



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

PLANNING COMMITTEE

AGENDA

Meeting to be held in
The Ceres Suite,
Worksop Town Hall, S80 2AH
on Wednesday, 1st February 2017
at 6.30 p.m.

(Please note time and venue)

**Please turn mobile telephones to silent during meetings.
In case of emergency, Members/officers can be contacted
on the Council's mobile telephone: 07702 670209.**

**In accordance with the Openness of Local Government Bodies Regulations 2014,
audio/visual recording and photography at Council meetings is permitted
in accordance with the Council's protocol 'Filming of Public Meetings'.**

PLANNING COMMITTEE

Membership 2016/17

Councillors H. Burton, S. Fielding, G. Freeman, K. H. Isard, G. A. N. Oxby, D. G. Pidwell, M. W. Quigley, H. M. Richards, M. Richardson, S. Scotthorne, A. K. Smith and T. Taylor.

Substitute Members: None

Quorum: 3 Members

Lead Officer for this Meeting

Fiona Dunning - Ext. 3416

Administrator for this Meeting

Cara Crossland - Ext. 3254

NOTE FOR MEMBERS OF THE PUBLIC

- (a) *Please do not take photographs or make any recordings during the meeting without the prior agreement of the Chair.*
- (b) *Letters attached to Committee reports reflect the views of the authors and not necessarily the views of the District Council.*

Planning Committee

Wednesday, 1st February 2017

AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS * (pages 5 - 6)
(Members' and Officers' attention is drawn to the attached notes and form)
 - (a) Members
 - (b) Officers
3. MINUTES OF MEETING HELD ON 4TH JANUARY 2017* (pages 7 - 14)
4. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 19TH DECEMBER 2016 TO 9TH JANUARY 2017* (pages 15 - 24)
5. OUTSTANDING MINUTES LIST * (page 25)

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None

Other Decisions

6. REPORT(S) OF THE HEAD OF REGENERATION *
 - (a) Public Interest Test:
(Ms B Alderton-Sambrook, Head of Regeneration, has deemed that all Items on the Agenda are not confidential)
 - (b) Planning Applications and Associated Items (pages 27 - 68)

Exempt Information Items

The press and public are likely to be excluded from the meeting during the consideration of the following items in accordance with Section 100A(4) of the Local Government Act 1972.

SECTION B - ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None

Other Decisions

None.

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

* Report attached

NOTES:

1. The papers enclosed with this Agenda are available in large print if required.
 2. Copies can be requested by contacting us on 01909 533254 or by e-mail: cara.crossland@bassetlaw.gov.uk
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DECLARATION OF INTERESTS

HOW TO USE THIS FORM

There are now only two types of Declaration of Interest:

Disclosable Pecuniary Interests)	Details can be found in the Councillors Code of Conduct which is contained in the Council's Constitution (a summary is printed below)
)	
)	
Non Pecuniary Interests)	

Upon receipt of the attached form you will need to enter the name and date of the Committee and your own name. By looking at the Agenda you will no doubt know immediately which Agenda Items will require you to make a Declaration of Interest.

Fill in the Agenda Item number in the first column of the form.

Enter the subject matter and any explanations you may wish to add in the second column.

In the third column you will need to enter **either** if you are declaring a disclosable pecuniary interest, **or** a non pecuniary interest.

The form must then be signed and dated. Please remember that if during the actual meeting you realise that you need to declare an interest on an additional Agenda Item number please simply amend the form during the meeting.

The form must be handed into the Committee Administrator at the end of the meeting.

NB. The following is a summary prepared to assist Members in deciding at the actual meetings their position on INTERESTS it is not a substitute for studying the full explanation regarding INTERESTS, which is contained in the Council's Constitution and the Code of Conduct for Councillors, which is legally binding.

Members and Officers are welcome to seek, PREFERABLY WELL IN ADVANCE of a meeting advice from the Council's Monitoring Officer on INTERESTS.

Disclosable Pecuniary Interests

May relate to employment, office, trade, profession or vocation carried on for profit or gain
May relate to sponsorship
May relate to contracts
May relate to interests in land
May relate to licences to occupy land
May relate to corporate tenancies
May relate to securities

Action to be Taken

Must disclose to the meeting
- existence of the interest
- the nature of the interest
- withdraw from the room
- not seek improperly to influence a decision on the matter

Non Pecuniary Interests

May relate to any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council
May relate to any person from whom you have received a gift or hospitality with an estimated value of at least £25
A Member may also have a non pecuniary interest where a decision in relation to that business might reasonably be regarded as affecting wellbeing or the wellbeing of other council tax payers, or ratepayers or inhabitants in the electoral division or ward, as the case may be, affected by the decision.

Action to be Taken

Must disclose to the meeting
- existence of the interest
- the nature of the interest
- not seek improperly to influence a decision on the matter.

(Note – there are special provisions relating to “Sensitive Interests” which may exclude the above provisions in certain circumstances.)

Key Decisions

None.

Other Decisions

41. REPORT(S) OF THE HEAD OF REGENERATION

(a) Public Interest Test

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

(b) Appeal Decisions Received

Members were presented with two appeals decisions.

RESOLVED that the Appeal Decisions be received.

(c) Planning Applications and Associated Items

The Chair advised of a change of order so that a3, Planning Application no. 14/00503/OUT, would be taken first.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
14/00503/OUT	Linden Limited	Outline application for the erection of up to 175 dwellings including public open space, attenuation drainage basin and associated works, land west of Tilm Lane, Retford

The application had been previously considered at Planning Committee on 1st October 2014 where Members resolved to grant planning permission subject to a S106 agreement. The applicant has subsequently submitted a viability assessment that in their view shows that the development of the site is not able to support any affordable housing or S106 contributions. They have however offered some monetary contributions. The applicant's viability assessment has been reviewed by the District Valuer. The applicant and District Valuer have been unable to agree on the viability assessment estimates and assumptions. The site had been subject of a site visit prior to the meeting.

An elected Member commented on the significant difference between the figures of the applicant and District Valuer.

It was proposed and seconded that the application be deferred to a future meeting for further information and consideration. Members took a vote and the outcome of the vote was to defer the application.

RESOLVED – That the application be deferred to a future meeting of the Committee.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
16/01411/FUL	Mr and Mrs P Wright	Proposed two houses with double garages off a private drive, Narnia and land, Eastfield, North Wheatley

Members were advised that the application sought full planning permission for the erection of two, four bedroom dwellings. The site is located outside of the North Wheatley development boundary.

To the east of the site is a site with extant planning permission. The site had been subject of a site visit prior to the meeting. Slides were used to show the site location.

The proposed dwellings would be accessed from a private driveway; a total of five dwellings would be served from this access.

A summary of responses received from statutory bodies was given. The County Director of Resources (Highways), the District Environmental Health Officer and the District Engineer have no objection.

The District Regeneration and Investment Officer has commented that the proposal does not support Objectives 3,4 and 5 of the Neighbourhood Plan, particularly Objective 3 relating to the housing types needed by the local community.

Letters of objection have been received from North and South Wheatley Parish Council and a local resident.

Members were advised that the Council is unable to demonstrate a five year supply of land for housing. The application site would be located in a sustainable location and is not considered to be a detrimental impact on the character of the village.

Ms S Stillard spoke in objection on behalf of North and South Wheatley Parish Council. She commented that the report suggests that the Council's lack of five year outweighs any adverse impacts of the development however there would only be a gain of two houses and this would have a big impact on the village. She advised that:

- The site is not within the development boundary.
- The site is close to listed buildings and parts of the site are in an area of archaeological interest.
- The proposal is not supported by the Neighbourhood Plan.
- The development proposes more, large, four bedroom houses.
- There is a shortage of homes for first time buyers and residents who want to downsize.
- A survey found that 61% of residents would like to downsize and stay in the village.
- A news item this week said that 22% of new builds should be starter homes.
- The Parish Council are not opposed to new housing but want to see the right type of houses for the village.
- Building four, two bedroom houses would be a win-win situation for everyone.
- North Wheatley does not need more, large, four bedroom houses.

Mr P Scarborough spoke in objection to the application. He advised that:

- There are six parking spaces for Church Close on the opposite side of the road.
- Visitors have to park on the verge or road making the highway only one vehicle wide.
- The postman, hospital vehicles etc. park opposite Narnia.
- There would be a danger to pedestrians.
- The entrance is opposite the entrance to Church Close on the busiest part of the highway.
- He suggested that if planning permission is approved that the existing entrance to Narnia be altered.

Mr P Wright spoke as the applicant. He advised that in relation to comments regarding the site being of archaeological interest this has been checked and he has been assured that the site is not near any points of interest. He advised that before the application was submitted he consulted Highways regarding the best approach. In order to make this scheme acceptable it is proposed to remove the plot with extant planning permission to enable the two plots at the rear of Narnia to be served by the access. The proposal does not compromise privacy. Adequate parking provision is proposed with garages for two cars and a driveway. The application seeks full planning permission and a buyer may wish to make a further application to change the scheme.

In relation to questions raised, the Head of Regeneration advised that the Sturton Ward Neighbourhood Plan has been adopted and carries full planning policy weight. It was acknowledged that Neighbourhood Plans cannot be restrictive and should be about growth however no sites have been allocated for growth in this Plan as alternative sites to the proposal. Officers do advise Neighbourhood Planning Groups but cannot insist of the content of the Plans, that remit belongs to the community.

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.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
15/01304/OUT	Southwell & Nottingham Diocese	Outline planning permission with some matters reserved for residential development of nineteen dwellings and construct new access, land north east of Dunelm, Church Street, Beckingham

Members were advised that the application sought outline planning permission for residential development with some matters reserved to erect up to 19 dwellings. Slides were used to show the site location. The site had been subject of a site visit prior to the meeting.

The site is located outside of, but adjacent, the Beckingham development boundary. The site would be accessed from Church Street.

A summary of responses received from statutory bodies was given. The County Highways Authority, Nottinghamshire County Council Rights of Way, the District Environmental Health Officer, the District Parks Development Officer, the District Tree Officer and the Drainage Board have no objection.

Nottinghamshire Wildlife Trust have placed a holding objection until further ecological surveys have been carried out and appropriate mitigation measures put in place.

The District Councillor, County Councillor and Beckingham-cum-Saundby Parish Council have objected to the development. 48 letters of objection from local residents have also been received.

Members were advised that the Council is unable to demonstrate a 5 year supply of land for housing. The application site would be located in a sustainable location and is considered acceptable in principle subject to a S106 Legal Agreement. A summary of the S106 obligations was given.

Councillor S Whitehead spoke on behalf of Beckingham Parish Council. She commented that the Parish Council is in despair and are unable to carry out the will of residents. She felt that democracy was second to meeting government targets. She advised that:

- The lack of a five year housing supply overrides the views and wishes of residents.
- There is cumulative impact of planning applications that are placing an unnecessary strain on public services and amenities.
- Residents are not being listened to.
- Beckingham is losing its village nature.
- The village is overwhelmed with housing plans.
- There are non-designated heritage assets in the area. This development would be harmful to the setting of the non-designated heritage assets and Grade II listed church.
- The village is being urbanised.

- The preservation of flora and fauna should be important.
- The National Wildlife Trust have made a holding objection, this should be listened to.
- The current drainage infrastructure cannot cope and this proposal would exacerbate the problem.
- The greenspace should be preserved for the future.

