

The Planning & Environment Committee

MILBORNE PORT PARISH COUNCIL

The Minutes of the Planning & Environment Committee meeting
held via Zoom video conference on:
Tuesday 19th May 2020 @ 6:45pm

Present:

Councillors: Mr R. Tizzard (Chairman), Mr T. Carty, Mr R Lockey, Mr A Fletcher

In attendance:

Miss N Hetherington – Deputy Parish Clerk

Public Question and Comment Time:

One member of the public was present, Helen Lazenby from Clive Miller Planning Limited on behalf of the owners of Meadow House (Item 4.4), who spoke in favour of the application and responded to comments made by residents via the SSDC planning website and to comments and questions from committee members.

Agenda Number:	Agenda Item:
1	<u>Apologies for Absence:</u> Tom Campbell.
2	<u>Declarations of Interest:</u> Cllr Carty noted that he owns property near Meadow House (Agenda Item 4.4)
3	<u>Adoption of previous committee minutes:</u> <ul style="list-style-type: none">Tuesday 21st April 2020 <p>It was noted that the formal adoption of the minutes taken at the last meeting on 21st April will take place when the committee next convenes in person. Please forward any comments on these minutes to Nathalie Hetherington as soon as possible if there is action to be taken in relation to those minutes.</p>

Planning Applications:

4 ***Planning application 1***

Application Reference & deadline for response: 20/01137/HOU – 27th May 2020

What is proposed? Erection of a flat roof kitchen and utility extension to rear and erection of a garage to side of dwelling

Where is it proposed? Mayflower, North Street, Milborne Port, DT9 5EP

Members voted unanimously to **support** this application.

Planning application 2

Application Reference & deadline for response: 20/01138/TPO - no deadline given

What is proposed? An application to undertake works to a protected tree or trees has been received.

Where is it proposed? 15 Redwing Road, Milborne Port, DT9 5DB

Members voted unanimously to **support** this application. Comment to be made in response to SSDC that for each tree removed, a replacement is planted elsewhere in the village in order that there be no net loss of trees.

Planning application 3 - response of 'support' already provided to SSDC

Application Reference & deadline for response: 20/00927/S73A – 13th May 2020

What is proposed? S73A application to remove Condition 3 on Planning Permission 790746 approved 1980.

Where is it proposed? Nursery House, Wheathill Lane, Milborne Port, DT9 5FS

Planning application 4

Application Reference & deadline for response: 20/00962/FUL – extended to 20th May 2020

What is proposed? Change of use of agricultural land to garden; the erection of a garden store; amendments to dwelling design (roof height, fenestration and internal layout of east wing); deletion of approved access driveway (17/02438/REM) and the formation of a replacement access and driveway

Where is it proposed? Meadow House, Lower Kingsbury, Milborne Port, DT9 5ED

	<p>Members voted by a majority of 3 to 1 to object to this application. (See below for notes provided to SSDC.) Cllr Tizzard supported but with suggestions of planning conditions</p>
5	<p><u>Committee Budget Update:</u> This had been circulated to members with the agenda and was noted with no questions or comments.</p>
6	<p><u>Redcliffe & Station Road Updates:</u> Redcliffe: Cllrs Tizzard and Carty reported a negative response from the developers in relation to the remaining points raised by MPPC prior to lockdown; SSDC did agree to the shell & core requirement at the Outline Permission stage, and County Highways did agree to the access off Station Road and as far as SSC is concerned, these issues have been resolved. A meeting between MPPC with SSDC's Stephen Baimbridge and Cllr Sarah Dyke did not go ahead because of the lockdown but Cllr Tizzard will try to move ahead with this meeting to reiterate the position of MPPC.</p> <p>Station Road: The Station Road applications have been refused; Cllr Carty has received e-mails from members of the public to thank him and MPPC for a job well done in respect of this application.</p>
7	<p><u>New Infrastructure Projects (S106 money) Updates:</u> Cllr. Lockey will chase up Queenthorne in order to discuss when work can commence at Springfield.</p> <p>Nathalie Hetherington reported that the Springfield digital survey has now been completed and that Rob Parr from SSDC will start work on the layout plans for the playpark; Simon Pritchard has applied for the drawdown of the S106 money to pay the invoice for the survey.</p> <p>Cllr Tizzard requests that correspondence between the clerks and SSDC in relation to S106 matters re Gainsborough/Springfield developments be copied in to himself, Cllr Lockey and Cllr Carty.</p>
8	<p><u>Other Verbal Updates:</u> a) Working Parties Updates: Parking & Traffic: Cllr Carty reported that whilst SSDC have rejected the Gauntlet Cottage planning application for one vehicle parking from a health & safety perspective, there has been no progress so far regarding double yellow lines in the area.</p>

b) Neighbourhood Plan Group:

Nothing to report.

c) Construction Management of Active Sites:

Nothing to report.

d) Highways Matters:

Nathalie Hetherington shared information from Cllr William Wallace/SCC regarding the advisory 20mph limit implementation outside the school for the next 2 years; the school can update its existing warning signs and flashing lights with an additional 'School 20 When Lights Show'. Members expressed their approval of this development and are strongly in favour.

