it was ready.

Cllr Hickish sought information on the shop front and empty property enhancements. The Case Officer said that the Regeneration Manager had run a similar scheme before and it was where individual shops were assisted with the financial burden of maintaining listed or otherwise historically important buildings to improve the appearance of the town.

Cllr Hickish felt that the Committee would be doing the town a dis-service if it determined the Tesco application without taking into account the application by Asda. He felt that the Tesco application should be deferred and brought forward at the same time as the Asda application. Cllr Walsh also expressed concern about determining the application in isolation as the decision would have a big impact on the town.

Cllr Fox expressed concern about the length of road between the roundabout and the entrance to the Tesco site where it was intended to install a pedestrian crossing. He felt that this was a very short stretch of road and was concerned that the cars would soon back up affecting the main roundabout. This would be exacerbated by the location of the bus stop. Cllr Fox also referred to the Council's policy regarding car park charges. He suggested that if the car parks at Morrisons and Co-op were free then these stores might receive additional trade. He felt that the issue of free parking should have been considered as part of the report. Cllr Fox said that he was aware of shoppers that travelled out of the area to get a wider range of goods and he believed there were no reasons for refusal of the application, so proposed the officer recommendation which was supported by Cllr Dowden.

Cllrs Hickish and Butler were both minded to recommend deferring the application and the meeting was adjourned at 11.30 am in order that they could give consideration to the grounds they would put forward for making such an alternative proposal. The meeting reconvened at 11.55 am when Cllrs Hickish and Butler confirmed that having considered their proposal in more detail in light of the

previously provided legal advice they reluctantly accepted that they were no planning grounds to defer the determination of the Tesco application any longer.

RESOLVED: To **APPROVE** planning permission subject to the applicant entering into a S.106 agreement to secure the identified town centre enhancements, and also subject to the following conditions:

1. FR11 - Commencement (Full permission)
2. FR14 - Approved plans and drawings
3. LS12 - New planting
4. LS14 - Fencing & Boundary treatment
5. BS08 - External lighting
6. MT02 - Materials (Samples for approval)
7. PK04 - Parking / unloading provision
8. Prior to the commencement of the development a scheme shall be submitted to the Local Planning Authority to show how the access currently serving the site's service yard will be permanently stopped up and abandoned. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority in conjunction with the Local Highway Authority. The approved scheme shall be constructed upon substantial completion of the new access or before the development is occupied or is brought into use (whichever is the sooner).

Reason: In the interests of highway safety in accordance with Transport Policies A, E and V, Environment Policies F and H and Implementation Policies A, D and E of the Bournemouth, Dorset and Poole Structure Plan and Policies 1.1, 1.2, 1.8, 5.1, 5.2, 5.3, 5.4, 5.7, 5.8, 5.11, 5.12 and 5.14 of the North Dorset District Wide Local Plan (First Revision).

9. Before the development is brought into use the first 18.50m of the access crossing serving the proposed store service area, measured from the nearside edge of the carriageway, shall be laid out, constructed, hardened and surfaced, to the specification of the Local Planning Authority in conjunction with the Local Highway Authority.

Reason: In the interests of highway safety in accordance with Transport Policies A, E and V, Environment Policies F and H and Implementation Policies A, D and E of the Bournemouth, Dorset and Poole Structure Plan and Policies 1.1, 1.2, 1.8, 5.1, 5.2, 5.3, 5.4, 5.7, 5.8, 5.11, 5.12 and 5.14 of the North Dorset District Wide Local Plan (First Revision).

10. The following works shall be completed in full to the specification of the Local Planning Authority in conjunction with the Local Highway Authority prior to first use of the extension hereby permitted:

1. The re-location of the bus stop on the access road from the Bournemouth Road roundabout,
2. The proposed pedestrian crossing facility on the access road from the Bournemouth Road roundabout,
3. The proposed improvements to the petrol filling station as shown on drawing number 6591_PL07 received on 1 September 2010.

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed in accordance with Transport Policies A, E, F, G, H and V, Environment Policies F and H and Implementation Policies A, D and E of the Bournemouth, Dorset and Poole Structure Plan and Policies 1.1, 1.2, 1.8, 5.1, 5.2, 5.3, 5.4, 5.7, 5.8, 5.11, 5.12, 5.14 and 5.17 of the North Dorset District Wide Local Plan (First Revision).

11. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 and the Use Classes (Amendment) Order 2005 (or any Order revoking and re-enacting those Orders, with or without modification), the development shall accord with the following provisions:

(a) No more than 25% (766 sqm) of the net retail floor area of the retail store area taken as a whole shall comprise non-grocery comparison goods comprising clothing, footwear, household and recreational goods.

(b) The remaining 75% (2,297 sqm) of the net retail floor area of the retail store taken as a whole shall be restricted to convenience sales restricted to the provision of everyday essential items, including food, drinks, newspapers/magazines and confectionery.

(c) The net sales area of the whole store shall not exceed 3,063sqm.

Reason: To safeguard the vitality and viability of the town centre in accordance with policy 1.1, 1.8, 3.15, 3.19 and PPS4.

12. Development hereby permitted shall not be commenced until a surface water drainage scheme for the site, based on the approved flood risk assessment prepared by Pinnacle Consulting Engineers Ltd. Rev A dated 11 August 2010, including an assessment of sustainable drainage principles and of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the agreed details prior to first use of the extension hereby permitted. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increase of flooding, and ensure future maintained of the surface water drainage in accordance with policy 1.8 of the Local Plan and PPS25.

13. LS15 - Landscape management plan

14. MT06 - Brick bond / stone coursing

15. Sustainability Measures

16. NOTE IF12 - (Vehicle crossings)

Policy Considerations:

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: 1.1 (Sustainable Development), 1.8 (General Assessment Criteria), 1.33 (Landscape Character), 1.24 (Conservation Areas), 1.40 (Landscaping New Development), 3.1 (Employment Sites), 3.3 (Retention of Employment Areas & Uses), 3.15 (Promotion of Shopping Centres), 3.19 (Out of Town Centre Retail Development).

The development would help to meet the operational requirements of the existing store, provide a greater consumer choice and range within Blandford resulting in a degree of trade clawback and reduction in car trips, and create approximately 125 new and full-time employment opportunities. The proposal incorporates a contribution towards targeted town centre improvements that have been specifically developed to mitigate the harm that has been identified in terms of the impact of the proposal on the vitality and viability of Blandford Forum town centre.

The development would lead to a loss of employment land, contrary to the aims of the Local Plan. However overall, with the mitigation outlined above, on balance the benefits of the scheme are considered to outweigh the loss of employment land on

this site. The 0.42 hectare loss of employment land is considered to be an efficient way to deliver the retail benefits of the proposal, in a location that is out of centre, but with pedestrian links to the town. Therefore although the proposal will result in a loss of employment land country to employment policies of the Local Plan, the increase in the range and choice of goods, opportunity for retained expenditure, job creation are considered to outweigh this harm. With the mitigation outlined above, the proposal is considered to accord with the aims of PPS4 and policy 3.19 of the Local Plan and Shopping Policy A of the Structure Plan.

The site is located within a Conservation Area. The design of the building and the enhanced landscaping scheme submitted in the course of the application is considered to mitigate the loss of vegetation on the northern site of the site, and enhance the appearance of the building to the west with the addition of climbers and new planting. The use of brick on the exterior walls is considered acceptable within the Conservation Area. As such the proposal complies with the provisions of policy 1.24 of the Local Plan, ENQ of the Structure Plan and PPS5.

The proposal does not directly impact protected species or their habitats in accordance with policy 1.38 of the Local Plan, ENG of the Structure Plan and PPS9. The amenity of surrounding land users including residential properties to the south would be safeguarded in accordance with policy 1.8 of the Local Plan. Sustainability principles such as a combined heat and power instillation, rain water harvesting and energy efficient appliances form part of the proposal in accordance with policy 1.1, PPS1 and the Accompanying Guide, PPS4 and PPS25.

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.