Mr K Dyer spoke in objection to the application on behalf of local residents. He advised that he is a resident of Clayworth who has worked in Beckingham. He commented that he could not understand how Highways have not objected to the application as there are already existing highways and parking issues in the area. The residents who live opposite the church are opposed to the development. These properties have no driveways and have no option other than to park on Church Street. A new car park for the church should be provided to help alleviate parking problems. Existing properties that have driveways will have access made difficult by this application on a dangerous section of the road. Customers to the hairdressing salon opposite the site have to park outside the shop; this proposal would threaten the future of the business.

Councillor J Sanger spoke in objection to the application as ward Member for Beckingham. She advised that:

- The site and access are located on a blind double bend with the potential for a serious accident.
- The proposal would result in the loss of a green space, the only green space of its kind in the village.
- Residents thought that the application would be dismissed on safety grounds and regarding the settlement hierarchy.
- Policy CS1 of the Core Strategy states that development in settlements will be restricted to the area inside defined development boundaries and development within the open countryside will be strictly controlled.
- All material considerations of the LDF are relevant to this application – impact on residential amenity, highways safety and traffic, and noise and disturbance.
- If passed, the application contradicts and ignores many statements in the Bassetlaw Core Strategy.
- The views and aspirations of local people should be regarded as material considerations and given weight in the determination of planning applications.
- As a Service Centre Beckingham will accommodate carefully managed levels of housing growth.
- New developments should ensure no detrimental effect on the residential amenity of nearby residents and not be detrimental to highway safety.
- Any development must prove that it will not exacerbate existing land drainage and sewerage problems.
- This is the final straw for residents who will be distraught if the application is granted and the green amenity space was lost along with the footpath.
- The green space is the only space of its kind in the village and is enjoyed by ramblers, dog walkers and children. The space is a cherished part of village life and contributes significantly to the quality of life and enjoyment of the rural environment.
- The application should be refused as the site is not suitable for development.

The Head of Regeneration advised that whilst the site is located outside of the development boundary, paragraph 49 of the National Planning Policy Framework states that if a local authority cannot demonstrate a five year supply of land for housing then planning policies are not considered up to date. Policy CS1 of the Core Strategy states that additional permissions may be granted if developments are considered to help address the shortfall.

Elected Members asked questions/ raised issues regarding:

- The status of the existing footpath.
- Material planning considerations.

- The impact of the development on the Council's housing land supply.
- The detrimental impact on Beckingham and rural villages.
- Highway safety.
- The retention of hedgerows.
- The impact on the street scene.
- Access.
- The benefit of additional residents to local facilities and services.
- Car parking.
- The Council's lack of a five year land supply for housing.

In relation to questions raised regarding the achievability of the scheme and safe access if the hedgerows are retained in line with the Conservation Officer comments, the Principal Planner advised that there are a number of hedgerows around the site. Whilst realignment of access would result in the removal of the hedgerow along the frontage there would be conditions imposed to require replacement planting on the front of the site.

The Head of Regeneration advised that the type of units is indicative at this stage. In terms of the right of way she suggested that for the avoidance of doubt, a condition could be added to ensure that the footpath is incorporated as part of the development and does not conflict with vehicular traffic.

In relation to the Neighbourhood Plan Beckingham is a designated Neighbourhood Plan area however a draft neighbourhood plan has not yet been produced or submitted for examination, therefore no weight can be given to the Plan at this stage.

In terms of questions raised regarding the provision of a car park to ease issues in the area Members were advised that it is reasonable for Planners to ask that issues arising from the development proposed are mitigated and not existing problems.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant subject to a Section 106 agreement, the conditions as circulated, and the inclusion of an additional condition to ensure the existing right of way is incorporated into the development.

COMMITTEE DECISION – Grant subject to a Section 106 agreement, the conditions as circulated, and the inclusion of an additional condition to ensure the existing right of way is incorporated into the development.

FURTHER RESOLVED that wording of the additional condition be agreed at Planning Consultation Group.

(d) Development Management Performance Report 2016/17 Quarter 2

Members were presented with the quarter 2 performance report for the Development Management Function which covered the period 1st July 2016 to 30th September 2016. Previous year's figures were included for comparison.

Members were given a summary of the report. The measures of performance outcomes and current position for determining 'major', 'minor' and 'other' applications was given.

It was noted that local and national performance targets had been exceeded relative to application determination. The Head of Regeneration acknowledged officers for their hard work.

The outcome of appeals against refused applications allowed was also given; details of the applications were included within the report.

The Head of Regeneration advised that the government is introducing performance standards for appeals on minor and other applications, in a similar way to major applications. The Council is not

identified on the list of local authorities not adequately performing in appeals but more work will be needed to ensure that any refusals are defensible on appeal given that the qualitative performance falls short of the government target.

The Chair commended officers for their hard work.

RESOLVED that the report be received and the current performance data be noted.

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None.

Other Decisions

None.

42. 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 8.20pm.)

- Sturton-le-Steeple Parish Council have no objection.
- Carlton in Lindrick Parish Council requests that one phone box to be retained for emergency.
- Misterton Parish Council have no objection.
- Comments have been received that the phone box on Camborne Crescent should be removed; however this phone box is not on the consultation list for removal.
- Councillor S Shaw has expressed concern regarding the removal of phone boxes in general.

Initial officer recommendation – Officers to complete the form provided by BT in accordance with the comments received – refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

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

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

PLANNING CONSULTATION GROUP

Minutes of the meeting held on Tuesday, 3rd January 2017 at Worksop Town Hall

Present: Councillors K H Isard, H Richards, D Pidwell and A Smith.

Officers in attendance: C Crossland and M Freeman.

(Meeting opened at 4.00pm.)

97. APOLOGIES

There were no apologies for absence received.

98. PLANNING APPLICATIONS

<u>Application No</u>	<u>Proposal</u>
16/01602/COU	Conversion of part of former public house to form two ground floor flats at former Oddfellows Arms, 46 – 48 Netherton Road, Worksop

Members were advised that the application sought to convert part of the former public house to form two ground floor flats. A location map, site plans and elevations were tabled. Members were advised that there are no objections to the application. The application was presented to the Group as the agent is related to a Councillor.

Members were advised that planning permission was granted in 1993 to convert the upper floor to residential accommodation.

No external alterations are proposed.

Initial officer recommendation – Grant planning permission – refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
16/01364/COU	Change of use of 50 Gateford Road to café at 50-52 Gateford Road, Worksop

Members were advised that the application sought change of use to provide additional seating area. A location map and site plans were tabled. Members were advised that there are no objections to the application. The application was presented to the Group as the agent is related to a Councillor.

The proposal would provide an additional seating area to the existing café. A summary of the sites planning history was given. Planning permission for a café/ hot food use was granted in 2014. The hours of operation were restricted however, the applicant subsequently applied to vary this condition. The hours of operation are currently 12 noon to 12 midnight.

The Council's Environmental Health Officer has commented that the unit is part of a parade of shops below existing residential flats. No issues with respect to noise have been raised in relation to the existing cafe and there are similar businesses in the vicinity. It is not considered that the proposal would result in any adverse impacts from noise.

Highways have no objection.

Initial officer recommendation – Grant planning permission – refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
16/01562/COU	Change of use from redundant former 6-bed guest house to a 10-bed HIMO, 16 Exchange Street, Retford

Members were advised that the application sought change of use from a redundant former six-bed guest house to a ten-bed house in multiple occupation. A location map was tabled.

Members were advised that the application had been previously presented to the Group in May 2016 where planning permission was granted following the Member resolution to delegate the decision to officers. This application is the same as the previous application with the insertion of a roof light.

Highways have no objection and have commented that there are public car parks in the area.

The Council's Environmental Health Officer has commented that it is unlikely that any increase in noise would have an adverse impact.

Five letters of objection have been received from local residents on the grounds that:

- The development is not suitable for a town centre.
- Concerns over anti-social behaviour.
- Noise and parking issues.
- Lack of a garden area.
- Bins and waste control.

Initial officer recommendation – Grant planning permission – refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
16/01636/FUL	Proposed erection of commercial buildings and change of use to create truck/ van hire facility at Plot 8 on land east of Blyth Road, Snape Lane, Harworth

Members were advised that the application sought to erect commercial buildings and sought change of use to create a truck/ van hire facility. The proposal includes four buildings. A location map, site plans, elevations and photographs were tabled.

Highways and the Council's Environmental Health Officer have no objection subject to conditions.

Styrrup with Oldcotes Parish Council object the application on the grounds that:

- Buildings of a temporary nature would be incorporated on the site.
- The tent structures proposed are not in keeping with a modern industrial estate.

- If planning permission is granted a S106 agreement should prevent HGV's routing via the villages of Styrrup, Oldcotes, Harworth and Blyth.

Members were advised that the site is within the development boundary. The change of use to a van/ truck hire business is in keeping with the commercial use of the area.

Members commented on the industry and employment benefits.

Initial officer recommendation – Grant planning permission – refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
16/01427/RSB	Proposed new house and detached triple garage to rear of The Vicarage, 30 Lincoln Road, Tuxford

Councillor K H Isard noted that he is a trustee for the Mine of Information who own land adjacent to the site however he has no financial interest in the land.

Members were advised that the application sought to erect a new house and detached triple garage. A location map, site plans, elevations and floor plans were tabled.

Members were advised that a planning application for a two storey house and detached garage was refused in October 2015 due to the poor design and impact on heritage assets and the wider area.

Some amendments have been made to this application. The rear gable has been reduced by 0.76m and the balcony removed. A chimney has also been added and the ridge height is lower than the extant permission granted previously on the site.

The Conservation Officer was previously concerned about the impact on the roof scape. The issue of poor design has been addressed and overlooking minimised.

It is considered that adequate parking provision is proposed.

Initial officer recommendation – Grant planning permission – refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

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

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

(The meeting closed at 4.30 pm)

PLANNING CONSULTATION GROUP

Minutes of the meeting held on Monday, 9th January 2017 at Worksop Town Hall

Present: Councillors K H Isard, H Richards, M Richardson and A Smith.

Officers in attendance: C Crossland, J Elliott and B Pinkney.

(Meeting opened at 4.00pm.)

100. APOLOGIES

There were no apologies for absence received.

101. PLANNING APPLICATIONS

<u>Application No</u>	<u>Proposal</u>
16/01508/OUT	Outline Planning Application for the erection of up to 9 Dwellings with all matters reserved, land west of Stonegate Farm, Bawtry Road, Everton

Members were advised that the application sought outline planning permission to erect up to nine dwellings. A site location plan, illustrative layout plan and photographs were tabled. The site is located on the edge of the development boundary.

Members were advised that recent planning permission for the nearby farm shop had been allowed on appeal.

Members were given a summary of comments received:

- Anglian Water have no objection.
- Nottinghamshire County Council Rights of Way have no objection. They have commented that there would be no direct impact on the existing footpath.
- The Council's Environmental Health Officer has no objection subject to standard conditions.
- The Council's Neighbourhood Planning Team has no comments to make. Everton is a designated Neighbourhood Area but have not yet produced a Draft Neighbourhood Plan.
- Nottinghamshire County Council Highways have commented that they have reservations with respect to direct vehicular access on busy A roads however, this site is located within the village speed-limit therefore they have no objection.
- Everton Parish Council objects to the application on the grounds of the detrimental impact to the character of the area, the impact on views in the village and that the harmful impact on the Conservation Area outweighs the Council's lack of five year housing supply.

Three letters of objection have been received on the grounds that the proposal would not preserve the character of the area, the detrimental effect on the village character, highway safety, limited public transport, difference in land levels, loss of light, overlooking and flooding issues.

Two neutral letters have been received commenting that the site is well served by public transport and the local shop is seeking to expand its range and requesting that if permission is granted, a contribution should be made towards the provision of cycle link to Bawtry.

