



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

PLANNING COMMITTEE

AGENDA

Meeting to be held in
The Ceres Suite,
Worksop Town Hall, S80 2AH
on Wednesday, 30th November 2016
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, 30th November 2016

AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS * (pages 5 -6)
(Members' and Officers' attention is drawn to the attached notes and form)
 - (a) Members
 - (b) Officers
3. MINUTES OF MEETING HELD ON 2ND NOVEMBER 2016 * (pages 7 - 14)
4. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 17TH OCTOBER AND 7TH NOVEMBER 2016* (pages 15 - 28)
5. OUTSTANDING MINUTES LIST * (page 29)

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 DecisionssReceived (pages31- 42)
 - (c) Planning Applications and Associated Items (pages 59 -72)

Exempt Information Items

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

SECTION B - ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None

Other Decisions

None.

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

* Report attached

NOTES:

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

HOW TO USE THIS FORM

There are now only two types of Declaration of Interest:

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

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

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

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

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

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

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

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

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

Disclosable Pecuniary Interests

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

Action to be Taken

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

Non Pecuniary Interests

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

Action to be Taken

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

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

DRAFT

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday, 2nd November 2016 at Retford Town Hall

Present:

Councillor H Richards (Chair)

Councillors S Fielding, G Freeman, G A N Oxby, D G Pidwell, M W Quigley MBE, M Richardson, S Scotthorne and T Taylor.

Officers in attendance: C Crossland, F Dunning, J Elliott 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, this was not taken up)

22. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors H Burton, K H Isard and A K Smith.

23. DECLARATIONS OF INTEREST

(a) **Members**

Councillor M W Quigley declared a non-pecuniary interest in applications 15/01068/FUL and 16/00968/OUT. He remained in the meeting.

Councillor S Fielding commented that she is a member of Shireoaks Parish Council but has not been present at meetings where the application for Woodend Farm has been discussed.

(b) **Officers**

There were no declarations of interest by officers.

24. MINUTES OF THE MEETING HELD ON 2ND NOVEMBER 2016

RESOLVED that the Minutes of the meeting held on 2nd November 2016 be approved.

25. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 22ND AUGUST AND 10TH OCTOBER 2016

RESOLVED that the Minutes of the Planning Consultation Group meetings held between 22nd August and 10th October 2016 be received.

26. OUTSTANDING MINUTES LIST

RESOLVED that the Outstanding Minutes be received.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

27. REPORT(S) OF THE HEAD OF REGENERATION

(a) Public Interest Test

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

(b) Appeal Decisions Received

Members were presented an appeal decision.

RESOLVED that the Appeal Decision be received.

(c) Planning Applications and Associated Items

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
16/00550/OUT	Mr and Mrs D W & L A White	Outline application with some matters reserved, approval being sought for access, for residential development, land off Beckingham Road, Walkeringham

Members were advised that the application sought outline planning permission, including details of access, to erect up to 25 dwellings. The site had been subject of a site visit prior to the meeting. Slides were used to show the site location, plans and photographs of the site.

Members were advised that the Committee granted planning permission for up to 32 dwellings on a nearby site. Both sites are outside of the settlement boundary.

The development would be served by access from Beckingham Road. The application site lies within the setting of Manor House which is a grade II listed building and St Mary Magdalene's Church which is a grade I listed building.

There have been discussions with the Council's Drainage Engineer regarding flooding issues in the village. The development should not have an impact on the existing situation, S106 requirements have been proposed. A summary of the S106 obligations was given.

Walkeringham Parish Council object to the development. Two letters of objection have also been received from local residents.

Councillor P Roberts spoke in objection on behalf of Walkeringham Parish Council on the grounds that:

- The site is outside of the well-established development boundary.
- The village envelope has been disregarded.
- Walkeringham is classified as a rural service centre but lacks a shop and has an irregular bus service.
- The village infrastructure is inadequate for the expanding population.
- There are drainage and broadband issues in the area.
- The school is at full capacity.
- Highway safety.
- The site has a history of flooding and it will not be alleviated by the planned flood alleviation scheme.

