

At a Meeting of the **HIGHWAYS & PLANS COMMITTEE** of COLEHILL PARISH COUNCIL held at COLEHILL MEMORIAL HALL on **28 FEBRUARY 2017**, at **7.15pm**.

PRESENT

Cllr David Mitchell, Chairman
 Cllrs Susan Cowsill, Ian Dickins, Tony Holloway, KD Johnson and David Packer (substituted Rota Member).

APOLOGIES

Cllrs Gary Adams, Janet Dover (R), Helen Lawrence, Emma Urquhart and John Warren.

IN ATTENDANCE

Mrs T Paine – Clerk.

371.17 DECLARATIONS OF INTEREST

Cllr Packer advised that as he was a Member of the EDDC Planning Committee he would not take part in the discussion for PA 3/16/2996/HOU 29 The Vineries.

372.17 PLANNING APPLICATIONS

The following applications were submitted and comments were recorded as follows:

PA No	Development Proposed
3/16/2996/HOU	29 The Vineries Single storey side and rear extensions, raise ridge and form rooms in roof space. Objection. Not in keeping with the area and the ridge height is excessive. The Council also supports the objections of the neighbour regarding the impact it will have on the amenities of the adjoining property. The Council would like this PA to go to EDDC Planning Committee if the Council's view is at variance to the Planning Officer's recommendation.
3/17/0250/HOU	10 Highland Road Single storey extension, alterations and demolish existing conservatory. No objection.
3/17/0251/HOU	25 Jessopp Road Proposed rear extension and rear dormer No objection.

373.17 PLANNING DECISIONS

(a) The following applications had been APPROVED by EDDC:

PA No	Development Proposed
3/16/2247/HOU	14 Beaucroft Road Hip to gable over existing house, new roof & first floor over garage, new rear terrace and new dormers.
3/16/2573/HOU	72 Cutlers Place First floor rear extension
3/16/2961/HOU	10A Paget Close Demolition of side flat roofed porch. Erection of new single storey side extension and detached flat roofed garage.

(b) The following application had been REFUSED by EDDC:

PA No	Development Proposed
3/16/2642/FUL*	Applegarth, 24 Leigh Lane Demolition of the existing dwelling and erection of a replacement three bedroom house

** Decision not in accordance with Parish Council comments. See below for EDDC’s response regarding this application.*

NOTED.

374.17 REFUSAL OF PA 3/16/2624/FUL

Members NOTED that the Parish Council wrote to the Development Management Manager at Christchurch and East Dorset Councils to complain that the Parish Council’s no objection comment had been overlooked and that the decision should have been made at EDDC Planning Committee rather than as a delegated decision as the planning officer’s recommendation was at variance to the Parish Council’s comments.

The Development Management Manager had responded as follows:

*Thank you for your email and please accept my apologies for the concerns this matter is raising. However, I think that overtime the actual wording of the constitution may have become lost, leading to expectations that it does not, and cannot, actually deliver. I have copied the relevant extract below, this being taken from Appendix A of part 3 (which can be found in full here: <http://moderngov.eddc.christchurchandeastdorset.gov.uk/documents/s14405/Part%203%20-%20Responsibility%20for%20Functions.pdf>)
The constitution allows for planning applications (generally, but more detail in the above) to be determined under delegated powers unless a number of factors apply, including the following:*

“The following categories of planning applications come within the delegated authority of the Development Management Manager:.....

PROVIDED that these powers are exercised only where the proposal:

- a. has not had representation made by a statutory consultee, an internal consultee, Dorset County Council or an adjoining local authority which has in the view of the Development Management Manager **raised significant material objections**, including any made by a Parish or Town Council and which they are willing to speak on at the meeting;”*

*Thus, the only time that a comment made by a PC could result in an application being determined by the committee is if they submit a significant material **objection**. I’m afraid that unlike the following category in the constitution which relates to comments from neighbours, there is no provision for deferral to committee if the officer recommendation is at variance with the PC comment. You will also note that there are other provisos relating to a matter becoming a committee decision even if a PC objects, these being that the DMM makes the decision on whether the need is triggered by the comment made and the PC have to be “willing to speak” at the meeting. In practice, the DMM decision has, to my knowledge always been to agree. The fact that there is no means to ensure that a PC actually attends the meeting to put their views forward is another issue that leads to a lack of clarity. It is recognised that this clause, and several others, are unclear and need revising and as part of the Improvement Plan for planning that we are working on, the scheme of delegation is to be put forward for various changes.*

Therefore, whilst it would be helpful for us to know if the PC would like a committee decision where they support an application and when the case officer is minded to refuse, for us to take it to committee on these grounds alone would be unconstitutional and leave any decision open to legal challenge. The comment box on the on-line submission form would allow such a comment to be made but please do bear in mind the fact that even if this is brought to our attention the decision will remain a delegated one unless another trigger requires it to be a committee decision.

375.17 APPEAL DECISION

APP/U1240/D/16/3164673 – Mr G Dix

Single storey extension following the roof line of the existing building (with materials to match existing) extending towards Olivers Road at 28 Olivers Way.

The Planning Inspectorate had dismissed the Appeal.

NOTED.

376.17 DCC ROAD WORKS

Members NOTED that Dorset County Council had advised that surfacing dressing works would take place at Dales Drive, Dales Close, Lawns Road, Lawns Close, Freemans Lane and Freemans Close. Structural maintenance works would also take place at Smugglers Lane. All of these works were scheduled to start in early April 2017.

- 377.17 COMMUNITY INFRASTRUCTURE LEVY**
Members NOTED that Christchurch and East Dorset Councils were proposing changes to the CIL Regulation 123 List. A consultation on the changes would take place until 23 March 2017.
- 378.17 AUTOMATIC NUMBER PLATE RECOGNITION SCHEME**
Cllr Cowsill and Johnson advised of the number plate recognition scheme that Bournemouth Borough Council was piloting at three schools. They requested that the Clerk contact Bournemouth BC to find out what was involved in order that the matter could be discussed further with a view to requesting that Dorset County Council conduct a similar scheme.
- The Members AGREED to the Clerk finding out more information on this scheme.
- 379.17 THE GREAT BRITISH SPRING CLEAN – 3-5 MARCH**
Cllr Cowsill updated Members on the plans for the spring clean event that was being held over the weekend of 4 March.
- NOTED.
- 380.17 PUBLIC BENCHES**
Members NOTED there were no faults to report.
- 381.17 WAR MEMORIAL/BUS STOP**
Members NOTED there were no faults to report.
- 382.17 PLAY AREA/ST MICHAEL'S DIRT**
Members NOTED there were no faults to report.
- 383.17 SPEED INDICATOR DEVICE**
Members NOTED that the Speed Indicator Device was located at Grange
- 384.17 HIGHWAY MATTERS FOR REPORT**
- (a) A resident had reported that there had been debris and litter at Churchmoor Copse. This included aerosol cans with rag or paper stuffed in the top and ignited. The Safer Neighbourhood Team were investigating and EDDC had been informed.
 - (b) EDDC had been informed that the bottom rung of the five bar gate and the top rung of a fence panel both at Churchmoor Copse were broken.
 - (c) The new litter bin had been installed at Fiveways.
 - (d) DCC would be asked to provide an update on the parking situation at Wimborne Road.
 - (e) Dorset Waste Partnership had dealt with a number of fly tips in the area.
 - (f) A Furzehill resident had attended a Council meeting at EDDC to advise that a footpath at Woodleaze had been blocked. Lindsay Cass was liaising with the preferred bidder and the Woodland Trust to ensure that the path would be kept open.

The Meeting ended at 8.05pm.

CHAIRMAN