



GILLINGHAM TOWN COUNCIL

The Town Hall, School Road, Gillingham, Dorset SP8 4QR

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PLANNING COMMITTEE

Minutes of a meeting of the **Planning Committee** held on **Monday 5th December 2016** in **The Jubilee Room, Town Hall, School Road, Gillingham** at **7.30pm**.

These minutes do not constitute a true record until ratified by Full Council.

Members Present: Cllr B Von Clemens (Chairman), Cllr D Walsh (Deputy Chairman), Cllr Mrs A Beckley, Cllr R Evill, Cllr Miss E Jones, Cllr P Harris and Cllr Mrs S Hunt.

Also Present: **Committee Clerk:** Mrs Julie Hawkins.
Two members of the public.

290. Apologies: Apologies were received from Cllr Ms Baker, Cllr A Frith, Cllr Miss Purkis and Cllr S Joyce.

291. To approve the minutes of the meeting held on 14th November 2016 and the interim meeting held on 28th November 2016.
Proposed by Cllr Mrs Beckley, seconded by Cllr Evill and agreed by all voting members that “**the minutes of the meeting held on 14th November 2016 and the interim meeting held on 28th November 2016 are approved as correct records of those meetings**”. **RESOLVED.**

292. Questions:
There were no questions.

293. Declarations of Interests
Members are reminded of their obligations to declare their interests in the following items and to indicate the action they will be taking when the item is considered as per the National Association of Local Councils (NALC) Model Code of Conduct which has been prepared to comply with the requirements of Section 27 of the Localism Act 2011.
Cllr Miss Jones referred to Planning Application 2/2016/1643/OUT and declared a personal interest as she is known to the applicant.

294. Planning Application Decisions from NDDC:

- a. Application No:** 2/2016/1320/FUL **Date Registered:** 26 September 2016
Location of Development: 1 And 2 Fernbrook Cottages, Shaftesbury Road, Motcombe, Shaftesbury, Dorset, SP7 9PP
Description of Development: Erect 2 No. replacement dwellings and form new vehicular access (demolish existing dwellings). **REFUSED**

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294. Planning Application Decisions from NDDC continued:

b. Application No: 2/2016/1463/AGDWPA

Proposal: Change of use and conversion of agricultural buildings into 2 No. dwellings (Class C3) and convert agricultural unit into parking units.

Location: Agricultural Building, Sandpits Lane, Gillingham, Dorset.

It is considered that the development proposed is not permitted development, and that a formal planning application is required.

c. Application No: 2/2015/1317/LBC Date Registered: 4 September 2015

Location of Development: Old Town Gallery, 5 High Street, Gillingham, Dorset.

Description of Development: Change of use from Beauty Treatment Salon and Financial Services Offices to single dwelling. Replace door with glazed door and carry out external and internal alterations associated with this.

REFUSAL OF LISTED BUILDING CONSENT

d. Application No: 2/2015/1237/FUL Date Registered: 4 September 2015

Location of Development: Old Town Gallery, 5 High Street, Gillingham, Dorset.

Description of Development: Change of use from beauty treatment salon and financial services offices to dwelling. **REFUSED**

e. Application No: 2/2016/1304/FUL Date Registered: 7 September 2016

Location of Development: 2 Marlott Road, Gillingham, Dorset, SP8 4FA

Description of Development: Convert and extend existing garage to form 1 No. single storey dwelling and erect new double garage. Form pedestrian access.

GRANTED

f. Application No: 2/2016/1234/FUL Date Registered: 23 August 2016

Location of Development: Stirling Stables, Bay Road, Gillingham, Dorset,

Description of Development: Form new vehicular access (close existing access).

GRANTED

Cllr Mrs Beckley referred to Application No: 2/2016/1320/FUL and asked why permission had been refused for the two replacement dwellings.

The Chairman informed the meeting that the application had been refused by North Dorset District Council for the following reason:

The proposal, by reason of the location of the dwellings in a different location to the original building, which would not bring about a significant environmental benefit, combined with the increase in size as a result of being detached and large in floor area, would be harmful to the character and appearance of the area contrary to North Dorset Local Plan Part 1 (2011 – 2031) policies 24 and 28.

