

DORSET COUNCIL - NORTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 14 MAY 2020

Present: Cllrs Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Tim Cook, Les Fry, Matthew Hall, Carole Jones, Bill Pipe, Val Potheary, Belinda Ridout and David Taylor

Apologies: Cllr Robin Legg

Also present: Cllr David Walsh

Officers present (for all or part of the meeting):

Lara Atree (Legal Services Manager), Emma Baker (Project Engineer (Democratic)), Robert Lennis (Area Lead (Major Projects) Eastern), Simon McFarlane (Area Lead Planning Officer, Gillingham), Steve Savage (Transport Development Manager), Hannah Smith (Planning Area Manager), Fiona King (Democratic Services Officer), Lindsey Watson (Senior Democratic Services Officer) and Helen Whitby (Senior Democratic Services Officer)

94. **Apologies**

An apology for absence was received from Cllr Robin Legg.

95. **Declarations of Interest**

No declarations of disclosable pecuniary interests were made at the meeting.

Cllr Val Potheary declared an interest in minute 102 and advised members that as she had voted in favour of the application as a Gillingham Town Councillor she would remove herself from the meeting for this item.

Cllr Belinda Ridout as a Local Member for Gillingham had been advised that as she was not a member of Gillingham Town Council at the time when this application was considered she would not be in conflict with this item and therefore would take part in the debate and decision making.

96. **Minutes**

The minutes of the meeting held on 25 February were confirmed and signed.

97. **Public Participation**

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

98. **Planning Applications**

Members considered written reports submitted on planning applications as set out below.

99. **West Of Shaftesbury Road At Land South Of Gillingham, Shaftesbury Road, Gillingham, Dorset - 2/2018/0036/OUT**

The Area Lead Planning Officer introduced the application to develop land by construction of an urban extension to the south of Gillingham between Shaftesbury Road (B3081) and New Road (B3092). The urban extension would comprise up to 961 dwellings. Up to 2,642 sq. m. in a new local centre providing retail, community, health and leisure uses, new and enhanced pedestrian/cycle routes, open spaces, roads, car parking and vehicular access. To include all ancillary works and associated infrastructure. This was an outline application to determine access only.

The Area Lead Planning Officer outlined the relevant planning history of the site. Members were advised that the primary reason that this application was back before the Committee was that the Archaeological trial trenching was not completed within 4 months of the resolution to grant planning permission. There had also been rewording and addition of further planning conditions.

Members were advised that there were no objections from Gillingham Town Council and very few local objections. Reference was made to the Neighbourhood Plan which had catered for this growth. There also had been no objections from the Environment Agency and Senior Archaeologist subject to the conditions. A comment had now been received from Environmental Health and the Area Lead Planning Officer outlined the condition he expected to see brought forward and a caveat had been included in the recommendation to allow for this. With regards to the signing of the Section 106, negotiations were ongoing but positive.

Members were reminded that this application was to decide the principle of development along with details relating to access points only.

The Planning Caseworker referred to the update paper which had been circulated to members prior to the meeting which clarified one section on archaeology and the balanced judgement that had been considered regarding the scale of any harm or loss and the sacrifice of the heritage assets, along with a slight change to Recommendation A and B regarding the Environmental Health consultation and Section 106 timescales. There were proposed change to some of the conditions but these were largely wording issues, the rest remained unchanged.

The Transport Development Liaison Manager highlighted the 3 points of access being considered and these were explained to members.

Speakers:

Stephen Hill, local resident.

A statement had been received from Mr Stephen Hill and was read out to the Committee. Mr Hill was speaking against the application and felt that in these changed times and the impact on our priorities, the community will support a decision to refuse. He urged the Planning Committee to refuse this application and by doing so avoid:

- incurring misdirected public expenditure;
- few affordable homes;
- no site financial viability;
- risks of a successful challenge or SoS Call In;
- poor public safety; and
- facilitating a proposal that is flawed in the current economic climate.

He also made reference to a number of pre-conditions and that the Section 106 was not yet completed. The Area Lead Planning Officer advised that officers were trying to secure other offside elements and negotiations were ongoing.

The Planning Caseworker responded to the statement in respect of a number of pre-conditions. The Environment Agency had withdrawn their objections within the stated 10 day period so it was not necessary to come before the Secretary of State.

The Transport Development Liaison Manager responded in respect of Mr Hill's comments pertaining to the use of Woodpecker Meadow to serve a limited level of development. There was no maximum number of dwellings that could be served by a road of the geometry and characteristics of this highway. Highways felt it was a suitable development. The safer route to school was along the main road into the estate and the existing block paved surfacing was laid in the strongest pattern for use on a carriageway. However, the applicant did say that the block paving could be replaced with low-noise surfacing, if needed. In respect of public adoption none of this estate has been formally adopted with the Highway Authority awaiting remedial works to be carried out by Taylor Wimpey. However, adoption was a legal process and was not a planning matter.