End of formal meeting 20:07

Signed: _____

Date: _____

MILBORNE PORT PARISH COUNCIL

Comments regarding Planning Application **20/00962/FUL** Meadow House, Lower Kingsbury, Milborne Port.

Milborne Port Parish Council objects to this application.

The Parish Council also greatly welcomes the willingness of the applicants, through their property consultant, Helen Lazenby, to enter into discussions with the Parish Council regarding concerns. Whilst clearly our position is not what they would have wanted, we view this consultative model as the best way to ensure applications understand and adapt to concerns where these exist.

1. In the SSDC Planning Officer's report on the application for outline approval (17/01636/OUT) for this property, he quoted the Landscape Consultant (page 2), who gave the following view:

SSDC LANDSCAPE OFFICER: *Whilst the span of the new build across the axis of the valley is not the most sympathetic configuration, the scale is as anticipated. I note that the house lays very close to the rear of the domestic plot and bounds agricultural land to the north. Demarcation of this boundary should be clearly defined, to ensure no residential 'creep' into the adjoining field.*

The SSDC Landscape Officer specifically stated that there should be no creep into the agricultural land to the north of the property, after inferring that this was likely to be something that would be sought. Nothing has changed since then so why would the opinion change, and given that it has been stated in a public planning meeting and in the officer's analysis of a planning application, it should be capable of being relied upon. The developers of Meadow House would have known this when they purchased the land with permission to build.

The property is located in an area of high landscape value and ecological sensitivity. Other than the conversion of the garage of Swatchford Cottage into a separate dwelling (Hilltop View), which simply replaced one building with another (arguably more sympathetic) one, there has been no real change to the landscape since this opinion was given, and the Landscape Officer's advice is clear and should be capable of being relied upon.

Were the access arrangements to be approved, it is possible that the access road could be used for further applications for dwellings to the north, further generating village creep into agricultural land that the SSDC Landscape Officer has said should be protected.

We understand that the applicants would consider placing a covenant on the property that it be used for one dwelling only, and that such an access point, were it to be approved, would be used for that one residence only.

2. Whilst the possibility of disturbance of Old Mill House by the proposed access arrangements was considered by Area East, it was held that the owners of Old Mill House would have known about this proposal when they purchased the property. The new proposal is to route the access via the north boundary of Hilltop view. This would simply relocate the disturbance from one property to another but do so on a steep hill rather than a flat access point, with the attendant braking and revving noise issues as well as car headlights. The owners of Hilltop view would also have been aware of planning permission at Meadow House when they acquired their property, but, unlike the Old Mill House, should have been able to rely on the Landscape Officer's statement that there should be no further landscape creep north up the Gascoigne valley.
3. The application includes the addition of a Garden Store of 'modest size' without, so far as we can determine, providing dimensions. This is shown as being sited close to the boundary with Hilltop View. The orientation, scale, and elevation of this development as a whole render it highly unsympathetic to the natural environment in which it's placed. The addition of a store will only compound this negative impact, as well as adding yet more impermeable surfaces to a sensitive flood plain. Without size limitations on the application there is scope to have whatever size the owners of Meadow House decide upon. If the application were to go forward, this building should be clearly designated with a (modest) maximum set of dimensions, and relocated, perhaps to where the 3 cars are shown on the landscape plan.

Again, we understand that, were the application to proceed, the applicants would be willing to enter into discussions with local residents, especially the owners of Hilltop View and Swatchford Cottage, around

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optimizing the layout to protect privacy, and to have the agreed format protected by condition and/or covenant.

