



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

PLANNING COMMITTEE

AGENDA

Meeting to be held in
The Ceres Suite,
Worksop Town Hall, S80 2AH
on Wednesday, 29th March 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, 29th March 2017

AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS * (pages (Members' and Officers' attention is drawn to the attached notes and form)
 - (a) Members
 - (b) Officers
3. MINUTES OF MEETING HELD ON 1st MARCH 2017 * (pages 7 - 12)
4. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 6TH AND 27TH FEBRUARY 2017* (pages 13 - 30)
5. OUTSTANDING MINUTES LIST * (page 31)

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) Appeal Decisions Received (pages 33 - 42)
 - (c) Planning Applications and Associated Items (pages 43 - 59)

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 INTEREST

COMMITTEE

DATE

NAME OF MEMBER :

Type of Interest

- 1. **Disclosable Pecuniary**
- 2. **Non Pecuniary**

Agenda Item No.	REASON *	Type of Interest (1 or 2)
Signed		
Dated		

Note:

* When declaring an interest you must also state the nature of your interest.

Completion of this form is to aid the accurate recording of your interest in the Minutes. The signed form should be provided to the Minuting Clerk at the end of the meeting.

A nil return is not required.

It is still your responsibility to disclose any interests which you may have at the commencement of the meeting and at the commencement of the appropriate Agenda item.

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.)

DRAFT

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday, 1st March 2017 at Retford Town Hall

Present:

Councillor H Richards (Chair)
Councillors G Freeman, K H Isard, G A N Oxby, D G Pidwell, M W Quigley MBE, M Richardson,
S Scotthorne, A K Smith and T Taylor.

Officers in attendance: C Crossland, F Dunning, M Tagg and S Wormald.

(Meeting commenced at 6.30pm.)

(The Chair welcomed all to the meeting, read out the Fire Evacuation Procedure, and also enquired as to whether any member of the public wished to film the meeting or any part thereof, one member of the public indicated that they would be filming the meeting. The speakers present gave their permission to be filmed.)

50. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors H Burton and S Fielding.

51. DECLARATIONS OF INTEREST

(a) Members

There were no declarations of interest by Members.

(b) Officers

There were no declarations of interest by officers.

52. MINUTES OF THE MEETING HELD ON 1ST FEBRUARY 2017

RESOLVED that the Minutes of the meeting held on 1st February 2017 be approved.

53. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 19TH DECEMBER 2016 AND 9TH JANUARY 2017

RESOLVED that the Minutes of the Planning Consultation Group meetings held between 16th January and 13th February 2017 be received.

54. OUTSTANDING MINUTES LIST

RESOLVED that the Outstanding Minutes be received.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

55. 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

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
16/01081/RES	DB Symmetry Properties (Blyth) Co. Limited	Reserved matters (layout scale, appearance and landscaping) for the erection of three industrial units (use class B8), land east of A1 Slip Road and West of Blyth Road, Blyth

Members were advised that the application sought planning permission for reserved matters. The site had been subject of a site visit prior to the meeting. Slides were used to show the site location, site layout and elevations.

A late representation had been circulated to Members prior to the Committee.

The site lies outside of any development boundary and extends to approximately 19.6 hectares of agricultural land. The site is located within the Ward of Blyth adjacent to junction 34 of the A1(M) off Blyth Road, approximately 3km to the south of Harworth and Bircotes and 2km to the north of Blyth. The site comprises of an agricultural field, with field boundaries and an existing hedge along the Blyth Road.

Members were advised that outline planning permission was granted in 2013, which included details of access, for commercial development. Subsequently planning permission was granted in 2016 for the variation of conditions. The outline planning permission established the principle of development on the site.

The Development Team Manager advised of an error on page 39 of the report. Unit C measures approximately 225m by 51m. An overview of the layout, floor space and measurements of the proposed units was given. The proposed buildings would be metal clad with co-ordinating colours.

In terms of landscaping, a planting scheme is proposed to provide screen planting to the site.

A single point of access is proposed via a new roundabout on Blyth Road.

Members were advised that local and national planning policy had been addressed as set out in the report. A summary of statutory comments was given. Blyth Parish Council and a local resident raised objections to the application.

Local concerns regarding highway safety have been noted; however, the Highways Authority has raised no objection and therefore a reason for refusal on highway safety grounds could not be sustained.

In relation to the impact on residential amenity, screen planting is proposed to reduce and mitigate the impact of the development. The site is of low ecological value and there is the opportunity for enhancement.

The principle of the development has been established with the outline planning permission. The development raises a number of material planning considerations which must be balanced against each other.

The application seeks to deliver economic growth in the A1 corridor that will help to deliver sustainable economic growth. The beneficial economic impacts should be given substantial weight and are considered to outweigh the impacts of the scale of the development.

Councillor J Jolley spoke in objection on behalf of Blyth Parish Council. She commented that they object to the industrialisation of Blyth. The Parish Council and Blyth Awareness Group represent the residents of Blyth and their concerns have been dismissed. She advised that:

- The economic benefits are speculative.
- A report by Saville's said that the site is not suitable for warehouses alone.
- The plans have changed beyond recognition to three huge warehouses.
- Warehouse jobs are often low skilled, zero hours contracts, using agency workers and workers from abroad. How would this help the people of Bassetlaw?
- Skilled businesses should be encouraged.
- The proposal is not regeneration, it is development in open countryside. The application site is in Blyth, not Harworth.
- The proposal would have a permanent urbanising impact on the locality.
- The Ombudsman is investigating a complaint in relation to the outline planning permission.
- The local village would be sacrificed.

Dr L Edwards spoke in objection to the application. She commented that:

- The site is not 2km of Blyth, it is in Blyth.
- The size appearance and layout of the development has no resemblance to the outline permission granted in 2013. No wellbeing facility, training or start-up units are proposed.
- Changes to the development before and after the deadline have an impact on the neighbourhood.
- The units would be in operation 24/7 with light, noise and HGV movements. These impacts have not been addressed.
- No conditions in relation to light, noise and hours of operation are proposed.
- The scale and appearance is not appropriate across from residential homes.
- There are no industrial buildings in the vicinity or visible from this location.
- Planners insist on single storey brick built properties in the neighbourhood, how are huge metal clad units acceptable on the other side of the road?

Councillor J Evans spoke in support of the application as a nearby resident. She advised that:

- She is in support of the application as an independent person in the area.
- Harworth is in need of regeneration and has been identified as a growth area.
- The proposal would drive future development.
- The previous outline planning permission granted in 2013 and the variation of conditions application established the principle of commercial use.
- The proposal would create a sustainable employment opportunity.
- The nearby junction is currently undergoing improvement to improve safety and the flow of traffic. Funding is from Sheffield City Region and D2N2, which was successful as the bid was good value for money and provided employment and job opportunities to the north of the junction.
- Jobs and employment are needed in the District.

Mr S Pemberton spoke as agent for the application. He advised that:

- Outline planning permission has been agreed. This application seeks reserved matters with details of layout, appearance and landscaping.
- The principle of the development has already been established.
- The application is within accordance of the parameters of the previous application.
- The units are for storage and distribution use.

- The client proposes to start work immediately on the site.
- The development would create hundreds of jobs.
- The proposal would facilitate employment, growth and regeneration in the area.
- A simple colour scheme has been chosen to reduce the visual impact and provide interest.
- The proposal has been selected by statutory consultees.
- In relation to highways, a roundabout is proposed on Blyth Road with a separate emergency access to the north.
- There is parking provision for employees.
- A detailed landscaping strategy has been prepared, existing hedgerows are to be retained where possible.
- There are long term economic benefits and the development would be a catalyst for further development.

Elected Members asked questions/ raised issues in relation to:

- Community Infrastructure Levy.
- HGV traffic and routing.
- Hours of operation.
- The distance from the junction on Bawtry Road to residential properties.
- Increase in traffic through Blyth and Bawtry.
- Needs of the local economy and people.
- Supporting the local economy.

In relation to questions regarding the Community Infrastructure Levy (CIL), the Development Team Manager advised that the outline planning permission in 2013 was prior to CIL. The section 73 application in 2016 was not subject to CIL as it was a continuation of the application.

In terms of conditions, the outline planning permission, where the principle was established, would have been the appropriate time to impose any conditions limiting hours of operation and traffic movements. A number of conditions are proposed to address highways matters.

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.

(c) Proposed Adoption of Methodology for the Identification and Surveying of Unregistered Parks & Gardens in Bassetlaw District

Members were advised that the Conservation Team has put together a methodology for the identification and surveying of the District's unregistered parks and gardens, in line with guidance contained in the NPPF and from Historic England. The methodology has been used to identify and assess a total of 56 sites across the District.

The report sought approval for the methodology for identification and surveying, together with list of 56 sites identified.

A presentation was given summarising the methodology; how sites were identified; sources of information; examples of sites; key objectives; statements of significance; and lessons learnt.

Members thanked the Planning Officer (Conservation) for the interesting information, his excellent report; and presentation.

(Councillor D Pidwell left the meeting during the discussion of this item.)

RESOLVED that:

1. The publication of the Bassetlaw Unregistered Parks & Gardens Identification & Surveying Methodology as a planning background document be approved.
2. The list of identified 'unregistered park and gardens' and their boundaries be approved.
3. Delegated authority be conferred to officers of the Conservation Team to publish (and update) the 'statements of significance'.

(d) Development Management Performance Report 2016/17 Quarter 3

Members were presented with the Quarter 3 performance report for the Development Management Function which covered the period 1st October to 31st December 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.