Lauren Hawksworth, Montague Evans LLP

A statement had been received from the agents for this application and was read out to the Committee. The written representation was made on behalf of Welbeck Strategic Land, the applicants for the outline application relating to the Newhouse and Ham Farm element of the Gillingham Strategic Site Allocation.

Local Member: Cllr David Walsh

Cllr Walsh was speaking regarding both planning applications before the Committee. He outlined his involvement from the outset with both applications. This was a Community project which was highlighted as an exemplar from the then Community Secretary Savid Javid. He added that there had only been about 20 objections from around 20,000 residents.

Members comments and questions:-

Cllr Val Potheary, felt the application was really just a procedural matter and was pleased to approve the proposal with recommendations as stated.

Cllr Belinda Ridout, felt this application had been a long time coming and was part of the development for Gillingham. There was tremendous local support for the development and she was happy with the proposed changes to the recommendations and conditions. She was content with the affordable element and the Section 106 obligation. This application would be a huge community benefit to the area and was happy to second the proposal.

Cllr Tim Cook, asked about the traffic movement generally towards Gillingham, and what impact had been looked at regarding flows in and through Gillingham. The Transport Development Liaison Manager advised that a 3D model that assessed traffic had produced a baseline traffic model which was agreed with the applicant. The assessment included a number of site highway improvements including cycle links. The overall finding was that at the end of the development journey times would be the same. He highlighted the signal control junctions that would be put in place and assured members that the site has been fully assessed in terms of traffic.

Cllr Tim Cook also made reference to affordable housing and asked what guarantees were there that the 25% would be made up in future development building. He felt that affordable housing should be spread evenly though all developments. The Area Lead Planning Officer advised that officers aimed to get 25%, but viability can be an issue with any large scale development, and planners did discuss viability with developers.

Cllr Jon Andrews, highlighted flooding and were officers sure that the stream on the north-west edge will not cause adverse flooding. The Area Lead Planning Officer advised that the developers were aware of where the flood zones were and intend to build within Flood Zone 1.

Cllr Les Fry, shared concerns regarding the low numbers of affordable housing. He also asked if energy efficiency factors be included as appropriate. The Area Lead Planning Officer advised they are aware of this but as a planning authority cannot insist on the putting in of renewable sources, this forms part of building regulations but is something planners have to pick up on with every aspect of development.

Cllr Fry also made reference to the Section 106 and was disappointed not to see anything regarding Youth Services. Young people would need somewhere to go and would need support in this area and considered whether developers could be asked to make a contribution to youth services overall in this area. The Planning Officer highlighted the amount of community space included with this development and the large areas of public open spaces. The developers would be providing sports pitches and other areas of play and a contribution to the library. Gillingham Town Council and Dorset Council felt this area had been addressed.

Cllr Bill Pipe asked if the Section 106 was likely to be completed by November. The Area Lead Planning Officer felt that in his opinion it would be.

Cllr David Taylor shared concerns regarding the Section 106 and affordable housing elements. He asked about speed restrictions for construction traffic. The Transport Development Liaison Manager advised that it would be 30mph for the main road and targeting everything else at 20mph.

Following a discussion on affordable housing Cllr Cook asked for an amendment regarding the element of affordable housing and asked if officers could use it as part of the Section 106 agreement. The Area Planning Manager sympathised with members' concerns, but advised that planners had to consider development viability. Officers were not in a situation where they could say you have to provide 25% and that's the end of it, they need to get to a level of agreement and there would be an opportunity to look at the development as it progresses. Cllr Ridout added that she understood the affordable concerns but there was a risk of losing the development for Gillingham if there was a further delay.

Cllr Carole Jones felt members needed to trust in officers that they were doing their best and felt it was time to get to the vote.

Proposed: Cllr Val Potheary

Seconded: Cllr Belinda Ridout

Decision

Recommendation A:

Delegate authority to the Head of Planning to grant conditional planning permission subject to, no adverse comments being received from Environmental Health and the addition of any conditions they consider reasonably necessary, and the completion of a Section 106 legal agreement, as specified in The Town and Country Planning Act 1990 (as amended), in a form to be agreed by the legal services manager to secure the following:

- 50/50% tenure split for all affordable housing
- Minimum of 10% affordable housing in the first phase of development
- A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements
- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

And the conditions (and their reasons) listed at the end of the Planning Officers' report.

Recommendation B

If the S106 legal agreement is not completed by 14 November 2020, or such extended time as agreed by the Head of Planning, refuse permission for failing to secure the planning obligations (as set out above) which are considered to be necessary to mitigate the adverse impacts, and secure an adequate provision of affordable housing, of the proposed development.