Members were advised that there are modern type dwellings in the area.

Initial officer recommendation – Grant planning permission – refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
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16/01523/COU	Change of use of former car park to use as a hand car wash and siting of two containers to use as storage and welfare/office building and erect portaloo, land at former Cattle Market, West Carr Road, Retford.
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Members were advised that the proposal sought to convert a former car park into a hand car wash. The application includes the siting of two containers, to be used as storage, and to erect a portaloo. A site plan, site location map and photographs were tabled.

Members were advised that a 2m high fence is proposed to prevent water spray onto the public footpath.

The site is separated from the existing dwellings by the railway line, embankment and conifers.

No objections had been received from Network Rail and Severn Trent Water.

Nottinghamshire County Council Rights of Way have commented that sufficient steps had been taken to prevent water spray and drainage onto the footpath, therefore they have no objections.

The Council's Environmental Health Officer has no comments.

Objections have been received from a local resident who has raised concerns regarding the drainage, the deposit of chemicals, vehicles queuing onto the highway, and access.

Members were advised that it is considered that there is sufficient distance between the property and the site and that the drainage scheme would ensure that there would be adverse impact on neighbouring properties.

Initial officer recommendation – Grant planning permission – refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
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16/01327/LBA16/01326/FUL	Reinstatement with refurbishment and alteration of existing residential dwelling. Rear single storey extension, rebuilding of boundary walls and new garage/garden store, School House, South Street, Normanton On Trent.
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Members were presented with a planning application and associated listed building consent application which sought to reinstate, refurbish and make alterations to an existing residential dwelling. A site plan, elevations and photographs were tabled.

Members were advised that the dwelling is grade II listed building. The proposed refurbishment includes replacement of existing windows and doors, removal of paint, replacement of gutter and pipework, and a new garage.

Historic England have no objection.

The Council's Conservation Officer fully supports the application. The proposal would improve the building and be of benefit to the area.

A letter of objection has been received from a local resident raising concerns in relation to the access to the proposed garage.

Initial officer recommendation – Grant planning permission and listed building consent – refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

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

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

(The meeting closed at 4.30 pm)

Policy CS5 of the Bassetlaw Core Strategy and Development Management Policies DPD indicates support for development in these locations which will be of a scale necessary to sustain their role as Local Service Centres; that is a settlement with smaller regeneration opportunities and the services, facilities and development opportunities available to support moderate levels of growth. Development here will prioritise the re-development of brownfield sites, delivering improvements to the mix of housing tenure (4% - 268 houses of the District's housing requirement, with a 15% affordable housing target) (see DM5), the nature and amount of employment space; and the range of sports facilities, as well as contributing to enhancements to Langold Country Park. New development will be of a high quality of design, making strong connections with the existing settlement and surrounding communities, as well as providing the facilities necessary to support a new community. Economic development proposals, which deliver employment opportunities in these locations, will be supported within the Development Boundary, in line with other material considerations and planning policy requirements.

Policy DM4 of the Bassetlaw Local Development Framework states that permission will only be granted for development that, respects the character of the area, does not have a detrimental effect on the residential amenity of nearby residents and is of no detriment to highway safety.

Policy DM5 of the Bassetlaw Core Strategy and Development Management Policies DPD indicates that in order to sustain a mixed community of different households proposals for new housing development will be expected to deliver housing of a size, type and tenure appropriate to the site and locality. Consideration will also be given to local market factors. In addition, this Policy states that proposals will be expected to deliver housing at densities that reflect the specific characteristics of the site and its surrounding area (in terms of both built form and landscape).

Policy DM9 of the Bassetlaw Core Strategy and Development Management Policies DPD indicates that proposals will be expected to support the strategic approach to the delivery, protection and enhancement of multi-functional Green Infrastructure, to be achieved through the establishment of a network of green corridors and assets. Development proposals will also be expected to be in line with the Council's Green Infrastructure work. Furthermore, this Policy states that proposals will be expected to restore or enhance habitats and species' populations where possible and to demonstrate that they will not adversely affect or result in the loss of features of recognised importance. New development proposals outside and adjoining the Development Boundary will be expected to be designed so as to be sensitive to their landscape setting and they will also be expected to demonstrate that they will not adversely affect or result in the loss of open spaces.

Policy DM11 of the Bassetlaw Core Strategy and Development Management Policies DPD indicates that applications will be expected to demonstrate that the necessary infrastructure will be in place in advance of, or can be provided in tandem with, new development. The arrangements for the provision or improvement of infrastructure required by the proposed development will be secured by CIL charge, planning obligation or conditions attached to a planning permission.

Policy DM12 of the Core Strategy Bassetlaw Development Framework states that all new development will be required to incorporate Sustainable Drainage Systems (SuDs) and provide details of adoption and ongoing maintenance and management.

Supplementary Planning Documents

Successful Places – Guide to housing layout and design

Hodsock has a “Designated” Neighbourhood Plan area – The site is within the Hodsock Designated Neighbourhood Plan area, although given the stage at which it is at, the Neighbourhood Plan carries no statutory planning weight.

RELEVANT PLANNING HISTORY:

15\01170\SCR – September, 2015 – Screening Opinion - Proposed Residential Development of approximately Three Hundred Dwellings. It was considered that the proposal development does not constitute Environmental Impact Assessment development.

RESPONSES FROM STATUTORY BODIES:

HIGHWAYS ENGLAND has raised no objections.

The **COUNTY DIRECTOR OF RESOURCES (HIGHWAYS)** has commented that it is understood that the development comprises 300 residential dwellings, to be served from a single vehicular access off the A60 Doncaster Road, located to the north of Langold. The Highway Authority has previously provided comment regarding this application, where various issues were raised. Subsequently, the applicant and their consultants have been in discussion with the authority to address these concerns. A review of the information submitted in support of the planning application has been undertaken in terms of traffic impact, sustainable accessibility, road safety and highway geometry associated with highways and transportation matters.

They have provided detailed observations in respect of internal layout, access junction layout for the A60 and Chestnut Road, junction impact assessment (operational analysis), sustainable accessibility, road safety, the travel plan, CIL and construction traffic impacts. Based on the review undertaken above, the Highway Authority would raise no objection to the application subject to the imposition of conditions and a Section 106 legal agreement. The legal agreement shall include travel planning, a travel plan monitoring fee (£4,004), a financial contribution toward improvements at Cannon Crossroads junction (£86,052.92) and a contribution toward the construction of two bus stops within the development (£24,000).

NOTTINGHAMSHIRE COUNTY COUNCIL EDUCATION has confirmed that the proposed development would yield an additional 63 primary school places. Based on current projections, the primary schools are at capacity and cannot accommodate the additional 63 primary school places arising from the proposed development of 300 dwellings. They therefore wish to seek an **Education contribution of £721,665** (63 x £11,455) in this instance to provide primary provision to accommodate the additional pupils. Secondary school provision would be covered by CIL.

The proposed development would also impact on the local library service and at an average of 2.4 persons per dwelling, the 300 new dwellings would add 720 to the existing library's catchment area population. As such, they would seek a **Library contribution of £13,788** for the additional stock that would be required.

NOTTINGHAMSHIRE COUNTY COUNCIL STRATEGIC PLANNING has provided detailed comments in relation to planning policy, minerals and waste, public health, highways and flood risk, developer contributions, ecology, archaeology, landscape and visual impact and suggested the imposition of planning conditions.

ENVIRONMENT AGENCY has commented that the site falls within Flood Zone 1 and is unlikely to have been contaminated as a result of previous uses. The Lead Local Flood Authority should be consulted.

NOTTINGHAMSHIRE COUNTY COUNCIL FLOOD RISK MANAGEMENT TEAM (Lead Local Flood Authority) has raised no objections, commenting that any surface water discharge from the proposed development must be limited to a maximum 5 litres per second per hectare with the site able to contain flows from 1:100 year plus 30% rainfall. Also, it is strongly recommended that the proposals consider utilising SUDS as a means of controlling surface water flows prior to discharging to any piped system or watercourse.

SEVERN TRENT WATER has no objection to the proposed development subject to the imposition of a condition requiring drainage plans for the disposal of surface water and foul sewage.

HISTORIC ENGLAND has commented that having considered the geo-physical survey report there appears to be a reasonable need for further investigation of the archaeological potential.

NATURAL ENGLAND originally commented that there was insufficient information to provide a substantive response. Both Sites of Special Scientific Interest (SSSI) may be sensitive to changes in water supply and there is the potential to affect the SSSI's. They considered a full assessment of the predicted direct and indirect effects should be undertaken to ensure any impacts are avoided or mitigated and the developer should seek to include a range of measures to alleviate recreational pressure and minimise impacts to Dyscarr Wood.

The applicant's agent responded and further comments have been received from Natural England commenting that following receipt of further information Natural England is satisfied that the specific issues raised in previous correspondence relating to this proposal have been resolved. As submitted the application could damage or destroy the interest features for which Dyscarr Woods Site of Special Scientific Interest has been notified. We welcome the applicant's offer to mitigate these effects through the following mitigation measures:-

- (i) No signposted route to the SSSI from the development site;
- (ii) Provision of open space to support the development site;
- (iii) Appropriate signage and interpretation of the SSSI within the development site as specified in the applicant's letter dated 24th November, 2016.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

NOTTINGHAMSHIRE WILDLIFE TRUST objects to the application in the absence of a full assessment of the potential impact of the development on Dyscarr Wood SSSI and River Idle Washlands SSSI. No consideration appears to have been given to any potential hydrological impact on the SSSI. The development site lies within the identified Impact Risk Zone for Dyscarr Wood SSSI and River Idle Washlands SSSI, both of which may be sensitive to changes in water supply and water quality. Planning conditions have been suggested in relation to vegetation clearance works outside the bird breeding season, maintaining ecological connectivity, wildlife friendly lighting, appropriate landscaping, measures to increase biodiversity and restricting physical access to Dyscarr Wood due to the potential indirect impact through increased recreational activity.

The applicant's agent responded and further comments have been received from Nottinghamshire Wildlife Trust commenting as follows:-

"Thank you for the additional information regarding the above. We welcome that the applicant proposes to incorporate measures to reduce recreational pressure on Dyscarr Woods SSSI. With respect to potential hydrological issues, the applicant states that incorporation of SUDs will regulate the flow of surface water within the site, but does not give any detailed information regarding whether there is a direct hydrological connection between the development site and both SSSIs. We suggest therefore that it is not possible to assess whether the proposed development may impact on ground water levels within the SSSI. We note that Natural England requested "an assessment of the likely impacts to water supply mechanisms" in their response dated 21st November. We would be interested to see Natural England's response to the latest information provided by the applicant regarding potential impact on the SSSIs".

BASSETLAW STRATEGIC HOUSING has commented:-

Based on the Core Strategy Policy CS5, all housing developments resulting in a net gain of one or more units in Langold will be required to contribute to the achievement of the affordable housing target of 15%. At least 70% of this should be social/affordable rented to be transferred to a registered housing provider (in line with the Strategic Housing Market Area Assessment).

BASSETLAW PARKS DEVELOPMENT OFFICER has commented:-

"Based on 300 houses (as indicated in the planning statement), the following amounts of open space are required to be set aside for play provision (based on calculations from the Bassetlaw Open Space 2012):

- Play equipped area – 1,392sqm (4.64 x 300)
- Amenity space – 3,549sqm (11.83 x 300)

However, as there is a known deficit of playing fields in the area (as identified by the Play Pitch Strategy), the Council's preference would be to ensure that there is land set aside for the extension of the existing pitches and a contribution to secure their set up/delivery. The Council preference is enough land to allow for a new pitch to be delivered (dimensions 112m by 76m). There are also known car parking issues within the area and any parking provision to the north of the existing playing field would also be welcomed.

