



Dorchester Town Council

Council Offices, 19 North Square, Dorchester, Dorset DT1 1JF
Telephone: (01305) 266861

For information about this agenda contact **Louise Dowell**
l.dowell@dorchester-tc.gov.uk

22 April 2015

Agenda for the meeting of the Planning and Environment Committee which will be held in the **Council Chamber, Municipal Buildings, Dorchester on Monday 27 April 2015 at 7.00pm.**

Adrian Stuart
Town Clerk

Public Speaking at the Meeting

The Chairman has discretion to allow members of the public to speak at the meeting. If you wish to address the Committee, please contact the Committee Clerk at least one day in advance of the meeting. We ask speakers to confine their comments to the matter in hand and to be as brief as is reasonably possible.

Member Code of Conduct: Declaration of Interests

Members are reminded that it is their responsibility to disclose pecuniary or non-pecuniary interests where appropriate. A Member who declares a pecuniary interest must leave the room unless a suitable dispensation has been granted. A Member who declares a non-pecuniary interest may take part in the meeting and vote.

Membership of the Committee

Councillors V. Allan, K. Armitage, C. Biggs, R. Biggs (Vice-Chairman), A. Canning, T. Harries, S. Hosford (Chairman), S. Jones, T. Jones, F. Kent-Ledger, T. Loakes, R. Potter, M. Rennie, D. Roberts, D. Taylor and P. Mann (the Mayor ex-officio)

1. Apologies and Declarations of Interest

2. Minutes

To confirm and sign the Minutes of the meeting of the Committee held on 30 March 2015 (attached).

3. Minute Update Report

To receive and consider the minute updates reported (attached).

4. Planning Application 1/D/11/000842 - White Hart Site

At its meeting on 2 March 2015, the Committee considering the developer's proposal to submit a planning application to vary planning condition 19. of the above planning approval and further to this, Mr Adam O'Brien, Director of Burton Property will be attending the meeting to put forward further ideas for the future of the White Hart statue.

5. Planning Applications for Comment

To receive and comment on the planning applications received from West Dorset District Council (list attached).

6. Requests for Parking Restrictions

In 7 October 2013, the Committee considered the way in which it dealt with requests for parking restrictions and it was suggested that the Committee should carry out a review of all requests received, prioritising them and then forwarding them to DCC for consideration at the appropriate time. Since that time, any new requests have been looked at in accordance with DCC's initial assessment criteria.

The Committee is now asked to confirm what sort of strategic approach it wishes to take in processing any individual or group requests for new parking restrictions.

7. Slyer's Lane Community Fund Proposal

In relation to planning application WD/D/14/002611, Broadview Energy is currently engaged in discussions with the community regarding the potential to secure the proposed community benefit fund through a legal agreement if the project receives planning permission.

The Town Council, and other community groups, have been sent heads of terms (attached) and the Committee is asked to give feedback on these.

8. Pre Application Discussion – Vodafone Mast at Dorchester South Station

Vodafone is in the process of progressing an upgrade of the above existing telecommunication installation (upgrade of existing antenna compliment (replacement of 6 no. existing antennas with 6 no. proposed antennas), installation of proposed 1 no. 300mm dia. dish antenna and 1 no. 600mm dia. dish antenna; installation of 2 no. proposed radio equipment units; plus ancillary works).

They are seeking the Town Council's views on the proposal before any planning submission is made. Details of the upgrade are attached.

9. Decisions on Planning Applications and Withdrawn Applications

To note the decisions made by West Dorset District Council on planning applications (contrary to Dorchester Town Council's comments), withdrawn applications and others of note (list attached).

10. Urgent Items

To consider any other items that the Chairman or Town Clerk decides are urgent.

Planning and Environment Committee – 27 April 2015

Minute Update Report

1. Minute 66/14 (5 January 2015)

Planning Applications

A response has now been received from the Department of Communities and Local Government regarding the Town Council's concern that recent Government planning guidance relating to planning contributions is having, and will continue to have, a negative impact on the provision of affordable housing in the Town:-

'The small sites section 106 threshold policy came into effect on 28 November 2014 by way of a Written Ministerial Statement that was laid before Parliament. The Government announced the introduction of a 10 unit or less threshold where affordable housing and tariff style section 106 contributions should not be sought. The threshold seeks to strike a balance between increasing self build and small scale housing development, while recognising the role of section 106 in helping to provide affordable housing and local infrastructure.

