



Christchurch Town Council

Old Town Hall
30 High Street
Christchurch
Dorset, BH23 1AY

Planning and Regulatory Committee Agenda

Tuesday, 20 July 2021, 6.00pm

You are summoned to attend a meeting of the **Christchurch Town Council** to be held at Homelands Hall, Kings Avenue, Christchurch, BH23 1NA on **Tuesday, 20 July 2021 at 6.00pm.**

Membership:

Chairman: Cllr M J Tarling

Vice Chairman: Cllr V Charrett

Cllr J A Abbott

Cllr M Cox

Cllr S Fotheringham

Cllr G R Jarvis

Cllr D C Jones

Cllr T Lane

Cllr Mrs S Spittle

The business to be transacted is set out overleaf

Daniel Lucas

Town Clerk

14 July 2021

Agenda

1. Apologies for Absence

To receive apologies for absence.

2. Declaration of Interests

Members are reminded that any disclosable pecuniary interests must be declared including any issues which may arise through predetermination or bias.

3. Minutes of Previous Meeting

To confirm as a correct record the Minutes of the meeting of the Planning Committee held on 1 June (copy attached).

4 - 10

4. Public Participation

In accordance with the Council's Standing Orders the period of time designated for Public Participation cannot exceed 15 minutes unless directed by the Chairman of the meeting and a member of the public shall not speak for more than 5 minutes.

5. Public Questions

Members of the public who wish to ask a question at the meeting shall give notice to the Town Clerk of the question no later than 12 noon on the working day before the meeting is on. The question stated in the notice shall be the question asked at the meeting. The Chairman will call on those wishing to speak in turn, each questioner being allowed to speak for a maximum of 3 minutes. Those wishing to speak shall state their name and address.

6. Planning Applications

Members are asked to consider the applications listed below and to comment. Members are reminded that comments must relate to material planning matters.

Individual application links are included below but all applications can be viewed online at:

<http://planning.christchurchandeastdorset.gov.uk/search.aspx?auth=1>

7. Stopping up at Scotts Hill Lane

To advise Members of the background to the matter and to seek approval for the making of an application to the local Magistrates to have an area of highway stopped up.

11 – 12

Andy Norwood
(New
Development
Engineer) BCP
Council

**8. Application: [8/21/0602/CONDR](#) 1 Twynham Avenue
Christchurch BH23 1QU.**

Single storey rear extension and new side entrance. Replacement outbuilding (existing garage to be replaced on existing foundations with a new storage building). Variation of Condition 2 of Application no. 8/20/1110/FUL (Approved plans) To include the below amendments to the approved proposal; Replace existing front door with a window and create an office, create new fire escape door to the side elevation and replace pitched roof on approved extension with a flat roof.

Appendices A to
D

9. Actions and Recommendations from the Neighbourhood Plan Working Group

No other items of business can be considered unless the Chairman decides the matter is urgent for reasons that must be specified and recorded in the Minutes.

CHRISTCHURCH TOWN COUNCIL

PLANNING AND REGULATORY COMMITTEE

Minutes of the Meeting held on 1 June 2021 at Homelands Hall, Kings Avenue,
Christchurch, BH23 1NA

Present:-

Chairman: Cllr M J Tarling

Vice-Chairman: Cllr V Charrett

Present: Cllr J A Abbott, Cllr M Cox, Cllr S Fotheringham, Cllr G R Jarvis,
Cllr D Jones, Cllr T Lane and Cllr S Spittle.

Officers present: Daniel Lucas, Town Clerk
Susan Roxby, Democratic Services Officer

BCP Unitary Ward Member present: 1

Members of the Public present: 7

Members of the Press present: 0

24. Election of Chairman

Cllr Jarvis proposed a motion that Cllr Abbott be elected as Chairman of the Committee for the 2021/2022 Municipal year, this proposal was seconded by Cllr Jones. On being put to the vote the motion fell.

Voting 3:6

Cllr Cox proposed a motion that Cllr Michael Tarling be elected as Chairman of the Committee for the 2021/2022 Municipal year, this proposal was seconded by Cllr Lane.

RESOLVED that Cllr Michael Tarling be elected as the Chairman of the Committee for the 2021/2022 Municipal year.