The general location of the open space in the indicative scheme would be supported. The remaining details would have to be agreed at reserved matters stage.

The proposed development, providing that the above is delivered, meets the policy requirements for open space provision in line with the Bassetlaw Core Strategy DM11 and the Bassetlaw Open Space 2012."

SPORT ENGLAND has commented as follows:-

"It is noted that the applicant's agent believes that the details submitted with the application would help to address the issues around Harrison Drive Recreation Ground as detailed in the playing pitch strategy. Your authority will need to take a view on this position.

What is not clear, is the mitigation proposed, having regard to the impacts of the development on existing "off-site" sports facilities. As previously stated the sports facility calculator provides details of the demand created by the proposed development, however, the level and nature of any contribution should be informed by a robust evidence base such as an up to date Sports Facilities Strategy or other needs based assessment."

STYRRUP-WITH-OLDCOTES PARISH COUNCIL OBJECT to the development on the following summarised grounds:-

1. The site is in the Green Belt and close to Oldcotes Conservation Area;
2. Development would erode the green envelope between Langold and Oldcotes;
3. Modern development would detract from the area, particularly the stone dwellings at the entrance to Oldcotes;
4. Green field development when other brown fields are available is unnecessary;
5. Drainage concerns from the site, Oldcotes Dyke and Goldthorpe Mill being significantly downhill from the site and prone to flooding;
6. Oldcotes is a no growth village and a development so close to the Parish Boundary is a violation of the agreed planning protocols for this area; and
7. If Planning Committee are still minded to permit this application, occupancy of any dwellings should be restricted to Langold, Carlton Oldcotes and Styrrup residents only now and in the future.

HODSOCK PARISH COUNCIL wish to know more about how the developers would help with the facilities within the village of Langold. The current school and doctors are at capacity and we feel that more residents are only going to make matters worse. Parishioners already find it difficult to get an appointment at the doctors due to its lack of opening times. We feel that without the required investment in amenities the village will not be able to cope with more residential developments.

LETWELL PARISH COUNCIL OBJECT to the development on the following summarised grounds:-

1. Inappropriate development in the Green Belt which should be protected
2. Would destroy forever the open countryside between Langold and Oldcotes and urbanise the rural landscape which exists either side of the A60
3. High quality farmland should not be sacrificed for housing over food production
4. Local infrastructure is under great pressure which would be made worse
5. Road network from Langold to M1 under great strain, with daily queues at Todwick, the development would only add to existing problems.

Copies of all the responses and comments are available for inspection either on the Council's web page or in the Council Offices.

OTHER COMMENTS RECEIVED:

10 LETTERS have been received from LOCAL RESIDENTS objecting to the development on the following summarised grounds:

1. Overlooking and loss of privacy issues, existing properties have small gardens;
2. Existing infrastructure is already over stretched;
3. Increased traffic and noise disturbance would result from the proposed development;
4. Doncaster Road (A60) is already very busy;
5. There are already existing flooding issues on Doncaster Road;
6. Would lead to increased pressure on existing facilities \ schools;

7. Highway safety concerns;
8. There are other better sites available or development;
9. Development of houses will result in loss of existing peace and quiet;
10. Local services would be overwhelmed by the development;
11. Proposed development would destroy farmland and endanger the woodland;
12. Light pollution would increase;
13. This is green belt land which should be protected;
14. There are already other major schemes nearby;
15. Detrimental to Dyscarr Wood, which is only 66m away and has a diversity of habitats;
16. Dyscarr Wood is a wet woodland and ancient woodland, as the water table is close to the surface, changes to watercourses could damage the SSSI;
16. The land is affected by flooding problems and land drainage would affect Dyscarr Wood;
17. Many invertebrates and birds use the wood; and
18. There may be archaeological interest in the site.

2 LETTERS have been received from LOCAL RESIDENTS in support of the proposed residential development commenting as follows:-

1. Lets expand our wonderful village;
2. Laburnham and Chestnut Road made no difference to the village when built;
3. We could get our fire station back and maybe a modern supermarket;
4. A petrol station would be great;
5. Harworth seems to be getting it all;
6. We need smaller houses and bungalows to downsize and to free up larger houses;
7. Local facilities such as the school, shops doctors and dentist become more viable; and
8. As far as I am aware there are no archaeological remains in the field.

Copies of all the responses and comments are available for inspection either on the Council's web page or in the Council Offices.

ENVIRONMENTAL IMPACT ASSESSMENT SCREENING:

With regard to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, as amended, the proposed development falls within Schedule 2, Part 10 Infrastructure Projects, 10(b) Urban Development Projects, of the Regulations. Column 2 identifies the applicable thresholds and criteria, in this instance, number of dwellings exceeds the 150 dwelling threshold and therefore is a Schedule 2 development.

The screening process seeks to determine whether proposed developments are likely to have significant effects on the environment. The regulations require that each application is considered on its individual merits as to whether an Environmental Impact Assessment is required. Schedule 3 establishes the selection criteria for screening Schedule 2 development.

Characteristics – In terms of the size of the development, the cumulative impact, the use of natural resources, the production of waste and pollution and nuisances it is not considered that the proposed development would significantly adversely affect the wider environment.

Location – In terms of the existing land use, the relative abundance, quality and regenerative capacity of natural resources in the area and the absorption capacity of the natural environment it is not considered that the proposed development would significantly adversely affect the wider environment.

Potential Impact – In terms of extent of the impact, the nature of the impact, the magnitude and complexity of the impact and the probability of the impact it is considered that the impact of the proposed development would be limited to its immediate environs.

On this basis, with regard to the current proposed development, it was not considered that it would be necessary to undertake an Environmental Impact Assessment in this instance.

CONSIDERATION OF PLANNING ISSUES:

The main issues to be considered when determining this application are the requirements of national and local planning policies, the impact on the character and appearance of the area, the impact on the residential amenity of adjacent residents, impact on ecology and the impact on highway safety.

Principle of development

With regard to Housing Land policy issues, the key planning policies in relation to this application are contained within the adopted Core Strategy Policy CS1 and National Planning Policy Framework, along with the latest housing land supply information contained within the Strategic Housing Land Availability Assessment (SHLAA).

The NPPF sets out the requirements for Local Authorities to identify a supply of deliverable sites, sufficient to provide five years' worth of housing against their housing requirements, with an additional buffer of 5% (or 20% where there is a persistent under delivery) (paragraph 47). The NPPF also states that if Local Planning Authorities cannot demonstrate a five-year supply of deliverable sites, then their relevant policies for the supply of housing will not be considered up-to-date. Therefore, it is important that the Council keeps a constant supply of deliverable sites, either by allocating land through the Site Allocation process or through granting permission for windfall developments (such as this one).

The latest Strategic Housing Land Availability Assessment (SHLAA published in the five year supply statement in September 2015) shows that the Council cannot demonstrate a five-year supply of deliverable land (plus a 20% surplus).

The exception set out in Bassetlaw Core Strategy CS1 point (i), reflects the aim of the National Planning Policy Framework (NPPF). In particular paragraph 49 of the NPPF states that 'relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'. Therefore under the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF, it is acknowledged that where the development plan is out of date, permissions should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole'.

In light of the recently revised housing supply figures, and the sustainable nature of the site, it is considered that the proposed development of the site is acceptable in principle.

Visual Amenity

Whilst the application site is currently an agricultural field/paddock, the subsequent development would be viewed in the context of the existing residential development on the edge of the village. The site relates well to the existing settlement edge and would not therefore appear unduly discordant in terms of landscape character. It is considered that the rural character and appearance of the locality would not be so adversely affected that a refusal of outline planning permission could be justified. The land in question is not Green Belt land and it is not considered that the proposed development would result in the merging of settlements, they would remain distinct and separate entities.

Residential Amenity

The application is submitted in outline only, but does include details of access, therefore the potential layout, design and appearance of the proposed new dwellings is not known at this stage. It is considered that adequate separation distances from existing properties can be achieved and there would be no adverse impact on neighbouring properties, in terms of overlooking, loss of privacy or domination, such that a refusal of planning permission could be substantiated in this instance.

Highways Matters

The County Director of Environment and Resources (Highways) has assessed the proposals in terms of traffic impact, geometry, highway safety, accessibility and parking provision and has no objections subject to the imposition of conditions. Therefore, notwithstanding the highway safety concerns of local residents, it is considered that it would not be possible to substantiate a reason for refusal that could be defended at appeal.

The application is submitted in outline only for a development of up to 300 residential dwellings, but does include details of a single access from Doncaster Road, which would serve the proposed residential development. Pedestrian and emergency access only would be available to Chestnut Road. The Highway Authority has identified a number of issues to be included in the S.106 legal agreement including a travel plan monitoring fee (£4,004), a financial contribution toward improvements at Cannon Crossroads junction (£86,052.92) and a contribution toward the construction of two bus stops within the development (£24,000).

Ecological Impact

The planning application site is located to the north east of Dyscarr Wood, which is a SSSI, and at its closest is approximately 66m from the red line boundary of the application site and supports botany and amphibians of local interest. The application is submitted in outline only and therefore the actual layout of the site has yet to be finalised. The illustrative master plan, however, shows landscaping potential along the southern and western boundaries and the existing allotments, which would ensure a buffer between the site and the Dyscarr SSSI. The comments of the Nottinghamshire Wildlife trust and local residents are noted, however, given the separation distance and landscaping opportunities it is not anticipated that there would be any significant adverse impact on the SSSI in this instance and the imposition of conditions regarding surface water drainage and mitigation measures would be appropriate.

Where it is considered that there may be an adverse effect on a Site of Special Scientific Interest (SSSI) an exception can be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that that make it of special scientific interest and any broader impacts on the national network of SSSI's. In this instance, it is considered that the benefits of addressing the 5 year land supply issues and the wider potential economic impacts are sufficient to outweigh the ecological concerns that have been raised by Nottinghamshire Wildlife Trust and local residents. The imposition of conditions, such as those set out in this report, would seek to address some of the concerns raised.

Financial Implications

The Community Infrastructure Levy would apply to this development in accordance with the current adopted schedule of rates and is dependent on the number of dwellings at reserved matters stage. The proposed residential development will trigger the need for affordable housing provision, an education contribution, library contribution, highway contributions and a public open space contribution to be secured via a Section 106 legal agreement.

Conclusion

Given that Bassetlaw District is unable to demonstrate a 5 year supply of land for housing, the application would help to address this shortfall.

The application site would be located in a sustainable location on the very edge of Langold and is considered not to have a significant detrimental impact on the character and appearance of the area, residential amenity or highway safety.

It is recommended that should planning permission be granted for the development to which this application relates, it shall be granted subject to the conclusion of an agreement under the provisions of Section 106 of the Town and Country Planning Act 1990 which secures:

1. Affordable housing of 15%, that is, 45 of 300 units with a minimum of 70% social rented to be transferred to a registered housing provider
2. An education contribution of £721,665 (63 primary school places)
3. A Library contribution of £13,788
4. Land to be set aside for the extension of the existing pitches and a contribution of £140,000 to secure their set up \ delivery
5. A financial contribution of £86,052.92 towards improvements at Cannon Crossroads junction
6. A contribution of £24,000 towards the construction of two bus stops
7. A Travel Plan monitoring fee of £4,004
8. Implementation/maintenance of SuDs

RECOMMENDATION: Grant subject to conditions and S106 Legal Agreement

- 1 Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
 - a) the expiration of three years from the date of this permission: or
 - b) the expiration of two years from the final approval of the reserved matters or, in the case of approval of the reserved matters on different dates, the final approval of the last such matter to be approved.

