

Minutes of a Meeting of the **PLANNING AND CONSULTATION COMMITTEE** held at the Town Hall, Swanage on **MONDAY 7<sup>th</sup> OCTOBER 2019** at **6.30 p.m.**

Chair: -

Councillor A Harris

Swanage Town Council

Present: -

Councillor C Finch

Swanage Town Council

Councillor J Page

Swanage Town Council

Councillor N Rogers

Swanage Town Council

Councillor M Whitwam

Swanage Town Council

Also in attendance: -

Councillor W Trite

Swanage Town Council

Miss N Clark

Administration & Communications Manager

There was one member of the public present at the meeting.

**Public Participation Time**

There were no matters raised.

1) **Apologies**

An apology for his inability to attend the Meeting was received from Councillor Bonfield.

2) **Declarations of Interest**

Members were invited to declare their interests and consider any requests for Grants of Dispensations in accordance with paragraphs 9 – 13 of the Council's Code of Conduct and regulations made under chapter 7 of the Localism Act 2011.

There were no declarations to record on this occasion.

**Planning**

3) **Plans for consideration**

**Delegated Applications**

6/2019/0489

**Listed Building Consent**

**LISTED**

**Flat 1, Belvedere Lodge, Belvedere Road, Swanage, BH19 2AN**

Fit a 125mm passive vent on exterior wall.

Mrs Osborne

**OBSERVATION:** No objection, subject to adherence to the Design and Conservation Officer's Report.

\* 6/2019/0492

**Land adjacent 1A Battlemead, Swanage, BH19 1PH**

Sever plot, erect two storey dwelling with associated access and parking.

Mr Streams

**OBSERVATION:** The Committee strongly recommends refusal.

Concerns are raised as follows:

**Swanage Local Plan Policy STCD: Swanage Townscape Character and Development:**

- **195.** ‘The area of Cauldron Avenue, Battlemead, Vivian Park and Bonfields Avenue to the north and Beach Gardens and Gannetts Park to the south also forms an area of distinctive local character and new development in this area should not reduce the existing suburban character.’
- **Areas of distinctive local character** – ‘The four areas of distinctive local character are shown on Map 9. These areas include a variety of townscape character types and new development should protect and enhance the distinctive local characteristics of these areas: The areas to the north and south of Beach Gardens are characterised by predominantly detached properties, of modest size, individual design and usually set within reasonably generous plots. The area displays a distinctive pattern of connecting roads or cul-de-sacs running back at right angles from De Moulham Road. It is important that new development does not reduce the spacious character of this area and the informal qualities of the backland areas.’
- **Adverse impact on the street scene and character of the area - as defined in the STCA Part 04.12 Mixed Pre- and Post-war Housing** – Threats: ‘Intensification of development through infilling or development of existing plots at greater densities could harm the suburban character.’

The proposal is considered to be overdevelopment and would be detrimental to the important street scene and character of the area.

**Potential adverse impact on neighbour amenity, overlooking and loss of privacy** – being so close to the boundary of neighbouring property 1A Battlemead.

**Adverse impact on nature conservation, and loss/effect on trees** – the loss of a sizeable area of existing greenspace, and it would appear that a tree has already been removed from the site.

**Purbeck Local Plan - Policy H14: Second homes** – the Committee would wish to be reassured that any approved scheme would be subject crucially to Policy H14.

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|-------------|---|
| 6/2019/0518 | <p><b>Flat 3, 54 Park Road, Swanage, BH19 2AE</b><br/>         Internal alterations to the second floor and attic. Replacement of an Existing rear dormer window with larger dormer. Insertion of two roof lights, and replacement of windows on second floor rear elevation.<br/>         Mr &amp; Mrs Belchamber<br/> <b>OBSERVATION:</b> No objection, subject to adherence to the Design and Conservation Officer’s Report.</p> |
| 6/2019/0527 | <p><b>27 Manwell Road, Swanage, BH19 2QB</b><br/>         Erect a single storey rear extension.<br/>         Mr &amp; Mrs Henstridge<br/> <b>OBSERVATION:</b> No objection.</p>   |
| 6/2019/0534 | <p><b>Land to the rear of 15 Sydenham Road, Swanage, BH19 2JX</b><br/>         Variation of Condition 2 of planning permission 6/2018/0226 (Sever land and erect three-bedroom detached dwelling with vehicular access and parking.) to alter internal layout, window and door position, and entrance porch.<br/>         Mr Wright</p>   |

**OBSERVATION:** No objection, subject to mitigation of any neighbour concerns received regarding potential adverse impact on neighbour amenity, overlooking and loss of privacy (neighbour consultation is still open until 24<sup>th</sup> October 2019).