Voting: 6:3

25. Election of Vice-Chairman

RESOLVED that Cllr Charrett be elected as the Vice-Chairman of the Committee for the 2021/22 Municipal year.

Voting: unanimous

26. Declarations of Interest

Cllr Abbott declared a non-pecuniary interest in Minute No.28 (Application B: 8/21/0387/HOU 23 Wick Lane Christchurch BH23 1HT) as she knew the applicant as both were UKIP members and remained present. Cllr Abbott confirmed the acquaintance did not amount to a close friendship which could create any appearance of bias.

Cllr Spittle declared a pecuniary interest in Minute No.28 (Application D: 8/21/0346/FUL Avon Beach Huts Mundeford) as she owns Beach Hut no 89B, under licence to Avon Beach Co and remained present, but took no part in the voting thereon.

27. Minutes of Previous Meeting

The minutes of the meeting held on 27 April 2021 were agreed and signed as an accurate record.

Voting: unanimous

28. Public Participation

Electors spoke in objection to the following Planning Applications:

8/21/0410/OUT Land on the corner of The Grove and Barrack Road, Christchurch, Dorset

8/21/0387/HOU 23 Wick Lane Christchurch BH23 1HT

29. Public Questions

An elector raised a question at the meeting as follows:

“Is the chair of the CTC planning committee aware that BCP Council has granted planning permission (8/20.0859/FUL) under delegated powers to 22-24 High Street

for the closure and infilling of the present footway and agreed a diversion for this footway? The Town council submitted a recommendation that this application be refused. It appears that in the matter of the correct identification of the landowner BCP has ignored the important advice of CTC. May I ask the CTC planning committee to formally complain about this decision to the Head of BCP planning”.

It was proposed by Cllr Cox and seconded by Cllr Jones that the Council writes to BCP Council Planning raising the strongest complaints about the decision to grant Planning Permission.

RESOLVED that the Council writes to BCP Council Planning Department raising the strongest complaints about the decision to grant Planning Permission for application (8/20/0859/FUL) under delegated powers to 22-24 High Street.

Voting: unanimous

30. Planning Applications:

Members were asked to consider the applications listed below and that the following comments be forwarded to Bournemouth, Christchurch and Poole Council:

A. Application: [8/21/0410/OUT](#) Land on the corner of The Grove and Barrack Road, Christchurch, Dorset

Outline planning application for a block of 51 flats and 4 dwelling houses with associated parking.

Unitary Cllr Vanessa Ricketts, BCP Commons Ward Member spoke in objection to this application raising concerns that this had been excluded from the local Strategic Housing Market Assessment (SHMA) due to the density zone and raised further concerns for flooding. 208 objections had been received online and Cllr Ricketts asked the committee to support local residents in objecting to this development citing numerous policy objections.

Cllr Gardiner spoke in objection to this application raising concerns for any temporary road closure of Barrack Rd and Grove Road required during construction of the development which would cause major disruption. Additional concerns were raised for inadequate parking spaces, high carbon levels created by traffic and whether the size of the flats would provide good living standards for residents.

Two electors spoke in objection to this application raising concerns for the following:

- traffic congestion and insufficient and overspill parking
- density, scale, bulk & height and design out of character of the area, and too dominant and overbearing.

- loss of amenity of neighbours with loss of privacy and noise issues
- infrastructure of local area would be overwhelmed.

Members objected to this proposal due to the pollution from traffic and parking issues and felt that an air quality monitoring report should be undertaken.

A motion was proposed by Cllr Spittle that objection be raised due to traffic and parking issues, this proposal was seconded by Cllr Charrett.