295. Tree Works Application Decisions from NDDC:

a. Application Number: 2/2016/1446/CATREE

Proposal: Section 211: Notification of intent to carry out works to tree(s) within a Conservation Area T1 - Cherry - Crown lift lower limbs interfering with roof of the property to give a maximum clearance of 2m (see photo TRK2). Crown reduction to a maximum of 2m to tuck in the protruding extremities to bring the tree back into shape. (see photo TRK3) and removal of Ivy. (Note. removal of ivy - Council approval not required). (works amended as per agents email received 3.11.2016)

Location: Topsyie Rabbit Kindergarten, Coachmans Corner, The Square, Gillingham, Dorset.

North Dorset District Council has no objection to the works specified.

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295. Tree Works Application Decisions from NDDC continued:

b. Application Number: 2/2016/1518/CATREE

Proposal: Section 211: Notification of intent to carry out works to tree(s) within a Conservation Area

T1 - Cotoneaster - Reduce the height down to 2-3m

T2 and T3 - Apple - Reduce the height by 0.5 -1m, prune out water shoots and any rubbing branches.

Location: 8 Wyke Court , Wyke Road, Gillingham, SP8 4SQ

North Dorset District Council has no objection to the works specified.

c. Application Number: 2/2016/1533/CATREE

Proposal: Section 211: Notification of intent to carry out works to tree(s) within a Conservation Area

T1 - Norway Spruce - Remove completely as tree is shadowing a large part of the garden and also making the soil very acidic. *Would like to replant with a native tree (Field Maple).*

Location: 14 Milford Court Mews, Milford Court, Gillingham, Dorset, SP8 4SU

North Dorset District Council has no objection to the works specified.

d. Application No: 2/2016/1534/CATREE

Proposal: Section 211: Notification of intent to carry out works to tree(s) within a Conservation Area

T1 - Acer Negundo - Reduce the overall crown by 1m to a formative shape.

T2 - Contorted Willow - Reduce the overall crown by 1.5m and shape.

Location: 13 Milford Court Mews, Milford Court, Gillingham, Dorset, SP8 4SU

North Dorset District Council has no objection to the works specified.

e. Application No: 2/2016/1553/TPTREE

Proposal: The Town and Country Planning Act 1990 & Town and Country Planning (Trees) Regulations 2012 application for Work To Protected Trees - TPO No. 20/1/69

T1 - Native Hedge - Reduce height to 1.5m and infill with native whips

T2 - Leylandii (x5) - Remove completely

T3 - Birch (x2) - Remove completely

T4 - Ash sapling - Remove completely

T5 - Cherry - Remove completely

T6 - Thorn (x2) - Remove completely

Location: 5 Barnaby Mead, Gillingham, Dorset, SP8 4AL

The work applied for is considered exempt for the following reasons:

The trees proposed for removal on this application are not considered to be of an age that would qualify protection under the Area Tree Preservation Order 20/1/69 and therefore do not require the LPA's consent.

f. Application No: 2/2016/1571/TPTREE

Proposal: The Town and Country Planning Act 1990 & Town and Country Planning (Trees) Regulations 2012 application for Work To Protected Trees - TPO No. 20/1/69

T1 - Yew Tree to front of property - To carry out a 2.5m crown lift on secondary and tertiary laterals as this will improve some light penetration.

Location: 1 Rawson Court , High Street, Gillingham, SP8 4RZ

The work applied for is granted, subject to conditions.

g. Application No: 2/2016/1492/TPTREE

Proposal: The Town and Country Planning Act 1990 & Town and Country Planning (Trees) Regulations 2012 application for Work to Protected Trees - TPO No. 532-2015

T1 and T2 - Field Maple - Fell to ground level and treat stump

Location: Land Adjacent To: 7 Matthews Place, Hyde Road, Gillingham, Dorset, SP8 4DB

Refused

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297. Planning Applications:

a. Planning Application No: 2/2016/1669/MODPO

Proposal: Modification of Section 106 Agreement dated 26th June 2000 (subsequently modified in the supplemental Agreement dated 16/09/2003) relating in part to the property now known as 4 Mulberry Close, so that 4 Mulberry Close only is no longer bound by those planning obligations that specifically relate to it as a low cost market dwelling and as such restrict its use and future disposal.

Location: 4 Mulberry Close, Gillingham, Dorset, SP8 4AU

COMMENTS:

Cllr Walsh raised concerns over the application and stated that in his opinion the ties that were given to ensure the availability of low cost housing should be honoured.

The Chairman informed the meeting that he has been informed by North Dorset District Council that their legal advisers have been involved with previous applications in relation to two of the other properties in the row of dwellings, and in both instances the applications were granted and the agreements modified.

Cllr Walsh stated that each application needs to be decided on its own merits and his objection to the application still stands.