SITE VISITS

APPLICATION:	2/2011/1265 Land at Okeford Hill (e) 380999 (n) 110235, Back Lane, OKEFORD FITZPAINE Full Planning (Major)
Proposal:	Erect 1 No. single storey dwelling, 1 No. mobile home, stables to house 26 horses and create 5 No. parking spaces.
Applicant:	Mr R Alner
Case Officer:	Hannah Smith

Officer Appraisal

The Case Officer presented her report showing all relevant plans, drawings and photographs. She explained that there had been previous applications refused on landscape and ecology issues. She advised Members that an AONB covered the whole site which was outside the village Conservation Area. The Officer showed layout plans and from where it was proposed that the site should be accessed.

There were two rights of way giving public access to the site. Since the last meeting sites for the possible construction of passing places had been identified and the Senior Engineer for Dorset County Council had confirmed that these could be constructed within highway land. The Case Officer said that some cut and fill would be necessary to level off the land and pointed out that the proposed buildings were now sited in a more appropriate location lower down the scarp. Tree planting was proposed across the site. The Case Officer said that further representations had been received objecting to the scheme on PPS7 Annex A financial test and also objections from CPRE. The Officer said that the County Land Agent had stated that the applicant met the requirements of PPS7, as he considered that this was an established business seeking relocation and he was satisfied that the financial test was met. The Case Officer said that the impact on the AONB, with appropriate mitigation, was not considered to be unreasonable. She pointed out that a Travel Plan was not required so this should be removed from the conditions if Members were minded to approve the application.

The Senior Engineer for Dorset County Council referred to local concerns about the capacity of Back Lane. He said that the application site was served by a public highway that was partially metalled past the residential properties and then became unsurfaced highway. He said that low vehicle speeds were likely because the lane had become rutted and was very narrow. The Senior Engineer gave details of the daily movements that had been detailed to the Highway Authority amounting to approximately 1 small horse box per day (more likely to equate to 4 movements per week), 2 trips from vets or farriers per day and 22 trips in and out per day for staff and carers. There would be 1 lorry with feed per month. The Senior Engineer referred to the 2 passing places that had been negotiated and said that the access for fire tenders was a building regulation issue and not a planning issue for the Committee to consider. The Senior Engineer pointed out that there was currently no control over the use of the access and the application enabled some control to be achieved.

Public Participation

Parish Cllr Mike Burt advised that the Parish Council did not agree that the access was suitable for this type of development and this was a low priority road for maintenance. The Parish Council didn't believe the lane could support 22 movements per day in and out of the site without maintenance being required. He said that the lane was generally used for recreation now and he was concerned that a vehicle would not be able to stop sufficiently quickly if it came across pedestrians using the lane and the Parish Council was concerned about the potential for accidents.

Mrs Keene, speaking for the CPRE, showed a number of aerial pictures of the area that she said identified creeping development in the AONB circling the village. She felt it would be very sad to allow further development encircling the village separating it from the AONB. She said that the CPRE objected to the scale of the business, and the large scale buildings with lots of hard surfacing. Mrs Keene also said that she didn't consider that this was an established business seeking relocation as it was moving too far from its original location. There was also concern that conditions would not be met and would be costly and difficult to enforce. The proposals did not protect or enhance the AONB and the CPRE were of the view that this was a bad site

for a business. She urged the Committee to refuse the application to protect the AONB.

Mrs Trowbridge suggested that the information provided regarding compliance with PPS7 was misleading and untrue. She said that the applicants business had been wound up and that the accounts submitted were out of date. She referred to the report of the County Land Agent that stated that this was a well-established business but Mrs Trowbridge felt that it no longer existed. She also questioned the accuracy of the information submitted with the application and felt it didn't meeting national or local plan policies. Mrs Trowbridge also said that she had evidence that the badger sett on site was active.

Mr Moore referred to the huge increase in the number of stated traffic movements to 22 trips per day which were of concern to him. He also felt that the accounts submitted by the applicant were out of date and that the traffic statement didn't include sufficient information. He felt that Back Lane was not safe and that the blind bend by Shillingstone Lane did not meet highway standards. Mr Moore was very concerned about who would maintain Back Lane in future which he felt would be further eroded by the additional 22 vehicle movements per day. He was also concerned about the impact on the Conservation Area. Mr Moore also expressed the view that the financial information supplied did not meet the requirements of PPS7.

Mrs Bassett spoke in support of the application. She said that the applicant was seeking to support a local country family needing this type of business and she hoped the Committee would support the application.