100. **Land at Park Farm Kingsmead Business Park, Gillingham, Dorset - 2018/0077/OUT**

The Area Lead Planning Officer introduced the application to develop land by the erection of up to 634 dwellings (use class C3), a primary school (use class D1), sports pitches with floodlighting, public open space, play facilities, access and internal estate roads, internal footpaths and cycleways, sustainable drainage system with ponds, landscaping, utility connections and associated/infrastructure. This was an outline application to determine access only.

The Area Lead Planning Officer made reference to the planning balance and highlighted the heritage assessment that had been undertaken. Historic England were supportive of the application and asked that a planning balance exercise be undertaken in respect of designated heritage assets. Historic England had no objection in principle. It was felt that the Public benefits outweighed any less than substantial harm.

The Transport Development Liaison Manager highlighted the 3 access points along with proposed cycleways.

There were no speakers/written representations for this item.

Members comments and questions:

Cllr Belinda Ridout, was aware of the amended conditions and felt they gave more clarity. She felt there was a lot of local support and had no hesitation in putting the recommendation forward for approval. She made reference to the access points off Cerne Avenue and Trent Square and highlighted some issues with people parking in front of bollards. The Transport Development Liaison Manager advised that if the application was approved officers would look comprehensively at the linkages and could ensure Keep Clear markings and the like would be put in place.

Cllr Val Potheary, advised members that the community of Gillingham were totally supportive of the plans and was happy to second the recommendation.

Cllr Bill Pipe, in the Section106 there was reference to a two-form entry school, what type of school would it be and would that be sufficient? The Planning Officer advised it would be a Primary School and felt there would be probably be an over provision of classroom availability. He understood from Education colleagues this would be a stand-alone new school

Cllr Les Fry, expressed concern that developers could get an upper hand as it is a much needed development by the residents. He was concerned

regarding energy efficiencies and affordable housing as he had previously mentioned.

Cllr David Taylor, made reference to just the one access and asked if there could there be another one? The Transport Development Liaison Manager advised that there were 2 pedestrian accesses and one vehicular one. Local residents were not keen to have a second one and a 6 metre access into the site was adequate.

Cllr Jon Andrews asked that when building regulations changed any houses that were not constructed by then would those measures be able to be put in place then? The Area Lead Planning Officer confirmed they would have the opportunity to review this on numerous occasions over the coming years.

Proposed: Cllr Belinda Ridout

Seconded: Cllr Val Potheary

Decision

Recommendation A

Delegate authority to the Head of Planning to grant conditional planning permission subject to, no adverse comments being received from Environmental Health and the addition of any conditions they consider reasonably necessary, and the completion of a Section 106 legal agreement, as specified in The Town and Country Planning Act 1990 (as amended), in a form to be agreed by the legal services manager to secure the following:

- 50/50% tenure split for all affordable housing
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- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements
- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

And the conditions (and their reasons) listed at the end of the report.

Recommendation B

If the S106 legal agreement is not completed by 14 November 2020, or such extended time as agreed by the Head of Planning, refuse permission for failing to secure the planning obligations (as set out above) which are considered to be necessary to mitigate the adverse impacts, and secure an adequate provision of affordable housing, of the proposed development.

101. **Traffic Regulation Order**

102. **Gillingham Road and Transport Improvements**

Cllr Val Potheary removed herself from the meeting and did not take part in this item.

The Project Engineer introduced the proposals on Station Road (Higher) to reduce the carriageway to one-way to enable the improvement of the pedestrian environment by widening the footway on the eastern side. Following the advertisement of the proposed One-Way Street restriction on Station Road (Higher) two objections, both from the same household, were received.

The 2 objections that had been received were highlighted to members along with alternative routes for cyclists that had been considered.

Following a question from a member regarding mobility scooters and whether they would be able to travel in the opposite direction, the Project Engineer advised that as they were able to use the pavements if they wanted to go north they could as any pedestrian could. Mobility scooters were not recognised as motor vehicles.

Cllr Belinda Ridout felt this had been a comprehensive presentation which was part of the Gillingham growth project to improve Gillingham. It was part of a much wider scheme of improvements and did not remove any car parking. There had been a lot of work on public engagement and all the main consultees were in agreement. She was happy to propose recommendation for approval.

One member felt it was a long way round for cyclists and queried if the road was really needed. The Project Engineer advised that the High Street was quite heavily used.

Proposed: Cllr Belinda Ridout

Seconded: Cllr Jon Andrews

Decision

That having considered the representations received in response to public advertisement and the officers report, that the Portfolio Holder be recommended to implement the Traffic Regulation Order as advertised.

103. **Urgent items**

There were no urgent items of business.

104. **Update Sheet**

Members received the attached update sheets prior to the meeting.

Duration of meeting: 10.00 am - 12.07 pm

Chairman

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