The outcome of appeals against refused applications allowed was also given; details of the applications were included within the report. It was noted that during the quarter a total of six appeal determinations were made and these were all dismissed by the Planning Inspectorate.

Planning enforcement figures for the quarter were provided within the report.

An elected Member commented that it would be useful if Members could have access to a register of enforcement in their ward.

The Chair thanked officers for their hard work.

RESOLVED that:

1. The report be received and the current performance data be noted.
2. The possibility of Members having access to a register of enforcement cases within their ward be explored.

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None.

Other Decisions

None.

56. 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 8.07pm.)

PLANNING CONSULTATION GROUP

Minutes of the meeting held on Monday, 6th February 2017 at Worksop Town Hall

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

Officers in attendance: F Dunning and B Pinkney.

(Meeting opened at 4.00pm.)

112. APOLOGIES

There were no apologies for absence received.

113. PLANNING APPLICATIONS

<u>Application No</u>	<u>Proposal</u>
16/01667/FUL	Proposed change of use of part of the garden to commercial land to allow for the erection of a single storey convenience store, Pinfold House, Plantation Road, East Markham.

Members were advised that the application sought to propose the change of use of part of the garden to commercial land to allow for the erection of a single storey convenience store. A location map, elevations and photographs were tabled.

Members were advised that the site has access issues and is not located in an appropriate area.

14 letters of support have been received.

Members were advised that the Parish Council support the application.

Initial officer recommendation – Refuse planning permission, contrary to section 12 NPPF (transport sustainability), DM8 (Conservation), DM4 (Design and character) – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
16/01704/FUL	Erect detached, self-contained, elderly persons Annexe in rear garden, 2 Lexington Gardens, Tuxford.

Members were advised that the application sought to erect a detached, self-contained, elderly person's annexe in the rear garden. A location plan, site plan and elevations were tabled.

Members were advised that two letters of objections had been received from neighbouring properties, raising concerns regarding the overshadowing of a conservatory and the increased on-site parking.

A letter of objection had also been received from Tuxford Town Council, raising concerns regarding the inappropriate use of the garden.

Initial officer recommendation – Grant planning permission subject to standard conditions – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
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17/00106/CDM	Erect one single storey GRP kiosk to house a new control panel unit, Hodsock Sewerage Works.
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Members were advised that the application sought to erect one single storey GRP kiosk to house a new control panel unit. A location map and site plans were tabled.

Members were advised that the application was a County matter.

Initial officer recommendation – Raise no objection – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
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16/01081/RES	Reserved matters (layout, scale, appearance and landscaping) for 16/00671/VOC for outline planning permission for up to 67,000m ² of B uses 3 B8 uses, land east of A1 slip road and west of Blyth Road, Blyth.
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Members were advised that the application sought reserved matters for 16/00671/VOC for outline planning permission for up to 67,000m² of B uses and 3 B8 uses. A site plan and elevations were tabled.

Members were advised that the application went to Planning Committee three years ago for outline planning consent. The application had come back to PCG with reserved matters. The site floor space remains the same at 67,000m², however the application has returned with three buildings all B8 uses with minor B1 uses.

Members were given a summary of the objections received from Blyth Parish council:

- Reserved matters differ from what was expected at outline stage.
- Substantial changes had been made to the application that were inappropriate, and therefore the application should be treated as a new proposal.
- The variation of conditions was to keep the outline alive and avoid CIL.
- Reserved matters for speculative development was only weeks before expiry.
- The applicant met with residents; however, comments made during the meeting were not taken into account.
- The application conflicts with policies DM1 and DM4 of core strategy.
- Large sheds within the proposal are out of proportion with nearby properties.
- Inadequate landscaping proposals.
- Traffic and road safety issues.
- Inaccurate and incomplete information supplied by the applicant.
- The impact on residential amenity, visual intrusion, even overbearing.
- The proposed development is not a good quality design, and has excessive development.
- Out of keeping with surrounding area.
- Detrimental visual and amenity impact.
- Blyth Parish Council made a request for the application to be determined by Planning Committee.

A letter of objection had been received from a neighbouring property, raising concern regarding the visual intrusion, increased traffic, increased noise levels, and loss of green space. The objection letter stated that a full environmental assessment should have been carried out prior to the application being submitted and the proposed application will have no positive impact on the location area.

Members felt as the application has been previously reported to Planning Committee and there had been objections to the application it should be referred to Planning Committee.

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

Outcome following PCG discussion – Referred to Planning Committee.

114. 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 4.50 pm)

PLANNING CONSULTATION GROUP

Minutes of the meeting held on Monday, 13th February 2017 at Worksop Town Hall

Present: Councillors G Freeman, K Isard, H Richards and A Smith.

Officers in attendance: F Dunning and B Pinkney.

(Meeting opened at 4.00pm.)

115. APOLOGIES

There were no apologies for absence received.

116. PLANNING APPLICATIONS

<u>Application No</u>	<u>Proposal</u>
16/01755/OUT	Outline application with all matters reserved to erect a replacement dwelling, The Mobile Home, The Homestead, Gibbet Hill Lane, Scrooby.

Members were advised that the application sought outline permission with all matters reserved to erect a replacement dwelling. A location map, site plan and photographs were tabled.

Members were advised that the applicant had submitted a certificate of lawful development from 2015 that was signed off in May last year. The certificate had shown that the existing mobile home had been there for the past 10 years.

Members were advised that the proposal is in the same location as the existing dwelling. The applicant has a right to rebuild due to demonstrating that the existing dwelling had been lawful for the past 10 years.

A letter of objection had been received from Scrooby Parish Council raising concerns regarding the site location being in the countryside, the site is outside of the settlement boundary and the land is outside ownership of the applicant and there is access on the site to common land.

Initial officer recommendation – Grant permission subject to standard outline applications and limiting height of dwelling to single storey with no rooms in roof by condition – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
16/01676/RSB	Erect two storey live/work unit and construct new access, land South of Manor Farm, Town Street, Treswell.

Members were advised that the application sought to erect a two storey live/work unit and construct a new access. A site plan and elevations were tabled.

Members were advised that the application was presented to the Group in August last year and was refused. The application has been resubmitted with no changes, and no changes to the policy have been made either.

The applicant met with the Conservation Officer to gain advice for a live/work unit on this site. However, the applicant made no updates on the proposed application.

The Parish Council support the application which is recommended for refusal.

Initial officer recommendation – Refuse: Contrary to policy CS9, DM1 and paragraph 14 and 55 of NPPF – not sustainable development – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
17/00106/CDM	Consultation for Land off A634, between Blyth and Barnby Moor, near Retford.

Members were advised that the application had previously been presented to Planning Committee as a County Council matter and objections were raised. The Council is a consultee.

Members were advised that the application had returned to the Group with additional information on air quality and HGV movement. The applicant has provided an assessment of peak traffic impacts of HGV movements that show the worst case scenario, which would be for a duration of 14 weeks. The application confirms the routing plan, that HGVs would use the A1(M).

The Coal Board Authority has records that indicate that historic workings are 920 metres away from the boundary working site.

Initial officer recommendation – Additional information doesn't address concern of Planning Committee – refer to PCG.

Outcome following PCG discussion – Defer to the next Planning Consultation Group meeting for a review of the letter of objection sent previously and whether the additional information has addressed the objections.

117. 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 4.35 pm)

PLANNING CONSULTATION GROUP

Minutes of the meeting held on Monday, 20th February 2017 at Worksop Town Hall

Present: Councillors S Fielding, G Freeman, K Isard and H Richards.

Officers in attendance: C Crossland and F Dunning.

(Meeting opened at 4.00pm.)

118. APOLOGIES

There were no apologies for absence received.

119. PLANNING APPLICATIONS

<u>Application No</u>	<u>Proposal</u>
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16/00773/CDM	Exploratory boreholes, land between Blyth and Barnby Moor
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Members were advised that the application had been presented to the previous meeting of the Group where the application was deferred for further information.

The application has previously been presented to Planning Committee as a County Council matter and objections were raised. The Council is a consultee.

Members were advised that officers have looked at the application and the objection that was raised at Planning Committee in July 2016. Officers do not consider that issues raised have been addressed in the additional information provided.

Planning Committee were concerned regarding HGV traffic through nearby villages; the lack of seismic testing; the contamination risk to the water quality; and cycling routes. It was not felt that these concerns had been addressed.

Initial officer recommendation – Confirm that previous objections set out in letter dated 12 July 2016 have not been addressed with the additional information – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
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16/01356/FUL	Erect detached dwelling, land rear of 8 – 10 South View, Worksop
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Members were advised that the application sought to erect a detached dwelling. A site plan and elevations were tabled.

The site is within the Conservation Area. The Conservation Officer asked for minor changes to the proposed dwelling. Subsequently changes have been made and the Conservation Officer has no objection.

Members were advised that there are a mix of dwellings within the area. The adjacent property is a two storey dwelling.

An overview of the sites planning history was given. In 2005 an appeal was dismissed for 6 and 8 South View as the Inspector felt that the proposal would be isolated from the existing line of dwellings and the due to potential distance between properties. This application differs as there is no gap, the proposal would have a similar appearance to the area.

Nine letters of objection have been received from local residents on the grounds of the impact on traffic, impact on the Conservation Area, the previous appeal decision and concerns regarding overlooking.

The Development Team Manager advised that there have been a number of planning changes since the appeal decision. There would be a distance of 21m between the properties; it is not considered that there would be any impact in terms of loss of privacy.

