

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday, 11th October 2017 at Retford Town Hall

Present:

Councillor D Pidwell (Chair)

Councillors D K Brett, H Burton, S Fielding, G Freeman, K H Isard, G A N Oxby, A Smith and T Taylor.

Officers in attendance: B Alderton-Sambrook, D Askwith, J Elliott, C Hopkinson and S Wormald.

(Meeting commenced at 6.30pm.)

(The Chair welcomed all to the meeting and read out the Fire Evacuation Procedure. He also enquired as to whether any member of the public wished to film the meeting or any part thereof; although there were several members of the public present, this was not taken up.)

41. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G Clarkson, M W Quigley and S Scotthorne.

42. DECLARATIONS OF INTEREST

(a) Members

There were no declarations of interest by officers.

(b) Officers

There were no declarations of interest by officers.

43. MINUTES OF THE MEETING HELD ON 13TH SEPTEMBER 2017

RESOLVED that the Minutes of the meeting held on 13th September 2017 be approved.

44. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 14TH AUGUST AND 11TH SEPTEMBER 2017

RESOLVED that the Minutes of the Planning Consultation Group meetings held between 14th August and 11th September be received.

45. OUTSTANDING MINUTES LIST

Members were advised that the Performance Report would be presented to the next meeting of the Committee.

RESOLVED that:

1. The Performance Report be presented to the next meeting of the Committee.
2. The Outstanding Minutes be received.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

46. REPORT(S) OF THE DIRECTOR OF REGENERATION AND NEIGHBOURHOODS

(a) Public Interest Test

The Director of Regeneration and Neighbourhoods had deemed that all Items on the Agenda were of a non-confidential nature.

(b) Appeal Decisions Received

Members were presented with an appeal decision.

RESOLVED that the appeal decision be received.

(c) Planning Applications and Associated Items

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
17/00271/RES	Harron Homes and Hallam Land Management Ltd	Reserved matters approval sought for all remaining reserved matters for 167 dwellings, namely appearance, landscaping , layout and scale, land north east of St Lukes School, Shireoaks Common, Shireoaks

Members were advised that the application sought approval of reserved matters for the erection of 167 dwellings, including appearance landscaping layout and scale. The means of access to serve the residential development from Shireoaks Common was granted as part of the outline planning permission. The proposal is for the erection of 167 dwellings comprising a mix of 14 house types, the majority of which are two storeys high, with three two and a half storey properties. The site had been the subject of a site visit prior to the meeting. Slides were used to show the site location.

Thee application site lies outside of the development boundary of Worksop. The site is currently in agricultural use.

The proposal includes the provision of land adjacent to St. Luke's Primary School, to enable it to accommodate future expansion, and a multi-use games area. The proposal also includes 15% affordable housing provision which equates to 25 dwellings.

The Case Officer commented on the relevant planning policies and gave a summary of responses from statutory consultees, as detailed in the report. Highways, the Lead Local Flood Authority, Severn Trent and Environmental Health have no objection to the proposal. Shireoaks Parish Council have objected to application and the local ward Member had requested that the application be presented to the Committee.

Members were advised that the principle of development was established with the outline planning permission. The site is considered to be in a sustainable location and is considered to comply with local and national policy.

Parish Councillor M Wild spoke against the proposal on behalf of Shireoaks Parish Council, on the grounds that:

- There is a strong case for not joining Worksop and Shireoaks. If granted Worksop and Shireoaks will only have the A57 between them.
- The proposal is for large houses.
- The Parish Council are not happy that the residential and industrial uses have been separated. There is a feeling that the industrial use will not come forward and there will be a future application for housing.
- The access issues are considerable. There is only one point of access and the infrastructure is not sufficient in the village.

Mr M Wild spoke in objection as a local resident. He advised that there would be four new access roads onto a busy road and that a roundabout onto Coach Road should be considered. The flood risk is a concern as the village has experience flooding in the past. He commented that he would like to see more mature trees planted to shield the site. Car parking for the school is an issue that needs resolving. There are too many large houses proposed and not houses for younger and older people. The children's play area needs consideration and should be somewhere in the middle of the site. He also raised concern about the maintenance of the site.