Having carefully considered the many detailed responses that we received, a lower threshold of 5 units or less will apply in many rural areas designated under section 157 of the Housing Act 1985. This includes National Parks and Areas of Outstanding Natural Beauty. Furthermore, the thresholds do not apply to Rural Exception Sites, as we made clear, in the consultation document.'

2. Minute 82/14 (30 March 2015)

Planning Applications

A response has been received, from Jean Marshall new Head of Planning at WDDC, to the Town Council's letter reiterating their concerns about the length of time it had taken to determine the Stratton House planning applications:-

'I appreciate that you have concerns about the time taken to conclude these applications however the Council could not insist on a single comprehensive scheme for the site and had to deal with the many applications concurrently. These all needed to have significant alterations through negotiation due to the potential harm to the character of the Listed Buildings and Conservation Area and therefore both the planning case officer and Conservation Officer spent a considerable amount of time in seeking to secure an appropriate design and layout. Alongside these negotiations was the question of viability of the scheme which needed separate discussion with the District Valuer. Whilst in the end, the viability issues did not come to fruition, due to the change in legislation regarding contributions, these discussions with the DV also led to delays in processing the applications.

You will appreciate that the changes to legislation, which came about last November, had no forewarning and therefore the Council has been unable to seek contributions originally being pursued. The level of negotiation to secure a successful scheme is in line with the requirements of the NPPF to raise the quality of design and to seek solutions and it is unfortunate that in this time the legislation changed. You should be aware that there is a High Court challenge to that legislative change currently being pursued by two authorities in the South East and this could create a further revision to the process in the future.'

Dorchester Town Council

Planning applications to be considered by the Planning and Environment Committee on 27 April 2015

1. **CHURCH HALL, ST GEORGES CHURCH, HIGH STREET, FORDINGTON, DORCHESTER**
WD/D/15/000426 [Link](#)
Replace Hall windows on north & west elevations
Conservation Area and Grade I Listed Building
2. **8 & 10 WEYMOUTH AVENUE, DORCHESTER, DT1 2EN**
WD/D/15/000620 [Link](#)
Single storey link building incorporating office, kitchen, & laundry and associated alterations to elderly persons care home
Conservation Area
3. **57 MELLSTOCK AVENUE, DORCHESTER, DT1 2BG**
WD/D/15/000629 [Link](#)
Tree house in rear garden (retrospective)
4. **5 SOUTH STREET, DORCHESTER, DT1 1BL**
WD/D/15/000051 (Amended Plan) [Link](#)
New internally illuminated aluminium fascia and a new conservation projecting sign, externally illuminated.
Conservation Area
5. **LAND ADJACENT PARKING AREA, ALFRED ROAD, DORCHESTER**
WD/D/15/000682 [Link](#)
Erection of a single storey dwelling
6. **LAND ADJCAENT TO 52 BRIDPORT ROAD, DORCHESTER, DT1 2NQ**
WD/D/15/000596 [Link](#)
Erection of dwelling with associated access and parking and the relocation of the existing driveway currently serving No.52 Bridport Road
7. **59 MONMOUTH ROAD, DORCHESTER, DT1 2DE**
WD/D/15/000665 [Link](#)
Erect extension and alterations
8. **28 FOSSE GREEN, DORCHESTER, DT1 2RR**
WD/D/15/000529 [Link](#)
Erect two storey extension to the front of the dwelling.
9. **6 EDWARD ROAD, DORCHESTER, DT1 2HJ**
WD/D/15/000747 [Link](#)
Erect single storey front (infill) extension
Conservation Area
10. **25 ALINGTON ROAD, DORCHESTER, DT1 1NS**
WD/D/15/000751 [Link](#)
New vehicle access from highway, 3m wide by 10m long

11. **13 BARNES WAY, DORCHESTER, DT1 2DZ**
WD/D/15/000544 [Link](#)
Rear single storey extension

12. **LAND TO REAR OF SOUTH TERRACE, SOUTH STREET, DORCHESTER**
WD/D/15/000473 [Link](#)
3 storey mixed use development comprising 2 retail units (A1/A2/A3) and 4 self-contained one bedroom flats (revised submission)
Conservation Area and affects the setting of a Listed Building

13. **9 FORDINGTON GREEN, DORCHESTER, DT1 1LU**
WD/D/15/000673 Listed Building Consent [Link](#)
Change to approved roofing material of kitchen roof from clay tile to natural slate (planning approval WD/D/14/003301)
Conservation Area and Grade II Listed Building