Highways have no objection. They originally had some concerns however plans have subsequently been amended.

Two letters in support of the development have been received.

Initial officer recommendation – Grant subject to conditions – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

Application No Proposal

17/00037/TPO Fell one Silver Birch, Belmont, Chapel Lane, Scrooby, Doncaster

Members were advised that the application sought to fell a silver birch tree. A photograph was tabled. The tree is within the Conservation Area.

The applicant wishes to fell the tree due to excessive overshadowing and leaf litter.

The Parish Council support the application to remove the tree as it grows rapidly and there are several specimens within the Conservation Area.

A neighbour has objected to the application.

The Tree Officer has visited the site and commented that the tree is in good health, grown on the edge of the property and can be viewed from the street scene offering amenity value.

Initial officer recommendation – Refuse request to fell – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

Application No Proposal

16/01472/OUT Outline application with reserved matters apart from access for individual plots for residential development of 9 dwellings

Members were advised that the application sought outline planning permission with all matters reserved apart from access. A site plan was tabled.

Members were advised that an application for nine dwellings was approved in September 2015.

The indicative layout shows dwellings with 4 – 5 bedrooms.

Initial officer recommendation – Grant subject to conditions – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision

120. 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 4.25 pm)

PLANNING CONSULTATION GROUP

Minutes of the meeting held on Monday, 27th February 2017 at Worksop Town Hall

Present: Councillors G Oxby, H Richards, A Smith and T Taylor.

Officers in attendance: J Elliott and B Pinkney.

(Meeting opened at 4.00pm.)

121. APOLOGIES

There were no apologies for absence received.

122. PLANNING APPLICATIONS

<u>Application No</u>	<u>Proposal</u>
15/01487/RES	Reserved matters application for the approval of the layout, scale, appearance, and landscaping following outline application 14/00431/OUT – Erect 250 dwellings including open space and associated service infrastructure – land at Gateford Park, Ashes Park Avenue, Worksop.

Members were advised that the application sought reserved matters for the approval of the layout, scale, appearance, and landscaping following outline application 14/00431/OUT to erect 250 dwellings including open space and associated service infrastructure. A location map, site plan and elevations were tabled.

Members were advised that the proposed application is located outside the development boundary and existing houses run up the boundary. Amended plans had been resubmitted as the original plans did not provide a sufficient rear garden area.

No objections had been received from the following:

- Seven Trent Water
- The Tree Officer
- Nottinghamshire County Council Highways
- The Environment Agency
- Environmental Health
- Historic England
- Highways England

Members were advised that ten letters of objection had been received from local residents regarding the following:

- Loss of privacy.
- Boundary Treatment.
- The original developer presentation indicated that a 15m buffer zone would be provided between the hedgerow and houses.
- The Ashes Park junction should be re-designed in order to accommodate the increase in vehicular movements.
- Increase in on-street parking.
- Some house types are not in keeping with the existing development.
- Part of the northern hedgerow has been grubbed out.

- The planting of trees in close proximity to houses may create structural and insurance problems.
- It is not clear what provision has been made for broadband provision.
- The road network should be designed to accommodate service vehicles and avoid visibility problems.
- Maintenance to the access of drains.
- Management of the existing stream.
- The development does not recognise the range of fauna in the vicinity.
- Replacement hedgerows should be planted.
- Small planted areas can become rubbish dumps.
- Consideration should be given on the potential pollution and nuisance caused by construction vehicles.
- Existing properties are not shown on all the plans.
- Impact on services within the area.
- The additional traffic generated by the development will lead to congestion.
- The scheme does not provide any open space.
- A safe pedestrian crossing should be provided across Ashes Park Avenue.
- Mobile phone coverage is currently poor in the area.
- Hedge maintenance will be a problem.

Initial officer recommendation – Grant Planning Permission – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
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16/01590/VOC	Vary condition 4 to provide a 1.5m wide footway on Folly Nook Lane frontage, vary condition 6 to allow accommodation in roof space to house type 307 and remove condition 15 not to provide a bund on the eastern boundary of P.A. 15/00732/OUT – High Gables Folly Nook Lane, Ranskill.
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Members were advised that the application had been granted planning permission in September 2016 for 10 dwellings. The application sought to vary conditions 4, 6 and remove condition 15.

Members were advised that condition 4 originally specified the width of the footway to be 2m, however, this is an insufficient verge width available to accommodate a 2m wide footway. Therefore, the proposal is to provide a 1.5m wide footway.

Members were advised that condition 6 shall only permit single storey dwellings in height and to allow accommodation within the roof space to type 307 houses.

A bund on the eastern boundary is no longer needed as it does not achieve anything due to the dense conifer hedge in place. Therefore, condition 15 is no longer required.

No objections were received from Highways, Environmental Health, Network Rail and Ranskill Parish Council.

Initial officer recommendation – Grant Planning Permission – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
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16/01588/RES	Reserved matters application following outline 15/00732/OUT to seek approval for layout, appearance and landscaping – erection of 10 dwellings, detached garages and associated roads and drainage – High Gables, Folly Nook Lane, Ranskill.
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Members were advised that the application sought reserved matters following the outline application 15/00732/OUT to seek approval for the layout, appearance and landscaping for the erection of 10 dwellings, detached garages and associated roads and drainage. A site plan and elevations were tabled.

Members were advised that the application had been granted outline planning permission for the erection of 10 dwellings, detached garages and associated roads and drainage with all matters reserved under outline planning permission granted in September 2016.

No objection has been received from Highways, Flood Risk Management, and Network Rail.

Members were advised that Ranskill Parish Council made no comments.

The Regeneration and Investment Team commented stating that Ranskill is a designated neighbourhood plan area but have not yet produced a draft for a neighbourhood plan.

Initial officer recommendation – Grant Planning Permission – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
16/01540/RES	Reserved matters application following outline application 15/00669/OUT to seek approval for appearance, landscaping, layout and scale – 5 dwellings and construction of new access – land to the south of Rose Cottage, Leverton Road, Sturton Le Steeple.

Members were advised that the application sought reserved matters following application 15/00669/OUT to seek approval for the appearance, landscaping, layout and scale of 5 dwellings and the construction of a new access. A location map, site plan, elevations and photographs were tabled.

Members were advised that the application had been granted planning permission for 5 dwellings in July 2015. The application was granted planning permission on the basis of the Council's lack of a 5 year land supply for housing.

Members were advised that three letters of objections had been received from local residents raising the following concerns:

- Excess of two years' work will increase noise pollution and extra vehicles.
- Increase population of workers.
- Excessive mud on roads due to construction vehicles.
- Traffic congestion.
- Loss of privacy and views to existing residents.
- Increased difficulty in getting to and from other locations for existing residents.
- Out of keeping with the character of the area.
- Adverse impact on protected species.

Sturton Parish Council raised objections regarding the following:

- The application is not in line with the spirit of the Sturton neighbourhood plan, which stresses the need of smaller houses.
- The proposed houses are not in appropriate scale of surrounding properties within the village.
- Development of 4 bedrooms houses will put additional strain on the resources of the village and does not provide the housing identified within the plan.

Highways raised no objections.

Environmental Health raised no comments.

Initial officer recommendation – Grant subject to conditions – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision

<u>Application No</u>	<u>Proposal</u>
17/00002/COU	Conversion and re-build of existing disused farm building to form dwelling, two storey extension and creation of new access – Barn 1, Manor Farm, Great North Road, Torworth.

Members were advised that the application sought to convert and re-build an existing disused farm building to form a dwelling, two storey extension and the creation of a new access. A location map, site plan, elevations and photographs were tabled. An associated listed building consent application followed.

Members were advised that planning permission had been granted to convert out-buildings into 3 dwellings in April 2013.

Members were advised that the site lies outside the development boundary.

Manor Farm and its associated outbuildings are grade 2 listed.

Nottinghamshire County Council Highways object on the basis that the proposed access would be substandard in terms of its width and visibility. The Planning Officer informed Members that the proposal of the new access was to keep it to bare minimum as knocking down the wall would result in loss of listed boundary wall.

Members were advised that the Environmental Health Officer and Natural England raised no objections.

The District Conservation Officer raised no objections subject to conditions.

The District Tree Officer raised no objections subject to the protection of the horse chestnut trees.

Torworth Parish Council raised objections regarding the following:

- Access to all three units should be off Low Street.
- The access on to Great North Road is dangerous and the increase in its use would be detrimental to highway safety.
- The northern barn could be converted at a later date to further dwellings.
- These conversions could not be described as affordable housing.
- Dwellings for young people should be encouraged.

Members were advised that two letters of objection had been received from local residents regarding existing sewage system, windows overlooking and overshadowing adjacent properties and the inaccuracy shown of the existing boundary fence adjacent to the ménage.

Initial officer recommendation – Grant Planning Permission – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
16/01545/LBA	Conversion and re-build of existing disused farm building to form dwelling, two storey extension and creation of new access – Barn 1 Manor Farm, Great North Road, Torworth.

Members were advised that the application sought listed building consent to convert and re-build and existing disused farm building to form a dwelling, two storey extension and the creation of a new access.

This application was associated to the proceeding application.

Initial officer recommendation – Grant Planning Permission – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
17/00003/COU	Conversion of disused agricultural building to form semi-detached dwelling – Barn 2 Manor Farm, Great North Road, Torworth.

Members were advised that the application sought to convert a disused agricultural building to form a semi-detached dwelling. A site plan, location map, elevations and photographs were tabled. An associated listed building consent application followed.