RESOLVED that OBJECTION be raised due to

- 1) The proposal locates 4 dwelling-houses in Flood Zone 2. The scheme fails the ‘exception test’ at paragraph 160 of the NPPF by not providing for the safety of these units for the lifetime of the development due to high resulting flood pressures upon elevational walls. The scheme would also increase the flood risk elsewhere because of resulting floodwater displacement from the footprint of the 4 units located in Flood Zone 2. The proposed layout also fails to locate the most vulnerable forms of development in the lowest area of flood risk contrary to paragraph 163(a) of the NPPF without providing an overriding justification. The scheme is therefore contrary to paragraph ME6 of the Christchurch and East Dorset Local Plan: Core Strategy.**
- 2) The proposal provides insufficient detail to mitigate the impact upon the Dorset Heathlands SPA. As such the Local Planning Authority is incapable of conducting an Appropriate Assessment so as to consider mitigation without further information being provided and re-consulted upon contrary to paragraph 4.8 of the Dorset Heathlands Planning Framework 2020-2025 SPD and policy ME2 of the Christchurch and East Dorset Local Plan: Core Strategy.**
- 3) The proposed location of the development acts as a ‘gateway’ to Christchurch. Given the prominent location of the development the size, bulk and scale of the development is overbearing in the street-scene and out of character for the area contrary to policy HE2 of Christchurch and East Dorset Local Plan: Core Strategy and saved policy H12 of the Christchurch Local Plan 2001.**

Voting: unanimous

B. Application: [8/21/0387/HOU](#) 23 Wick Lane Christchurch BH23 1HT

The remodel of an existing bungalow to provide an extension to the side and rear and first floor accommodation.

Cllr Coulton spoke in objection to this application due to the scale, bulk and overlooking and considered it was detrimental to the neighbour’s amenities.

An elector spoke in objection to this application raising concerns for the scale, bulk, height and intrusion of privacy of this application. The building would be overbearing for neighbouring properties with loss of light and privacy.

A motion was proposed by Cllr Lane that objection be raised due to the loss of privacy of neighbours, this proposal was seconded by Cllr Cox.

RESOLVED that OBJECTION be raised due to the design, bulk, and height of the proposal and the loss of amenities to neighbours, contrary to policies HE2 of Christchurch and East Dorset Local Plan: Core Strategy and saved policy H12 of the Christchurch Local Plan 2001.

Voting: unanimous

Cllr Abbott declared a non-pecuniary interest in this item as she knew the applicant as both were UKIP members and remained present and voted.

C. Application: [8/21/0284/OUT](#) The Emporium Bridge Street Christchurch BH23 1DY

Outline application for the demolition of the existing building and erection of a three storey (Class E) Building

Cllr Jones proposed a motion that no objection be raised, but raise comment expressing concerns that the development could be used to relieve pressure on housing, this proposal was seconded by Cllr Cox.

RESOLVED that no OBJECTION be raised, but raise comment expressing concerns that the development could be used to relieve pressure on housing. The Committee noted the Use Class designation and possible permitted development rights allowing for changes to residential use.

Voting: unanimous

D. Application: [8/21/0346/FUL](#) Avon Beach Huts Mundeford Christchurch BH23 4AN

Part retrospective application for (i) the retention of beach huts nos 63 to 99, and (ii) proposed forward extension of beach huts 23 to 62

Cllr Jones proposed a motion that an objection be raised as it was out of character of the area and detrimental to amenities of people who want to use the paved area, this proposal was seconded by Cllr Jarvis. On being put to the vote the motion fell.

Voting: 3:3 1 abstentions (the chairman & Cllr Spittle did not vote)

A motion was by proposed by Cllr Jones that objection be raised due to the restriction of the width of the footway, this proposal was seconded by Cllr Jarvis.

RESOLVED that objection be raised due to the restriction of the width of the footway impacting upon the amenity of footpath users contrary to policies HE2 of Christchurch and East Dorset Local Plan: Core Strategy.

Voting: 5:2 (1 abstention) Cllr Spittle did not vote

Cllr Spittle declared a pecuniary interest in this item as she owns Beach Hut no 89B, under licence to Avon Beach Co and remained present, but took no part in the voting thereon.

31. Licensing Applications

Members were asked to consider the applications listed below and that the following comments be forwarded to Bournemouth, Christchurch and Poole Council:

Application: [185363](#) The Boathouse, 9 Quay Road, Christchurch. BH23 1BU

Minor Variation to add off-sales (on a permanent basis) delete condition 2.10 which restricts this (consultation end 25th May 2021).

The Town Clerk updated Members that since the agenda had been published the Council had received confirmation from BCP Licensing Department that this application had been refused by BCP Council and was not on the agenda for debate.

32. Quomps Tree Works - Quotation

Members were asked to consider a quotation provided for tree works at the Quomps.

Cllr Jones proposed a motion that the quotation be accepted as set out, this proposal was seconded by Cllr Lane.

