

NORTH DORSET DISTRICT COUNCIL

**MINUTES OF THE DEVELOPMENT MANAGEMENT COMMITTEE MEETING
HELD ON TUESDAY 26 MARCH 2013 AT 10.00 AM IN THE COUNCIL CHAMBER
AT NORDON, SALISBURY ROAD, BLANDFORD FORUM**

Present:

Committee Members:

Charles Dowden (Chairman)
Esme Butler
Vic Fox
Joe Hickish
Su Hunt
Sherry Jespersen
Geoffrey Miller
David Milsted
Jane Somper

Apologies: Bill Batty-Smith MBE, Mervyn Jeffery and Val Potheary

Officers, North Dorset District Council:

Stephen Clark, Development Services Team Leader
Kevin Morris, Environment Land and Property Manager
Hannah Smith, Development Services Team Leader
Gavyn Smyth, Planning Officer
Trevor Warrick, Planning Policy Manager
Jacqui Andrews, Democratic Services Manager

Officer, Dorset County Council

S Savage, Transport Development Manager, Transport Development Management,
Dorset County Council

47. CODE OF CONDUCT

Councillor Jespersen declared a discloseable pecuniary interest in application number 2/2012/1386 as she was a part owner of a property close to the application site.

Councillor Miller declared a prejudicial interest in application number 2/2012/1231 as he was the father of the applicant.

48. MINUTES

The Democratic Services Manager advised the Committee that the Environment Agency has requested an amendment to the minutes to make it clear that comments they made about Dr Clark's work related only in so far as it related to the Bourton Mill site. The minutes of the meeting of the Committee

held on 12 March 2013 were amended to this affect and then approved and signed by the Chairman as a correct record.

49. **PLANNING APPLICATIONS**

Resolved

With regard to applications for permission to develop, to make the decisions as set out in **Appendix A** to these minutes;

ii. In respect of the above applications, where the 21 day consultation period has not yet elapsed, where approval is given, it is given subject to no adverse comments being received;

50. **PLANNING APPEALS**

The Committee noted the report of the Development Services Manager for the period between 18th February 2013 to 8th March 2013.

The meeting closed at 4.30 pm.

CHAIRMAN

Cllr Jespersen returned to the Chamber.

NEW APPLICATIONS

APPLICATION:	2/2012/1439 Land off Blandford Heights/Shafesbury Lane E389028 N 108074 Shafesbury Lane, BLANDFORD FORUM Outline Planning (Major)
Proposal:	Develop land with a mixed development comprising of Class B1/B2/B8 employment with associated parking, an Asda Superstore (Class A1) with associated parking and petrol filling station (Outline application to determine access and layout)
Applicant:	Asda Stores Ltd and PDP Ltd
Case Officer:	Hannah Smith

Officer Appraisal

The Area Team Leader advised the Committee that 13 further letters of support, 1 letter of objection and a letter from the Town Council and Chamber of Commerce regarding mitigation had been received since the report had been prepared. She also advised that Asda had questioned whether all supporting letters had been clearly reflected in the report and the Team Leader confirmed that this was the case.

The Team Leader described the site and advised that it was proposed to erect an Asda store, petrol filling station and some B1, B2 and B8 starter units. The application before Members was an outline application for access and layout. Whilst landscaping had been reserved indicative plans had been submitted. She said that it was proposed that the store would be developed to the south of the site with parking and the starter units to the north of the site due to the sensitive boundary with the AONB.

The Team Leader highlighted the relevant policy issues and the requirement for a sequential test under Policy 3.19 of the Local Plan. She also referred to guidance in the NPPF that stated that if there was a significant impact on the town then an application should be refused. The Team Leader said that it was necessary to look at the cumulative impact together with other developments and it was considered that the application had a significantly adverse impact on the town. The applicant had put forward mitigation measures that were set out in the Team Leader's report which had been considered by Officers and also an independent retail consultant.

The Team Leader highlighted that the application site was on employment land, and retail development conflicted with this policy. She said that employment elsewhere in the district was constrained and the site scored well for employment related uses. She said that the application was considered to conflict with this policy. The Team

Leader said that the impact of the scheme would not adversely affect the wider landscape and the highway proposals were considered to be satisfactory.

The Transport Development Manager said that the Transport Assessment had considered the surrounding highway network and the anticipated impact of the development on this network. The Assessment carried out had been robust and it was proposed to carry out minor amendments to the junction. The draft Travel Plan detailed sustainable transport and the applicant was also in consultation with bus companies discussing additional services.