Members were advised that planning permission had been granted to convert out-buildings into 3 dwellings in April 2013.

Members were advised that the site lies outside the development boundary.

Manor Farm and its associated outbuildings are grade 2 listed.

Nottinghamshire County Council Highways and the District Conservation Officer have no objections subject to conditions.

Natural England and Anglian Water have no objections.

The District Environmental Health Officer commented requesting a note to be applied to any permission raising the issue of potential site contamination.

The District Tree Officer raised no objections subject to the protection of the horse chestnut trees.

Torworth Parish Council raised objections regarding the following:

- Access to all three units should be off Low Street.
- The access on to Great North Road is dangerous and the increase in its use would be detrimental to highway safety.
- The northern barn could be converted at a later date to further dwellings.
- These conversions could not be described as affordable housing.
- Dwellings for young people should be encouraged.

Members were advised that three letters of objection had been received from local residents raising concern regarding the existing sewage systems, windows overlooking and overshadowing the adjacent properties, inaccuracy of the existing boundary fence adjacent to the ménage and the insertion of roof lights creating nuisance and noise transfer.

Initial officer recommendation – Grant Planning Permission – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
16/1550/LBA	Conversion of disused agricultural building to form semi-detached dwelling – Barn 2 Manor Farm, Great North Road, Torworth.

Members were advised that the application sought listed building consent to convert a disused agricultural building to form a semi-detached dwelling.

This application was associated to the proceeding application.

Initial officer recommendation – Grant Planning Permission – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
17/00004/COU	Conversion of disused agricultural building to form semi-detached dwelling – Barn 3 Manor Farm, Great North Road, Torworth.

Members were advised that the application sought to convert a disused agricultural building to form a semi-detached dwelling. A site plan, location map, elevations and photographs were tabled. An associated listed building consent application followed.

Members were advised that planning permission had been granted to convert out-buildings into 3 dwellings in April 2013.

Members were advised that the site lies outside the development boundary.

Manor Farm and its associated outbuildings are grade 2 listed.

Nottinghamshire County Council Highways and the District Conservation Officer have no objections subject to conditions.

The District Environmental Health Officer commented requesting a note to be applied to any permission raising the issue of potential site contamination.

The District Tree Officer raised no objections subject to the protection of the horse chestnut trees.

Natural England have no comments.

Torworth Parish Council raised objections regarding the following:

- Access to all three units should be off Low Street.
- The access on to Great North Road is dangerous and the increase in its use would be detrimental to highway safety.
- The northern barn could be converted at a later date to further dwellings.
- These conversions could not be described as affordable housing.
- Dwellings for young people should be encouraged.

Members were advised that three letters of objection had been received from local residents raising concern regarding the existing sewage systems, windows overlooking and overshadowing the adjacent properties, inaccuracy of the existing boundary fence adjacent to the ménage.

Initial officer recommendation – Grant Planning Permission – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

Application No

Proposal

16/01551/LBA

Conversion of disused agricultural building to form semi-detached dwelling
– Barn 3 Manor Farm, Great North Road, Torworth.

Members were advised that the application sought listed building consent to convert a disused agricultural building to form a semi-detached dwelling.

This application was associated to the proceeding application.

Initial officer recommendation – Grant Planning Permission – refer to PCG.

Outcome following PCG discussion – Delegate for officer decision.

123. 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 5.05 pm)

PLANNING COMMITTEE

29th March 2017

OUTSTANDING MINUTES LIST

Members please note that the updated positions are shown in bold type following each item.

<u>Min. No.</u>	<u>Date</u>	<u>Subject</u>	<u>Decision</u>	<u>Officer Responsible</u>
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None.

PLANNING COMMITTEE

29th March 2017

INFORMATION REPORT

APPEAL DECISION RECEIVED

16/00286/FUL Mrs E A Appeal against the refusal of planning permission for the erection of four single storey dwellings at the Bungalow, Brough Lane, Elkesley.

DECISION: Appeal ALLOWED by the Inspector.

The Inspector considered the main issues were the effect of the development on the character and appearance of the area, the living conditions of nearby residents and whether the proposal would provide adequate living conditions for future occupiers of the dwellings.

The Inspector was of the opinion that:

Whilst the proposal would introduce four new bungalows to the side and rear of the existing dwelling, they would adjoin residential development on two sides and relate well to the western edge of the village. The proposed dwellings would have amenity spaces that would meet the sizes required by the Council. Moreover the extent of the plots and the density of the scheme would be generally commensurate with other existing development nearby.

Since the number of dwellings proposed is limited to 4, I am not convinced that the appeal scheme would give rise to any undue increase in noise and disturbance to the extent that the living conditions of the occupiers of either Pepperly or Applewood would be harmed.

Overall, whilst the SPD seeks to maximise light and privacy of private garden spaces, it does not preclude north facing rear gardens and I am content that as a whole the scheme provides a level of outdoor amenity space that is proportionate to the type of accommodation, appropriate to its location and suitable to meet the likely requirements of the future occupiers.

A copy of the Inspector's decision letters follow this report.

OFFICER RECOMMENDATION: Grant Planning Permission.

FINALISED DECISION LEVEL: Planning Committee

Appeal Decision

Site visit made on 2 December 2016

by Elaine Worthington BA (Hons) MTP MUED MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8 February 2017

Appeal Ref: APP/A3010/W/16/3159336

Land at The Bungalow, Brough Lane, Elkesley, Nottinghamshire, DN22 8AP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs E A Boyle against the decision of Bassetlaw District Council.
 - The application Ref 16/00286/FUL, dated 1 March 2016, was refused by notice dated 19 July 2016.
 - The development proposed is the erection of 4 no. single storey dwellings and alterations to Brough Lane.
-

This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 13 January 2017.

Decision

1. The appeal is allowed and planning permission is granted for the erection of 4 no. single storey dwellings and alterations to Brough Lane at Land at The Bungalow, Brough Lane, Elkesley, Nottinghamshire, DN22 8AP in accordance with the terms of the application, Ref 16/00286/FUL, dated 1 March 2016 subject to the conditions in Annex A.

Procedural Matter

2. The Decision Notice refers to Policy DM8 of the Bassetlaw Local Development Framework Core Strategy and Development Management Policies DPD (LDF) but the Council's statement refers to Policy DM4. Since Policy DM8 relates to the historic environment, I confirm that I have considered the proposal against Policy DM4 which concerns design and character.

Main Issues

3. The main issues in this case are as follows:
 - The effect of the proposal on the character and appearance of the surrounding area; and
 - The effect of the proposal on the living conditions of nearby residents, with particular reference to noise and disturbance; and
 - Whether the proposal would provide adequate living conditions for future occupiers, with particular reference to amenity space.

Reasons

Character and appearance

4. The appeal site is the garden area to The Bungalow and is within the development boundary for Elkesley. There are other dwellings to the north and east and open agricultural land to the south and west.
5. LDF Policy DM4 is permissive of residential development that is of a high quality design. New development, particularly backland and infill development, should respect its wider surroundings, in relation to historic development patterns or building/plot sizes and forms; density; and landscape character (criterion i). It should also respect its context in terms of height, scale, mass, materials and detailing (criterion ii).
6. Policy 2 of the Elkesley Neighbourhood Development Plan 2015-2028 (Neighbourhood Plan) relates to design and is supportive of development where it demonstrates consideration of local character. Neighbourhood Plan Policy 5 relates to infill development and requires proposals to be of high quality design that is inkeeping with the character of the area particularly in relation to historic development patterns and building plot size. The Council advises that the appeal site is within Zone 2 of the village which is characterised by a linear layout with properties being two storeys with generous plots.
7. Despite this overall description of the wider area comprising Zone 2, there are existing bungalows adjoining the appeal site immediately to the east in Brough Lane at Pepperly, Hawthornes and Ken-Mar. Whilst the proposal would introduce four new bungalows to the side and rear of the existing dwelling, they would adjoin residential development on two sides and relate well to the western edge of the village. The proposed dwellings would have amenity spaces that would meet the sizes required by the Council. Moreover the extent of the plots and the density of the scheme would be generally commensurate with other existing development nearby (including the two pairs of semi-detached dwellings on the corner of Brough Lane and Lawn Wood Lane). Additionally, the site is screened by existing substantial evergreen planting and the proposal would not be prominent from Brough Lane which is at a lower level, or from the surrounding countryside.
8. In this overall context, I am not persuaded that the proposed dwellings would appear squeezed into the site or lead to its overdevelopment. Rather, in my view the proposal would be inkeeping with the established built form, density and historic pattern of the existing development nearby and so would respect its surroundings.
9. I therefore conclude that the proposal would cause no harm to the character and appearance of the surrounding area. This being so, it would not conflict with LDF Policy DM4 or Neighbourhood Plan Policies 2 or 5 in this regard. It would also accord with the core planning principle of the National Planning Policy Framework (the Framework) to seek to secure high quality design.

Living conditions – nearby occupiers

10. The Council raises concerns about the proposal's impact on the amenity of the occupiers at adjoining Pepperly and Applewood with regard to additional noise, light and activity. Pepperly is a detached bungalow which adjoins the site to the east. It is adjacent to the existing access driveway where there is a low

wall and fence and planting along the boundary.

