



	<p>Proposal <b>Alterations and conversion of attic space into additional living accommodation with dormer windows to rear elevation and rooflights to front elevation.</b></p> <p style="text-align: center;"><b>The committee resolved that it had: No Objection</b></p> <p>Reference <b>19/01557/FUL</b> Alternative Reference PP-07896063 Application  Validated Mon 18 Nov 2019  Address <b>Land Adjacent To Brook House Brook Street Milborne Port Sherborne Dorset</b></p> <p>Proposal <b>The erection of two dwellings, repositioning existing access gates and closure of existing access</b></p> <p style="text-align: center;"><b>The Committee resolved that it: Objected</b></p> <p>Members agreed that the Chairman would draft a response.  (A copy of the objection is attached to the minutes)</p> <ul style="list-style-type: none"> <li>▪ <b>18/02859/OUT – 30 dwellings Station Road</b></li> <li>▪ <b>18/02409/OUT – 10 dwellings Station Road</b></li> </ul> <p>Since the agenda had been issued the Clerk had received notification from SSDC that planning applications 18/02859/OUT &amp; 18/02409/OUT had been resubmitted to SSDC with new information.</p> <p>The Chairman noted that the Education Authority had objected to the 30 dwellings but not the 10. The applications appear to base a lot of their argument on the planning inspector being wrong to have rejected the appeal on the first planning application on this site. Some adjustment has been made to the offsite pavement, however the Chairman reported that the owners of the land know nothing about it. The Chairman confirmed that he owned the land on the other side of the road and had refused to sell it to the developer.</p> <p>The planning inspector had said in his refusal of the last application that this site was part of the countryside and that the development would sickout too much. The Chairman felt that neither plan did anything to address the inspector’s concerns.</p> <p><b>It was agreed that the Chairman would draft a response objecting to the plans for approval at the January meeting of Full Council.</b></p>
<p><b>5</b></p>	<p><b><u>Capital Projects for 2020/21:</u></b></p> <p>Possible projects that may require some funding next year are;</p> <ul style="list-style-type: none"> <li>▪ 30MPH Signs along Station Road.</li> <li>▪ Installation of a post along Station Road to mount the SID on.</li> </ul> <p>Estimated total cost £1,000. This will be put forward to Full Council as part of the draft budget.</p>
<p><b>6</b></p>	<p><b><u>Gauntlet Cottage:</u></b></p> <p>It was noted that the planning appeal had been turned down by the planning inspector.</p>
<p><b>7</b></p>	<p><b><u>Committees Terms of Reference:</u></b></p> <p>This had been emailed out to the Committee that day and had also been tabled. The Clerk reported to Members that he had made the original draft and had sent this to the committee Chairman (Cllr Tizzard) he had offered some amendments in return. Most of the changes had been accepted, one element that hadn’t been was the idea of giving delegated authority to the Chairman to respond to planning applications if there was not meeting to take the application to. It was not possible to give delegated authority to</p>

	<p>individual members and delegated authority can only be given to the Clerk; this was reflected in the draft before Members.</p> <p><b>It was proposed by the Chairman to approve the draft Terms of Reference and send them to Full Council for adoption, seconded by Cllr Campbell and resolved 4 In Favour - 1 Abstention / Against</b></p>
8	<p><b><u>Working Party Reports:</u></b>  <b>Redcliffe Homes (Wheathill Lane):</b>  Disappointing response to the Committees letter (as reported to the last Full Council meeting). Phone conference to be held with them on Thursday this week.  The Hub needs to be a usable building, the Council has no budget for further cost to bring it up to standard.</p>
9	<p><b><u>Update on S106, CIL and all related matters:</u></b>  <b>Springfield Road Playpark:</b>  Need to have a meeting with Rob Parr &amp; P&amp;E Committee Chairman to take forwards. Will happen in the new year.</p>
10	<p><b><u>Other Planning Updates:</u></b></p> <p><b>a) Neighbourhood Plan:</b>  The application to create a NP for the whole of the Parish has been accepted by SSDC. Consultation will take place over the next few months as to the preferred development sites within the Village.</p> <p><b>b) Construction Management of Active Sites:</b>  It was noted that the co-op and doctors surgery was being used by the workmen on the Bovis site, but that no one seems to mind.</p> <p><b>c) Local Planning Matters:</b>  (None)</p> <p><b>d) Highways Matters:</b>  (None)</p>

**End of formal meeting 20:10**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**MILBORNE PORT PARISH COUNCIL  
RESPONSE REGARDING APPLICATION 19/01557/FUL  
BROOK STREET, MILBORNE PORT**

**Executive Summary**

We thank SSDC Planning for the opportunity to comment upon this proposal.

The Planning Committee of Milborne Port Parish Council discussed this application in some detail during its meeting of 17 December, 2019.

We have no fundamental opposition to the principle of development of this site.

We object to the application in its current form, but believe that, if appropriately adjusted, the application would receive our support.

The main consideration is that the site does not appear to be large enough to accommodate the proposed two new dwellings and associated parking and garden space. We would be in favour of an application for one new dwelling of up to 3 bedrooms.

