



# GILLINGHAM TOWN COUNCIL

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

Tel: 01747 823588 Email: GTC@gillinghamdorset-tc.gov.uk

## PLANNING COMMITTEE

Minutes of a meeting of the **Planning Committee** held on **Monday 10<sup>th</sup> October 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 Ms A Baker, Cllr Mrs A Beckley, Cllr R Evill, Cllr P Harris, Cllr Mrs S Hunt,  
Cllr Miss E Jones, Cllr S Joyce, Cllr Miss Purkis and Cllr D Walsh.

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

**254. Apologies:** Apologies were received from Cllr A Frith.

**255. To approve the minutes of the meeting held on the 12<sup>th</sup> September 2016 and the interim meeting held on 26<sup>th</sup> September 2016.**  
Proposed by Cllr Mrs Beckley, seconded by Cllr Evill and agreed by all voting members **“that the minutes of the meeting held on 12<sup>th</sup> September 2016 and the interim meeting held on 26<sup>th</sup> September 2016 are approved as correct records of those meetings”.** **RESOLVED.**

**256. Questions:**  
There were no questions.

**257. 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.*  
The Chairman informed the meeting that Cllr M Gould was present as a member of the public and would not be taking part in the meeting as a councillor. The Chairman informed the meeting that Cllr Gould has a disclosable pecuniary interest in Planning Applications: 2/2015/1317/LBC and 2/2015/1237/FUL and this interest has been notified to the NDDC Monitoring Officer and has been entered in the Register.

**258. To consider and agree a Deputy Chairman for the GTC Planning Committee.**  
Cllr Mrs Hunt proposed that **“Cllr Walsh should be elected as the Deputy Chairman of the Planning Committee for the remainder of the Council Year 2016-2017”.** Cllr Joyce seconded and the vote was unanimous. **RESOLVED.**

Cllr Walsh signed the Declaration of Acceptance of Office for Deputy Chairman of the Planning Committee for the remainder of the Council Year 2016-2017.

## **Planning Committee Meeting Minutes – 10<sup>th</sup> October 2016**

### **259. To consider and agree a councillor to represent the planning interests of the Ham Ward.**

The Planning Committee unanimously agreed that Cllr Evill should represent the planning interests of the Ham Ward

### **260. Planning Application Decisions from NDDC:**

#### **a. Application Number: 2/2016/1098/AGDWPA**

**Location of Development:** Deer Leap Farm, Bowridge Hill, Gillingham, Dorset, SP8 5QR

**Description of Development:** Change of use and conversion of agricultural buildings into 2 No. dwellings (Class C3).

**PRIOR APPROVAL IS REQUIRED AND HAS BEEN APPROVED**

#### **b. Application Number: 2/2016/1148/HOUSE**

**Location of Development:** Garage Flat, Horkesley Hall Farm, Common Mead Lane, Gillingham, Dorset, SP8 4RE

**Proposal:** Erect single storey extension.

**APPLICATION WITHDRAWN**

#### **c. Application Number: 2/2016/1182/HOUSE**

**Location of Development:** 23 New Road, Gillingham, SP8 4JH

**Proposal:** Erect two storey side extension.

**GRANTED**

### **261. Appeal Decisions:**

#### **a. Appeal Ref: APP/N1215/W/16/3147828**

**Planning Application No:** 2/2015/1403/FUL

**Location of Development:** Deer Leap Farm, Bowridge Hill, Gillingham, Dorset SP8 5QR

**Condition in dispute:** No. 2: 'This permission is limited to a period of 2 years expiring on 1<sup>st</sup> December 2017, when the hereby permitted shall be discontinued and the land restored to its former condition prior to when the mobile home was positioned on the land; in accordance with a scheme of works which shall be submitted to, and approved by, the Local Planning Authority, unless a further application for planning permission has been submitted, and subsequently approved, to continue the use'.

**DECISION:** The appeal is allowed and the Planning Permission Ref: 2/2015/1403/FUL to retain existing mobile home for occupation by a dependant relative granted on 3<sup>rd</sup> December 2015 by North Dorset District Council, is varied and permission is now limited to a period of 3 years expiring on 1<sup>st</sup> December 2018.

### **262. Planning Applications:**

#### **a. Application No: 2/2015/1317/LBC (Amended Application)**

**Proposal:** 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.

**Location:** Ground Floor, Old Town Gallery, 5 High Street, Gillingham, Dorset, SP8 4AN

#### **COMMENTS:**

The Chairman invited the applicant, Mr Ben Gould, to speak.

Mr Gould informed the meeting that since the closure of both of the businesses he has been unable to sell the property, and stated that the only long term sustainable use for the building is residential use. Mr Gould explained that the roof needs to be replaced, and in order to save the building he asked the committee to support the application for a change of use.