Mr Walford was a professional jockey who had worked with the applicant for 12 years. He lived in the village with his partner and his child attended the local school. He said that accommodation was required close to the gallops to make the business viable. We said that the larger horse box was only used in the racing season. He said that the gallops were excellent for increasing the fitness of the horses and the rest of the time the area would be used for breaking horses and general exercise.

Mr Brimble spoke as agent for the applicant. He said that this was a family business and the County Land Agent was satisfied that this was the relocation of a well-established existing business. Mr Brimble said that PPS7 stressed the importance of the rural economy and the training of race horses was specifically mentioned. He said that the Parish Council were concerned that Back Lane was dangerous with traffic moving at high speeds but Mr Brimble suggested that this was not the case as there were parked cars along the road that necessitated lower speeds. He said that there was very little traffic on Back Lane and the traffic movements stated by the applicant were an absolute maximum and wouldn't adversely affect the Lane.

Members' Questions and Debate

Members sought clarification on the status of the business. The Case Officer confirmed that when the applicant first submitted the application the business was still trading at Locketts Farm and the County Land Agent had confirmed that the applicants still met the financial test as relocation of an established existing business. The Case Officer also clarified that the building would be tied to the stables by condition and that the SNCI Management Plan would be tied to the site. The protection of badgers would be covered by condition.

RESOLVED: To **APPROVE** planning permission subject to completion of a S.106 agreement to secure the long term management of the SNCI, a provision restricting separate disposal of the land and confirmation in relation to the PPS7 Annex A financial test, and also subject to the following conditions:

1. FR11 - Commencement (Full permission)
2. FR14 - Approved plans and drawings
3. LS12 - New planting
4. LS14 - Fencing & Boundary treatment
5. LS15 - Landscape management plan
6. LS16 - Landscape maintenance
7. ME02 - Hard surfaces
8. MT02 - Materials (Samples for approval)
9. Prior to first occupation of the dwelling or mobile home the stables shall be completed in full and ready for occupation.
10. BS08 - External lighting
11. DR01 - Foul & surface water drainage
12. OC01 - Agricultural occupancy
13. PK02 - Access, turning, garaging, parking provision
14. Construction traffic management plan The development hereby permitted shall not commence until a Construction Traffic Management Plan and programme of works has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include construction vehicle details (number, size, type and frequency of movement), delivery hours and contractors' arrangements (compound, storage, parking, turning, surfacing, drainage.etc). The development shall be carried out strictly in accordance with the approved Construction Traffic Management Plan. Reason: In the interests of road safety and in accordance with policy 1.8 of the North Dorset District Wide Local Plan, First Revision.
15. BAT AND BIRD BOXES
16. ECOLOGY MITIGATION AND MANAGEMENT PLAN

Policy Considerations:

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: 1.1 (Sustainable Development), 1.8 (General Assessment Criteria), 1.32 (AONB), 1.33 (Landscape Character), 1.38 (Protected Species), 2.16 (Exceptions Dwellings).

The business is clearly planned on a sound financial basis; there is a functional requirement for at least two key workers to live on site and up to tree grooms. There is an advantage in operational terms resulting from the stables being located adjacent to the gallops. The development is considered to accord with the provisions of policy 1.6, 1.8 and 2.16 of the Local Plan.

The proposal results in a degree of visual impact within the AONB however this can be adequately mitigated through a comprehensive management scheme. On balance the proposal is not considered to cause unacceptable harm to the scenic qualities of the AONB in this location towards the foot of the scarp in accordance with policy 1.33 and 1.32 of the Local Plan.

Through the implementation of a SNCI Management Plan and an Ecology Mitigation Plan, the environmental and ecological interests of the site will be safeguarded and enhanced in accordance with policy 1.8 and 1.38 of the North Dorset District Wide Local Plan.

The proposal does not give rise to unacceptable traffic impacts and the amenity of residential properties in Back Lane will be safeguarded.

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:	2/2011/1380 1 Church Close, TODBER Full Planning (Minor)
Proposal:	Erect two storey extension.
Applicant:	Mr J Clarke
Case Officer:	Robert de Ferry Foster

RESOLVED: To **DEFER** consideration of the planning application to enable further clarification on a number of issues.

