

PLANNING COMMITTEE

Minutes of the meeting held on Thursday, 27th July 2017 at Worksop Town Hall

Present:

Councillor D Pidwell (Chair)

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

Officers in attendance: D Askwith, F Dunning, J Hamilton and S Wormald.

(Meeting commenced at 6.30pm.)

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

22. APOLOGIES FOR ABSENCE

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

23. DECLARATIONS OF INTEREST

(a) Members

There were no declarations of interest by Members.

(b) Officers

There were no declarations of interest by officers.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

24. 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) Planning Applications and Associated Items

The Chair advised that planning applications 16/01365/VP04 and 16/01372/VP04 had been withdrawn/deferred.

Application No

Applicant

Proposal

16/01777/FUL

Harron Homes

Demolition of nursery buildings and erection of 113 dwellings together with access to London Road and creation of public open space at Kenilworth Nurseries, including Mount Vernon Lodge, London Road, Retford

Members were advised that the application sought full planning permission for residential development of 113 dwellings with access from London Road. The site had been the subject of a site visit prior to the meeting. Slides were used to show the site location.

The Case Officer presented the proposals and a summary of responses from statutory consultees was given:

- Nottinghamshire County Council Highways – no objections, subject to conditions as listed in the report, and seeking a Travel Plan contribution of £3,960.
- Nottinghamshire County Council Education - seeking an Education contribution of £274,920 (24 x £11,455) to provide additional primary provision and a Library contribution of £5,189.65; any secondary contribution would be provided through CIL.
- Nottinghamshire County Council Strategic Planning – no strategic objections subject to the imposition of conditions regarding ecology, bus services and bus stop enhancements.
- Nottinghamshire County Council Rights of Way – no objections as it is not the applicant's intention to divert the route of Footpath No. 36.
- Nottinghamshire County Council Archaeology – seeking a condition requiring the implementation of a programme of archaeological work being undertaken.
- Environment Agency – the site falls within Flood Zone 1.
- Nottinghamshire County Council Flood Risk Management Team – no objections, subject to the imposition of a condition requiring a detailed water design and management plan.
- Bassetlaw Conservation Officer – no objections, subject to the imposition of conditions, following further discussions and amendments to improve the overall character and appearance of the scheme to reflect the significance of the Conservation Area.
- Tree Officer – no objections to the loss of trees but the loss of the old boundary hedge would be of most detriment.
- Bassetlaw Strategic Housing Officer – seeking 25% on-site affordable housing to include smaller properties and bungalows.
- Bassetlaw Environmental Health Officer – no objections, subject to the imposition of conditions to control construction hours, lighting, notice and contamination matters.
- Bassetlaw Parks Development Officer – seeking two open spaces to be set aside for play provision and an off-site contribution of £36,018.75 towards the provision of play equipment for the play area at Goosemoor Lane.
- Natural England – no comments.
- Network Rail – no objections in principle.
- Internal Drainage Board – commented that the consent of the Lead Local Flood Authority is required for any proposed works or structures in any watercourse outside those designated main rivers and Board Drainage Districts.
- Retford Civic Society – raised concerns.

139 letters of objections have been received from local residents on the grounds listed in the report.

The Development Team Manager advised Members that a petition containing 195 signatures had been received today via the lead petitioner, Mr M Pinkerton. It contained 93 individual comments and raised objections to the proposal on similar grounds to those listed in the report, including increased traffic, risk of flooding, doubling the size of the Bracken Lane residential area, and no tangible asset would be realised from this proposal for Retford.

The Ward Member, Councillor S Shaw, had also raised objections on the grounds of increased risk of flooding and the impact on highway safety.

Mrs Walker spoke against the proposal on the grounds that it may appear to be an ideal location but the entrance is unsuitable, would be narrow and is adjacent the railway bridge. 130 dwellings could potentially mean up to 400 cars using the access onto/exit off a busy main road. What provision is there for emergency vehicles and what would be the combined/cumulative impact? The result would be intensive housing to the south of Retford which will exacerbate existing flooding/drainage problems with the beck lying at the rear of the site. The Council has acknowledged the history of flooding being an unacceptable risk and the Phelps Report raised highways issues and flood risks. What flood alleviation measures would be in place and how would these be monitored? There is a predicted increase in the run-off and how would extreme weather patterns in the future impact on this? There is also concern that the proposal will harm the Conservation Area setting, with 140 objections and a petition reflecting this. She urged Members to listen to the voices of local people.