Reason: To comply with section 92 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The scale and appearance of the building(s), the layout and the landscaping of the site shall be only as may be approved in writing by the Local Planning Authority before any development commences.

Reason: This permission is granted in respect of an outline application which did not contain details of the matters hereby reserved for approval.

- 3 The reserved matters for each phase of the development hereby permitted shall include detailed plans and particulars relating to the following items appropriate for that phase, and shall be implemented in accordance with the phasing plan:

- (i) A detailed layout plan of the phase in context with the whole site (for the avoidance of doubt the submitted Masterplan reference: YOR.2473.002C shall be considered to be for indicative purposes only) which shall be accompanied by a swept path analyses of a 11.5 m refuse vehicle throughout and a bus on any potential bus route;
- (ii) Details of highways, including a bus route, and private street works;
- (iii) The layout and marking of car parking, servicing and maneuvering areas;
- (iv) Details of the means of foul and surface water drainage together with a programme of implementation;
- (v) Cycle and bin storage facilities;
- (vi) The means of access and highway route for construction traffic;

Reason: To ensure the development is designed and constructed to adoptable standards.

- 4 No development shall take place until such time as a programme has been submitted to and approved by the Local Planning Authority covering the following works:

- (i) the provision of a priority ghost island site access junction on the A60 as shown for indicative purposes on plan reference 1510501c, including pedestrian crossing facilities;
- (ii) the provision of a footway along on the western side of the A60 along the frontage of the site to a minimum width of 2.0m as shown for indicative purposes on plan reference 1510501c;
- (iii) the provision of an emergency access link between the site and Chestnut Road, including pedestrian facilities shown for indicative purposes on plan reference 1510502a;
- (iv) the provision of improvement measures at the A60 / A634 roundabout including entry width widening on the A60 north bound approach and the A634 Blyth Road approach to a maximum of 4.5m, including the provision of increased effective flare lengths of 4m and 3.5m respectively as shown for illustrative purposes on drawing reference 1510504A.
- (v) the provision of 2 number bus stops including shelters, solar lighting, raised boarding kerbs, lowered access kerbs, real time poles and displays including associated electrical connections and bus stop clearways at locations to be agreed on the A60 adjacent to the site.
- (vi) the narrowing of the Laburnum Road / A60 junction bellmouth, removal of the existing splitter island and realignment of the pedestrian crossing to follow the pedestrian desire line adjacent to the A60 in accordance with details to be first submitted to and approved in writing by the Local Planning Authority;

The works shall be carried out in accordance with the programme or revised programme that may be submitted to and approved by the Local Planning Authority from time to time.

Reason: To provide sufficient capacity at the respective junctions and in the interest of pedestrian and general Highway safety.

- 5 Prior to the commencement of each phase of development, a Construction Environmental Management Plan for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The construction Environmental Management Plan shall include:

- (i) Measures to minimize the creation and impact of noise, dust and artificial lighting including wheel washing facilities for construction traffic;
- (ii) A layout of the construction access including a drawing showing visibility splays and method statement for the use of banksmen;
- (iii) Details regarding parking provision for construction workers and plant on the site.

Once approved, the Construction Environmental Management Plan shall be adhered to at all times unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of Highway safety.

- 6 No one phase of development shall be commenced until details of the proposed arrangements and plan for future management and maintenance of the proposed streets including associated drainage contained within that phase of development have been submitted to and approved by the Local Planning Authority. The streets and drainage shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

Reason: To ensure that the road infrastructure is maintained to an appropriate standard

- 7 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. 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 to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

- 8 Any surface water discharge from the proposed development must be limited to a maximum 5 litres per second per hectare with the site able to contain flows from 1:100yr +30% rainfall.

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

- 9 Development shall not commence within the application site until details of a scheme for an archaeological watching brief have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in full accordance with the approved details.

Reason: To ensure that any features of archaeological interest are protected or recorded.

- 10 An Ecological Management Plan outlining habitat creation, mitigation and enhancement requirements, long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens) shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Management Plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

The scheme shall include the following elements:

- (i) details of all mitigation works to be undertaken on the site;
- (ii) details of all enhancement works to be undertaken on the site;
- (iii) details of the extent and type of planting;
- (iv) details of measures to maintain ecological connectivity;
- (v) details of maintenance regimes and the responsibility of maintenance;
- (vi) details of treatment of site boundaries and/or buffers around the site;
- (vii) management plans for specific areas i.e. woodland or wetland areas.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

- 11 Before any part of the development is first occupied, a wildlife friendly scheme for lighting of external areas of public space and footpaths within that phase shall be submitted to and approved in writing by the Local Planning Authority including details regarding the implementation of the proposed scheme. The approved measures shall thereafter be implemented, retained and operated in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenity of residents living in the vicinity of the site and to prevent unnecessary lighting of the site and surrounding area to the detriment of local wildlife.

- 12 All site clearance work shall be undertaken outside the bird-breeding season (March – September inclusive). If clearance works are to be carried out during this time, a suitably qualified ecologist shall be on site to survey for nesting birds in such manner and to such specification as may have been previously agreed in writing by the Local Planning Authority.

Reason: To ensure that bird's nests are protected from disturbance and destruction.

- 13 Before any part of the development is first occupied, details of a scheme for the provision and positioning of an appropriate number of bird and bat boxes, to provide nesting / roosting opportunities, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed details.

Reason: To provide nesting and roosting opportunities for birds and bats.

- 14 Unless otherwise agreed in writing by the Local Planning Authority, no work relating to site preparation or construction shall take place outside the hours of 8:00 am to 6:00 pm Mondays to Fridays and 8:00 am to 12:00 midday on Saturday and not at all on Sundays and Bank Holidays.

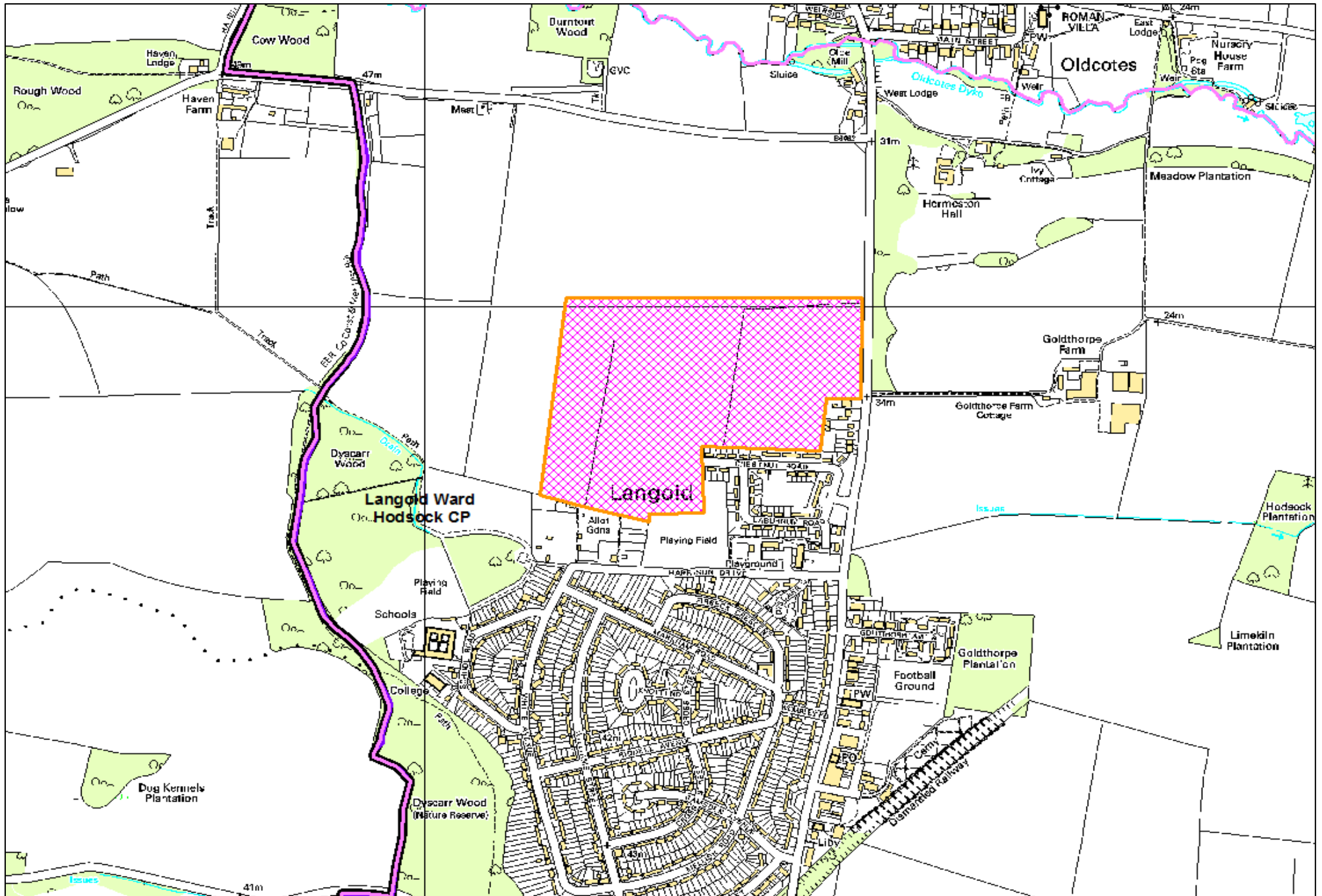
Reason: To safeguard the amenity of dwellings located in the vicinity of the application site.

15. Development shall not commence within the application site until details of a scheme to mitigate the effects on the Dyscarr Wood Site of Special Scientific Interest including:-

- (i) No signposted route to the SSSI from the development site;
- (ii) Provision of open space to support the development site;
- (iii) Appropriate signage and interpretation of the SSSI within the development site as specified in the applicant's letter dated 24th November, 2016.

have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in full accordance with the approved details.

Reason: This condition is necessary to ensure the protection of Dyscarr Wood Site of Special Scientific Interest.



Part 7 of the National Planning Policy Framework states that the Government attaches great importance to the design of the built environment and good design is a key aspect of sustainable development.

Policy CS1 of the Bassetlaw Local Development Framework states that until the adoption of the site allocations DPD, development in the settlements identified in the hierarchy will be restricted to the area inside defined settlement boundaries. In addition over the plan period, additional permission may be granted where the development proposal would address a shortfall in the District's five-year housing supply or its employment land supply.

Policy CS4 of the Bassetlaw Local Development Framework states that all housing development resulting in a net gain of one or more units, will be required to contribute towards the achievement of an affordable housing target of at least 15% for Harworth/Bircotes.

Policy DM4 of the Bassetlaw Local Development Framework states that permission will only be granted for development that, respects the character of the area, does not have a detrimental effect on the residential amenity of nearby residents and is of no detriment to highway safety.

Policy DM9 of the Bassetlaw Local Development Framework states that new development proposals will be expected to demonstrate that they will not adversely affect or result in the loss of features of recognised importance such as protected trees, hedgerows, Local Wildlife Sites, protected species or Regionally Important Geodiversity Sites.

Policy DM11 of the Bassetlaw Local Development Frameworks states that all applications will be expected to demonstrate that the necessary infrastructure (social, physical and green) will be in place in advance of, or can be provided in tandem with, new development and, where appropriate, that arrangements are in place for its subsequent maintenance.