## Planning Committee Meeting Minutes – 10<sup>th</sup> October 2016

### 262. Planning Applications continued:

The Chairman reminded members that the application was originally considered by the Town Council Planning Committee on Monday 28th September 2015, and the following response was submitted to North Dorset District Council:

*‘All voting members recommend refusal of the application as the proposed change of use would not preserve or enhance the vibrancy of the High Street or maintain and promote the vitality of Gillingham as a shopping centre. It therefore would be contrary to North Dorset District Wide Local Plan policies 3.17, 3.15 and 12, and paragraph 22 of the National Planning Policy Framework. The proposed change of use would result in the loss of retail use, diminishing the vibrant and active retail frontage which forms an important characteristic of the Gillingham Conservation Area. The proposal therefore would not preserve or enhance the special character of the Conservation Area and be contrary to North Dorset District Local Plan Policy 1.24.*

*All voting members agreed that should the Case Officer be mindful to approve the application, the application should be referred to the Development Management Committee at North Dorset District Council as the applicant is related to a member of the North Dorset District Council Development Management Committee’.*

Cllr Walsh emphasized the importance of Policy 12 of the North Dorset Local Plan, which has been agreed by the Secretary of State and states:

*‘Within secondary shopping frontages, development resulting in the change of use of an existing ground floor A Class use within a unit fronting a street or pedestrian thoroughfare will not be permitted.’*

The Chairman informed the meeting that since the committee were consulted on the application in September 2015, new information has been submitted by the applicant. The Chairman asked members to consider whether or not they wished to amend or change their original comments.

When put to the vote, nine voting members agreed that the town council’s original response should not be amended. Cllr Miss Jones abstained from voting.

#### **RECOMMENDATION:**

Gillingham Town Council recommends refusal of the application as the proposed change of use would not preserve or enhance the vibrancy of the High Street or maintain and promote the vitality of Gillingham as a shopping centre. Therefore, it would be contrary to North Dorset District Wide Local Plan policies 3.17, 3.15 and 12, and paragraph 22 of the National Planning Policy Framework.

The proposed change of use would result in the loss of retail use, diminishing the vibrant and active retail frontage which forms an important characteristic of the Gillingham Conservation Area. The proposal therefore would not preserve or enhance the special character of the Conservation Area and be contrary to North Dorset District Local Plan Policy 1.24.

All voting members agreed that should the Case Officer be mindful to approve the application, the application should be referred to the Development Management Committee at North Dorset District Council as the applicant is related to a member of the North Dorset District Council Development Management Committee’.

#### **b. Application No: 2/2015/1237/FUL (Amended Application)**

**Proposal:** 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.

**Location:** Ground Floor, Old Town Gallery, 5 High Street, Gillingham, Dorset, SP8 4AN

**262. Planning Applications:**

**COMMENTS:**

When put to the vote, nine voting members agreed that the town council's original response should not be amended. Cllr Miss Jones abstained from voting.

**RECOMMENDATION:**

Gillingham Town Council recommends refusal of the application as the proposed change of use would not preserve or enhance the vibrancy of the High Street or maintain and promote the vitality of Gillingham as a shopping centre. Therefore, it would be contrary to North Dorset District Wide Local Plan policies 3.17, 3.15 and 12, and paragraph 22 of the National Planning Policy Framework.

The proposed change of use would result in the loss of retail use, diminishing the vibrant and active retail frontage which forms an important characteristic of the Gillingham Conservation Area.

The proposal therefore would not preserve or enhance the special character of the Conservation Area and be contrary to North Dorset District Local Plan Policy 1.24.

All voting members agreed that should the Case Officer be mindful to approve the application, the application should be referred to the Development Management Committee at North Dorset District Council as the applicant is related to a member of the North Dorset District Council Development Management Committee'.

**c. Application No: 2/2016/1320/FUL**

**Proposal:** Erect 2 No. replacement dwellings and form new vehicular access (demolish existing dwellings).

**Location:** 1 and 2 Fernbrook Cottages, Shaftesbury Road, Motcombe, Shaftesbury, Dorset, SP7 9PP

**COMMENTS:**

The Chairman informed the meeting that the properties are situated just outside of the town boundary and the council are being consulted as a neighbouring parish.

Cllr Evill stated that the existing buildings are in a poor state of repair and the replacement dwellings, which would be set back away from the road, would be tidier. Cllr Evill stated that in his opinion, the proposed entrance would be an improvement on the existing entrance.

Cllr Mrs Hunt concurred with Cllr Evill and expressed her support for the proposed new entrance.