Mr M Beevers spoke as applicant's agent. He advised that:

- During the application process discussions have been held with highways to overcome concerns including the addition of more turning heads, bus stops and improved cycle links.
- Access to the site has been agreed at the outline application stage.
- Drainage has been discussed and progressed with Seven Trent and the Lead Local Flood Authority. The scheme will manage its own water.
- A landscaping scheme has been submitted. It is felt that the development would integrate well into the location. The scheme will include mature planting which would provide an instant buffer.
- The dwellings are designed facing outwards to provide surveillance over areas of open space.
- The developer is committed to the delivery of the site and wants to commence on site as soon as possible.
- The conditions agreed as part of the outline application still remain part of the proposal.
- The proposal would improve transport and contribute to bus services.
- The development would be CIL liable.
- The proposal delivers the aspirations of the outline planning consent.

Elected Members asked questions/raised issues in relation to:

- Can a condition be imposed to ensure mature planting?
- Who will maintain the children's play area?
- Where is the affordable housing located on site?
- The status of the Neighbourhood Plan when outline planning permission was granted.
- What can be done about residents' fears that that industrial element of the site will not come forward and there will be a further application for residential use?
- It is hoped that the developer does not come back and say that the development is not viable if the affordable housing is provided.
- A grant application has been submitted to one of the Local Enterprise Partnerships to provide infrastructure to the proposed industrial estate.

In response to questions raised relation to the Neighbourhood Plan the Case Officer advised that outline planning permission was granted prior to the Plan being made. In regards to future applications Members were advised that applications are considered on their own merits as they come forward. If there was to be another residential element an application would need to be submitted which would be considered in the normal way.

In relation to maintenance of the play area the S106 Agreement will require the applicant to provide details of the private management company. The Head of Regeneration advised that the Council's current policy does not usually adopt open space as it is precluded by long term financial viability. The policy discusses how management of open space would ordinarily be under a management company and set out in a covenant as part of the purchase of the property as required by the s106. It is usual practice for management companies to require a service charge to maintain open space. If the company goes out of business the responsibility would transfer to the Council and the services charges for residents would be paid to the Council to maintain the site so that the site does not become a future issue for residents.

In response to questions regarding mature planting the Head of Regeneration advised that an informative could be added to the decision notice informing the applicant that Members would like to see mature planting where possible. She advised that a condition has to meet tests that the condition is necessary and relevant.

Members raised concerns that an informative could not be enforced and were in favour of an additional condition.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant planning permission subject to the conditions as circulated.

COMMITTEE DECISION – Grant planning permission subject to the conditions as circulated and that the wording of additional condition requiring an element of mature planting be reported to the Planning Consultation Group.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
16/01216/FUL	Welbeck Estates Company Ltd	Hybrid application seeking a) outline planning permission for up to 21 dwellings with all matters reserved except access b) Full planning permission for the erection of 15 dwellings, conversion of 1 barn to form dwelling and conversion of 1 barn to form new village facilities with associated works to existing village hall, land south of Portland Road, Nether Langwith

Members were advised that the application was a hybrid application for a combination of full and outline planning permissions. The site had been the subject of a site visit prior to the meeting. Slides were used to show the site location.

The Head of Service (on behalf of the Case Officer) presented the proposals and a summary of responses from statutory consultees was given, as detailed in the report.

The Council's Conservation Officer has commented that the site is partly within the Nether Langwith conservation area and within the setting of the Grade II listed house, Greenrigs. The site is currently an agricultural field and includes existing building including two barns and a village hall. One of these barns is considered to be a building at risk due to its poor condition. The site is well screened. The Conservation Officer is content with the overall design and appearance of the proposal. The application would enable the restoration of the derelict barn and is considered to be an enhancement of the Conservation Area.

Nottinghamshire County Highways have requested a condition regarding the garages doors and have suggested the use of Traffic Regulation Order to provide parking restrictions on Queen's Walk, Limes Avenue and surrounding areas near to the junction to remove inappropriate parking. Members were advised the Order would be sought within the S106 Agreement.

Nottinghamshire County Council Policy (Archaeology) have commented that the site is not a historical site however given its size it is recommended that the applicant undertake a geophysical survey.