Policy DM12 of the Core Strategy Bassetlaw Development Framework states that proposals for new development in in Harworth Bircotes will only be supported where it is demonstrated to the council's satisfaction that the proposed development will not exacerbate existing land drainage and sewerage problems. This policy also states that all new development will be required to incorporate Sustainable Drainage Systems (SuDS) and provide details of ongoing and maintenance and management.

The Harworth and Bircotes Neighbourhood Plan, which has been adopted and therefore carries full planning policy weight, sets out a vision for the area and contains planning policies for the use and development of land. The relevant polices of the plan are as follows:

Policy 1: Sustainable development principles

Policy 7: Housing mix

Policy 8: Design Principles for New Housing Development

Policy 14: Community Facilities

RELEVANT PLANNING HISTORY

14/00876/RSB. Planning permission granted to erect detached dwelling. September 2014.

61/08/00048. Planning permission granted to change the use of public house to public house and bed and breakfast. September 2008.

ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS

The proposal does not fall under the thresholds of development contained in Schedules 1, 2 or 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, as amended defined as requiring formalised EIA Screening.

RESPONSES FROM STATUTORY BODIES

NOTTINGHAMSHIRE COUNTY COUNCIL EDUCATION. the proposed development would be expected to yield an additional 5 primary school places. The minimum education contribution would therefore be (5x £11,455) £57,275. However due to the number of proposed developments in the area, there is the possibility that a new primary school will be required. If this is determined to be the case then it is estimated that a greater contributions of £85,000 (5x £17,000) would be required.

NOTTINGHAMSHIRE COUNTY COUNCIL (Highways) has no objections to the development subject to conditions to secure; surfacing and drainage of the access, provision of visibility splays, wheelie bin storage areas, and the submission of a Construction Management Plan.

NOTTINGHAMSHIRE COUNTY COUNCIL FLOOD RISK MANAGEMENT TEAM has no objections subject to a condition requiring the submission and implementation of surface water drainage.

NOTTINGHAMSHIRE COUNTY COUNCIL CONSERVATION. A bat survey should be undertaken before determining the planning application.

DONCASTER METROPOLITAN BOROUGH COUNCIL(Planning) No comments had been received at the time of drafting this report.

The **DISTRICT PARKS DEVELOPMENT OFFICER.** As the Tommy Simpson recreational area is in close proximity to the application site, a financial contribution of £2,906.25 towards the provision of play equipment on this site would be preferred to on-site open space provision.

The **DISTRICT ENVIRONMENTAL HEALTH OFFICER** has no objections subject to conditions restricting the hours of construction to safeguard residential amenity and requiring an investigation into site contamination.

The **DISTRICT TREE OFFICER** the trees vary greatly in quality and condition and I broadly agree with the accompanying assessment and the retention categories applied to the trees.

I recommend a planning condition is included on any consent that requires details of 'no-dig' construction method within the Root Protection Areas of the retained trees is to submitted prior to commencement.

The **DISTRICT STRATEGIC HOUSING MANAGER** In this area we would expect to achieve 15% affordable housing. There is evidence of a greater demand for 2 bed sized bungalows.

NOTTINGHAMSHIRE WILDLIFE TRUST The demolition could result in the loss of bat roosts. The appropriate protected species assessments should be undertaken before a decision is made.

SEVERN TRENT WATER have no objections, subject to a condition requiring the provision adequate foul and surface water disposal.

HARWORTH and BIRCOTES TOWN COUNCIL have considered that application and have no objections.

OTHER COMMENTS RECEIVED

30 LETTERS OF OBJECTION has been received from LOCAL RESIDENTS objecting to the development on the following grounds:

1. The development would lead to overlooking, loss of privacy, loss of light and domination of existing dwellings;
2. The new dwellings are located too close to the site boundaries;
3. Construction works would be disruptive and create problems for neighbours;
4. A tall boundary fence should be erected around the site prior to constructions taking place;
5. The access would be dangerous;
6. The development would result in a loss of views;
7. Would result in the loss of a public house and a community asset;
8. Harworth already has permission for a significant number of new dwellings;
9. The Bryndale is a landmark building;
10. The building should be turned into a nursing home;
11. The trees on the site are subject to a Tree Preservation Order and should not be felled;
12. Bassetlaw District Council has failed to enforce a TPO order;
13. The development would have insufficient off-street parking;
14. The increase in vehicular movements would be detrimental to highway safety;
15. Loss of open space;
16. Loss of Wildlife;
17. Plans for increased population are a mistake when there is little employment in the area and few people have full time jobs;
18. The development would result in a loss of identity;

19. More retirement homes should be built;
20. The pedestrian areas conflict with car reversing areas;
21. The scheme and layout is poorly designed;
22. The development would be cramped;
23. The developer refuses to enter into a dialogue with local residents;
24. The land should be retained as open space or a park;
25. The access points onto Milne Road would make manoeuvring difficult for other residents in the immediate vicinity;
26. The development would be likely to increase the amount of parking on pavements;
27. Single storey dwellings for the elderly would be a more appropriate option;
28. There will be insufficient visitor parking available;
29. The village has insufficient facilities to cater for the needs of the new residents.

2 LETTERS of SUPPORT have been received from LOCAL RESIDENTS.

1. The loss of the Bryndale would remove an ugly building;
2. The Bryndale is not the heart of the community but problem pub;
3. The public house is not viable;
4. If locals supported and used the pub, it would not be closing down;
5. The Bryndale started life as a house for the pit manager.

A copy of the above comments are available for inspection either on the Council's web page or in the Council Offices.

CONSIDERATION OF PLANNING ISSUES.

The main issues to be considered when determining this application are the requirements of national and local planning policies, the impact on the character and appearance of the area, the impact on the residential amenity of adjacent residents and the impact on highway safety.

Principle

The site lies within the Harworth Development Boundary as defined in the Bassetlaw Local Development Framework, where the principle of residential development is supported subject to the acceptability of other material considerations.

Visual Amenity

The application site is located within a residential estate, characterised by a range of house types and designs. Being viewed in the context of the existing housing, it is considered that the development would appear wholly in character with surrounding area and would therefore comply with the provisions of policy DM4 of the Local Development Framework, which requires that development respects the character of an area.

The retention of existing trees and additional planting on the site would also help to assimilate the development into its surroundings.

Residential Amenity

It is considered that that the siting and orientation of the new dwellings would ensure that the development would have no adverse impact on the neighbouring properties in terms of overlooking, loss of privacy, domination or overshadowing.

The District Council's 'Successful Places' Supplementary Planning Document' states that new dwellings should normally have a minimum single area of private amenity space of; 50m² for 2 bed dwellings, 70m² for 3 bed dwellings and 90m² for 4 bed dwellings.

The new dwellings would be provided with rear gardens that largely comply with the minimum sizes, other than plots 16, 18 and 22, which fall marginally under this requirement. On balance however, it is considered that the level of amenity afforded to these properties would be acceptable.

Highways Matters

The Highways Authority have indicated that subject to conditions, the development would have no adverse impact on highway safety.

Trees

Whilst a number of trees within the site are subject to a Tree Preservation Order, they vary greatly in condition and quality.

The accompanying tree survey has identified those protected trees worthy of retention and those that are in poor health which can be removed.

The proposed layout of the scheme has subsequently been amended to accommodate the retained trees and their root protection areas.

The loss of a number of poor specimen trees within the site, will be off-set by additional planting. This is in accordance with policy DM9 of the Bassetlaw Local Development Framework, which states that where development would result in the loss of such features, replacement provision should be made which is of equal or greater value to that which will be lost.

Ecology

Whilst the submitted bat survey concluded that there was no visible sign of bat occupation, the Bryndale Public house has since been demolished due to the building being rendered a dangerous structure after a fire.

Notwithstanding the above it is considered that ecological enhancements could be incorporated into the development in the form of bird and bat boxes. This would be secured through conditions. This is in accordance with policy DM9 of the Bassetlaw Local Development Framework, which states that development will be expected to take opportunities to restore or enhance habitats and species populations.

As the site is located adjacent to the Scrooby Road Grassland Local Wildlife Site (LWS), a condition would be imposed to secure the planting of a hedge of a native species on the boundary. It is considered that this would provide a suitable boundary treatment that would visually be in-keeping with and restrict access into the LWS. This would provide additional ecological benefits in accordance with policy DM9 outlined above.

Affordable Housing.

15% affordable housing would equate to 4 dwellings, subject to the issues of viability.

Education.

Nottinghamshire County Councils Education section has indicated that the proposed development would be expected to yield an additional 5 primary school places. A sum of £57,275 (5 x £11,455) would therefore be required.

Notwithstanding the above, these financial contributions are the subject to development viability.

Harworth Bircotes Neighbourhood Plan

The Bryndale Public House is identified in the neighbourhood plan as a Community Facility.

Policy 14 of the above plan states that development that would result in the loss of an existing community facility will be resisted. An exception to this policy would be where:

- a) the building is a commercial operation for which Bassetlaw District Council are satisfied that the service is no longer viable or;
- b) where the provision of equivalent or better size, suitability and convenience is made or;
- c) where it can be shown to Bassetlaw District Council that there is no demonstrable need for the facility.

The applicant has written in support of the application indicating that the public house was no longer proving viable and had been selected for disposal by Punch Taverns, due to its inconsistent trading performance. During the subsequent marketing and sales process, no application was made under the Localism Act to register the public house as an Asset of Community Value.

It is also important to note that the Harworth and Bircotes Town Council raised no objections to the demolition of the public house and the sites subsequent re-development.

It is considered therefore that the proposed development complies with the policies contained in the adopted neighbourhood plan, with respect to sustainable development, design, housing mix and community facilities.

Viability

Policy DM11 states that where development proposals cannot meet their necessary Planning Obligations/CIL requirements due to issues of viability, applications will need to be accompanied by a detailed viability assessment. In addition it states that where there is a dispute between the Council and the applicant about the conclusions of the assessment, it will be considered by an independent assessor, at the applicant's expense.

The only factor that was considered as a potential area of dispute was the sales values which were included within the appraisal. However, even at a higher figure of (which is more in line with figures agreed elsewhere in Harworth), this would still not result in a viable scheme.

The financial information provided by the applicants, has therefore been assessed and establishes that the development would not generate sufficient profit to provide for any additional developer contributions. This is principally as a result of the existing commercial value of the site together with high construction costs and low sales values. Accordingly, affordable housing, monies in lieu of open space/play equipment and education could not be required in this instance, individually or in total.

As the current proposal will not meet the Council's full policy requirements relating to education, affordable housing, and open space, it is recommended, therefore, that a review mechanism is incorporated into the S106 Agreement. This will ensure that in the event of changing circumstances in development finances, half of any net profit increase would be recovered by the Council. It is envisaged that this would go towards what is likely to be the greater of the policy requirements, which in this instance would be the education contribution.

Planning Practice Guidance states that to incentivise the bringing back into use of brownfield sites, local planning authorities should take a flexible approach in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable.

Whilst the proposed development would not currently provide the required contributions, on the basis that the proposed development would help address the shortfall in the district council's 5 year housing supply, facilitate the redevelopment of brownfield land, and provide CIL contributions together with monies through an overage review mechanism, the development is considered to be sustainable.

Community Infrastructure Levy

The proposed development has been assessed and it is the Council's view that CIL is payable on the development. The contribution in this instance would be in the region of £13,157.80. Although the applicant could apply for exceptional circumstances relief, this would be subject to an independent viability assessment for the purposes of CIL and cannot be guaranteed.