### **Items for information only**

#### **Appeal Decisions**

- \* 6/2018/0546      **Appeal Decisions for linked appeals for:**  
\* 6/2019/0019      **61 Rabling Road, Swanage, BH19 1ED**  
                         **Appeal A - Ref: APP/B1225/W/19/3229288**  
                         Sever land and erect dwelling.  
                         **Appeal B - Ref: APP/B1225/W/19/3229294**  
                         Sever land & erect single storey dwelling with parking.  
                         Mr Robertson & Ms Hunter  
                         **DECISIONS:**  
                         **Appeal A** – 6/2018/0546 – Appeal dismissed.  
                         **Appeal B** – 6/2019/0019 – Appeal allowed, subject to conditions.  
**OBSERVATION:** Decision noted with disappointment by the Committee.

#### **Certificate of Lawful Use**

- \* 6/2019/0520      **Certificate of Lawful Use Proposed**  
                         **Cliff Cottage, Shore Road, Swanage, BH19 1LD**  
                         Erection of a building (workshop, studio and store) for use incidental to the enjoyment of the main dwellinghouse.  
                         Mr & Mrs Sutcliffe  
                         **OBSERVATION:** Although Committee Members are aware that this is not a planning application but a request for a legal determination of the Dorset Council as to whether or not planning permission is required, the Committee strongly feels that the additional information provided by the applicants, since refusal of application 6/2019/0385, does not mitigate its original concerns regarding these proposals and does not consider that the proposed development complies with the General Permitted Development Order.  
                         The Committee again wishes its concerns to be noted regarding the unacceptable/sizeable footprint of the proposed building, some 80m<sup>2</sup>, and yet is described as a ‘workshop, studio and store for use incidental to the enjoyment of the main dwellinghouse’. The proposed building is similar in size to the main dwellinghouse, Cliff Cottage, and also a previously proposed new residential dwelling for the same site, as set out in refused planning application 6/2017/0240, which was also dismissed at appeal. The Committee therefore strongly recommends refusal of this new application. Further comments are made that it is essential to preserve the character and appearance of the seafront area, which the Committee feels would be compromised by the proposed building.

The Committee again draws attention to:-

#### **1) The Planning Inspector’s Report dated 28<sup>th</sup> September 2018:**

**Point 6.** ‘The relationship of the built form would result in a discordant appearance such that the proposed building would not successfully integrate with Cliff Cottage on this sloping site, thereby harming the character and appearance of the area.

**Point 7.** ‘the development would not accord with the Framework requirement that development be sympathetic to local character and add to the overall quality of the area. Correspondingly, it would not meet the approach set out in the Purbeck District Design Guide Supplementary Planning Document.’

**Point 9.** ‘I conclude that the development would harm the character and appearance of the area contrary to Policy D of the Purbeck Local Plan Part 1 (adopted November 2012) (the Local Plan) in this respect and the Framework which seeks, among other things, to ensure that development integrates with their surroundings.’

**Point 17.** Conclusion.

- 2) Design and Conservation Officer’s Report dated 22<sup>nd</sup> June 2017: Have pre-application discussions taken place?** ‘Yes - It was also considered that development of the site would erode the sense of space and landscape quality on the seafront. I recommended that development of the site was inappropriate.’

Although not a material planning consideration, Members again raise concerns regarding the possibility that a planning application for a change of use would be forthcoming if such a building was approved for the site. The Committee would wish to be reassured that any such approval would be subject crucially to no future conversion to residential use, no severance to create a separate plot for future habitation, and no separate address.

The Committee further feels that its original concerns raised regarding the previous planning application for this site (6/2017/0240) remain relevant to the application for a Certificate of Lawful Use, and a copy of the Committee’s comments will be forwarded to Dorset Council accordingly.

The Committee’s concerns were brought to the attention of Councillor Trite as a Member of Dorset Council’s Eastern Area Planning Committee.

**Please note:**

\* The Town Council is Corporate Trustee of the De Moulham Trust, which holds the benefit of covenants in the properties that are the subject of applications marked \*.

**4) Applications for tree works - opportunity to raise any matters of concern**

There were no matters raised.

**5) Planning Consultant Working Party – to establish working party to consider terms of reference for engaging the services of a planning consultant**

Further to concerns raised at recent Council Meetings regarding the new planning application consultation period of 21 days, a number of recently approved applications, and that only four Members of the new Eastern Area Planning Committee were from the Purbeck area, a request had been made for the Town Council to engage the services of a planning consultant to provide professional support and advice during the planning application consultation process, and/or at Planning Committee meetings and appeal hearings. It had therefore been suggested that a working party should be established to consider terms of reference for such a consultant.