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.

NEW APPLICATIONS

APPLICATION:	2/2011/1334 Land off Common Drove, CHILD OKEFORD Full Planning (Minor)
Proposal:	Change of use to tepee and yurt campsite with ancillary buildings, 10 No. parking spaces and 10 No. solar panels (E383773 N113760)
Applicant:	Mr J Parker
Case Officer:	James Lytton-Trevers

Officer Appraisal

The Acting Development Control Manager presented the Case Officer's report showing all relevant plans, drawings and photographs. He identified the location of

the site within the village of Child Okeford, and pointed out the location of a number of rights of way. He said that the proposal was for a low-key dispersed site with a timber-clad shower facility. The Acting Development Control Manager said that although the site was well screened, it would be visible from Hambledon Hill. Members were reminded that the Local Plan was supportive of holiday accommodation in sustainable sites, but comments had been received that previous caravan sites in the village had been unsuccessful. He advised that the Highway Authority said that the site, accessed from the trackway, would have low intensity use with good visibility at the access. The site would have solar powered sewage treatment works with a battery backup. Whilst the application was not for rural diversification of an existing building, the Committee could consider this type of development.

Public Participation

Parish Councillor Duke said that the Parish Council's concerns had been detailed in their letter sent to the Council in respect of the application. He highlighted the following points of concern to the Parish Council:

- The tourism benefits to local businesses were minimal.
- The fact that the structures were proposed to be constructed in timber did not make them temporary.
- The development would increase the number of car trips as there were only 4 buses a day to Blandford. The footpath to the village was very narrow and was not well maintained.
- The site would be visible from Hambledon Hill in the AONB even though it was well screened.
- Common Drove was the access to Bartletts that was regularly used by large vehicles all year round. There were no passing places so any vehicle would need to back onto the busy road to let another pass. It was also suggested that there was no evidence to back up the number of statement traffic movements.
- The ecology issues had not been adequately addressed.
- There were likely to be residential amenity issues with noise and cooking smells from the site.
- The site was a wetland, prone to flooding.
- The viability of the project had not taken account of the local area and the fact that all tourist attractions could only be reached by car.
- There was a question how the 28-day restriction on occupancy of temporary structures would be overcome for the full-time member of staff living on site.

Parish Councillor Duke said that this was a prominent site in the open countryside and the Parish Council recommended that a site visit was undertaken to enable the Committee to assess the potential impact on the countryside.

Mr Hooker, a local resident and biologist, purchased land adjacent to the site because of its peaceful location and the wildlife. He referred to the numerous species of bird that fed and roosted in the area which was an excellent stop-off particularly for wetland birds. Mr Hooker also advised the Committee that there were 23 entrances to the badger sett that was very active, and that there were numerous other species of mammals that could be found on and around the site. He expressed concern if dogs were brought on to the site that this would worry the local sheep and also have an adverse impact on the ecology. Mr Hooker was also concerned about

the peaceful enjoyment of his property as there would be noise disturbance from the occupants of the site.

The applicant said that he was proposing a low impact tourism development that would be marketed to couples and families who respected the environment. He was intending to carry out additional planting to screen the site further and the peaceful setting of the site was its unique selling point and he would not wish to destroy this. The applicant said that in his experience people would stay on site to enjoy the local area. The Environmental Health Officer had not expressed any concerns about the digester that was tried and tested technology and the Highway Authority had raised no objections. He felt that the proposal would achieve a net gain for the environment as if used for agriculture the site would be ploughed and drained.

Local Member

Councillor Jespersen didn't feel able to support the application in this location. She said that it was within the open countryside, it was an important wetland and would be visible from the AONB. She said that the site was not serviced by public transport and the village centre was a mile away. Cllr Jespersen believed that visitors would leave the site by car every day to visit other tourist attractions. She described the site as charming pasture and wetland with no buildings and she didn't agree that the proposal was for temporary buildings. She felt that the proposed development would create an unacceptable impact on the landscape that was not capable of mitigation, and any advantages to the community were not clear.

Councillor Croney was unable to attend the meeting but the Chairman read a statement that she had submitted as follows:

“Unfortunately I am unable to attend this morning's meeting and so I would appreciate if this email could be read to the committee in my absence.