**Available Space, Off-Road Parking and Layout**

The proposal, as is, does not, in our understanding, provide enough parking spaces. We understand that four parking spaces would be below the level applicable under the Somerset County Council Parking policy, which would expect somewhere between five and six parking bays or garage spots (see Highways Comments).

We would generally prefer that the parking would be to the road side of the property, rather than to the more ecologically and environmentally sensitive north. However, we understand there is no facility to move the dwellings to the north due to flood considerations.

We note the creativity with which the applicant has sought to manage the limited space on the site, with the drive through arch to access parking to the north. However, this approach does not appear to be environmentally sound as it means that almost all walls are external, with consequent sub-optimal heat/insulation implications.

Our preference would be a single dwelling of up to three bedrooms. This would be roughly in the location of the building currently envisaged, but we would recommend that access to the parking area would be by the side of the property.

Four off-road parking spaces would be slightly more than recommended for a three bedroom property. However, a number of nearby residents have indicated their concern over the existing on-road parking arrangements and the impact that an additional property would have on capacity (see below). Hence, were four off-road bays provided rather than the three recommended under policy, this would limit the impact on-road and significantly enhance the sustainability of the development.

**Environment**

We note and welcome the detailed ecologist's report. For what is a small development this is significantly deeper than that observed in some larger applications. As a Parish Council we are required to bear in mind environmental considerations on any matter we consider. We feel that at the very minimum, all of the recommendations of the ecologist should be a condition of any approval.

However, we have a number of additional points.

The ecologist has indicated that the north end of the property, especially the existing tree line (which is to be retained) is used by bats for foraging and commuting. Whilst this is not an area of deep expertise, we understand that, in the event that the bats present are of species subject to the higher grades of protection, such as Lesser Horseshoe, or Bechstein, then the salient issue is their mere presence, rather than whether they roost or not. These bats have been definitively found or suspected at other sites within the village, and were they present at this site, then the applicant would potentially need to obtain a European Protected Species license. Failure to do so would, we understand, potentially be a criminal offence (for both the applicant and potentially anybody approving the application). We are not sure whether the absence of survey using a static detector to determine what type of bats are present fully complies with these regulations. We would anticipate that SSDC would have access to expertise which could determine this point. We reference the EU Habitats Directive, implemented in UK law by the Conservation and Natural Habitats Regulations of 1994, and the 2009 Simon Wooley vs Cheshire East Borough Council ruling, amongst various other pieces of legislation and case law in this regard.

The proposal includes the provision of generic bird boxes to mitigate against the impact of the development on birdlife, noting that the northern trees have a high likelihood of being nest

**Planning & Environment Committee** - Milborne Port Parish Council - 17<sup>th</sup> December 2019

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locations. Local residents have observed that one common species they see in the location are swifts and that this type of bird box is likely not suitable for swifts. We would ask that some swift boxes be added to or substituted for the more generic model currently proposed.

### **Access and On-Road Parking**

We note the observations of Highways in this regard with a request to have a more detailed submission made, especially with regard to splay distances and sight lines and would generally defer to the experts on this matter. However, we would observe that reducing the scope of the development to a single property would obviate the need to comply with the more onerous regulations affecting access for dual dwelling sites.

We have had a number of local residents set out concerns that the already limited parking on what is a relatively narrow road may be impacted by the development, even if this were reduced to a single residence. We would suggest that a condition or informative similar to that used for application 17/03985/OUT (adjusted for scale and context perhaps) might be appropriate for this application as well:

*" Notwithstanding the submitted indicative layout, the developer should be aware that the LPA would expect the submission of an analysis of the impact of the proposal on existing parking arrangements in and around the site, including the impact of any likely traffic regulation orders, to be submitted as part of any planning application. It is expected that the detailed layout will accommodate suitable parking provision for any parking, including on-street parking, that might be displaced from existing dwellings."*

### **Heritage**

We would defer to the views of the appropriate authorities on this point, but would anticipate that the applicant would liaise with the authorities in order to determine what type of building materials and facing would be viewed as appropriate. We note that the reasons for rejection of the 2013 application on this site included an objection to the proposed movement of the access point through the wall, and the type of render being proposed. This sort of hitch could be circumvented by understanding what SSDC feel would be acceptable and then submitting a corresponding amended application. The site is within our conservation zone, and great care should therefore be taken to ensure that the appearance of the buildings, and any changes to the existing walls, are sympathetic to the satisfaction of SSDC. We would be disappointed were such a dialogue not to happen and a viable application to be turned down on this point alone.

### **Other Issues**

We understand that the applicant has an outstanding planning issue elsewhere within Milborne Port with regard to the restitution of a wall. We believe that, provided a link can be made without breaching regulations, that any such outstanding issue be resolved prior to granting permission to a suitably adjusted form of this application.

### **Further Comment**

We note that this application has been filed in full, rather than as Outline followed by Reserved Matters. However, given the concerns expressed in 2013, and the comments noted above, we would anticipate that there will be further amendments to the application, and of course a number of consultees are yet to respond. The Parish Council reserves the right to make further comment as further detail becomes apparent.