Recommendation

For the reasons outlined above, it is considered that the proposed development would be in accordance with the provisions of policies of the Core Strategy of the Bassetlaw Local Development Framework, the National Planning Policy Framework and the Harworth Bircotes Neighbourhood Plan.

It is recommended that should planning permission be granted for the development to which this application relates, it shall be granted subject to the conclusion of an agreement under the provisions of Section 106 of the Town and Country Planning Act 1990 which secures:

1. Implementation/maintenance of SuDs
2. Overage/Review mechanism.

RECOMMENDATION: Grant subject to the following conditions and S106 Legal Agreement

- 1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out only in accordance with the details and specifications shown on the originally submitted drawings, as amended by the drawing No. 016/010/SP/L received on 5 September 2016.

Reason: To ensure the development takes the agreed form and thus results in a satisfactory form of development.

- 3 Development shall not commence until such time as the facing and roofing materials to be used in the development hereby permitted have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the completed development.

- 4 The private accesses to the site, served from Milne Road, shall be constructed by means of a dropped vehicular footway crossing and surfaced in a bound material for a minimum distance of 5m from the rear of the public highway, in accordance with the Site Layout Plan reference: 016/010/SP/L and no part of the development served by these access points shall be occupied until they have been completed to the satisfaction of the Local Planning Authority.

Reason: To enable vehicles to enter and leave the public highway in a slow and controlled manner and to reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).

- 5 No part of the development served from Scrooby Road hereby permitted shall be brought into use until the visibility splays shown on drawing reference: 016/010/SP/L are provided. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6 metres in height.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety.

- 6 No part of the development served from Milne Road hereby permitted shall be brought into use until the visibility splays of 2.4m by 43m are provided in accordance with details to be first submitted and approved in writing by the Local Planning Authority. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6 metres in height.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety.

- 7 No development shall be occupied until the location for wheelie bin storage during refuse collection days has been provided as illustratively indicated on drawing reference: 016/010/SP/L. This location shall be only used for the storage of wheelie bins and shall be maintained for the life of the development.

Reason: In the interest of highway safety, and to maintain unobstructed access to plots 5 through to 12.

- 8 No development shall be commenced until details of the proposed arrangements and plan for future management and maintenance of the proposed streets including associated drainage have been submitted to and approved by the Local Planning Authority. The streets and drainage shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established based on the indicative layout presented in drawing reference: 016/010/SP/L.

Reason: To ensure that the road infrastructure is maintained to an appropriate standard.

- 9 Prior to the commencement of development, a Construction Environmental Management Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The construction Environmental Management Plan shall include:

- i. Measures to minimize the creation and impact of noise, dust and artificial lighting including wheel washing facilities for construction traffic;
- ii. A layout of the construction access including a drawing showing visibility splays and method statement for the use of banksmen;
- iii. Details regarding parking provision for construction workers and plant on the site.

Once approved, the Construction Environmental Management Plan shall be adhered to at all times unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of Highway safety.

- 10 No part of the development hereby permitted shall be brought into use until the access driveway / parking / turning area are constructed with provision to prevent the unregulated discharge of surface water from the driveways / parking / turning areas to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

Reason: To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

- 11 The garages on plots 1,2, 3 and 16 shall be erected, in accordance with details submitted with the application, before the occupation of the house to which each garage relates.

Reason: To ensure both the satisfactory appearance of the completed development and an adequate level of amenity for the houses in question.

- 12 Screen fences/walls on plots 1, 2, 3, 5, 13, 19, 20 and 21 shall be constructed, in accordance with details and in positions previously agreed in writing by the Local Planning Authority, before occupation of the house to which each relates.

Reason: To ensure both the satisfactory appearance of the completed development and an adequate level of amenity for the houses in question.

- 13 Development shall not commence until a scheme for the treatment of all the boundaries of the site has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be fully implemented before the occupation of the dwelling hereby permitted.

Reason: To ensure the satisfactory, overall appearance of the completed development.

- 14 No development shall commence until such time as those retained trees covered by the Tree Preservation Order on the application site have been protected, in a manner to be agreed in writing with the Local Planning Authority. The trees shall be protected in the agreed manner for the duration of building operations.

Reason: The trees in question are considered to be features of significance. This condition is imposed to ensure that they are satisfactorily protected during the period when construction works take place on the site.

- 15 No development shall commence until details of the no-dig construction method within the Root Protection Areas of retained trees and timetable for its implementation have been submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out only in accordance with the submitted details.

Reason: To ensure that the works are carried out in a way which safeguards the health and amenity of the trees.

- 16 The tree protection and mitigation measures shall be carried out only in accordance with the Arboricultural Method Statement dated 20th June 2016 and in accordance with a timetable to be previously agreed in writing with the Local Planning Authority. The development shall be carried out only in accordance with the approved details and timetable.

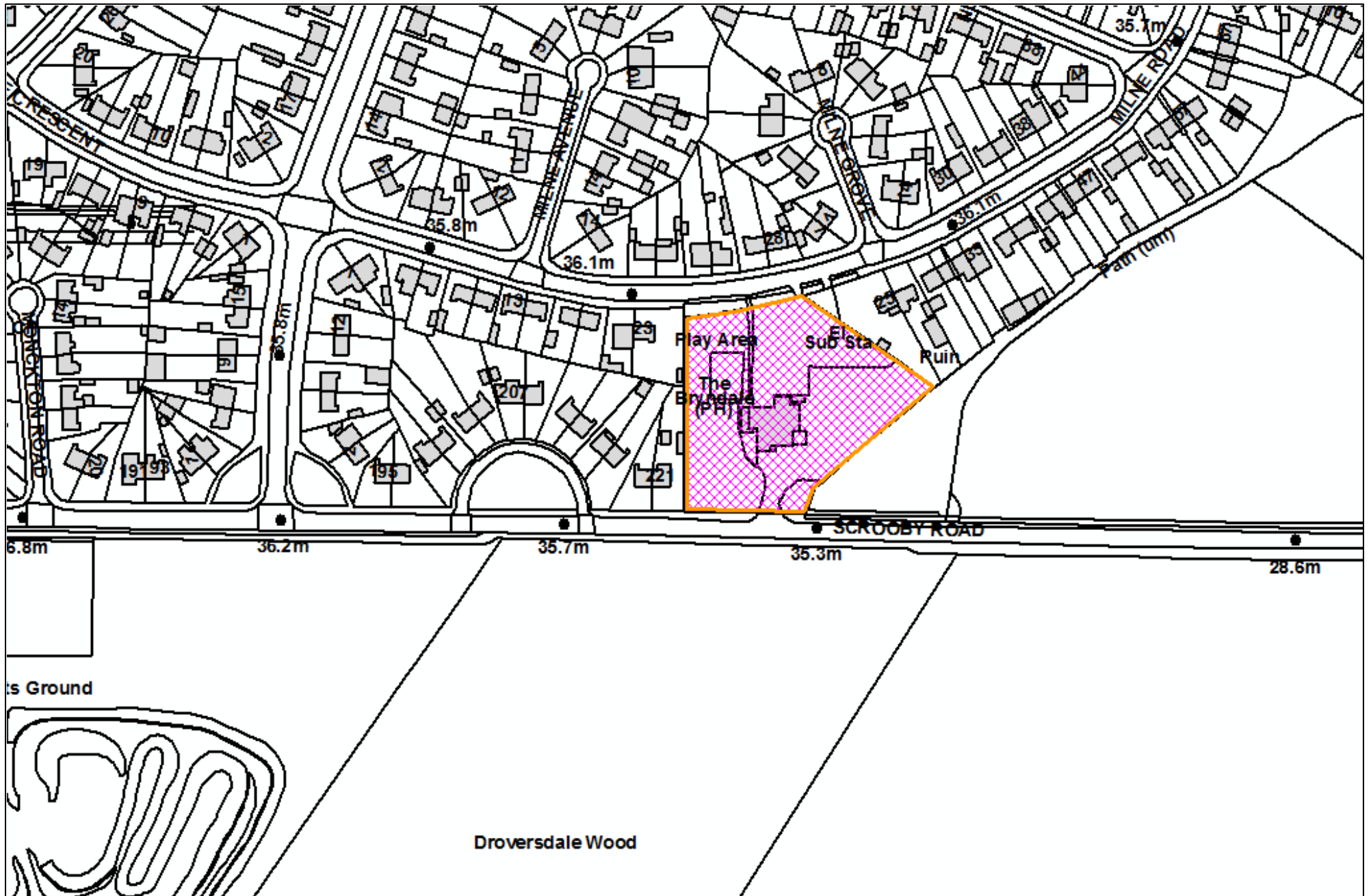
Reason: To ensure that the works are carried out in a way which safeguards the health and amenity of the trees.

- 17 A scheme for tree planting on and landscape treatment of the site shall be submitted to and agreed in writing by the Local Planning Authority before development commences. The agreed scheme shall be fully implemented within nine months of the date when the last dwelling on the site is first occupied. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of a size and species similar to those originally required to be planted.

Reason: To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings.

- 18 A hedge, of a species previously agreed in writing by the Local Planning Authority, shall be planted along the south eastern boundary of the application site before the occupation of plots 3, 4, 5 and 6; hereby permitted. Any hedging plants removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason: To help assimilate the new development into its surroundings.



Policy DM4 of the Bassetlaw Local Development Framework states that permission will only be granted for development that, respects the character of the area, does not have a detrimental effect on the residential amenity of nearby residents and is of no detriment to highway safety.

Policy DM9 of the Bassetlaw Local Development Framework states that new development proposals in and adjoining the countryside will be expected to be designed so as to be sensitive to their landscape setting and expected to enhance the distinctive qualities of the landscape character policy zone in which they would be situated.

Policy DM9 also states that development will be expected to demonstrate that they will not adversely affect or result in the loss of features of recognised importance such as protected species.

Policy DM12 of the Core Strategy Bassetlaw Development Framework states that all new development will be required to incorporate Sustainable Drainage Systems (SuDs) and provide details of adoption and ongoing maintenance and management.

The site falls within the Ranskill designated Neighbourhood Plan area. However at the present time, there is no draft or submitted Neighbourhood Plan and therefore it carries little weight.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

RESPONSES FROM STATUTORY BODIES

NOTTINGHAMSHIRE COUNTY COUNCIL EDUCATION

A development of 12 dwellings would yield an additional 3 primary places. An education contribution of £34,365 (3 x £11,455) to provide primary school places would therefore be required. However as the application is in outline form, the exact number of dwellings and subsequent contribution is not known at this time.

THE COUNTY DIRECTOR OF RESOURCES (HIGHWAYS) has no objections to the proposal subject to conditions securing:

1. The implementation, management and maintenance of the access;
2. Phasing of the access works;
3. Details of foul and surface water drainage;
4. Cycle and bin storage facilities;
5. Wheel washing facilities;
6. Routing and storage during construction works to be agreed;
7. Provision of pedestrian footway.

NOTTINGHAMSHIRE COUNTY COUNCIL - LEAD LOCAL FLOOD AUTHORITY have no objections, subject to a condition requiring the implementation of a scheme for surface water and foul water disposal.

The **DISTRICT COUNCIL'S ENVIRONMENTAL HEALTH OFFICER.**

The site may have been previously used for potentially contaminative uses. Should permission be granted, it is therefore recommended that a condition be imposed requiring an investigation into contamination of the site and the implementation of any required mitigation measures.

The **DISTRICT STRATEGIC HOUSING OFFICER**. In this area and of a development of this size, we would expect to achieve delivery of 25% affordable housing. The demand for affordable housing in the area is for three bed properties.