Mrs Martin spoke as agent to the applicant, on the grounds that the proposal will alleviate the five-year land supply for housing, and the applicants had worked closely with officers. The Highways Authority deems the proposal acceptable. The Conservation Officer has raised no objections; the use of high quality materials will reflect the character of the area. The development will not have a detrimental impact on the area, will not impact on neighbouring properties and will not harm any wildlife or habitats. The development is in a sustainable location with services and transport links. The proposal will result in affordable housing provision, education/library contribution, play provision contribution, enhanced bus stop, open space, and a Community Infrastructure Levy. It satisfies planning policies and will address the housing shortfall with significant local benefits.

Councillor G Oxby mentioned that he was not aware of the petition and that he knew the lead petitioner, Mr Pinkerton, personally. He felt that the lack of a five-year land supply is a Council issue.

Elected Members asked questions/raised issues in relation to:

- Is the site previously developed land, i.e. a brownfield site? Or is the site “green belt” land which should be protected?
- The contribution towards the provision of play equipment at Goosemoor Lane is “ludicrous” as this is on the other side of a busy road ½ a mile away; why encourage a housing estate with no open space provision?
- Why has the Highways Authority raised no objections? The road is very busy and potentially 600-700 vehicles could be using the entrance/exit on a daily basis. The topography of the area will give rise to accidents.

The Principal Planner advised that the location is a brownfield site in part being a former garden nursery, and there is no “green belt” land in Bassetlaw. Current policy encourages contributions towards existing play areas, due to the maintenance/liabilities issues of new sites. The applicants submitted a traffic impact assessment to the Highways Authority. Two open spaces are to be provided on the site and will be maintained in perpetuity through the Section 106 Agreement.

Officers consider that the application site is located in a sustainable location on the very edge of Retford and will not have a significant detrimental impact on the character and appearance of the area, residential amenity or highway safety. The general concerns of local residents have been taken into consideration but officers feel that the proposed development is acceptable, subject to the careful imposition of conditions and the benefits/planning gain that would arise from the completion of a legal agreement, such that the local concerns can be adequately mitigated.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant subject to completion of a Section 106 Agreement and the imposition of conditions as listed in the report.

COMMITTEE DECISION – Grant subject to completion of a Section 106 Agreement and the imposition of conditions as listed in the report.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
17/00353/OUT	Mr & Mrs M Hearn	Outline application with all matters reserved for residential development for 14 dwellings on land at High Street, Walkeringham

Members were advised that the application sought outline planning permission for residential development with all matters reserved. An illustrative layout was provided showing 14 dwellings. The site had been the subject of a site visit prior to the meeting. Slides were used to show the site location.

The Case Officer presented the proposals and a summary of responses from statutory consultees was given:

- Nottinghamshire County Council Policy – comments raised in respect of waste, minerals, public health, strategic highways, transport and travel, and nature conservation, as listed in the report.
- County Director of Resources Highways – no objection in principle, subject to conditions regarding access from North Moor Drive, no vehicular access from High Street; and a pedestrian link through to the High Street would be desirable.
- Nottinghamshire County Council Flood Risk Management Team – no objections subject to implementation of the Flood Risk Assessment and Drainage Strategy and evidence being provided to justify infiltration not being used on this site.
- Nottinghamshire County Council Education – seeking an education contribution of £34,365 (3 x £11,455) to provide primary provision.
- Nottinghamshire County Council Rights of Way – with regard to Footpath No. 5, the boundary hedging does not form part of the footpath and will ultimately be in the ownership of the property/properties in this location.
- District Council Conservation Officer – no objections as there are no heritage assets within the application site itself, although for reserved matters, care should be taken with the design, layout, scale, materials and landscaping/boundaries so as not to cause harm to the setting of Walkeringham Methodist Chapel, a non-designated heritage asset, adjacent the site.
- District Environmental Health Officer – seeking conditions requiring an investigation into contamination of the site and the implementation of any required mitigation measures, and limitations on noise emissions from the site during construction works.
- District Council Engineer – no objections as the Walkeringham Flood Alleviation Scheme has been completed and is fully operational. A scheme for sustainable drainage of the site should be submitted and approved prior to any development commencing.
- Parks Development Officer – seeking an off-site contribution of £6,492.50 towards the provision of play equipment for the existing play area within the village.
- Strategic Housing Officer – seeking on-site delivery of 35% affordable housing units in the form of 2 or 3 bed houses.
- Neighbourhood Planning Team – Walkeringham is a designated Neighbourhood Area but a Draft Neighbourhood Plan has not yet been produced.
- Environment Agency – no comments.
- Natural England – no comments.
- Nottinghamshire Wildlife Trust – no comments.
- Walkeringham Parish Council – raised objections on the grounds of flooding and drainage problems, potential flood risk, the protection of green spaces and historic and natural features, no local benefits will result, the surrounding area is being overwhelmed with planning applications with 2,500 dwellings being built in Gainsborough, and the proposal will