During the ensuing discussion Members were in agreement that greater consideration needed to be given to this request, and comments made that neighbouring parish councils had also shown an interest in this matter.

It was proposed by Councillor Harris, seconded by Councillor Rogers, and RESOLVED UNANIMOUSLY:

That a working party be formed consisting of Councillors Bonfield, Finch, Harris, Page and Whitwam to give further consideration to this matter, and to bring its recommendations back to a future Committee Meeting.

## **Consultation**

### **6) To note receipt of the following consultation documents, and to determine the Council's preferred method of response, if any:**

#### **a) BT Telephone Kiosks – public consultation on intended public payphone removal in Swanage**

It was reported that BT was proposing to remove one telephone kiosk, at the junction of Whitecliff Road/Ulwell Road, and a public notice had been posted in the kiosk to gather feedback in this respect. It was noted that the telephone had only been used to make one call in the past twelve months, and BT had given three possible options for response: Object, Agree, or Adopt (the option to purchase a kiosk for the community, minus telephone equipment, for £1). It was noted that the consultation would not close until 24<sup>th</sup> December 2019.

During the ensuing discussion Members were in agreement that, prior to making a decision on this matter, it would be prudent to share details of the consultation with the Swanage Town & Community Partnership to provide Partners with the opportunity to have their say, and to find out whether any of the local community groups would be interested in adopting the kiosk.

A question was also raised as to what the annual maintenance costs of the kiosk would be if it was to be adopted, and this matter would be investigated.

It was therefore AGREED:

That a decision on this matter be deferred and details of the consultation be circulated to the Swanage Town & Community Partnership, any responses to be brought back for further consideration at a future Committee Meeting.

#### **b) National Association of Local Councils (NALC) Policy Consultations**

##### **i) 5G Mobile Coverage in Rural Areas**

It was reported that the Ministry of Housing, Communities and Local Government was leading a joint consultation with the Department for Culture, Media and Sport, on extending 5G mobile provision in rural areas, and was seeking views on the principle of amending permitted development rights for operators with rights under the Electronic Communications Code to support the deployment of 5G and extend coverage. NALC would be responding to the consultation and was therefore interested in hearing from the Town Council.

During the ensuing discussion Committee Members were in support, in principle, to the proposed reforms to permitted development rights regarding the increase in width to existing ground-based masts. However, concerns were raised regarding the potential increase in height of existing masts, and the potential height of any new masts, and felt that these should be subject to full planning permission and consultation with the Town Council. Comments were also made that there were existing masts situated on Council owned land, and Members were in agreement that the Council should continue to be consulted regarding any proposed changes to these masts.

It was therefore proposed by Councillor Harris, seconded by Councillor Rogers, and RESOLVED UNANIMOUSLY:-

That delegated authority be given to officers, in consultation with the Chair, to use the Committee's comments to formulate the Council's response to NALC.

**ii) Independent Review into Local Government Audit**

It was reported that an independent review was being undertaken into the arrangements in place to support the transparency and quality of local authority financial reporting and external audit in England, including those introduced by the Local Audit and Accountability Act 2014. The review was being led by the former President of the Chartered Institute of Public Finance, Sir Tony Redmond. NALC would be responding to the review questions and was therefore interested in hearing from the Town Council.

Committee Members had reviewed the consultation document, and a discussion ensued regarding its content. Members were in agreement that the Council's Finance Manager would be best placed to respond to NALC, and it was therefore proposed by Councillor Rogers, seconded by Councillor Harris, and **RESOLVED UNANIMOUSLY:**

That the Council's Finance Manager be requested to review the consultation questions and formulate the Council's response to NALC.

**7) Items of Information and Matters for Forthcoming Agendas**

**a) Dorset Council – Land Availability ‘call for sites’** – a letter dated 13<sup>th</sup> September 2019 received from the Service Manager for Spatial Planning, Dorset Council, was circulated for information purposes. It was reported that the ‘call for sites’ was an opportunity for agents, landowners and developers to submit land which they believed could be developed (with a site capacity of ten dwellings or greater) to meet future demand for homes and jobs.

It was reported that at a recent meeting of the Town Council's Affordable Housing Working Party, at which Dorset Council's local Housing Adviser had been in attendance, next steps towards the formation of a Community Land Trust Steering Group had been discussed. Grant funding was also being explored by the working party.

**8) Date of next Meeting**

The date of the next meeting had been scheduled for Monday 4<sup>th</sup> November 2019 at 6.30 p.m.

The meeting closed at 8.25 p.m.

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