4. The siting of the 17 orchard trees to the north of Hilltop View will block light from the windows on the side of the property. We are keen, as a Parish Council, to see further planting of trees, but these do need to be located sympathetically. We believe this layout should be reconsidered as above.
5. Whilst clearly any approval would be subject to the satisfaction of Highways that the access arrangements are viable, the Parish Council is concerned that they may not be. The proposed hill is steep and the exit close to the junction of Lower Kingsbury and Station Road. This compares poorly with the flat, approved access lower down Lower Kingsbury.
6. The Parish Council remains concerned about developments close to or draining into the Gascoigne River. The strengthening of the riverbanks upstream of the village to accommodate development, including gardens as well as the properties themselves, may lead to increased flow on the river, and hence erosion lower down in the village proper. The recent heavy rains of winter 2019/20 did not cause significant flooding in the village and this was in part because of the flooding of the agricultural fields to the north (at one point the old channel of the Gascoigne River from before its relocation into the Mill Run reappeared). Wessex Water have made observations, referred to by SSDC Planning in the 2018 HEELA assessments, that they are concerned not just over surface water, but also sewage, within this valley.

Additional Observations

The Parish Council would also note that approval of application 17/01636/OUT was subject (Condition 6) to the submission of a Construction Management Plan, which was, amongst other issues, meant to include points of access:

6. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include construction vehicle movements, construction delivery hours, expected number of construction vehicles per day, drained parking area for contractors, construction operation hours, construction vehicular routes to and from site, point of access, the making good any temporary access resulting from works to facilitate access, and specific anti-pollution measures to be adopted to mitigate construction impacts. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

We note the posting of a Construction Environment Management Plan on 23 April 2018 on application 17/02438/REM, which mentions a new driveway as part of the project, but this refers to the new driveway approved at Outline at the bottom of Lower Kingsbury, not the one actually used during construction. Amended plans from October 2018 on this application reference demonstrate this clearly, showing access where it had always been. We do note the correspondence on reference 17/01636/OUT of 6 June 2017 between the then applicant and SSDC Planning indicating that the construction access that has, in fact been used throughout, would be used only on a temporary basis whilst access via the outline approved (and subsequently, reserved matters approved) plans was effected. By the April 2018 Construction Management Plan this approach appears to have been dropped, or at least no longer mentioned, and it is just the approved access that is considered. As far as we can make out, there was no public disclosure of the intention to use the current construction access via the top of Lower Kingsbury on a full time basis during construction, or to utilize the field now proposed for conversion into a garden and parking bay, as a lot for the construction project. Neither of these points appear to have been included in a submitted Construction Management Plan, (though it is possible there was a separate subsequent such document elsewhere on the SSDC website which we have not seen - the application is being handled under a number of references in its various iterations). We are concerned therefore, that condition 6 of the Outline approval may, in fact, never have been complied with. We understand that there may have been a number of discussions with SSDC about the use of the current access point for construction, but these do not appear to have been documented and posted on the web site for public consideration. They would, in any event, have been material variations to the approved Outline and Reserved Matters applications, and hence have required an amended planning application.

We also note that, in the request sent to the Parish Council for comment upon the proposal, a number of pieces of public feedback were included. These were classified as being supportive, objecting, or neutral. Having looked at these, it appears to us that nearly all the observations classified by SSDC as "neutral" are in fact against the application. We are concerned that residents' views may be being inadvertently misrepresented simply because they may not include the specific words that "I object". We would request that in any officer's report regarding the application, the true underlying point of residents' observations be fairly represented.

Whilst the construction has been plagued by poor weather, and the individual builders concerned have been most courteous, the site has nonetheless been an unfortunate eyesore, particularly for the owners of Swatchford Cottage and Hilltop View, but also other local residents, and the public using the nearby footpath, for a period far longer than that envisaged in the documentation, to the extent it is envisaged at all in the location impacted (and as noted, this should have been subject to an amended application in any event). It has also flooded during construction, as can be evidenced by various photographs taken by members of the public and sent to the Parish Council, and this was noted as a concern by local residents when the outline application was originally made.

Further, we understand that Wessex Water have already installed utilities access via the Lower Kingsbury boundary to the north, above Hilltop View, passing down the hill, through the agricultural field for which change of use planning permission is now sought and into the approved site itself. Again, we are not able to find details of the utilities access plans for the site, but we had understood they would be made via the access arrangements approved during outline and reserved matters. Installation through the fields for which change of use is now sought would seem to be taking the construction decisions before the Planning approval to do so has even been requested, let alone approved.

There have been a number of instances within the village recently where actions have been taken and then retrospective planning permission sought (Solar Farm; Gauntlet Cottage). Retrospective Approval is an important facility as it enables the correction of genuine mistakes and allows common sense to prevail where the order of planning steps is out of kilter. However, we are concerned that public confidence in the planning process may be undermined were it to be common understanding that retrospective planning applications will always be approved where they manifest themselves as a *fait accompli* and that residents and developers can circumvent the planning regulations without consequence. It is far from clear that this is the case here, but the maintenance of public confidence in the planning process is important and we would not to see it eroded.