have a permanent and irreversible impact on the character of the village. The results of the Neighbourhood consultation process are contrary to the application.

Eight letters of objection have been received from local residents on the grounds as listed in the report.

The Development Team Manager tabled a map which showed the site and the flood zones; copies were passed around Members and explained in detail.

Parish Councillor P Roberts spoke against the application on behalf of Walkeringham Parish Council on the grounds that the site lies outside the village development area and is not included in the Neighbourhood Plan. Previous applications on this site have been refused due to the risk of flooding, which claims to have been removed due to the Flood Alleviation Scheme. However, the site is in the lowest point of the village, the dyke adjacent the High Street still floods, and there are natural springs in the area. Severe sewage flooding also occurs. If granted, the development will exacerbate flooding and sewage problems, and the natural soakaway for the village will be lost. A great crested newt has been spotted in a garden adjacent the site.

Mrs D Derbyshire spoke against the application on behalf of residents from North Moor Drive and surrounding properties on the grounds that the field becomes water-logged throughout the year and acts as a natural soakaway, so there would be an increased risk of flooding. The adjacent estate continues to suffer from sewage flooding in times of heavy rainfall; the site is at a lower level so the properties are likely to suffer the same problems. The additional traffic flow on North Moor Drive and the proposed entrance will increase traffic problems and highways safety, posing a danger to children and parents, particularly with regard to the school opposite. A number of brownfield sites have been identified in the local area and these should be used before greenfield sites. Walkeringham does not have the infrastructure in place to support an increase in population. A development of 14-26 dwellings would result in loss of privacy and light for the adjacent properties. The site is also outside the development boundary for the village.

Elected Members asked questions/raised issues in relation to:

- The drainage situation is the same as 2015 when a previous application was refused due to the springs in the area and the Flood Alleviation Scheme will not help if a natural soakaway is lost. Previous applications on this site were refused for this reason. Is a hydrology map available?
- There are no services in the area to support an increased population.
- The site is also outside the development boundary for the village, have other permissions been granted in the area?

The Development Team Manager advised that a flood map is available but the scale prohibits its usefulness; the applicant would need to submit a flood assessment and detailed design would need to be approved before development commences. The Council's Engineer is happy that the Flood Alleviation Scheme will prevent flooding in the area. The application is for 14 dwellings. A recent application was refused on another site as it was adjacent Flood Zone 2. Any wildlife species would be dealt with under the reserved matters application.

The Ward Member, Councillor J M Sanger, had also raised objections on behalf of residents on the grounds already mentioned.

If granted, Councillor D G Pidwell proposed a separate condition regarding the presence of wildlife on the site; this was seconded by Councillor H Burton. The Development Team Manager advised that this would be presented to Planning Consultation Group for approval.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant subject to the conditions as listed in the report.

Voting for the above recommendation was as follows:

FOR Councillor D G Pidwell
AGAINST Councillors D Brett, H Burton, G Clarkson, G Freeman, K H Isard, G A N Oxby,
A Smith and T Taylor
ABSTAINED None

COMMITTEE DECISION – Refuse permission on the grounds of the cumulative impact of flooding and the lack of services in the village to support additional dwellings. The wording for the reasons for refusal to be presented to Planning Consultation Group for approval.

(A comfort break was taken at this point 8.00pm.)

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
17/00665/RES	Gr33n Homes Ltd	Reserved matters application for ten new dwellings, garages and associated driveways; approval sought for the access, appearance, landscaping, layout and design; following outline application 14/00592/OUT for residential development on underused farmyard on land west of Corner Farm, Bawtry Road, Everton

Members were advised that the application sought reserved matters following Outline Planning Application 14/00592/OUT. The site had been the subject of a site visit prior to the meeting. Slides were used to show the site location.