Slyer's Lane wind farm

Community Benefit Fund - Heads of Terms

Introduction

- 1.1 Broadview Energy Ltd is developing the proposed Slyer's Lane wind farm on agricultural land between the villages of Charminster, Charlton Down and Stinsford. The proposal is currently the subject of a planning application for 6 wind turbines, each 115m in height and with an expected generating capacity of between 2-3 MegaWatts (MW).
- 1.2 If the application is approved, Broadview is proposing to donate £5,000 per MW of installed capacity to the 'community'. Broadview has no aspiration as to how this fund should be administered and spent, although it is aware that members of the local community have expressed a desire for the fund to be secured legally. As such, Broadview has undertaken to discuss how legally securing the fund might best be achieved with West Dorset District Council (WDDC), who are the Local Planning Authority (LPA) currently considering the planning application.
- 1.3 Recognising the reduced development costs associated with achieving planning consent at local level, *Broadview is now proposing to increase the community benefit fund to £7,500 per MW of installed capacity if the application is approved by WDDC.***
- 1.4 Broadview is aware that Charminster Parish Council have expressed support for the application subject to the benefit fund being legally secured.
- 1.5 Broadview is of the view that a Unilateral Undertaking (UU) pursuant to s.106 of the Town and Country Planning Act (TCPA) 1990 would be capable of tying payment of the fund to the proposed development as a legal requirement, regardless of any changes in ownership of either the landholding or the wind farm. However, statute and planning guidance requires that obligations secured through s.106 of the TCPA 1990 must fulfil the following criteria in order to be material to a planning decision. They must be;
 - i. necessary to make the development acceptable in planning terms;
 - ii. directly related to the development; and
 - iii. fairly and reasonably related in scale and kind to the development.
- 1.6 It remains Broadview's view that the community benefit fund is not necessary to make the development acceptable. Nonetheless, providing that WDDC recognise that the fund is not material to determination of the planning application, Broadview is confident that a UU pursuant to s.106 can be utilised to secure the fund. Broadview is in the process of providing legal advice to WDDC to that effect.
- 1.7 As such, this document sets out proposed Heads of Terms to form the basis for a planning obligation to secure the community benefit fund. Broadview will be sending this document to the Community Organisations for comment prior to the s.106 agreement being drafted.
- 1.8 The Community Organisations are defined as:

Stinsford Parish Council
Dorchester Town Council
Slyer's Lane Clean Energy Group
West Dorset Pro Wind Group
Slyer's Lane Community Liaison Group
No Slyer's Lane Turbines Limited

Heads of Terms – subject to agreement

- 2.1 If the planning application is approved by WDDC, the fund will be equivalent to the sum of £7,500 per MW of generating capacity installed at the Slyer's Lane site per annum.
- 2.2 If the planning application is approved on appeal, the fund will be equivalent to the sum of £5,000 per MW of generating capacity installed at the Slyer's Lane site per annum.
- 2.3 The fund will be indexed in accordance with the change in the Consumer Price Index annually for the lifetime of the development.
- 2.4 The fund will be paid for 25 years or until the development is decommissioned, whichever is sooner.
- 2.5 Payment will commence within 6 months of first export of electricity.
- 2.6 Prior to commencement of development, Broadview will contact the Community Organisations in writing to facilitate discussion regarding administration of the fund.
- 2.7 It is anticipated that an organisation will be set up to receive and administer the fund.
- 2.8 The Community Organisations will appoint an advisory panel of up to 12 members selected from the community.
- 2.9 Charminster Parish Council, Stinsford Parish Council and Dorchester Town Council will be reserved places on the advisory panel.
- 2.10 Following appointment of the advisory panel, Broadview will assist the organisation in writing a constitution which sets out;
 - i. The criteria under which applications for grant funding will be considered; ii. How the on-going makeup of the advisory panel will be determined;
 - iii. The process through which applications may be made for grant funding; and iv. A schedule for the panel to meet to consider applications.
- 2.11 Following assisting the community in setting up the organisation to receive the fund and drafting the constitution, Broadview will have no further involvement in the administration or allocation of the fund, save as requested by the organisation.

Feedback and next steps

3.1 It is Broadview's intention to present a completed Unilateral Undertaking to WDDC prior to determination of the planning application. Prior to drafting the document, Broadview is inviting feedback on the above terms so that we can ensure the agreement reflects the aspirations of the community with regard to the fund.