I have previously expressed support for a number of development proposals that have been submitted with potential economic benefit to the local area.

The application before you today is for change of use and development of a field to support a business opportunity in the tourism sector and, in this instance, I share the concerns of local residents and the Parish Council.

The development will result in the loss of a natural habitat an important pasture land situated outside the settlement boundary of Child Okeford village.

I question the scope for additional tourism and holiday accommodation within Child Okeford. There are already, a number of campsites and B&Bs within the vicinity more than adequately serving the needs of the area.

The Officer's report explores the important issue of sustainability. North Dorset's sustainability strategy aims to minimise the impact of development within the countryside and encourage transport efficiency. I disagree with the conclusion drawn regarding the potential for reduced car usage and the accessibility provided by public transport.

The principal question for the committee is; does the potential for economic development of this pasture outweigh the harm and impact to the countryside? Previous applications for temporary development have been refused on this site and I see strong grounds for refusal of this application for permanent development, today.

If minded to approve this application, then I encourage the committee to take the opportunity for a site visit before making a decision on this application.”

RESOLVED: To **DEFER** determination of the application to enable a **SITE VISIT** to take place.

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:	2/2011/1399 Land at E386669 N119683 West of A350, West Melbury Farm, MELBURY ABBAS Full Planning (Minor)
Proposal:	Install 216 ground mounted solar panels.
Applicant:	Mr D Fear
Case Officer:	Andrew Williams

Officer Appraisal

The Case Officer presented his report showing all relevant plans, drawings and photographs, identifying the site and the proposed location of the panels that would be set out in 4 rows. He gave the dimensions of the panels and said that a stock proof fence would be erected around these. He said that with regard to the impact on the landscape, it was his view that this would not have a materially adverse impact and could be mitigated with hedging and banking. He said that the panels would also contribute to energy creation and reduction of CO₂ emissions.

Public Participation

The applicant’s agent said that his client currently experienced very high energy costs and wanted to reduce these. He said that the proposals met current energy guidelines and would enable removal of the current generator that would be of benefit to the local community and help to reduce CO₂ emissions. He suggested that the visual impact of the proposal would be minimal.

Members’ questions and debate

Members felt that it was necessary to ensure that high security fencing was not erected and were assured that this was covered by condition number 2.

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

1. FR11 - Commencement (Full permission)
2. FR14 - Approved plans and drawings
3. MT01 - Materials (Scheme approval)
4. If the use of the solar panels hereby permitted ceases to be operational for a continuous period of 12 calendar months or such other period of time as may be agreed in writing by the Local Planning Authority ('the Cessation Date'), within one calendar month of the Cessation Date, notification shall be made to the Local Planning Authority of the cessation, and a scheme for the restoration of that part of the application site shall be submitted in writing to the local planning authority, the scheme shall in particular make provision:
 - a. For the removal of the panels and any fencing;
 - b. For the restoration of that part of the application site to its previous condition; and
 - c. For the phasing of such restoration.

Upon approval, the scheme shall be implemented in accordance with the approved phasing details. In the event that no restoration scheme has been agreed by the Local Planning Authority within four calendar months of the Cessation, the panels and fencing shall be removed from the application site within one calendar month thereafter and the application site restored to its former condition all in such a manner and within such a phased time frame as the local planning authority shall at any time thereafter by writing specify to the then owner of the land.

Reason: To safeguard the character and appearance of the area in accordance with North Dorset District Wide Local Plan (First Revision) Policy 1.8 and 1.33 and Bournemouth, Dorset and Poole Structure Plan Environment Policy F and G.

5. The permission hereby granted is for the solar panels to be retained for a period of no more than 10 calendar years from the date of this permission. By no later than 10 years from the date of this permission, the solar panels hereby approved shall be permanently removed from the site unless an application for its renewal has been submitted to and approved by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with North Dorset District Wide Local Plan (First Revision) Policy 1.8 and 1.33 and Bournemouth, Dorset and Poole Structure Plan Environment Policy F and G.

6. No External lighting
7. LS12 - New planting
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order)(with or without modification) no means of enclosure shall be constructed within the application site or within land in the applicant's ownership in association or in connection with the development hereby approved unless previously agreed with the Local Planning Authority.