- The neighbourhood plan is currently being drawn up. Consultation and surveys have been carried out which have found that residents are not against development but want to restrict developments to ten to maintain the rural area.
- There has been planning permission recently granted in the adjacent field.
- The Parish Council asked the Committee to consider the issues and reject the application.

Mr A Wright spoke in objection to the application. He advised that:

- The application is factually incorrect.
- The Stables is a listed building.
- The report states that there are no vantage points where the listed buildings and proposal can be viewed, this is incorrect.
- The paddock driveway is directly opposite.
- The Manor House may be well screened but The Stables is not.
- Road safety is a concern. The road is dangerous and users ignore the 30 mile per hour speed limit.
- There is a large volume of traffic using the road.
- He asked how much consideration had been given to pedestrian and cycle safety.
- HGV's speed around the corner. Will it take a death before action is taken?
- In April his land was under water because of the inadequate sewerage system.
- He was unaware on the proposal until he was informed by a neighbour.

Councillor J Sanger spoke in objection as ward Member. She advised that:

- It has been another stressful time for residents.
- Any residential development on a site like this at Walkeringham, according to Policies DM4 and DM8 and the NPPF, will only be granted if it respects, complements and enhances the character of the built, historic and natural environment. This application does not meet any of the criteria.
- Walkeringham has a number of fields around it that characterise its village setting, if granted this application would destroy much of this.
- The field is at the gateway to the village within the setting of several listed buildings, heritage assets and important and significant features.
- The site and the one almost next to it for 32 dwellings are far too dense for the southern end of the village.
- She is dismayed that Highways have no comment regarding the A161 running alongside the site.
- It is and extremely busy and fast road.
- The listed Manor House wall, almost opposite the site, has been partially demolished twice in the past two – three months.
- Many accidents have occurred on the sharp bend over the years.
- If passed residents from 25 houses will be trying to cross the road to visit the public house, village hall and school.
- There could be up to 40 cars exiting from the site.
- Flooding is still a problem in Walkeringham with its drainage and sewerage problems in spite of the proposed £1m flood alleviation scheme.
- The development is unsustainable. Residents have few amenities, no shop, the post office for just two mornings each week, a school oversubscribed with little room for expansion and a poor bus service.
- The site is not suitable for development to help towards the Council's housing quota imposed by the government.
- She asked the Committee to refuse the application to protect Walkeringham's natural environment.

Elected Members asked questions/ commented in relation to:

- The development boundary.
- The permanent and irreversible impact on the character of villages in Bassetlaw.
- The risk of flood zone 2 and standing advice.
- Nearby listed buildings.
- Public consultation.
- It is Council policy to respect the integrity of rural communities.
- The housing target can be reached without destroying the rural community.
- The school is oversubscribed.
- Children would be crossing a busy road to the play facilities.
- Lack of facilities and a limited bus service.
- The proposal could help to encourage and maintaining facilities in the village.
- Speeding is a police matter.

In response to questions the Development Team Manager advised that there are three categories of flood zones, flood zone two is at some risk of flooding but is not significant enough to prohibit development. The standing advice requires a risk assessment, details would be submitted at the reserved matters stage.

In regards to consultation the Council has undertaken site and press notices and consulted adjacent neighbours.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant subject to the conditions as circulated and a S106 agreement.

Voting for taking this course of action:

FOR	Councillors D G Pidwell, H Richards and S Scotthorne.
AGAINST	Councillors S Fielding, G Freeman, G A N Oxby, M W Quigley, M Richardson and T Taylor.
ABSTAINED	None.

COMMITTEE DECISION – Refuse planning permission for the following reasons:

- The site is located in a flood zone.
- The site is outside of the development boundary.
- Lack of sustainability.
- Impact on listed buildings and the historic nature of the village.
- The proposal is contrary to policies DM4, DM5 and DM11.