RESOLVED that the quotation from Mark Hooper Tree Care for tree works at the Quomps be approved as follows:

Labour cost £6000.00 (approximately 10 days of work)

Tractor, chipper, digger, trailers and stump grinding including tip charges for debris cost £2850.00

MEWP hire for dangerous tree (Ash) and for Ariel inspection cost £750.00

Net Total	£9,600.00
Plus vat @ 20%	£1,920.00
Gross Total	£11,520.00

Voting: 8:0 (1 abstention)

33. Actions and Recommendations from the Neighbourhood Plan Working

The Town Clerk updated the Committee on the Membership of the Neighbourhood Plan Working Group Civic Year for the 2021/2022 municipal year.

Members were informed that the Working Group had one voting Councillor vacancy following the resignation of the former Cllr Neale. The Councillor to fill the vacancy must not be a member of the Planning and Regulatory Committee, given that 3 elected Councillors currently on the Working Group are from this Committee, with Cllr Coulton not being on the Planning & Regulatory Committee. As such the vacancy must be filled by a non-planning committee Member according to the Terms of Reference and Council Resolution (13 July 2020, Minute number 47). The window would open tomorrow, 2 June for Members' expressions of interests in filling the vacancy.

RESOLVED that the verbal update be noted.

Voting: unanimous

The meeting ended at 8.09pm

CHAIRMAN

Report to Christchurch Town Council – 20 July 2021

Stopping-up of land at Scotts Hill Lane

PURPOSE

To advise Members of the background to the matter and to seek approval for the making of an application to the local Magistrates to have an area of highway stopped up.

Recommendations

It is RECOMMENDED that:

- a. The making of an application to the local Magistrates to have the two parking spaces on Scotts Hill Lane, as shown on Appendix A, stopped up be approved.

Background

1. The two public parking spaces were created when the adjacent housing was built. The spaces were not allocated to a specific property and were therefore adopted as part of the public highway when the adjacent roads were adopted. The spaces and an extract from the Adoption Plan are shown on Appendix B
2. In 2018, a routine inspection of the highway revealed that unauthorised work had been undertaken to the surfacing of the parking spaces. A notice to reinstate to original condition was issued by Dorset County Council
3. On 1 April 2019 Bournemouth, Christchurch and Poole Council came into being and assumed the role of Highway Authority that had previously been held by Dorset County Council. The responsibility for dealing with this matter passed to Bournemouth Christchurch and Poole Council.
4. Upon investigation it became apparent that the resident of the adjacent property, 7 Haarlem Mews, had purchased the freehold of the land on which the parking spaces sit and thus believed he was empowered to make the changes to the surfacing material. In an effort to resolve the issue the resident offered to apply for a stopping up order to remove the highway rights.
5. An application under Section 117 of the Highways Act 1980 has been submitted.
6. The matter has been considered within Transport & Engineering and an application to the Local Magistrates to have the area stopped up would be supported; the Director of Transport & Engineering has the necessary delegated powers to make this application.
7. Where a Stopping Up application is being made in an area covered by a Parish Council, the legislation requires that the Parish Council are given the opportunity to consider and then approve or reject the making of the application. For the purposes of the legislation, the Town Council has the same standing as a Parish Council.

Summary of financial implications

8. The costs associated with making the application will be borne by the resident of 7 Haarlem Mews.
9. As the freehold of the area is already owned by the applicant the process will not generate a capital receipt.

Summary of legal implications

10. Applications to secure a stopping up of the highway can only be made by the Highway Authority as set out in Section 116 of the Highways Act 1980.
11. Section 117 of the Highways Act 1980 allows anyone not empowered to make an application to request the Highway Authority to make an application on their behalf.
12. The Council is required to follow the statutory process in respect of making the application, and seeks legal advice where required.

Summary of human resources implications

13. None relating to this report.

Summary of environmental impact

14. There are no environmental impacts arising from this report.

Summary of public health implications

15. There are no public health implications arising from this report.

Summary of equality implications

16. There are no new equality implications arising from this report.

Summary of risk assessment

17. An objector may attend the hearing and raise a sustainable objection.
18. The Magistrates may not grant the Order.

Report Author and Contact Officer – Andy Norwood (01202) 123219

Appendix A – Area proposed for stopping up

Appendix B – Photograph of area and extract from Adoption Plan