Nether Langwith Parish Council support the application in principle however has raised issues regarding parking in the locality and drainage concerns. They have commented that they would like to see bat and bird boxes on site, affordable starter homes and open space.

Two petitions and 17 letters of objection from local residents have been received. Three letters of support have also been received from local residents.

Members were advised that the main issue is whether the proposed development conforms with the existing planning policies and whether it contributes to a sustainable pattern of development in the District, with particular regard to the current supply of deliverable housing sites.

The majority of the site is outside, but adjacent, the development boundary. Policy CS1 states that development in the identified settlements will be restricted to area inside defined development boundaries however additional permissions may be granted where it is demonstrated that a development will help to address a shortfall in the District's five-year housing supply. The National Planning Policy Framework also states that the local planning authority should identify sufficient sites to provide a five year housing land supply plus a 20% buffer.

In terms of heritage assets the Conservation Officer has commented extensively and considered that there would be no harm from the proposal and the conservation area would benefit from the restoration of the barn. Detailed design shows a mix of house types and sizes. The scale and design is considered to reflect the local character and area.

The development would be CIL liable. The applicant has submitted a viability assessment that concludes that with CIL and S106 contributions the scheme generates a profit which is below the generally accepted profit margin and as such cannot support any affordable housing. It is proposed to include an overage clause should profit be greater than shown in the viability assessment.

Councillor M Middleton spoke on behalf of Nether Langwith Parish Council. He advised that:

- Around 40 dwellings will increase the population of the village by more than a quarter. It is important that in accordance with Policies DM3, DM4 and Section 4 of the NPPF the development integrates with the rest of the village through clear functional and physical pedestrian links that are accessible to all people giving access to public transport and other facilities.
- There needs to be a pedestrian link from the southern part of the site into Queen's Walk. Without this walks would be circuitous and distances would be such that most people would choose to drive rather than walk. Opportunities for social interaction would be lost and there would be problems accessing the car park to the rear of the extended village hall on foot when the hall is closed. The original plan had a footpath link, it is physical possible to provide one.
- There is now no meaningful area for young children's play within the development. Policies DM4 and DM9 require new development proposals to provide functional open space and opportunities for recreation. Areas of open space within housing areas on the original layout were removed in subsequent schemes to enable more dwellings to be provided. The Parish Council asks that the applicant provide an area of open space suitable for children's play within the built part of the development.
- There are drainage concerns, periodic flooding is caused by a combination of river flow greater than the capacity of the river channel and surcharge from the surface water sewer at the junction of Queen's Walk and Fairfield Close.

- In January and August the Highway Authority pointed out that the applicants flood risk assessment has not been prepared in accordance with the requirements of BRW365 and was unacceptable,
- Severn Trent Water comment that Section H of the building regulations says that water disposal strategies should only use public sewers as a last resort. Despite that and without any examination of the issues the applicant proposed to dispose of excess surface water into the sewers on Queen's Walk.
- Whether water is disposed of into public sewers or the river and even if flows are throttled there will still be an increase in flood water as a result of the development.
- The NPPF states that when determining applications the local planning authority should ensure that the flood risk is not increased elsewhere and only consider development where informed by site specific flood risk assessment. The applicants flood risk assessment is not complete or fit for purpose.

Ms D Ball spoke in objection to the development. She advised that she is a resident of Nether Langwith and strongly opposes the proposal. Drainage and the risk of flooding are the main concerns. The flood risk assessment admits that further assessment is needed and better design finalised. The assessment should be taken with a pinch of salt as it is not certain. Nottinghamshire County Council Highways warns of the expense of the proposed drainage scheme. Has the cost been accounted for when assessing viability? It is possible the application will return to the Committee to say the applicant cannot provide the S106 contributions. Flooding issues are a concern and there is ineffective drainage. Queen's Walk is classed as flood zone 3. The lack of a five year supply of housing is not carte blanche for approval. She requested that the Committee refuse the application in relation to flooding issues and the proposal is contrary to the NPPF.

Councillor K Dukes spoke as ward Member for Welbeck. He advised that he had been contacted by a number of local residents. The key concern is drainage and flooding. Tarmac would exacerbate the problems and a proper drainage strategy is needed. There are issues with traffic and the increase in traffic would exacerbate that problem. Access to Queen's Walk is an issue and there is no footpath proposed.