11. The driveway would be widened and brought in closer proximity to the boundary with Pepperly. I accept that the introduction of 4 additional dwellings would give rise to more activity on the site including an increase in the number of vehicle and pedestrian movements along the driveway. That said, although it has a conservatory to the rear, there are no windows on the Pepperly's flank wall facing the appeal site. Pepperly is set off the shared boundary and is for the most part screened from the appeal site by the existing boundary treatments and planting. The rear garden of Applewood on Lawn Wood Lane also adjoins the appeal site, and would be adjacent to the corner of the proposed bungalow on Plot 1. However, whilst the proposed house's side and rear gardens would adjoin the end of Applewood's long rear garden, they would be at some distance from the rear of the dwelling itself.
12. This being so, and since the number of dwellings proposed is limited to 4, I am not convinced that the appeal scheme would give rise to any undue increase in noise and disturbance to the extent that the living conditions of the occupiers of either Pepperly or Applewood would be harmed. Whilst I have no further details as to its concerns in this regard, given the site's existing residential use and proximity to the main extent of the village and other residential properties, nor am I persuaded that the proposal would result in any harmful increase in light pollution.
13. I therefore conclude that the proposal would cause no harm to the living conditions of nearby residents, with particular reference to noise and disturbance. Thus there would be no conflict with Neighbourhood Plan Policy 5 which requires development on infill and redevelopment sites not to reduce the privacy or amenity of adjoining properties. The proposal would not be at odds with LDF Policy DM4 which requires new development to ensure that it does not have a detrimental effect of the residential amenity of nearby residents (criterion v). Nor would the proposal be contrary to core planning principle of the Framework to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Living conditions – future occupiers

14. Although not a reason for refusal, due to the amount of hard standing proposed for vehicular access and car parking, the Council is concerned about the quality of the north facing amenity spaces that would be provided for the proposed houses.
15. I am mindful that the rear gardens are in excess of the minimum sizes required by the Council's Supplementary Planning Document Successful Places (SPD). Whilst the rear gardens to Plots 1, 2 and 3 face north, those on Plots 1 and 2 are of a sufficient size and length to compensate for any undue overshadowing. Although they would not be private, these two plots also have the potential to provide alternative sitting out areas to the front of the properties (such provision is recognised as a possibility in the SPD). Although the rear garden to Plot 3 would be shorter, the bungalow there would have larger side and front garden areas facing west and south respectively which would be relatively private given the plot's position in the corner of the site.

16. Overall, whilst the SPD seeks to maximise light and privacy of private garden spaces, it does not preclude north facing rear gardens and I am content that as a whole the scheme provides a level of outdoor amenity space that is proportionate to the type of accommodation, appropriate to its location and suitable to meet the likely requirements of the future occupiers.
17. I therefore conclude that the proposal would provide adequate living conditions for future occupiers, with particular reference to amenity space. Thus I see no conflict with LDF Policy DM4 which requires new development to provide a decent standard of private amenity space (criterion v). Nor would the proposal be at odds with the core planning principle of the Framework to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Other matters

18. Although not a reason for refusal, the Council raises safety concerns as to pedestrian access to and from the site, particularly since the proposed bungalows would be likely to be attractive to elderly occupiers. Local residents are also concerned more generally about highway safety and an increase in traffic on Lawn Wood Lane and Brough Lane in particular (which they consider to be a bridleway unsuitable for vehicles).
19. LDF Policy DM4 advises that new development should ensure that all people, including those with disabilities, can easily and comfortably move through and into the site (criterion iv). Neighbourhood Plan Policy 2 also looks to maximise opportunities to integrate development in with the existing settlement through creating new connections and improving existing ones to and from new development.
20. The site would be accessed via the existing driveway from Brough Lane, a single tack lane that currently serves The Bungalow, Pepperly and Hawthornes and a sewage works to the south. Brough Lane is a valued local recreational asset used by ramblers, runners, horse riders, children as a route to school, along with farmers. I understand that it forms part of a wider route of public rights of way. It is single width with banks on either side and lacks footpaths. There is no speed restriction or lighting and the surface is uneven.
21. That said, the eastern section of Brough Lane is already used by vehicles associated with existing dwellings and the sewage works. The appeal proposal would increase activity on Brough Lane but only on its initial eastern section for a limited distance. Given the modest scale of the scheme for 4 dwellings the increase in the volume of traffic would not be great. Moreover, the appeal scheme incorporates the widening of the site access (including improvements to visibility) and alterations to Brough Lane (including its widening on the north side along the site frontage to allow a passing place, re-surfacing up to the appeal site access, and the provision of a turning head for tankers visiting the sewage works). Subject to the imposition of conditions to secure these improvements, which would be of benefit to the users of Brough Lane, the Council and the Highway Authority raise no objections to the scheme. I have seen no evidence that would lead me to a different view and am content that there would be no harm to pedestrian or highway safety.

22. The occupier of Pepperly is concerned about the height of the appeal site's conifers. However, these are already in place and this private matter between the appellant and the occupiers of Pepperly would exist in the absence of the appeal scheme. The impact of the proposal on wildlife including bats, birds and foxes is also raised. Since the site is a residential garden and the existing trees and vegetation are for the most part to be retained, I see no reason why the proposal would lead to any harmful effects in these regards. The timing of works to avoid bird the breeding season and the provision of bat and bird boxes as part of the scheme would also help to mitigate any potential impacts. These could be secured via a planning condition. The Council raises no objections on these points.
23. A local resident refers to the proposal's effect on the value of their property but whether a financial or other loss would be experienced is not something which is to be protected in the public interest. Whilst there would be some disruption including noise and disturbance associated with the construction phase of the scheme (including the undertaking of the improvement works to Brough Lane), this would be temporary in nature and relatively shortlived given the modest scale of the proposal.
24. The Parish Council is also concerned that the bin collection point is at the end of the driveway and a lack of visitor parking, particularly in the context of elderly occupants. However, neither the Council, nor the Highway Authority, raise any objections in these regards and I see no reason to come to a different view.
25. The Council accepts that it cannot demonstrate a deliverable 5 year supply of housing. Paragraph 49 of the Framework advises that in such situations, relevant policies for the supply of housing should not be considered up-to-date. Paragraph 14 of the Framework sets out the presumption in favour of sustainable development and advises that where the development plan is out-of-date permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In this context, the provision of 4 homes is a benefit of the scheme.
26. Nevertheless, in this instance I have found that the proposal would accord with the development plan and, in line with the first bullet point of the second part of paragraph 14 of the Framework, should therefore be approved without delay. Whilst local residents and the Parish Council refer to a previously refused scheme on the appeal site and other more preferable sites for development identified in the Neighbourhood Plan, these are not reasons to withhold planning permission for development that I have found to be acceptable.

Conclusion and Conditions

27. For the reasons set out above, I conclude that the appeal should be allowed.
28. The Council has suggested a number of conditions which I have considered in light of the advice in the National Planning Practice Guidance. It is necessary that the development shall be carried out in accordance with the approved

plans for the avoidance of doubt and in the interests of proper planning.

29. Conditions relating to materials and means of enclosure are required in the interests of the character and appearance of the surrounding area. Conditions requiring the construction of the access (including details concerning its drainage, surfacing and gradient) and the laying out of the car parking and turning areas, along with the retention of those areas, are necessary in the interests of highway safety. A condition requiring the improvements to Brough Lane including the provision of the proposed turning head and layby passing place is required for the same reason. A condition to ensure the retention of the approved visibility splays is necessary to ensure adequate visibility at the access.
30. A condition to ensure the access is provided in advance of the construction of the dwellings is needed to ensure that vehicles entering and leaving the site whilst the houses are being built can pass each other in the interests of highway safety.
31. A condition to preclude any clearance works during the bird breeding season required to ensure any birds and their nests are protected from disturbance or destruction. A condition is also necessary to provide bird and bat boxes within the site in the interests of providing benefits to biodiversity. However, since they are shown on the approved plans and I have been provided with no further justification in this regard, a condition requiring the submission of further details in relation to wheelie bin collection points is not required.

Elaine Worthington

INSPECTOR

Annex A

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, TPO2 Proposed Site Plan Rev B, TPO3 Proposed Plan Type A Rev A, TPO4 Proposed Plan Type B Rev A, 36559/C/001 Rev B Swept Path Analysis, 36559/C/002 Rev D Proposed Access Works, and 36559/C/003 Swept Path Analysis Refuse Vehicle.
- 3) No development of the dwellings shall take place until a sample panel of the materials to be used in the construction of the external surfaces shall have been prepared on site for inspection and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved sample.
- 4) The dwellings shall not be occupied until the access to the site has been constructed in accordance with approved drawing number 36559/C/002 Rev D (including the provision of the visibility splays) and has been drained and surfaced and constructed with a gradient not exceeding 1 in 10 for a distance of 20 metres from the rear of the highway boundary in accordance with details that shall first have been submitted to and approved in writing by the local planning authority, and that area shall be retained as such thereafter.
- 5) The works comprised in the construction of the dwellings hereby permitted shall not take place before the works comprised in the provision of the access to the site are completed.
- 6) Development shall not begin until a turning head and passing place layby in Brough Lane have been constructed and Brough Lane has been widened and surfaced as shown on approved drawing numbers 36559/C/002 Rev D and 36559/C/003 and in accordance with further details which have been submitted to and approved in writing by the local planning authority.
- 7) The dwellings shall not be occupied until the parking/turning areas shown on drawing number TPO Proposed Site Plan Rev B have been provided and those areas shall thereafter be kept available at all times for the parking and turning of vehicles.
- 8) No structure or erection exceeding 0.6 metres in height shall be placed within the sight lines shown on approved drawing number 36559/C/002 Rev D.
- 9) No development shall take place until details of the means of enclosure of the site including a retaining wall to Brough Lane have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details before any of the dwellings are occupied.
- 10) Site clearance works shall not take place at any time during the bird breeding season (March to September inclusive).

