

Dorchester Town Council

Special meeting of the Planning and Environment Committee

3 February 2016

Present: Councillors A. Canning, C. Biggs, R. Biggs, T. Harries, S. Hosford (Chair), T. Jones, F. Kent-Ledger, T. Loakes, R. Potter and M. Rennie
Apologies: Councillors B Armstrong-Marshall, S. Jones, F. Kent-Ledger and D. Taylor Also
Present: Councillors A. Chisholm, J. Hewitt, K. Rice and P Stein

153. **Planning Applications WD/D/15/002840 and WD/D/15/002841 - HM Prison, Dorchester, DT1 1JD**

Councillor Potter stated that as a member of WDDC's Development Control Committee he would listen to the debate but not take part or vote so as to avoid predetermining the application.

The Chairman welcomed members of the public to the meeting and outlined the format of the meeting.

Mr D. Hodges, WDDC planning officer presented the planning applications and gave the Committee a thorough description of the proposed development. He showed a large number of the plans of the development including existing and proposed elevations/cross sections and layout, the site masterplan, floor plans, landscaping, tree works and highways works.

A number of members of the public addressed the Committee. The main points and concerns they raised were:

- Queries about the accuracy of the predicted traffic movements generated by the site
- Road safety and noise issues, including access to the proposed car park on Friary Hill
- Negative impact on the Conservation Area
- Loss of amenity to residents in North Square including loss of light
- The level of demand for a commercial unit
- Highway problems at the Bow
- The need to open the Glyde Path Road entrance as a second access to the site
- The proposed provision of 0% affordable housing on site against the Local Plan policy requirement for 35%
- Housing needs in the Town against the background of job reduction in the Town
- Requests for the developer's viability assessment to be made public
- Loss of public views from both inside and outside of the Town and possible impact on local tourism

A representative of Dorchester Civic Society addressed the Committee. The Society was concerned at the lack of affordable housing, the absence of access from Glyde Path Road and asked for justification from the developer as to the loss of certain trees on site. They

considered that account had not been taken of the impact of the development on important views of St Peter's church from the Charminster direction and asked the developer to rectify this.

Mr R. Winsborough, representing City & Country, addressed the Committee. He noted that consultation had been as transparent as possible, with large public interest, and this had influenced the final proposal. He spoke about individual aspects of the development and indicated that removing the commercial space and moving back the buildings along North Square were amendments currently being developed. His view was that if affordable housing was to be incorporated this would require denser development with more units and he believed feedback from earlier consultation had indicated that the public did not support this. He said that there would be a wide variety of dwellings of different sizes and prices available on the site. He expected that the Planning Authority would be responsible for providing an independent assessment of the submitted Viability Assessment and argued that the development of the site would be a compromise of restoring and adding value to the site against the cost of delivery.

The Planning Officer then showed plans that had not yet been formally submitted, of the proposed amendments to the commercial building that comprised of double gabled ended residential units facing into North Square, on the site of the current car park, with an open space to the front. Various new photomontages of aspects of the site were also shown. He advised that if these amendments were submitted the Planning Authority would then reconsult.

Councillors who were not members of the Committee commented on the application and mentioned lack of affordable housing or CIL contribution, publication of the Viability Assessment, highway limitations at the Bow and the preservation of archaeology.

The Chairman presented the Town Clerk's report.

The Committee noted the comments made by members of the public and were fully supportive of concerns about the total lack of affordable housing planned for the development. Members considered that the policy requirement for 35% affordable housing should be adhered to and this was a cornerstone of the new Local Plan. The developer had known about this policy requirement since acquiring the site and should have factored it in to their proposals. If the policy was ignored at this early stage in the life of the Local Plan, it would set a dangerous precedent. Without 35% affordable housing the development was not acceptable and the Committee could not support it.

The Committee expected the Planning Authority to take a robust approach to examining the developer's Viability Assessment bearing in mind policy requirements in the Local Plan.

Members acknowledged the challenges of access during construction and following completion particularly as there were other developments scheduled in the immediate area over the same period. Dorset Highways were still assessing the proposals and had not yet submitted their response. Most Members considered the option for the Bow to

be an improvement on the current situation and while not ideal it could be the best solution available.