3.2 Feedback should be provided Tom Cosgrove or Marcus Price-Hafslund at Broadview:

Tom Cosgrove
Broadview Energy Ltd
29 Scowbuds
Camborne
Cornwall
TR14 8PB
tcosgrove@broadview.com
07912513270

Marcus Price-Hafslund
Broadview Energy Ltd
100 Gloucester Place
London
W1U 6HT
marcus@broadviewenergy.com
020 7268 9917



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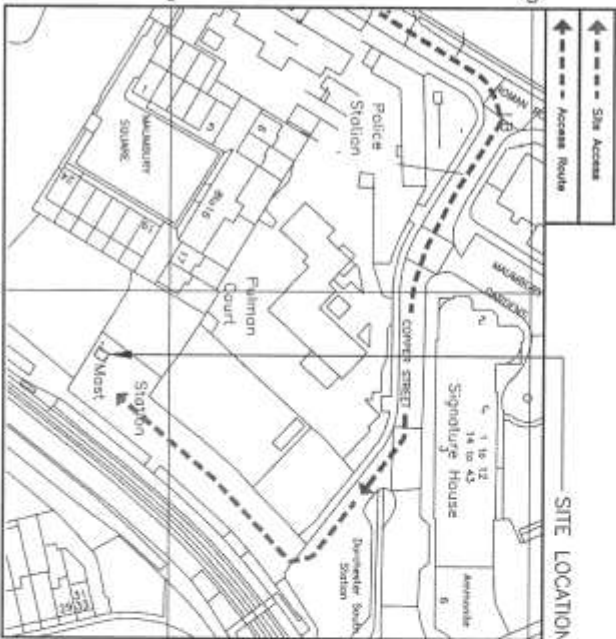
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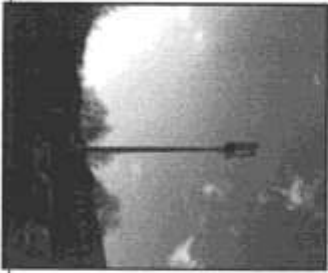
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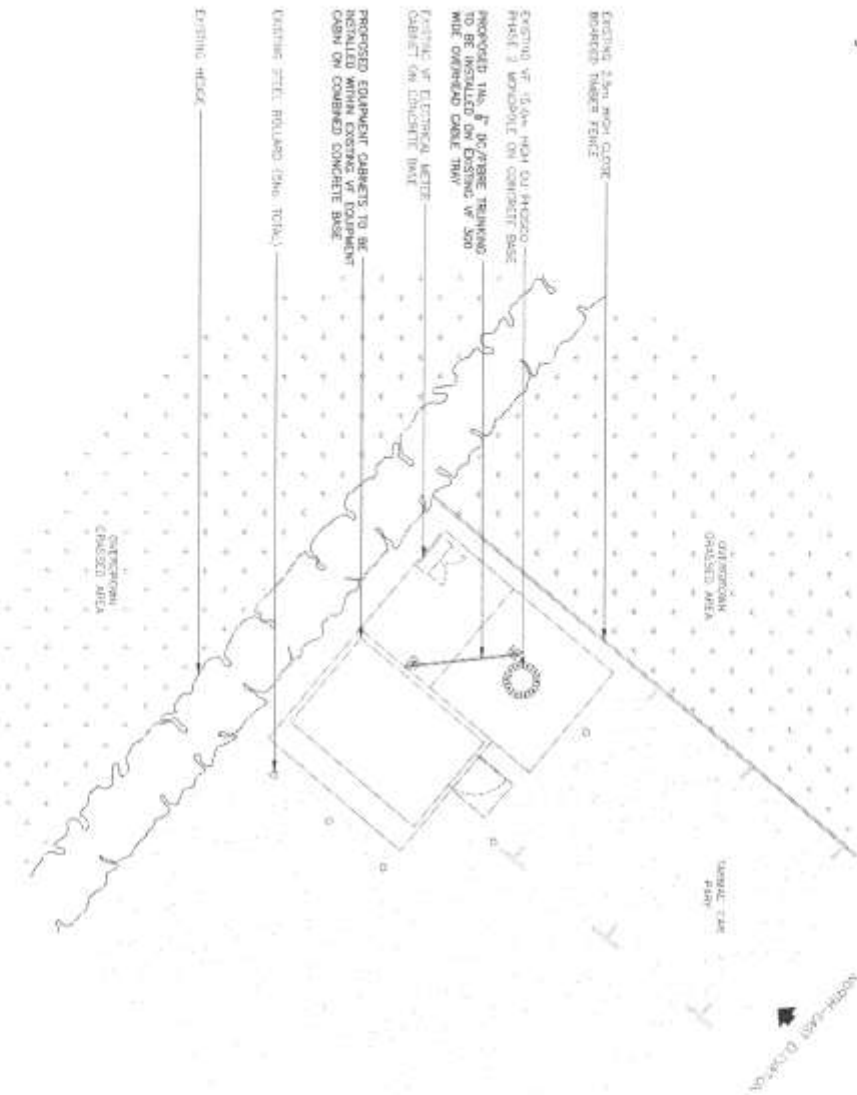
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PROPOSED SITE PLAN
(1:100)