Reason: To safeguard the appearance of this area of open countryside in accordance with Environment Policies F and H and Implementation Policies A and D of the Bournemouth, Dorset and Poole Structure Plan and Policies 1.8, 1.33 and 1.32 of the North Dorset District Wide Local Plan (First Revision).

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: 1.1 (Sustainable Development Strategy), 1.8 (General Assessment Criteria), 1.23 (Setting of Listed Buildings), 1.33

(Landscape Character Areas), 1.32 (Areas of Outstanding Natural Beauty), 3.12 (Renewable Energy).

2. The proposed solar panels will not result in unacceptable harm to the character of the landscape. Sufficient information has been provided to demonstrate that the amenity of the landscape will not be adversely affected and that policies 1.8 and 1.33 of the Local Plan will be adhered to. There is a general presumption within policy 3.12, PPS22, PPS1 and the accompanying climate change PPS towards the promotion of green technology that contributes towards mitigating the affects of climate change. In view of the significant weight that should be attached to this aim, and in view of no other unacceptable harm resulting from the turbine, the proposal for the turbine within the AONB in this instance is acceptable and to complies with relevant policy.

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:	2/2011/1145 Fiddleford Mill, Fiddleford Mill Lane, Fiddleford, STURMINSTER NEWTON Full Planning (Minor)
Proposal:	Install Archimedes Screw hydropower turbine
Applicant:	Miss A Plunkett
Case Officer:	Hannah Smith

Officer Appraisal

The Case Officer presented her report showing all relevant plans, drawings and photographs. She described the site as being east of the main settlement of Sturminster Newton and well connected by public rights of way to the town centre. The site was within the high risk flood zone and adjacent to important Grade 1 and Grade 2 Listed Buildings being the Manor House and the Mill. She referred to a condition that had been suggested by the County Archaeologist to safeguard the site that should be included if members were minded to approve the application. The Case Officer said that no objections had been raised by the Environment Agency provided that the detail of the scheme was approved by them and there was passage for fish and otters. The development was in the setting that contributed positively to the important listed buildings and the Committee had to consider whether the development adversely harmed the setting making it unacceptable. The original proposal had included high security fencing that wasn't considered appropriate so this had been changed and the proposal was now felt to be more acceptable. The housing for the turbine would be clad with stained timber board and the turbine would generate enough power to supply approximately 35 houses. The Case Officer said that originally there were concerns about the demolition of an existing barn to enable

the structure to be erected but the applicant had shown how this could be achieved with damage to the barn. The Committee were advised that the Town Council had urged that the old Mill building should be used to house the turbine, but the applicants had felt that this was not possible.

Public Participation

Mr Hutton, the applicant's agent said that this was one of the best hydropower sites in the county. He said that the Town Council had asked that the old Mill was reused but doing this would require water to pass down a channel bypassing the Mill Pond ruining the important ecology of this pond. He said that the proposals before the Committee would not affect the water flow at all.

Town Councillor Fraser said that the applicants had tried to resolve the Town Council's main objections and hydropower was to be encouraged. However, it was felt that the ancillary works introduced an unfortunate industrial affect to the setting of the listed buildings and he urged the Committee to refuse the application and for the applicant to reconsider using the existing Mill.

Local Member

Cllr Fox said that he welcomed hydropower but, like the Town Council, would like to see the equipment housed in the existing Mill building. He said that the proposed position was in the most visible part of the site. He would have been happier if it was sited on the opposite site of the water where there was some tree screening. Cllr Fox didn't think the proposals were appropriate in the tranquil and beautiful setting.

Members' questions and debate

The Case Officer confirmed that the footpath would not be affected by the proposal except temporarily during any construction period.

RESOLVED: To **DEFER** determination of the application to enable a **SITE VISIT** to take place.

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:	2/2011/1415 Rolls Mill Farmhouse, Rolls Mill, STURMINSTER NEWTON Householder
Proposal:	Installation of a 15kW wind turbine
Applicant:	Mr C Oram
Case Officer:	Sam Harper

RESOLVED: To **DEFER** consideration of the planning application to enable further clarification on a number of issues.