The **DISTRICT COUNCIL'S PARKS DEVELOPMENT OFFICER**.

As there is an existing play area within the village of Ranskill, the Council preference would be to improve this, rather than on-site provision. Therefore, a contribution of £465 per dwelling towards the provision of play equipment should be secured through a Section 106 Legal Agreement.

NOTTINGHAMSHIRE WILDLIFE TRUST has no comment to make.

RANSKILL PARISH COUNCIL object to the development on the following grounds:

1. This application should be considered in the context of previously permitted schemes within the village (49 dwellings in total);
2. Ranskill is being swamped by speculative development;
3. Applications are being submitted in order to avoid the likely restrictions imposed by the forthcoming Neighbourhood Plan;
4. The lack of 5 year housing supply is providing a loophole for opportunist development;
5. The development falls outside the development boundary;
6. The village services/facilities are located on a busy road junction and if permitted, the development would lead to a significant increase in on-street parking problems;
7. Ranskill will experience a significant increase in vehicular movements generated by the quarries at Barnby Moor and Botany Bay;
8. Folly Nook Lane is unsuitable to accommodate the increase in traffic generated by the development;
9. The services available in the village are inadequate to accommodate further residential development;
10. The school is too small to accommodate the increase in the extra pupils;
11. The village is served by an inadequate bus service;
12. There are already enough properties for sale in Ranskill;
13. Further development would result in a major change in village character.

OTHER COMMENTS RECEIVED

1 LETTER has been received from a LOCAL RESIDENT objecting to the development on the following grounds:

1. Folly Nook Lane is not wide enough to accommodate the increase in traffic;
2. Together with the proposed 130 dwellings opposite the development would turn Ranskill into a township;
3. A survey of local businesses has established that only a small proportion of their employees live in the village.

2 LETTERS have been received from a DISTRICT COUNCILLOR OBJECTING to the development on the following grounds:

1. The development would constitute the backland infilling of a large back garden;
2. It would be out of character with the ribbon form of development in a rural area;
3. The development would result in an increase in noise from traffic;
4. The proposed linking of the footway with the Arundel Drive development can no longer be considered as the larger application was refused by committee earlier in the year;
5. Ranskill has had applications totalling almost 200 properties;
6. The potential increase in dwellings is in excess of the 20% referred to in the forthcoming local plan;
7. The village has limited services and facilities to accommodate the increase in traffic;
8. The emissions from traffic would be greatly increasing, increasing the carbon footprint.

Copies of all the responses and comments are available for inspection either on the Council's web page or in the Council Offices.

ENVIRONMENTAL IMPACT ASSESSMENT SCREENING

The proposal does not fall under the thresholds of development contained in Schedules 1, 2 or 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended defined as requiring formalised EIA Screening.

CONSIDERATION OF PLANNING ISSUES.

The main issues to be considered when determining this application are the requirements of national and local planning policies, the impact on the character and appearance of the area, the impact on the residential amenity of adjacent residents and the impact on highway safety.

Principle

The majority of the application site is located outside the Ranskill development boundary as defined in the Bassetlaw LDF.

The Five Year Housing Land Supply Statement published in September 2016 shows that the Council could not demonstrate a five-year supply of deliverable land and that Bassetlaw has a shortfall of 1,126 dwellings which equates to a 3.4 year land supply.

The NPPF sets out the requirements for Local Authorities to identify a supply of deliverable sites, sufficient to provide five years' worth of housing against their housing requirements, with an additional buffer of 5% (or 20% where there is a persistent under delivery) (paragraph 47). The NPPF also states that if Local Planning Authorities cannot demonstrate a five-year supply of deliverable sites, then their relevant policies for the supply of housing will not be considered up-to-date. Therefore, it is important that the Council keeps a constant supply of deliverable sites, either by allocating land through the Site Allocation process or through granting permission for windfall developments (such as this one).

The exception set out in Bassetlaw Core Strategy CS1 point (i), reflects the aim of the National Planning Policy Framework (NPPF). In particular paragraph 49 of the NPPF states that 'relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'. Therefore under the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF, it is acknowledged that where the development plan is out of date, permissions should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole'.

The village of Ranskill is currently identified in the adopted Bassetlaw Local Development Framework as Rural Service Centre. The site is adjoining the village boundary and therefore is not an isolated site. In light of the recently revised housing supply figures, and the sustainable nature of the site and locality, it is considered that the proposed development of the site is acceptable in principle.

Visual Amenity

The application site currently includes the detached dwelling, Folly Nook House and its large rear garden. Being set behind existing dwellings and their garden any development of the site would be viewed in the context this built form of the village. The development would also appear as natural in-fill site between the village and the adjacent railway line. It is considered therefore that the site relates well to the existing settlement edge and would not appear unduly discordant in terms of landscape character.

It is also important to note that further detailed consideration of the design and appearance of the development would be undertaken at the reserved matters stage.

The site in question falls within an area identified in the Bassetlaw Landscape Character Assessment as Idle Lowlands Policy Zone 03. As part of its aims to conserve and re-inforce the open rural landscape, it recommends that new development should be concentrated around Ranskill.

It also recommends that tree belts should be reinforced along roadsides and railway corridors.

Accordingly it is considered that a suitably design scheme would comply with the aims of the landscape character assessment and policy DM9 of Bassetlaw Local Plan.

Residential Amenity

As indicated above the application is in outline form with all matter reserved except for the means of access and scale. Whilst therefore there are no specific details of the design and location of the new dwellings, it is considered that an acceptable scheme can be achieved that would have no adverse impact on neighbouring properties in terms of overlooking loss of privacy or domination.

As the application is in outline form, it has not yet been determined whether the existing property Folly Nook House is to be demolished or retained. It is considered however that an acceptable scheme could be achieved through either the total demolition of the house or the partial demolition of a wing to provide access to the rear.

Detailed consideration of the above matters would however be undertaken at the reserved matters stage.

Highways Matters

The Local Highways Authority have indicated that subject to conditions the proposed development would have no adverse impact on highway safety.

Ecology

The submitted Extended Phase 1 Habitat and Bat Scoping Survey, concludes that the site has limited potential for protected species. Notwithstanding this is recommended that a condition be imposed requiring a scheme for biological enhancements, in the form of planting, and bird and bat boxes.

It is also recommended that a condition be imposed requiring further a bat survey to be undertaken should the scheme involve the demolition of the existing Folly Nook House.

Drainage

The County Council's Flood Risk Management Team has indicated that subject to conditions requiring details of drainage, there would be no objections to the proposed development. The implementation and maintenance of the Sustainable Urban Drainage System (SuDs) would be secured through a S106 Legal Agreement.

Community Infrastructure Levy

The proposed development has been assessed and it is the Council's view that CIL is payable on the development. However as the application is in outline form, the exact contributions is not known at this time.

Conclusion

As Bassetlaw District Council is unable to demonstrate a 5 year supply of land for housing, there is a presumption in favour of sustainable development as set out in paragraph 14 of the NPPF. Paragraph 14 also states that permissions should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole'.

The application site would be located in a sustainable location on the edge of Ranskill a 'Rural Service Centre' and would not have a significant detrimental impact on the character and appearance of the area, residential amenity, highway safety, ecology or flood risk.

It is recommended that should planning permission be granted for the development to which this application relates, it shall be granted subject to the conclusion of an agreement under the provisions of Section 106 of the Town and Country Planning Act 1990 which secures:

1. Education Contribution (Exact sum dependant on the numbers of dwellings coming forward at the reserved matters stage)
2. Open space contribution of £465 per dwelling
2. Implementation/maintenance of SuDs (Drainage)
3. 25% Affordable Housing (of which 70% to be social/affordable rented)

RECOMMENDATION: Grant subject to the following conditions and S106 Legal Agreement

- 1 Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:

- a) the expiration of three years from the date of this permission: or
- b) the expiration of two years from the final approval of the reserved matters or, in the case of approval of the reserved matters on different dates, the final approval of the last such matter to be approved.

Reason: To comply with section 92 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The scale and appearance of the building(s), the layout and the landscaping of the site shall be only as may be approved in writing by the Local Planning Authority before any development commences.

Reason: This permission is granted in respect of an outline application which did not contain details of the matters hereby reserved for approval.

- 3 No one phase of development shall be commenced until details of the proposed arrangements and plan for future management and maintenance of the proposed streets including associated drainage contained within that phase of development have been submitted to and approved by the District Council. The streets and drainage shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

Reason: To ensure that the road infrastructure is maintained to an appropriate standard

- 4 No dwellings within each phase of the development shall be occupied until the roads affording access to those dwellings have been completed in accordance with the phasing and completion programme.

Reason: To ensure that the roads serving the development are completed and are available for use by the occupants and other users of the development in the interest of highway safety.

- 5 The reserved matters to be submitted to and approved by the Local Planning Authority shall include detailed plans and particulars relating to the following items:
- i.) A detailed layout plan that includes a swept path analysis of a 11.9m refuse vehicle throughout the development and turning movements at the junction of Folly Nook Lane;
 - ii.) Details of the means of foul and surface water drainage together with a programme of implementation;
 - iii.) Cycle and bin storage facilities;
 - iv.) Wheel washing facilities and street cleansing (including full details of its specification and siting) that maybe varied from time to time with the approval of the District Council and as made necessary by the works or ground conditions at the time;
 - v.) The routing and storage of plant, materials, and equipment, and staff parking during the construction phases of the development.
 - vi.) A footway connection from a point northwest of the site access on Folly Nook Lane up to existing facilities including appropriate pedestrian crossing points.

Reason: In the interests of highway safety.

- 6 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. 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.

- 7 Should during the development, land contamination not previously considered be identified, then the Local Planning Authority shall be notified immediately and no further works shall be carried out until a method statement detailing a scheme and timetable for dealing with suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The mitigation measures identified by the investigation shall be carried out in full and in accordance with the previously agreed timetable.

Reason: To ensure that the site, when developed is free from contamination in the interests of safety.

- 8 All site clearance work shall be undertaken outside the bird-breeding season (March - September inclusive). If clearance works are to be carried out during this time, a suitably qualified ecologist shall be on site to survey for nesting birds in such manner and to such specification as may have been previously agreed in writing by the Local Planning Authority.

Reason: To ensure that birds' nests are protected from disturbance and destruction.

- 9 No demolition of Folly Nook House shall take place, until a survey has been carried out by a suitably trained person to establish whether or not any protected species of bat are present within the building to be demolished and the results of the survey have been accepted in writing by the Local Planning Authority. If the survey results confirm that protected species are present, details of working design, method and timetable to mitigate undue disturbance to the protected species shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. The mitigation measures shall be carried out only in accordance with the agreed details.

Reason: To ensure adequate protection of any identified bat habitat.

- 10 No development shall commence until, a Biodiversity Enhancement and Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Enhancement and Management Plan shall include details and timetable for the appropriate management of semi-natural habitats, including hedgerows and trees.

The Management Plan shall also include a scheme for the provision of bird and bat boxes and hedgehog mitigation measures within the development. The boxes and mitigation measures so approved shall be completed and available for use in accordance with agreed plan and timetable.

Reason: To ensure that the optimal benefits of biodiversity are achieved.

- 11 Details of a trespass proof fence to be erected on the eastern boundary of the site shall be submitted to and agreed in writing with the local planning authority, before development commences. The agreed fencing shall be erected before occupation of any of the dwellings hereby permitted and be retained thereafter.

Reason: To ensure that there is no risk of trespass on the adjacent railway line.