FURTHER RESOLVED that the final wording of the reasons for refusal be approved at Planning Consultation Group.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
15/01068/FUL	Braggott Homes Ltd	Erection of fifteen two storey detached dwellings, land adjacent to South Fields, Station Road, Beckingham

The application sought full planning permission to erect 15 dwellings with access from Station Road. The site had been subject of a site visit prior to the meeting. Slides were used to show the site location, photographs and elevations.

An overview of the sites planning history was given. In July 2013 outline planning permission was refused for residential development and subsequently allowed on appeal. An application was

submitted in February 2014 at the time the applicant was also appealing. In October 2014 a reserved matters application for access was approved.

The development comprises of a mix of four house type designs for four bedroom detached properties, including roof space accommodation, all with off-street parking provision. The house types are mixed around the site for a more organic appearance. The dwellings have been designed to minimise the impact of overlooking and loss of privacy.

A summary of the proposed S106 obligations was given.

Councillor S Whitehead spoke in objection on behalf of Beckingham Parish Council on the grounds that:

- Beckingham is a semi-rural village surrounded by greenfield and residents would like it to stay that way.
- The application proposes to build large executive houses which will outreach young families.
- Residents would like 2/3 bedroom properties so that young people have a chance to buy a property in the village.
- 15 dwellings would lead to many more cars in the village.
- A development of the proposed size would detract from the village.
- The scale of the development is unsustainable and there are no proposed improvements to current services.

Mr M Gough spoke in objection to the application. He advised that:

- Living on Willow Lane you sometimes take your life into your own hands when in the car, either leaving the entrance or turning into it, due to the speed of traffic coming into the village from the dual carriageway.
- There has been an attempt of a test to find out the speeds of vehicles in the village but why was it done during Easter when traffic was low.
- There are two conflicting stories about the sightlines.
- He was led to believe there would only be 12 dwellings on the plot. The three additional properties are very intrusive and make the site too dense.
- Southfields was built 15 years ago and overlooked a greenfield site that would never be built on. The house was built to make the most of the views and openness. The house has over 17 windows some of which are balcony doors and bay windows. Plot 7 directly looks into the large bay windows at the front of southfields.
- Rural communities are being destroyed
- Plot 4 is too close to the boundary and overshadows Southfields side garden and patio area.
- Plots 4 and 5 garages are also far too close to the boundary.
- The plans refer to a boundary fence and walls however there is no mention of any screening between Southfields and the site.

Councillor J Sanger spoke in objection as ward Member. She advised that:

- The site is too dense and a smaller number of dwellings would be more acceptable to residents and local needs.
- In the early stages if the Neighbourhood Plan residents said that they would like to see smaller houses such as bungalows and 2/3 bedroom houses, not executive type houses.
- Executive type houses preclude younger people, born and bred in the village, from being able to stay in the village, or return, which is rather sad.
- The detached house in the top corner of the site is going to be overlooked.
- There is noise of traffic on the roundabout to the south and traffic on the east which not only includes village traffic but HGV's.

- The site would be too dense. With fewer houses the dwellings would not be so close together and further away from the roadside and be able to have more garden space and parking.
- The pond could be more of a feature with more space otherwise it could be hazard and left uncared for.
- The sewage and drainage systems need urgent attention both off and on the site.
- The access will be extremely close to the busy roundabout which takes traffic from the A631, A620 and A161, plus village traffic.
- Walking can be hazardous at such a busy and fast junction.
- In 2011 Beckingham was classed as a village surrounded by open fields in the natural environment, this is its attraction and it needs to be protected.
- She asked the Committee to support the village environment by recommending a smaller number of houses/ bungalows on the site rather than 15 executive type houses which do not reflect local needs.

Elected Members asked questions/ commented in relation to:

- Overdevelopment and over intensification of the site.
- Access.
- Accommodation in the roof space.
- The Neighbourhood Plan.

In response to questions raised the Development Team Manager advised that the proposed properties are two storey dwellings with rooms in the roof space. The dwellings would have the appearance of a two storey dwelling.