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:	2/2012/0059 1 Chitcombe Barn, Chitcombe Farm Lane, WOOLLAND Householder
Proposal:	Erect boundary wall and porch (retrospective)
Applicant:	Ventures Capital Ltd
Case Officer:	James Lytton-Trevers

Officer Appraisal

The Acting Development Control Manager presented the Case Officer's report showing all relevant plans, drawings and photographs, and referred to additional correspondence received since the report was written objecting on the grounds that this was a retrospective application for piecemeal development, there was a history of planning refusals and there were questions of land ownership. The Manager pointed out that the applicant had sought to address the grounds for refusal given in respect of a previous application, varying the stepped wall to have a continuous slope with a half round capping, and also a flat roof to the porch.

Public Participation

Mr Maunders was speaking on behalf of his wife and his mother-in-law who jointly owned a neighbouring property and had had peaceful enjoyment of the property for over 40 years. He referred to a current appeal that was being heard. He suggested that the wall was not in keeping within the AONB and enclosed the footpath, clearly narrowing the road and causing problems for vehicles passing along the lane that was used by many vehicles. He didn't believe that changing the shape of the wall improved the situation and he referred to creeping development urging the Committee to continue to support the objectors.

Mr McLaughlin referred to previous applications for the porch and wall, and suggested that consideration of the application should be deferred until determination of the current appeal. He said that even with the proposed alterations, the brickwork still didn't match the barn which had become domesticated in appearance from the road which was supposed to have been avoided. He felt that the changes were so small that they didn't negate the previous concerns.

Mr Martin spoke for the applicant and said that the refusal reasons given by the Committee in respect of a previous application for the wall and porch had now been addressed by the applicant. The proposal was for a wall with a continuous slope with curved brick coping stones and the porch had been reduced with a simple flat roof on oak posts. The applicant felt that in light of this there should be no grounds for refusal. He said that the applicant had suggested that the appeal in respect of enforcement action be put on hold on the understanding that if permission was granted the work would be carried out within 3 months.

Local Member

The Chairman read a letter from Cllr Batstone, the Local Member, who was unable to be present as follows:

"I have received representations from the immediate neighbour, Mrs Mersh, and from the Parish Footpaths Officer, Mr McLaughlin, in respect of this application and have also previously visited the site and spoken at length to the applicant, including attending your previous site visit. I have also read the comments of the Parish Council.

It is for the Committee to decide whether the design amendments address their previous objections to these works. The objectors have long stressed that the wall and porch impinge on the highway and you, unfortunately, have had two conflicting views from the same County Council Department about the width of the highway, and you have to weigh those against each other.

The majority of responses from the parish raised no objection to this development, which is well away from the rest of the village down a farm lane. However, that relatively small collection of farm buildings has now become in effect a hamlet of five, soon to be six, houses, half in the control of one person and half not. The two objectors are those most affected and therefore holding the strongest views. The owner is to be commended for preserving his farm buildings but it should not be in a manner which causes a problem for those who have been there for many years".

Members' questions and debate

Members sought clarification on the issue of the wall's alleged construction on a public highway. The Acting Development Control Manager said that if the Committee approved the application it would be for the Highway Authority to take action against any obstruction of the highway.

Cllr Walsh expressed the view that the proposed wall was still over-bearing and the porch was intrusive. Cllr Jespersen suggested that the application could be refused on the grounds that a wall and porch in that place was not appropriate.

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

1. The works hereby approved shall be carried out to the satisfaction in writing of the Local Planning Authority within three months of this permission.

Reason: To safeguard the character and appearance of the area in accordance with North Dorset Local Plan (First Revision) policies 1.8, 1.32 and 2.11 and Bournemouth, Dorset and Poole Structure Plan Environment Policy G.

2. FR14 – Approved plans and drawings

Reason for Decision:

1. The design and location of the proposals are not to the detriment of the landscape of the AONB and highway safety.

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:

Local Plan:

1.29 Arch. Remains of Local Importance

1. 6 Development in the Countryside

1. 8 Standard Assessment Criteria

Structure Plan:

EN.G Conservation of AONBs

EN.S Local Arch. Remains/Setting

I.D Security, Safety & Amenity

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.