Following a discussion, all voting members objected to the application.

RECOMMENDATION:

Gillingham Town Council objects to the applications as there is a need for low cost housing in the town.

b. Planning Application No: 2/2016/1643/OUT

Proposal: Develop land by the erection of 1 No. dwelling and associated parking (outline application with all matters reserved).

Location: Land Adjacent 3 Lodden, Gillingham, Dorset, SP8 4JY

COMMENTS:

Cllr Mrs Beckley raised concerns over the proposed access onto Shaftesbury Road.

Cllr Evill stated that the proposed materials are sympathetic but he raised concerns over the proposed access and the loss of the garden.

Cllr Walsh informed the meeting that the County Highway Authority has no objections to the application, subject to conditions.

Following a discussion, five voting members supported the application.

Cllr Miss Jones abstained from voting as she is known to the applicant.

RECOMMENDATION:

Gillingham Town Council has no objections to the application.

c. Application No: 2/2016/1763/TEL

Proposal: Removal of BT telephone boxes consultation

Location: Various sites in NDDC Area

COMMENTS:

The Chairman informed the meeting that the proposal is for the removal of 64 public payphones in the North Dorset area including the payphones at Lodbourne and Common Mead Lane in Gillingham, and at Forge Garage in Milton-on-Stour.

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297. Planning Applications:

Cllr Mrs Hunt asked if the application could be deferred to the Full Council meeting scheduled for Monday 19th December 2016 in order to allow residents extra time to comment on the proposals. Cllr Mrs Hunt referred to the proposal to remove the payphone at Milton-on-Stour and informed the meeting that the payphone is on private property. Cllr Mrs Hunt asked if this would make any difference to the application.

The Chairman stated that he would seek clarification prior to the Full Council meeting.

RECOMMENDATION:

Proposed by Cllr Mrs Hunt, seconded by Cllr Von Clemens and agreed by all voting members that **‘the application for the removal of BT telephone boxes will be deferred to the Full Council meeting scheduled for Monday 19th December 2016.’ RESOLVED**

298. Tree Works Applications:

a. Tree Works Application No: 2/2016/1716/CATREE

Proposal: T1 - English Oak - (Option 2) Selectively reduce branches on south, east and west sides by max 2m, in lateral spread up to max 2.5m on north side (refer to photos). On south side, prune back to lateral branches minimum of 1/3rd the diameter of the parent branch. If not possible, prune back to a healthy epicormic shoot. Blend lateral reduction into existing height of tree without reducing height. Remove epicormic shoots up to height of 3m above ground level. Carefully retain all other epicormic shoots within inner crown during pruning operation.

Location: Car Park, High Street, Gillingham, Dorset.

COMMENTS:

The Chairman informed the meeting that as the application has been submitted in the name of Gillingham Town Council the Planning Committee will not be submitting a response to the application.

b. Tree Works Application No: 2/2016/1719/TPTREE

Proposal: T1 - Willow (indicated 'C' on attached location plan) - Reduce back the branch tips on the wind blown side that encroaches the informal footpath by 3m

Location: Land North of, Cherryfields, Gillingham, Dorset,

COMMENTS:

The Chairman informed the meeting that as the application has been submitted in the name of Gillingham Town Council the Planning Committee will not be submitting a response to the application.

299. To receive notification from North Dorset District Council that a provisional Tree Preservation Order (TPO) has been made at Kendalls Cottage, Kendall Lane, Milton-on-Stour, Gillingham for the following trees: T1- Oak, T2- Ash.

There were no comments.

300. To receive and consider information regarding Footpaths in Gillingham.

There was nothing to report.

301. To receive and consider a report from the Conservation Area Working Party.

Lead member, Cllr Mrs Hunt informed the meeting that the working party are aiming to hold a public consultation at the end of January 2017, however, this will be dependant upon the availability of officers from the Tri-Partnership.

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302. MATTERS PERTINENT TO THIS MEETING. Members are advised that inclusion of items is at the Chairman's discretion and that 'A Council cannot lawfully decide any matter which is not specified in the summons (*agendas*)'. The Chairman to be advised prior to the commencement of the meeting.

- a.** The Chairman informed members that due to Christmas the Precept meeting will be held on Monday 12th December 2016 and the Full Council and Interim Planning meetings will be held on Monday 19th December 2016. The Chairman reminded members that all councillors are summoned to attend the Precept meeting and all councillors will be able to vote.

Closure. The meeting closed at 7.46pm