In regards to the Neighbourhood Plan it can be given little or no weight at this stage as it is in its early stages.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant subject to the conditions as circulated and a S106 agreement.

COMMITTEE DECISION – Grant subject to the conditions as circulated and a S106 agreement.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
16/00968/OUT	Mr & Mrs Burns	Outline planning with some matters reserve for a residential development for the demolition of existing farm buildings ad erect 73 dwellings and construction of new access, Woodend Farm and land, Coach Road, Shireoaks

The application sought outline planning permission with some matters reserved for a residential development for the demolition of existing farm buildings and erection of 73 dwellings on two separate parcels of land. The site had been subject of a site visit prior to the meeting. Slides were used to show the site location.

The site is located outside, but adjacent, the development boundary and within the Shireoaks Neighbourhood Development Plan area. Woodend Farm House and its associated outbuilding are non-designated heritage assets. Shireoaks Footpath 14, a public right of way runs long the northern boundary of the site.

A summary of responses from statutory bodies was given:

- The Council's Conservation Officer has commented that on balance subject to appropriate design, scale, materials and landscaping for the new dwellings in its vicinity, it is

considered that the scheme would be acceptable in terms of its impact on the non-designated heritage asset.

- Two letters in support of the application from local residents have been received.
- Shireoaks Parish Council object to the development.
- 13 letters of objection from local residents have been received.
- Bassetlaw Regeneration and Investment Team have commented that the application is not in conformity with the plan as it would work directly against the vision for the area and Community Objection 1 of the Shireoaks Neighbourhood Plan relating to maintaining a physical separation of the village from Worksop.

Members were advised that the development would help towards the Council's five year housing land supply shortfall.

Mr M Wild spoke in objection to the proposal. He sought to clarify if only access was to be determined and all other matters considered at reserved matters stage. He advised that the Parish Council and local residents object to the development. He advised that:

- Traffic issues would be exacerbated.
- He urged Members to consider a roundabout on Coach Road if the application is granted.
- The infrastructure of the village is not adequate.
- Access to the school would be compromised.
- There are concerns that the affordable housing is tucked away in one area.
- The Neighbourhood Plan has taken a long time to produce. Residents want to retain the nature of the village and its identity.
- The proposal is not in conformity with the Neighbourhood Plan and localism.

Mr T Eggington spoke in support of the application. He advised that he is a former District Councillor and Mayor for Mansfield. He advised that it has been suggested that local authorities are at fault for housing developments not coming forward and he challenged Mr Pickles at a LGA Conference. He has undertaken a lot of peer work and has championed Neighbourhood Plans. He commented that he was glad to see the residents of Shireoaks had taken up the challenge of producing a Neighbourhood Plan. There have been objections and concerns raised about the scheme but he assured the Committee the applicant could deliver a quality scheme to address concerns. He added that during his last year of officer three planning appeals had been lost and two of these had costs.

Elected Members asked questions/ commented in relation to:

- The Neighbourhood Plan.
- Residents want the village to remain a village and keep its identity.
- Over intensification of the village.
- Supporting rural communities.
- Shireoaks has had its fair share of development.
- The application would block wildlife corridors.
- The Worksop development boundary.
- Destroying village life.
- Sites identified in the Neighbourhood Plan.
- Comments from the Bassetlaw Regeneration and Investment Team.
- Comments from Highways and ecology.

In response to comments the Development Team Manager advised that the Neighbourhood Plan had been given weight as a material consideration. Officers have looked at the vision and policies and feel that the application is consistent with the vision for Shireoaks. The village would remain physically separated from Worksop by the A57 dual carriageway which maintains a wide physical boundary between the two settlements.

The site has not been included in any identified area in the Neighbourhood Plan and no sites for development have been identified.

In response to questions regarding the Shireoaks development boundary Members were advised that the village boundary in the Local Development Framework is currently described as the Worksop boundary.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant subject to the conditions as circulated and a S106 Agreement.