- 11) No development shall take place until details of the provision of bird and bat boxes have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to the occupation of the dwellings.

BASSETLAW DISTRICT COUNCIL
INDEX FOR PLANNING COMMITTEE 01.03.2017

Sheet No.	Ref No.	Applicant	Location	Recom. Decision
A1	16/00842/OUT	Mr Sooriah	Eel Pie Farm, Great North Road, Markham Moor. Outline Planning Permission With Some Matters Reserved, Approval Being Sought for Access, for a Holiday Lodge Development of 12 Lodges, with a Village Convenience Store and Community Facilities	Grant

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ITEM SUBJECT OF A SITE VISIT

Item No: a1

Application No: 16/00842/OUT

Application Type: Outline

Proposal Outline Planning Permission With Some Matters Reserved (Approval being Sought for Access, Landscaping, Layout and Scale), for a Holiday Lodge Development of 12 Lodges, with a Village Convenience Store, Maintenance Building, Site Office and Community Facilities

Location Land at Eel Pie Farm, Great North Road, Markham Moor, Nottinghamshire

Recommendation: Grant Conditionally

Case Officer: Beverley Alderton-Sambrook

Tel No: 01909 533228

Web Link: [Link to Planning Documents](#)

THE APPLICATION

The application is an outline application on this 1.5 ha site for 12 holiday lodges, a 100sqm convenience retail store, associated 60sqm maintenance building to the development, site office and community accessible facilities – these being landscaped areas. Matters considered at this stage are the principle, the means of access (which has been slightly amended during the course of the application appraisal), the layout of the site, the scale of the development and the landscaping details. The only matter reserved is the appearance of the proposals. It is noted that no details have been submitted relative to the water feature/fishing pond at the centre of the site and therefore these are not under consideration at this time and the plans are purely indicative in that respect. It is likely that a subsequent application will be required for the development of that engineering operation, dependent upon the scale and form of the works.

The site is a triangular shaped field which lies to the east of the Eel Pie Farm complex of dwellings (of which the farmhouse is a non-designated heritage asset), outbuildings and wooded grounds. The field is devoid of features and appears as scrub-grassed and not recently part of any operational agricultural holding. The southern boundary of the site abuts a drainage ditch to the side of Old London Road and to the A638 lies to the east. The A1 lies to the far south and traffic can be heard rumbling along from the location of the application site.

The application site is located outside any development boundary defined in the Bassetlaw Local Development Framework and is not identified as brownfield (previously used) land. The closest settlement is East Markham located to the southeast of the site, about 8km south of Retford town centre, 3.2km north-west of Tuxford and 16km from Worksop and northwest of an A1 junction close by. The land is greenfield and although directly linked with Eel Pie Farm for the purposes of this application, on the ground it appears distinct from that development.

The topography has a slight fall in an east to west manner and boundaries comprise native hedge planting, trees and wooden fencing in part.

To the south west of the site is the Grade II Listed Markham Moor House with its associated curtilage listed structures, and approx. 200m west is the River Maun over which is a Grade II Listed bridge which is also a Scheduled Ancient Monument. It is noted this is in a poor state of repair and Conservation have confirmed there is no necessity to consult with Historic England given the additions that have taken place over time and the distance from the application.

Consent for B1, B2 and B8 uses has been granted immediately south of the application site, adjacent the listed building in 2013. This development can be seen to be under construction at the present time and amounts to the erection of a large steel framed shell.

There are a number of villages within 2km of the site, Sibthoroe, West Drayton, Gamston and East Markham with an infrequent bus service running through the village of Markham Moor.

The applicant has control over land to the west of the site (Eel Pie Farm and its associated outbuildings) and land on the southern side of Old London Road to the west of Markham Moor House (Grade II listed) which is identified with a blue edge on the indicative layout plan and the site plan.

Documentation submitted with the application discusses that it is the intention of the applicant to pursue to detailed stage and deliver a high quality tourist accommodation offer on this independent site offering flexible durations of break.

Accompanying the application are the following suite of documents:

- Design and Access Statement
- Planning Statement
- Heritage Assessment
- Transport Statement
- Flood Risk Assessment
- Preliminary Ecological Appraisal
- Archaeological Geophysical Survey
- Numerous communications from the agent offering additional planning policy support for the proposal
- Financial stability statement from the applicant accountant (confidential as contains personal financially sensitive information)
- Supporting statement from Hoseasons who discuss that they are content to market the properties and they have provided numbers of online searches from their website for the heart of England and typical rental income for holiday lodges (confidential as this contains commercially sensitive information – it is noted however that similar information can be accessed on the internet)
- Information detailing the availability (or lack of) of lodge bookings in the district.
- Amended information detailing the omission of a community building and replacement with an indicative maintenance building

DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

Part 1 of the National Planning Policy Framework (NPPF) states that the Government is committed to securing sustainable economic growth in order to create jobs and prosperity. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

NPPF Part 2 is relevant to delivering sustainable development. This sets out the key criteria in ensuring the vitality of town centres.

NPPF Part 3 is relevant to delivering a sustainable development. This sets out the key criteria in supporting a prosperous rural economy.

NPPF Part 10 is relevant to delivering a sustainable development. This sets out the key criteria in terms of climate change and flood risk.

NPPF Part 11 is relevant to delivering a sustainable development. This sets out the key criteria in conserving and enhancing the rural environment.

NPPF Part 12 is relevant to delivering a sustainable development. This sets out the key criteria in conserving and enhancing the historic environment.

Policy DM1 of the Bassetlaw Local Development Framework states standalone economic development (such as tourist attractions) in rural areas will be supported where they can demonstrate that new buildings are located and designed to minimise their impact upon the character and appearance of the countryside; the development requires the specific location proposed and there are no other suitable sites in or close to settlements or on brownfield land; they are viable as a long term business; the scale, design and form of the proposal, in terms of both buildings and operation, will be appropriate for its location and setting and be compatible with surrounding land uses; they will not create significant or exacerbate existing environmental or highway safety problems; and where the proposal includes a retail use, it is demonstrated that this will not have an adverse impact on viability of other retail services nearby.

Policy DM4 of the Bassetlaw Local Development Framework states that all major development proposals will need to demonstrate that they make clear functional and physical links with the existing settlement and surrounding area; complement and enhance the character of the built, historic and natural environment; are of a scale appropriate to the existing settlement and surrounding area and provide a qualitative improvement to the existing range of houses, services, facilities and open space.

Policy DM8 of the Bassetlaw Local Development Framework states that the historic environment shall be protected and enhanced to secure its long term future and that any development that would be detrimental to the significance of the heritage asset or its setting, will not be supported. This is reiterated in paragraph 132 of Part 12 of the National Planning Policy Framework, which states that any harm or loss to heritage assets should require clear and convincing justification

Policy DM12 'Flood Risk, Sewerage and Drainage' of the Bassetlaw Core Strategy and Development Management Policies DPD indicates that all new development will be required to incorporate Sustainable Urban Drainage Systems (SuDS) and provide details of adoption, ongoing maintenance and management unless other key factors show them not to be technically feasible.

The site is within the Sherwood Character Area, Sherwood Policy Zone SH56 Kirton River Meadowlands (SPZ 56) identified in the Landscape Character Assessment published in August 2009. Adjacent to the Kirton River Meadowlands is the Sherwood Policy Zone SH55 Gamston (SPZ 55) to the north and Sherwood Policy Zone SH54 West Drayton and Rockley Village Farmlands (SPZ 54) to the north and northeast.

RELEVANT PLANNING HISTORY

There is no planning history on the application site other than a recent pre-application enquiry, but that detailed below is for proposals in the immediacy of the red edge application site boundary.

16/00041/PREAPP Pre-application enquiry for 12 holiday lodges, site office, shop and meeting room facilities – Positive policy based comments issued 15/02/16

16/00467/RES Reserved Matters Application for the Approval of the Appearance, Landscaping, Layout and Scale Details for Outline Planning Application 12/01317/OUT - Erection of B1, B2 and B8 Commercial Premises – Granted 23/05/13

15/00845/FUL Change of use of derelict farm buildings and conversion of existing barns to three residential dwellings – Withdrawn 09/09/15

15/01206/RSB Change of use of existing to two residential dwellings (Resubmission of 15/00845/FUL – Granted 26/10/2015

12/0137/OUT Outline Planning Application to Erect B1, B2 and B8 Commercial Premises with Detailed Access Arrangements – Granted 04/12/12

53/10/00009 Retain change of use of fields / equestrian use to part time quad biking instruction / sessions for executive team building / children's parties and equestrian use (Resubmission of 53/10/00006) – Granted 05/01/11

53/10/00006 Retrospective application for change of use of fields for quadbikes and go-karts for executive weddings. Family fund days and go-karts for exclusive weekends. Family and fun days and children's parties – Refused 13/10/10

53/81/00004 Erect link porch between main dwelling and annex - Granted 11/03/81

53/81/00003 Erect link porch between main dwelling and annex - Granted 25/02/81

RESPONSE OF STATUTORY BODIES

Nottinghamshire County Highways has no objections to the amendments made to the access and considers the scheme acceptable subject to the recommended conditions.