Mr D Ridout spoke in support as the applicant, he advised that:

- They are willing to commit to the application.
- A percentage of homes would be starter homes for first time buyers.
- A mix of housing would be provided on site.
- The dilapidated barns would be brought back into use and improve the conservation area.
- A significant amount of money would be put into the village hall and local community.
- There have been discussions with the Lead Local Flood Authority and there is ample space on site to store water and release when appropriate.
- The current issues will not be exacerbated.
- The Traffic Regulation Order is supported.
- There is currently no parking for the village hall, the proposal will improve the situation.
- Discussions have been held with councillors, officers, conservation and the community.

Elected Members asked questions/raised issues in relation to:

- The majority of the site is outside of the development boundary.
- Buildings at risk would be brought back into use.
- Sustainability of the development as there are limited facilities in the village.
- The flood risk.
- Condition 10 requires all external joinery to be of a timber construction only but does not state that replacement windows and doors should be of a timber construction.

In response to questions raised, the Head of Regeneration advised that as part of the Core Strategy the village is identified as a rural service centre. Any built form is likely to encourage further services to come forward in a locality. The officer report concludes that the site is

sustainable. In terms of flooding the Lead Local Flood Authority has no objection subject to the imposition of conditions which can be elaborated to include the detail contained specifically in the LLFA response. Condition 10 can be further strengthened by requesting that timber construction should be kept in situ in perpetuity.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant planning permission subject to the conditions as circulated.

COMMITTEE DECISION – Grant planning permission subject to the conditions as circulated with the following amendments to conditions 10 and 16:

10. All external joinery including windows and doors shall be of a timber construction only and remain as such in perpetuity. Details of their design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:20 scale, shall be submitted to and agreed in writing by the Local Planning Authority before development commences. The development shall be carried out only in accordance with the agreed details.

Reason: Inadequate details of these matters have been submitted with the application and to ensure the development preserves the character and appearance of the Conservation Area.

16. Development shall not commence until such time as full details of the manner in which foul sewage and surface water are to be disposed of from the site have been submitted to and agreed in writing by the Local Planning Authority. As requested by the Lead Local Flood Authority, this must comply with all of the information and statements made in the Flood Risk Assessment submitted as part of the planning application and also consider the following points:
 - a. Consideration must be given to discharging to the River Poulter as a priority over discharging to the surface water sewer. If evidence can be provided to show that the surface water sewer discharges to the River this is acceptable should infiltration prove unsuitable.
 - b. Due to the natural gradients on the site consideration should be given to exceedance flow paths and evidence provided to show that no new properties are put at risk of flooding from flow paths.
 - c. Evidence of how any SUDS features will be managed and maintained for the lifetime of the development must be provided.

The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the site is drained in a satisfactory manner.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
17/00949/FUL	Mr Stephen Tasker	Construction of a new building to provide blast cooling, chilled storage, packing and associated offices and roads, parking and plant and modification to existing private roads. Wheatley Wood Farm House, Wood Lane, North Wheatley

Members were advised that the application sought full planning permission for the erection of new buildings to accommodate the packing, storage and chilling of soft fruit together with associated

offices. The site had been the subject of a site visit prior to the meeting. Slides were used to show the site location.

The Case Officer presented the proposals and a summary of responses from statutory consultees was given, as detailed in the report.

The proposed building would have a floor area measuring 25m x 48m and have an eaves and ridge height of 6.5m and 8.5m respectively. The roof would be constructed of fibre cement and the walls olive green plastic coated steel sheeting.

The site is located outside of the North Wheatley development boundary. Wheatley Wood located to the north of the site is an Ancient Woodland and Local Wildlife Site. North Wheatley Footpath FP5 follows the route of Wood Lane.

In response to questions raised Members were advised that currently fruit is taken off site and packed so this application would reduce those traffic movements.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant planning permission subject to the conditions as circulated.

COMMITTEE DECISION – Grant planning permission subject to the conditions as circulated.

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None.

Other Decisions

None.

47. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

As there was no other urgent business to be considered, the Chair closed the meeting.

(Meeting closed at 8.06pm.)