The Case Officer presented the proposals and a summary of responses from statutory consultees was given:

- Nottinghamshire County Council Highways – no objections subject to conditions relating to adequate surfacing and drainage of the new access and securing the closure of the existing access from the A631 Bawtry Road and the re-instatement of the footway and verge.
- District Environmental Health Officer – no objections subject to a condition restricting the hours of construction activities.
- District Conservation Officer – listed elements of the scheme which would be unsympathetic to the character and appearance of the Everton Conservation Area.
- District Operations Services Manager – a communal collection point for wheeled bins should be provided at the edge of the development.
- Historic England – no comments.
- Everton Parish Council raised concerns about highways safety as the proposed access is very near the junction with the A631, also exacerbated by the nearby village school and that cottages opposite the proposed development have no off-street parking.

Two letters of objection have been received from local residents raising numerous concerns as listed in the report relating to parking, access, wheeled bin collection, Conservation Area, non-compliance on adjacent site, hedgerow and boundary treatment, drainage and sewage system, and the lack of affordable housing.

The Development Team Manager advised that, as outline planning permission has already been granted for residential development on the site, the principle has clearly been established. Officers consider that the proposed development will fail to preserve the character of the area and will result in substandard levels of residential amenity.

RECOMMENDATION OF THE HEAD OF REGENERATION – Refuse planning permission for the reasons listed in the report, also that access to plot 10 does not lie within the site boundary.

COMMITTEE DECISION – Refuse planning permission for the reasons listed in the report, also that access to plot 10 does not lie within the site boundary.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
17/00435/OUT	Executors of H S Wallis	Outline planning application with all matters reserved for the erection of ten dwellings on land at Bawtry Road, Blyth

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

The Case Officer presented the proposals and a summary of responses from statutory consultees was given:

- County Director of Highways – no objections in principle subject to conditions as listed in the report.
- Nottinghamshire County Council Flood Risk Management Team – no objections subject to a detailed Drainage Strategy for the site being provided.
- Nottinghamshire County Council Education – seeking a contribution of £22,910 for primary education to accommodate the additional pupils projected from the development.
- Nottinghamshire County Council Right of Way – no objections in principle but Blyth Parish Footpath No. 5 which runs along the southern boundary should not be affected or obstructed by the development, unless the appropriate closure or diversion orders are in place.
- District Environmental Health Officer – seeking conditions requiring an investigation into contamination of the site and the implementation of any require mitigation measures, also requiring the limitations on noise emissions from the site during construction works.
- Environment Agency – commented that the environmental risk at this location is fairly low.
- Severn Trent Water – no objections subject to a condition requiring details of foul and surface water disposal.
- Blyth Parish Council – raised objections as listed in the report, relating to height of the proposed dwellings, boundary treatment and hedgerow retention, improvement of existing bus stop, and Section 106/CIL contributions to secure a crossing place and traffic calming measures.

One letter of objection and one letter of support have been received from local residents.

Officers consider that, although the proposal would conflict with policies CS9 and MD9 of the Bassetlaw Local Development Framework, it would not harm the character and appearance of the area or detract from residential amenity of highway safety. There are no significant or demonstrable adverse impacts that would outweigh the benefits of additional housing in the locality.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant subject to the completion of a Section 106 Agreement in respect of drainage management/maintenance (SuDs) and subject to the conditions as listed in the report.

COMMITTEE DECISION – Grant subject to the completion of a Section 106 Agreement in respect of drainage management/maintenance (SuDs) and subject to the conditions as listed in the report.

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None.

Other Decisions

None.

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

(a) Consideration of the Five-Year Housing Land Supply

After all members of the public had left the meeting, the Chair asked for clarification of the five-year housing land supply as a material planning consideration. The Development Team Manager asked Members to be mindful of the introduction of planning measures for poor performing planning authorities. Two appeals on major applications were recently upheld by the Planning Inspector, with one being awarded costs due to a lack of evidence.

RESOLVED that reports to be presented to the next meeting of Planning Committee on Performance Indicators (quarterly report) and appeal decisions received.

With regard to flooding and drainage in respect of Planning Application 17/00353/OUT, the Development Team Manager added that planning officers must rely on specialist engineers, specifically the Council's Engineer. She would be liaising with him on the reason for refusal.

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

(Meeting closed at 8.20pm.)