Bassetlaw's Conservation Officer considers that the setting of Markham Moor House is of particular importance here. A key part of this setting is the understanding of the open space as part of a landscaped park associated with Markham Moor House, albeit a short-lived area of parkland which had returned to pasture/agriculture in the second half of the 19th century. At present, extended views across the site from the north are well screened by hedges alongside the A638, Markham Moor House only being visible through a few gaps in the hedge line. In addition, the physical separation of the site from Markham Moor House (by the Old London Road) results in the site having little visual association with the proposal site. The site's contribution to setting to Markham Moor House at this time, therefore, lies primarily in its appearance as part of a wider rural landscape with few buildings.

A further aspect of the site's setting is the recent permission for B1/B2/B8 development on land immediately to the east of Markham Moor House. This would include several large warehouse-type buildings, including one close up to the A638. When compared to the impact the industrial development scheme may have on setting, it is considered that this current proposal is, subject to suitable design/scale/layout, unlikely to have an adverse impact of setting.

With the above issues in mind and acknowledging the recent permission for industrial development nearby, it is considered that subject to acceptable details of design, scale, materials and landscaping, the proposal is unlikely to impact greatly on the setting of nearby Listed Buildings. It is recommended that the proposed buildings on the site remain at single storey to reduce their impact upon the setting of Markham Moor House.

With regard to archaeology, the submitted archaeological report indicates a low potential for remains on the site. However, there are a few areas of interest, particularly along the west half of the site and with respect to the south-west to north-east linear feature, as discussed in the report. With this in mind and given the proximity to the Great North Road and known buildings of the late-medieval period, it is advised that a condition be imposed for an archaeological watching brief.

No objections subject to the imposition of recommended conditions.

Bassetlaw's Environmental Officers have no objections subject to a condition requiring the submission of an appropriate lighting scheme.

The Lead Local Flood Authority have not responded to the consultation, however given that the proposal is in outline form, the engineering aspects of the central waterbody can be submitted for consideration at the detailed stage.

The Environment Agency consider that there is low risk associated with the development and have no objections.

Nottinghamshire Wildlife Trust provided comment on the pre-application and advised that an ecological assessment should be provided with any full application. A preliminary ecological assessment was submitted with the outline planning application. A condition requiring a detailed assessment to be submitted prior to any development commencing on site is proposed to be included.

Residents A total of 6 number of objections have been received on the following grounds:

- The creation of highway safety issues and congestion in conjunction with the approved commercial development opposite the site
- Lots of accidents in the locality, this will exacerbate the situation
- Dangerous highway junction with the A638 which has recently been reduced to 50mph with regard to fatalities
- Noise from traffic 24/7
- What's to visit in the locality? Clumber Park is 9 miles away
- No evidential need that requires this location
- Suspicion of a move to residential/caravan use rather than holiday let

- No details of materials
- Satisfactory provision of convenience stores in the locality already
- Community building provision elsewhere at Gamston School with parking
- Does not represent farm diversification as it is not a farm
- The submitted information is incorrect. There is no open pub or church in Gamston.
- Land suitable for crop production
- Out of keeping with the area
- Mosquito problem in the locality – this will exacerbate it
- Unnecessary development of a greenfield site
- Detracts from listed buildings close by
- The site has always been parkland associated with Markham Moor House with no buildings
- Western part of the site floods in heavy rainfall

33 letters of support have been received. These discuss:

- It will be a nice place to visit
- It should have young people's activities
- Will bring much needed tourism to the area
- It will bring jobs
- A village shop would be great
- It will bring communities together
- Lodges look high standard

Ward Member A letter of support from the Ward Member has been received which discusses:

- This will prove to be a tourist destination, thereby supporting Council policies
- It has the backing of a large, trusted holiday company
- It will increase footfall into Retford
- Outstanding matters can be addressed at the detailed stage

West Drayton Parish Council comment that the Parish Council is unsure of the status of this land in the Local Development Framework but has no objection in principal to the proposed development. It is concerned that the access to the site is directly opposite the access to the industrial development at Meadow View, Old London Road, Markham Moor (planning application 16/00467/RES refers).

ENVIRONMENTAL IMPACT ASSESSMENT SCREENING

It is considered that the proposed development falls within the description in Schedule 2, Paragraph 12(c), 'Holiday villages and hotel complexes outside urban areas and associated developments' to the 2011 Regulations and meets the criteria set out in column 2 of the table of that Schedule.

Bassetlaw District Council as the relevant Local Planning Authority, having taken into account the criteria set out in Schedule 3 to the 2011 Regulations, is of the opinion that the development, would not be likely to have a significant effect on the environment by virtue of factors such as its nature, size and location.

Accordingly the Authority has adopted the opinion that the development referred to above for which planning permission is sought is not EIA development as defined in the 2011 regulations.

CONSIDERATION OF PLANNING ISSUES

Principle

Proposals for development in the wider countryside need to be carefully assessed against their impact on the character, role and function of sustainable settlements in Bassetlaw. Policy also needs to ensure opportunities are available to provide for the sustainable expansion/establishment of rural businesses.

The application is appraised against LDF Policy DM1 'Economic Development in the Countryside' where proposals for standalone economic development (e.g. tourist attractions; equine enterprises; rural business) in rural areas will be supported where they can demonstrate that:

- i. New buildings are located and designed to minimise their impact on the character and appearance of the countryside.

The proposal discusses the creation of a peaceful location surrounded by a dense landscaping scheme. Further to this a condition will be imposed minimising the scale to single story log cabins which will therefore minimise impact on the wider countryside.

- ii. The development requires the specific location proposed and there are no other suitable sites

A specific location is required for this form of 'tranquil development' and this could be perceived as anywhere rural across the district subject to other competing land uses (see further justification on NPPF policy stance)

- iii. they are viable as a long-term business;

Financial information has been submitted from the applicant's accountant that demonstrates the applicant has researched the cost of buildout and his ability to secure the necessary financials associated with the establishment of the development and the time taken to recover the initial investment.

- iv. The scale, design and form of the proposal in terms of both buildings and operation, will be appropriate for its location and setting and be compatible with surrounding land uses

This form of development would not work where there are competing land uses of an intensive nature. The desire is to create a peaceful hub.

- ii. will not have an adverse impact on the vitality or viability of local centres, rural service centres; and shops and services in surrounding villages

Given the scale of the indicative retail unit proposed at 100sqm, a condition can be imposed to limit this to the extent of such an operation (see later retail discussion)

- iii. They will not create significant or exacerbate existing environmental or highway safety problems.

Further to local policy, the NPPF The NPPF further adds clarity to the principle of this rural based application at Part 3 'Supporting a prosperous rural economy'. Paragraph 28 discusses that we *should seek to promote the development of 'other land based rural businesses' and 'support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate location where identified need are not met by existing facilities.*

The applicant has submitted information taken from a snapshot in time that demonstrates when a search of available lodge accommodation was sought in the district, all were found to be fully occupied and unavailable. This has been verified internally by officers who checked the details upon receipt.

Making reference to the Councils own Growth Strategy the applicant identifies that there is a shortage of tourist accommodation across the district and recognises that whilst there are no tourist destinations in the immediate vicinity of the site considers that this development itself can indeed create its own tourist destination whilst supporting wider regional offers.

The NPPF paragraph 28 also supports sustainable rural tourism and leisure developments which respect the character of the countryside. In principle the proposal is acceptable in policy terms.

Impact on the Heritage Asset

The site is within the setting of several Grade II listed buildings, including the milestone (which dates the diversion of the Great North Road), Markham Moor House and Outbuildings and Markham Moor Inn. The non-designated heritage asset of Ell Pie Farmhouse lies farther west.

The site in conjunction with land on the south side of Old London Road was once part of a small park associated with Markham Moor House. The open space, boundary hedges and trees contribute to the setting of those heritage assets.

The conservation officer considers that subject to details of appearance and materials (and other matters submitted at this time for consideration) coming forward, the proposal is not harmful to the setting of the heritage assets and does not conflict with Policy DM4, Policy DM8 and Part 12, para's 60, 61, 63, 128, 129, 131, 132, 134, 135, 137 of the NPPF which seek to protect heritage assets.

Impact on the Character and Appearance

In terms of the wider landscape character, the site falls within landscape character zone Sherwood and the sub zone is 'Create and Restore the Landscape', by encouraging the conservation of distinctive features in good condition, whilst restoring elements or areas in poorer condition and removing or mitigating detracting features.

The site has powerlines in the middle, which are likely to be moved to improve the appearance of the site. The additional landscaping will also ensure that the overall landscape will be improved.

Given the location of the site outside of any defined village development boundary and not adjacent to and concentration of built form, permanent residential development would be unacceptable in principle. Therefore, a protectionist approach is had with regard to the potential for the creation of permanent dwellings arising from a change of use, at the site

should the proposed operation fail. It is for this reason that a condition has been imposed that

Given that the residential development would not be acceptable in this isolated locality and that the proposal is only considered acceptable given its rural tourism promotion, it is considered appropriate to ensure that the character and appearance of the countryside is protected. For this reason, planning guidance states at Paragraph: 014 Reference ID: 21a-014-20140306 "A condition requiring the demolition after a stated period of a building that is clearly intended to be permanent is unlikely to pass the test of reasonableness." It is therefore recommended to members that ensuring the removal of the cabins should they fall into disuse is a reasonable fallback position that would ensure the visual amenity of the locality is retained in the future.

Highways Impact

The Highway Authority is not opposed to the principle of the development and have previously provided pre-application advice to the applicant.

Access is to be gained directly from Old London Road by means of a simple priority junction. Along with a short length of pedestrian footway connecting the access with existing infrastructure to the east. Given an earlier request for amendments to the access arrangement, the access has been relocated to the west of the original position.