Cllr Walsh stated that he had no objections to the siting of the proposed dwellings, which would be set 7m back from the road, but raised concerns over the proposed materials. Cllr Walsh stated that in his opinion the proposed white aluminium doors and windows would not be in keeping, and asked for more sympathetic materials to be used.

When put to the vote all members agreed that they had no objections to the design and siting of the proposed dwellings or the proposed access. However, members have concerns regarding the use of white aluminium, and would like to see the windows and doors constructed in a material that is more sympathetic to the character of the area.

**RECOMMENDATION:**

When put to the vote all members agreed that they had no objections to the design and siting of the proposed dwellings or the proposed access. However, members have concerns regarding the use of white aluminium, and would like to see the windows and doors constructed in a material that is more sympathetic to the character of the area.

## Planning Committee Meeting Minutes – 10<sup>th</sup> October 2016

### 263. Tree Works Applications:

#### a. Tree Works Application No: 2/2016/1406/CATREE

**Proposal:** T1 - Ash - (one large stem and eleven smaller) - Pollard all stems, cutting back to bole approx. 1.5 - 2m from ground level. T2 - Ash - Pollard, retaining bole at approx. 3.5 - 4m.

**Location:** Hillside, Post Office Road to Pierstons Fields - Road, Milton-on-Stour, Gillingham.

The Chairman informed the meeting that the application has been withdrawn.

### 264. To receive and consider information regarding Footpaths in Gillingham.

A report from the Rights of Way Liaison Officer was circulated to members. Please see Appendix A

Cllr Mrs Hunt referred to a stile at Footpath 73 in Milton-on-Stour and asked if the stile could be mended.

The Committee Clerk reminded the meeting that it is hoped to upgrade the stile to a gate, however, in the meantime, the issue will be reported to the Rights of Way Officer for repair.

Cllr Mrs Hunt thanked the Rights of Way Liaison Officer and the members of Walkers are Welcome for their continued hard work.

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

Cllr Mrs Hunt, Lead Member, presented a report detailing a timetable for the proposed designation of Colesbrook as a Conservation Area. Please see Appendix B.

### 266. To receive and consider the draft Conservation Area Report for Colesbrook for presentation to Full Council for adoption.

Cllr Mrs Hunt presented the draft Conservation Area Report for Colesbrook and took the opportunity to thank the members of the Working Party.

Proposed by Cllr Mrs Hunt, seconded by Cllr Ms Baker, and agreed by eight voting members that **‘the draft Conservation Area Report for Colesbrook should be presented to Full Council for consideration and adoption’**. **RESOLVED**

Cllr Walsh abstained from voting as he will be considering the report in his position on the District Council as Chairman of the Planning Policy Panel.

### 267. To identify any items relevant to the Planning Committee for inclusion in the precept for the FY 2017/18.

Following a discussion, the Chairman proposed, Cllr Mrs Hunt seconded and all members agreed that **‘a sum of £500 should be included in the precept FY2017/18 for administration costs involved with consultation work’**.

### 268. 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 referred to the Jubilee Fields Footpath and advised the meeting that additional repair work to the footpath and riverbank is due to take place over a period of 3 weeks commencing Monday 10<sup>th</sup> October. The Chairman explained that it will be necessary to close the footpath between the footbridge adjacent to Casterbridge Way and Wavering Lane West in order to accommodate the works; however, when possible it is hoped to re-open the footpath at weekends outside of contractors working hours.

## **Planning Committee Meeting Minutes – 10<sup>th</sup> October 2016**

### **268. MATTERS PERTINENT TO THIS MEETING continued.**

- b. The Chairman referred to the proposed new base station installation at North Dorset Rugby Football Club and informed the meeting that the agent had been in contact with the town council to clarify some of the points raised at the last Planning Committee meeting. The Chairman informed the meeting that there are no plans to shroud the mast in a similar way to the mast at Sutton Clump and, if erected, the mast will be as per the submitted drawings and there are no plans to erect more dishes than are indicated. The Chairman stated that the agent is aware of the badger sett and is working with North Dorset Rugby Football Club to ensure that the sett will not be disturbed.
- c. The Chairman referred to the Planning Application to develop land east of Barnaby Mead by the erection of up to 50 dwellings, and reminded members that the application will be considered by the Planning Committee at North Dorset District Council on 11<sup>th</sup> October 2016.