Public Participation

Town Cllr Jackie Stayt said that the Town Council had considered the application in January 2012 and raised no objection to the proposals for a store, mix of units and petrol filling station. In July 2012 a revised scheme was considered and the Town Council concluded that they had no planning reasons to object to the proposals. Town Cllr Stayt said that the public were highly supportive of the proposals, particularly those living at the top of the town. Town Cllr Stayt referred to a report prepared by Southampton University in 2010 on the impact of edge of town supermarkets on towns. She reported that this was a 3 year study and it concluded that such a scheme could actually encourage people into towns. Town Cllr Stayt referred to a letter written by a local resident, Mr Colin Young, that was published in the Blackmore Vale Magazine and advised that he had since received in excess of 200 signatures and e-mails supporting the application by Asda.

District Cllr John Stayt supported the proposal. He felt that the Council should take a positive, creative and dynamic decision for the future.

County Cllr Cooper referred to the response from the Highway Authority set out in the report that raised no objections to the proposals, stating that a transport assessment was in place. He pointed out that there were no objections from the Environment Agency and Wessex Water and that the Environment Health Officers were satisfied that issues could be dealt with by way of condition. Whilst this was designated as Employment Land, Cllr Cooper referred to the jobs that would be created if permission were granted and he referred to the overwhelming support from local people in the DT11 area.

The owner of Damory Garage spoke against the application as a local business owner and a local resident. She felt that the store would have an adverse impact on small businesses as they would be selling goods such as bikes, shoes and clothing. She said that economic times were tough and she felt that granting permission would cause difficulties for existing businesses. Whilst Asda would be creating jobs she was concerned that many others would be lost. She also expressed the view that supermarkets took away the character of the town centre.

A number of local residents spoke in favour of the application. Mr Smith, a local resident felt that the jobs created would replace those lost by the moving of the distribution centre for Hobbycraft. He referred to the austere climate and felt that if the Council refused this application others were unlikely to follow. Mr Newall, local resident, referred to the permission granted to Tesco to extend the store which he

suggested would not go ahead. He felt that refusal would result in no regeneration funding for the town. Mr Spencer said that the land had been designated as an employment area since 2002 and would remain as such until 2026. He said that the application brought forward a solution now. Mrs Drummond said that local people wanted to see an Asda store open for convenience, competition with Tesco, and the creation of jobs and opportunities for small businesses. She felt that the Asda store would have little impact on the town centre. Mrs Paver, a resident of Blandford Camp, said people living on the Camp were overwhelmingly in favour of Asda. She said that many she knew travelled to Poole to visit the Asda store there and she believed that if there was an Asda store in Blandford, people would be more likely to visit other shops in Blandford town centre. Asda was also welcomed to bring competition to the other similar stores. Mrs Paver reported that 2 people she had spoken to were against the proposals because of concerns of the effect on local businesses. She suggested that small businesses regenerated eg through retirement or maintained their business by provision of local goods.

Mr Drummond spoke on behalf of the applicant. He felt that the officer report tried to defend policies that, in his view, did not exist and he suggested that the NPPF said that it prevailed without other up-to-date policies in place. Mr Drummond referred to the 240 jobs, both full and part time, that would be created. With regard to the business park, Mr Drummond said that the applicants were working with an excellent partner and discussions had already been held with colleges looking for starter units for students or college offices. Mr Drummond also referred to the jobs that would also be created during the construction phase. He disagreed fundamentally with the Council's consultant regarding town centre impact. He felt that any impact on the town and surrounding villages would be acceptable with the proposed mitigation measures.

Local Member

Cllr Harrocks urged the Committee to ignore the officer recommendation. He referred to the 200+ jobs that would be created and said that as a volunteer with the Job Club it was clear to him that there was a need for these opportunities. Cllr Harrocks reminded Committee that the site had been vacant for a number of years and he believed that it was better to have jobs created now rather than to wait to see if an alternative application was received by 2026. Cllr Harrocks recognised that there would be some impact on the town centre and suggested that the Morrisons store was likely to lose business. However, he suggested that this was exacerbated by the fact that the car park in the town was pay and display. He suggested that monies paid under the Section 106 Agreement could be used to reduce parking fees. Cllr Harrocks referred to the business rates that would be payable to the Council if the Asda application was approved.