The location of the proposed access is staggered to the proposed access associated with planning application 12/01317/OUT and this arrangement is considered acceptable. The visibility splay submitted is regarded as acceptable.

Considering the existing footway provision adjacent the site, the footway located to the north of Old London Road leads due east to an existing bus stop on the A638. The existing footway on the southern side of Old London Road provides a link to an existing west bound bus stop on Old London Road, the Markham Hotel and retail facilities at the adjacent services. To support access to these facilities, the proposed development should provide an uncontrolled pedestrian crossing across Old London Road, including dropped kerbs and tactile paving. It is recommended that this is located 70m to the east of the current access location, to provide a direct route to the existing west bound bus stop on Old London Road, along with a short length of footway on the other side of Old London road to connect with the existing footway infrastructure.

Based on the trip generation provided, concern is not raised regarding traffic impacts to the operational capacity of Old London Road / A638 junction.

The proposed quantum of car parking provision is considered to be acceptable. To the Highway Authority.

The traffic management measures contained in the submitted Transport Statement reference 11316.1.2.DW.NJH.160513 dated May 2016 are considered reasonable. It is considered that a suitable condition can be applied to ensure that the management of construction traffic is undertaken, including but not limited to restricting construction traffic routes to only access the site from the east via the A638 and, ensure wheel washing facilities are provided on site to prevent mud being transferred onto the public highway.

Drainage

A flood risk assessment has been submitted with the application and the Environment Agency do not object to the proposal. The Lead Local Flood Authority have not commented on the proposal but given the location it is not considered to be vital to the delivery of the application presented. When subsequent details of any water feature are forthcoming, this

becomes a significant consultee. It is therefore considered that a standard condition requiring details of foul and surface water drainage will address any issues arising and meet the objectives of DM12 and NPPF Part 10.

Impact on Ecology

A Preliminary Ecological Appraisal has been undertaken by Brindle and Green Ecology Consultants which included a Phase 1 Habitat Survey and Protected Species Assessment. This survey went beyond the boundary of the development site and identified in the area as having some dense scrub, scattered trees, improved grassland, a ditch and broadleaved woodland.

The development site is not a designated ecological site and is dominated by improved grassland with some scattered trees and mature hedgerow on the boundary. These landscape features have the potential to support a number of protected and/or notable species and recommends a further protected species survey for reptiles, badgers, commuting and foraging bats and breeding birds. A condition is proposed that prior to any works commencing on the site a Full Ecological Impact Assessment be undertaken and submitted to the Local Planning Authority with mitigation measures carried out as part of the development of the site.

Retail Impact

It is noted that there is a retail facility identified as 100sqm shown on the layout plan and it is considered that this will comprise of a convenience service to serve the wider development and the immediate area. Retail is a town centre land use and ordinarily we would consider the impacts upon town centres close by in accordance with Part 2 of the NPPF. The floor area of the proposal here is key.

Paragraph 24 of the NPPF states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.

Paragraph 25 of the NPPF discusses that the sequential approach should not be applied to applications for small scale rural development.

Demonstration of Demand

The owner of the application site is seeking to enhance tourist/visitor accommodation in the district and currently owns a successful guesthouse with high occupancy rates on the outskirts of Retford. The design and access statement discusses visitor attractions such as Clumber Park, Thoresby, Sherwood Forest, Sherwood Pines, the National Holocaust Centre, Sundown, Cresswell Crags and others.

It is acknowledged that these tourist destinations are some distance from the site however there is no requirement in planning policy for sequential testing (looking at alternatives) when considering rural development in national policy which supersedes the local policy requirement.

This proposal aims to mirror the successful model of small lodge developments to the south and west of Lincoln, close to the A46 and the proposal initially was based upon the applicant's personal awareness of demand for visitor accommodation from existing guests who are seeking self-catering accommodation for a variety of short and longer breaks.

The lack of evidence had therefore questioned the need for the facility and consequently, the applicant has submitted information that demonstrates similar facilities were fully booked upon recent inspection, which demonstrates demand.

Other Material Considerations

It is discussed in the application documentation that the open space detailed and the memorial garden within the red edge of the site will be available for use by users of the site and the local community. This is a management issue for the owners of the site. It is not envisaged that this will be a publically accessible area of land and nor are there any requests for adoption. It will therefore be managed privately as part of the proposed development/business venture.

Application Summary

It is considered that the proposal for 12 holiday lodges, a 100sqm convenience retail store, associated 60sqm maintenance building to the development with community accessible facilities and associated infrastructure is acceptable in terms of the requirements set out in Policy DM1, in compliance with Policy DM8 in terms of impact on heritage assets, in compliance with Policy DM9 in terms of the impact on biodiversity and landscape character and is acceptable in terms of Policy DM4.

Finally, it is considered that the proposal encourages tourism whilst being capable of protecting the environment. There may indeed be other developments within Bassetlaw and close by into wider Nottinghamshire and Lincolnshire that provide self-catering holiday accommodation, such as caravans, cabins, chalets, building conversions where that development would not have been approved but for a restriction on the accommodation being for holiday purposes only. The Local Planning Authority encourages such tourism developments, but it is also accepted it is important that planning conditions ensure that approved holiday accommodation is not used as a person's sole or main place of residence. If it was, then residential development could occur in places that are contrary to long-established planning policies to protect the countryside, deliver sustainability objectives and resist undue pressures on local services. Through the use of a condition to restrict the use of the cabins, it is considered that the proposal is acceptable.

RECOMMENDATION: Grant subject to the following conditions:

CONDITIONS

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 appearance of the building(s) 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 matter hereby reserved for approval.

3. The development hereby permitted shall be carried out only in accordance with the details and specifications included on the submitted application form and shown on the submitted drawings.

Reason: To ensure that the development takes the agreed form envisaged by the Local Planning Authority when determining the application.

4. Prior to development commencing on the site a Full Ecological Impact Assessment shall be submitted to and approved in writing. The development shall be carried out in accordance with the details approved.

Reason: To ensure the recommendations set out in the Preliminary Ecological Appraisal are addressed in full and to ensure all mitigation measures are addressed prior to any works on site commencing.

5. Any outdoor lighting to be erected on the site shall be submitted to and approved in writing prior to its erection, unless otherwise agreed in writing by the Local Planning Authority. Only those lights agreed by the Local Planning Authority shall be erected.

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.

6. Development shall not commence until an archaeological watching brief is prepared and submitted in accordance with the published 'Standard and guidance for an archaeological watching brief'

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

7. No development shall commence on any part of the site until the access arrangements including:
 - a) priority junction with 6m and 10m radii;
 - b) 5m wide access road formed in a bound material (not loose gravel) for a minimum distance of 5m to the rear of the highway boundary;
 - c) Provision of a 2m wide footway along the south-eastern kerb line from within the site connecting with existing footway infrastructure to the southeast has been provided on Old London Road

as shown for indicative purposes only on the attached plan Site Access Design 06-001 A01 to the satisfaction of the Local Planning Authority.

Reason: In the interests of pedestrian and highway safety and to promote sustainable travel.

8. Prior to the commencement of the development, a Construction Environment Management Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environment Management Plan shall include:
 - a) Measures to minimise the creation and impact of noise, dust and artificial lighting including wheel washing facilities for construction traffic.
 - b) A layout of the construction access including a drawing showing visibility splays and a method statement for the use of banksmen;
 - c) Details regarding parking provision for construction workers and plant on the site;

d) Details regarding construction traffic routing and measures to be put in place to control the use of these routes.

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

Reason: In the interests of highway safety.

9. No part of the development hereby permitted shall be brought into use until the access driveway is constructed with provision to prevent the unregulated discharge of surface water from the driveway into 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.

10. No part of the development hereby permitted shall be brought into use until an uncontrolled pedestrian crossing has been provided crossing Old London road located approximately 70m to the southeast of the proposed access, along with a short length of 2m wide footway on the south-western side of Old London Road to connect with the existing northbound bus stop and adjacent footpath in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To promote sustainable travel.

11. No part of the development hereby permitted shall be brought into use until the visibility splays shown on drawing no. Site Access design 06-001 A01 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 0.6m in height.

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

12. The proposed lodges shall not be occupied until such time as foul sewage and surface water disposal from the site have been submitted to and approved 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.

13. 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 commencement of the use of the building hereby permitted. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced in the following planting season 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.

14. 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.

15. The retail facility on the site shall not exceed 100 square metres in floor area.

Reason: To ensure that local town centres retain their vitality.

16. Should the holiday lodges fall out of use for a continuous period of 12 months, the holiday lodges shall be removed from the site within 6 months of the end of the 12 month period.

Reason: To ensure that the redundant buildings are removed from the site before they become dilapidated to the detriment of the appearance of the site and locality.

17. The accommodation on the site shall be used for holiday purposes only and shall not at any time be used as a person's sole or main place of residence. Further to this, the operator will maintain a register of the occupants' main place of residence, which is available for inspection upon request by the Local Planning Authority.

Reason: In order to encourage tourism and the protection of the environment in an isolated locality that otherwise would be unsustainable as a permanent residential development.

INFORMATIVES

1. In order to carry out the off-site highways works required, you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under S278 of the Act. Please contact Nottinghamshire County Council for details.
2. It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such all efforts to be taken to prevent it from occurring.
3. The proposed development has been assessed and it is the Council's view that CIL is payable on the development hereby approved. Any CIL Charge quoted is an estimate only. The final charge will be confirmed by the CIL Monitoring Officer as part of any CIL Liability Notice issued and will include indexation figures for Permission Year Index and Charge Year Index.