Mr Winsborough advised that City & Country were still pursuing access from Glyde Path Road with the Ministry of Justice and would seek to provide a pedestrian route there. The Planning Officer commented that due to the width restriction it was not possible for this access point to accommodate vehicles. Members hoped that this access could be delivered to facilitate pedestrian access through the site and they did not want to see the development becoming a gated community. The Committee offered the support of the Town Clerk in trying to expedite discussions with the Ministry of Justice.

The Planning Officer confirmed that meetings were underway between the developer and DCC's archaeologists. There had already been a number of interesting finds on site and there was good co-operation.

In respect of the commercial building, the Committee accepted the developer's proposal to remove this from the scheme and although the Town Council had previously promoted this, it was considered that this would create less conflicts for residents.

The concerns about views from the north of the Town were noted and Members considered that these should be pursued by other interested parties and accepted that views from the Town out to the country would also change.

With regards to the impact of the development on local residents, the Committee agreed that the dwellings adjoining the commercial unit and facing out into North Square at street level would be too close and overbearing having a negative impact on the amenity of neighbouring residents. Members agreed that it would be preferable to leave as much open space in this area as possible, with dwellings set back as far as possible from North Square and of a design that would impact less on neighbours.

The Planning Officer answered questions about the merits of planning conditions and S106 agreements and he explained that in future CIL could only be collected for specific projects rather than under a tariff system. He also advised that the Planning Authority would only want to consider the planning applications once, when all amendments had been submitted.

Resolved

That WDDC be advised that Dorchester Town Council does not support approval of planning applications WD/D/15/002840 and WD/D/15/002841 and wishes the following comments to be taken into consideration:

- i) Dorchester Town Council recommends that the District Council refuses the applications on the grounds that they fail to meet the Local Plan policy HOUS.1 requiring 35% affordable housing. The Town Council supports the comments made by the Planning Inspector in his final report on the Local Plan "*I consider the Councils should revert to their original policy provisions i.e. that all new market housing should make a contribution towards affordable housing needs.*" To fail to adhere to policy HOUS. 1 in respect of these applications would completely

undermine the Local Plan and set a very dangerous precedent for other sites that will come forward. The lack of affordable housing is also contrary to para. 50 of NPPF 2012. The Local Plan has only recently been adopted, after considerable consultation, and policy HOUS. 1 should be seen as a fundamental part of the Plan.

- ii) The Planning Authority should seek to negotiate an appropriate CIL contribution for the development. If this is not met then the Planning Authority should seek a financial contribution as detailed in policy COM 1. of the Local Plan.
- iii) The Planning Authority is encouraged to demonstrate that it will be undertaking its own robust appraisal of the potential development of the site and to provide transparent reporting on the outcome of such an appraisal.
- iv) If any planning application for the site is approved, appropriate and robust planning conditions should be added to secure a construction management plan to ensure that there is minimum disruption to residents and traffic. This condition should also give maximum protection to the Corn Exchange and St Peter's Church as Listed Buildings (as per policy ENV.4 of the Local Plan) and take into account other developments scheduled in the immediate area over the same period.
- v) Dorset Highways should be asked to demonstrate that their assessment of the highways proposal satisfies access and traffic volume concerns raised and it accords with COM7. of the Local Plan.
- vi) If any planning application for the site is approved, planning conditions should be added to ensure that archaeological investigations and findings are promoted and publicised/exhibited.
- vii) If any planning application for the site is approved, a planning condition should be added to ensure that if any significant/veteran trees are lost then they are replaced like for like.
- viii) Without being able to express a view on any revised scheme until it is received, the Town Council would support the removal of the commercial space in North Square to protect the amenity of neighbouring residents.
- ix) If any planning application for the site is approved, planning conditions should be added to ensure that public access through the site is secured and that the development cannot become a gated community. This is supported by policy ENV 11. of the Local Plan and paragraph 75. of the NPPF 2012.
- x) The Town Council considers that the positioning of the dwellings adjoining the commercial unit and facing out into North Square at street level would be overbearing and over dominant causing overshadowing to properties on the opposite side of North Square. This would have a detrimental impact on the amenity of these properties and therefore be contrary to policy ENV 16. of the

Local Plan. Without being able to express a view on any revised scheme until it is received, the Town Council would welcome as much open space being left in this area as possible, with dwellings set back as far from North Square as possible and of a design that would impact less on neighbours.

The Committee considered that the consultation carried out by City & Country had been exemplary and they had been most accommodating in meeting with the Town Council during the preparation of the planning applications. The Chairman thanked them for all of their input and co-operation which had been much appreciated.

Chairman