ORIGNAL SCALE AT A3 - 1:100
ALL DIMENSIONS IN MILLIMETRES

The drawings comply with CIL, Beacon Standard (CNPP) guidelines.
Designed in accordance with CIL, Beacon documents: SDW008 & SDW010 (CNPP Compliance Summary)

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE
N.S.R. E. 269116 N. 089981
CONCESSION REQUIRED NO

NOTES:
1. All existing equipment with the proposed equipment and the equipment to be removed. All equipment annotated to be removed will not be on site following the proposed upgrade works.
2. For full details of the proposed structure, refer to the proposed structure and equipment layout plan DWG 300 proposed site elevation.

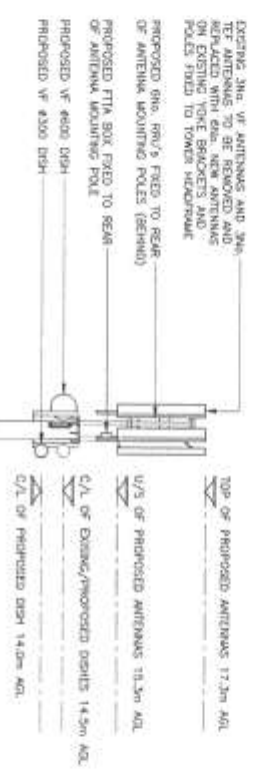
NO	DESCRIPTION	DATE
1	Issue for approval	30/01/2018
2	Modification	01/01/2018



Cell Name	DORCHESTER STATION	Cell ID No	-
Cell ID No	122843	VP	04131
Site Address / Contact Details	DORCHESTER STATION MAWMI DORCHESTER DORSET DT1 2BW		

Company Name	PROPOSED SITE PLAN
Project Name	PLANNING
Drawing Number	201
Scale	1:100
Author	AS
Check	AS
Issue	AS

ALL DIMENSIONS ARE IN UNITS UNLESS NOTED OTHERWISE
 N.C.R. E 366116 N-009948
 CONCURRENCE REQUIRED NO
 NOTES:
 THE DRAWING DEPICTS THE SITE FOLLOWING THE PROPOSED WORKS. ALL EQUIPMENT TO BE REMOVED HAS NOT BEEN SHOWN
 FOR FULL DETAILS OF GROUND LEVEL, UTILITY LAYOUTS SEE DWG 202 PROPOSED SITE LAYOUT



PROPOSED NORTH EAST ELEVATION
(1:100)



The drawings comply with CTL Beacon Standard (CNIRP guidelines).
 Designed in accordance with CTL Beacon documents: CONTOUR & SKETCHES (CNIRP Compliance Summary)



vodafone	
CTL - BEACON	
Call Name	CTL
Call ID No	122843
Site Address / Contact Details	N/A
DORCHESTER STATION DORCHESTER DT1 2BW	

Dorchester PROPOSED NORTH EAST ELEVATION	
PLANNING	
Checked By	303
Drawn By	303
Issue No	01
Issue Date	15/03/11
Checked By	303
Issue Date	15/03/11
Scale	A

Dorchester Town Council

Planning and Environment Committee – 27 April 2015

Decisions on planning applications (contrary to Dorchester Town Council's comments)/
withdrawn applications and others of interest.

1. **42 BUCKINGHAM WAY, DORCHESTER, DT1 2BP**

WD/D/15/000130

Erect single storey extension

Since the application was first submitted, the proposal was amended following negotiations with WDDC officers and the proposal now retains a brick frontage on the east elevation.

Officers considered that the amended plans addressed concerns regarding the removal of the east elevation wall, by retaining a brick façade and that the amendment limits any possible detrimental impact on the street scene and helps to integrate the extension into the existing house. On balance, officers considered that the development was considered to be acceptable in terms of the visual amenity of the area and the application was approved by WDDC's Development Control Committee on 16 April 2015.

Comment by the Town Council's Planning and Environment Committee on 2 February 2015:

Recommend refusal. This development, by reason of its scale and position, would appear unduly dominant and prominent when viewed from the east, detracting from the character of the area and being visually detrimental to the street scene. It would appear to be a change to the design concept of the original estate development. As such the development would be contrary to Policies DA5 and DA7 of the Adopted Local Plan and Section 7 of the National Planning Policy Framework.