**Closure.** The meeting closed at 8.07pm

---

## RIGHTS OF WAY

**Author: Mrs Sheila Messer, Rights of Way Liaison Officer**

### Footpath Problems

- Rangers dealt with problems reported to June meeting. They have repaired or replaced 6 fingerposts and replaced waymarkers on where paths N64/46 and N64/50 diverge going into Chantry Fields.
- The Rangers have also done sterling work clearing paths. In particular a lengthy stretch of the bridleway to Motcombe and path N64/51 off Common Mead Lane. The problem stiles on this path have now been replaced by gates as part of the Stiles to Gates project
- Where path N64/64 (the Stour Valley Way) meets Wavering Lane a problem with the field gate has been reported online and is awaiting attention.
- A broken handrail where path N64/27 meets Wyke Road has been reported online and is awaiting attention.
- The footpath workparty continues to meet monthly to improve waymarking and carry out minor clearance work.

### Walkers are Welcome

- New walking guides are almost sold out. Our next meeting will be deciding on next steps, possibly a new set of walks.
  - One footpath map now up in bus shelter in the High Street.
  - The Walking Festival was a great success. In over 400 outings on 21 walks, walkers clocked up over 1650 miles. Some people treat it as a walking week and walk most days. People new to the area had their eyes opened and made new friends. Majority of walkers are over 60 and Gillingham based
  - Half the cost of the extended format printed programme was met by sale of advertising.
  - We were successful in gaining funding from Ramblers Holidays Charitable Trust(RHCT) for new projects:
    - renovation of two cast iron kissing gates on Chantry Fields
    - setting up an Adopt a Footpath scheme. The Countryside Rangers are viewing this as a pilot for relaunching the scheme county-wide
- RHCT were not willing to fund a feasibility study into developing a route and an event based on A Perambulation of The Royal Forest.

### Stiles to Gates

- WAW's major project for 2016
- 21 gates are now installed with agreement in place for a further 6.
- Negotiations are in hand with landowners for final 3.
- There will still be some stiles around Gillingham when project is complete. A few landowners have not given permission and there are a few stiles on less used routes that have not been included.





---

## **CONSERVATION AREA WORKING PARTY**

**Author: Mrs Julie Hawkins, Committee Clerk**

**The Conservation Area Working Party has agreed the following timetable for the proposed designation of Colesbrook as a Conservation Area:**

- 1) Complete report – *completed 5<sup>th</sup> October 2016*
- 2) Present report to Working Party for approval – *10<sup>th</sup> October 2016*
- 3) Present report to Planning Committee for approval – *10<sup>th</sup> October 2016*
- 4) Present to the Three Rivers Partnership, GNPG and other interested parties
- 5) Meet with Kevin Morris, NDDC Environment, Community and Commissioned Services Manager to develop a suite of management policies – *14<sup>th</sup> October 2016*
- 6) Present to GTC Full Council for consideration and adoption – *24<sup>th</sup> October 2016*
- 7) Gillingham Town Council to submit a formal request to NDDC for the designation of Colesbrook as a Conservation Area to include an Article 4 direction.
- 9) NDDC to notify all residents of Colesbrook of the proposal and invite them to submit comments.
- 10) A full public consultation is carried out. Costs to be covered by NDDC. GTC to help with exhibition. Consultation to be carried out in January 2017.
- 11) NDDC Policy Manager to present a report to the NDDC Planning Policy Panel with a recommendation that a report is made to Cabinet on the proposed designation of Colesbrook Conservation Area to include an Article 4 direction. The report to include responses to the consultation.
- 12) A report is submitted for consideration by Cabinet.

### **Restricting Permitted Development: Article 4 Directions and Heritage**

Certain works that would normally require planning permission are permitted by the General Permitted Development Order (GPDO) (1). This is primarily because the works are of a scale or type that is generally not likely to have an unacceptable impact. The rules are the same across England and so inevitably cannot take account of local sensitivities. The GPDO 2015 is the principal order. The Order sets out classes of development for which a grant of planning permission is automatically given.

An article 4 direction is made by the local planning authority. It restricts the scope of permitted development rights either in relation to a particular area or site, or a particular type of development anywhere in the authority's area. Where an article 4 direction is in effect, a planning application may be required for development that would otherwise have been permitted development. Article 4 directions are used to control works that could threaten the character of an area of acknowledged importance, such as a conservation area. Article 4 directions can increase the public protection of designated and non-designated heritage assets and their settings. They are not necessary for works to listed buildings and scheduled monuments as listed building consent and scheduled monument consent would cover all potentially harmful works that would otherwise be permitted development under the planning regime. However, article 4 directions might assist in the protection of all other heritage assets (particularly conservation areas) and help the protection of the setting of all heritage assets, including listed buildings.

Government has issued guidance on when and how to make an article 4 direction. It says that local authorities should consider making article 4 directions only in those exceptional circumstances where the exercise of permitted development rights would harm local amenity, the historic environment or the proper planning of the area.