In response to these comments, the Planning Policy Manager advised that the NPPF promoted economic development but the 2003 Statutory Plan policies were saved and, as a result, significant weight should be given to these saved policies. He recognised the benefits of the application such as choice and competition and the creation of jobs. With regard to the loss of employment land, the Manager said that there was additional land across the District but it was important that each town had its own supply. He also pointed out that the strategy promoted B1, B2 and B8 use

on the edge of town and retail development did not comply with this. Officers had put forward the recommendation based on a longer term policy view.

Members' questions and debate

Cllr Milsted sought confirmation of the goods that would be sold at the proposed store. Mr Drummond confirmed that both food and non-food goods would be sold but there would be no small concessions within the store. The Team Leader advised that the split of groceries to comparison goods would be 66%:34%.

Cllr Butler asked what policies were applied when alternative uses such as gyms, pet food stores etc were sought on employment land. She said that there were a number of these type of businesses already on industrial estates in the town. The Team Leader advised that some uses would fall under bulky retail, and those that weren't retail were considered on their merits against the loss of employment land. The Planning Policy Manager added that some ancillary activities were considered to be acceptable.

Cllr Jespersen asked what evidence there was that suggested that the remaining employment land was not sufficient to meet the needs of the town. The Planning Policy Manager said that the site in question was large and as a result might attract a larger businesses. He confirmed that the remaining portion of the site would remain for B1, B2 and B8 use. Cllr Jespersen suggested that the land at the Brewery site would be attractive to large businesses.

Cllr Hickish asked how the effects of Tesco and Asda were both considered. The Team Leader said that significant adverse impact on the town was identified as a result of the Tesco application but they had provided adequate mitigation. For the application before the Committee it had been necessary to look at the cumulative impact on the town, not just the effect of the Asda application.

Cllr Milsted expressed some sympathy with the officers as the Government advised that retail use could not be classed as employment use so a refusal was the only recommendation that they could put forward for consideration. He accepted that the proposal would have some impact on the town, particularly Morrisons. However, the application would provide jobs which he believed outweighed any adverse impact on the town. Cllr Milsted proposed approval of the application and suggested that conditions should be brought to the next meeting for consideration.

Cllr Somper raised the issue of possible impact on small local farm shops in villages and asked if Asda would use local suppliers for some of their products. She said that farm and village shops helped keep local communities and their economies going and felt that the impact on the wider area should be considered, not just the impact on the town.

Cllr Jespersen referred to the planning judgment about the retail harm to the town centre and said that she was not convinced by the officer's case. She felt that any harm would only be to the larger supermarkets and said that it was necessary to take account of mitigation benefits. Cllr Jespersen said that a thriving town depended on

more than just the shops eg its appearance and she felt that not enough weight had been given to the mitigation measures.

Cllr Butler felt that people currently using local farm shops would continue to do so. She believed that Asda would be a great benefit to the town, particularly those living in the north of the town and that it would stop people travelling to Poole to use the Asda store and, as a result, they might shop more in the town. Cllr Butler felt that the mitigation proposals had scope to make the town more vibrant, and the addition to the X8 bus service would be a huge benefit. She suggested that Asda could be asked to site a town promotion board to show people what was available in the town. Cllr Butler seconded Cllr Milsted's proposal to approve permission.

Cllr Hickish referred to the mitigation proposals and he felt that these were sufficient to start moving things forward in the town.

Cllr Fox expressed his disappointment that the Chamber of Commerce was not presented at the meeting as he said an active Chamber was necessary to represent the town centre businesses.

RESOLVED: That the Committee were **MINDED TO APPROVE** planning permission as the mitigation outweighed the adverse impact of the store with actual employment gain and choice. Officers were asked to bring a report to a future meeting setting out proposed conditions and Section 106 Agreement terms.

Human Rights:

This Resolution is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

APPLICATION:	2/2012/1374 Former Milldown Primary School and Maple Tree, The Milldown, BLANDFORD FORUM Outline Planning (Major)
Proposal:	Demolish dwelling and develop land by erection of 43 No. dwellings, garages, carports, pumping station, new roads and vehicular and pedestrian access (Outline Application to determine Access and Layout).
Applicant:	Mr C Lane
Case Officer:	Stephen Clark

Officer Appraisal

The Area Team Leader presented his report showing all relevant plans, drawings and photographs. He said that the application was for outline permission in respect of access and layout. He described the site that was adjacent to the AONB and in a