Voting for taking this course of action:

FOR	Councillors M W Quigley, H Richards and M Richardson.
AGAINST	Councillors S Fielding, G Freeman, G A N Oxby, S Scotthorne and T Taylor.
ABSTAINED	Councillor D Pidwell.

COMMITTEE DECISION – Refuse planning permission for the following reason:

- The application would be to the detriment of the character of the village.

FURTHER RESOLVED that the final wording of the reasons for refusal be approved at Planning Consultation Group.

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None.

Other Decisions

None.

28. 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 8.15pm.)

PLANNING CONSULTATION GROUP

Minutes of the meeting held on Monday, 17th October 2016 at Worksop Town Hall

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

Officers in attendance: D Askwith and C Crossland.

(Meeting opened at 4.00pm.)

67. APOLOGIES

There were no apologies for absence received.

68. PLANNING APPLICATIONS

<u>Application No</u>	<u>Proposal</u>
16/01164	Erect 3 storey, four bed detached dwelling (resubmission of PA 16/00625), Plot 2 , Appledore, Station Road, Ranskill

Members were advised that the application proposes to erect a three storey four bed roomed dwelling. A location plan, site plan, block plan, elevations and floor plans were tabled.

Planning permission has been previously been granted for two plots for a bungalow on the east of the site and a two storey dwelling to the west. This application seeks alterations to the previous application to increase the ridge height by approximately one metre with accommodation in the roof space. The footprint of the proposed dwelling would remain the same. Roof lights are also proposed.

A summary of consultation responses was given:

- Environmental Health have no objection subject to conditions.
- The County Highway Authority have no objection in principle however have recommended that a third parking space be provided.
- Ranskill Parish Council have objected to the application on the grounds that the dwellings should be of a similar height the the buildings on the adjoining plots and as one hedge has been removed it could to the loss of additional hedges.

In relation to comments from the Highway Authority Members were advised that officers do not feel the amendments to the application would justify an additional parking space as two parking spaces are already proposed. The principle of the development has already been established with the previous permission and officers are comfortable with the design and appearance of the proposed dwelling. Officers do not feel that the loss of the hedge row would warrant a refusal.

Members were advised that a condition would be imposed to ensure that the certain windows are obscurely glazed to prevent overlooking.

Initial officer recommendation – Grant planning permission - Refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

Application No Proposal

16/01127 Erect porch to front of house, demolition of existing workshop and conversion of carport to garage, Rooftops, Church Lane, North Wheatley

Members were advised that the applicant is related to a District Councillor. The application sought to erect a porch to the front of the house, demolish the existing workshop and convert the carport to a garage. A site plan, location map and proposed elevations were tabled.

Members were advised that the site is set back from the road. The proposed porch has a minimal projection and the proposed garage is a conventional garage with door access.

Highways, the Parish Council and the Conservation Officer have no objection.

Initial officer recommendation – Grant planning permission- Refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

Application No Proposal

16/01296 County matter application to vary condition 2 and discharge conditions 5, 7, 8 and 12 of PA 15/002007/CDM, Nursery, Plumtree Park, Thoresby Close, Bircotes

Members were advised that the application was a Nottinghamshire County Council matter, the District Council are consultees. The application seeks to vary a condition of previously approved planning permission. A site plan was tabled.

The original application for a temporary prefabricated building was granted in April 2015. The Council raised no objection to the temporary consent. This application seeks to:

- Vary condition 2 to amend the buildings windows and doors.
- Discharge condition 5 to relocate the sports pitch.
- Discharge condition 7 in relation to footway details.
- Discharge condition 8 regarding drainage details.
- Discharge condition 12 regarding materials.

Members were advised that the Council's Drainage Engineer has been involved in discussions regarding the drainage.

Initial officer recommendation – Raise no objection - Refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

Application No Proposal

16/01042 Retrospective planning permission for two 3m high columns each with one floodlight bracket supporting one luminex LED PIR floodlight on each column, Retford Lawn Tennis Club, Hospital Road, Retford

Members were advised that the application sought retrospective planning permission for two 3m, high columns each with one floodlight bracket supporting one luminex LED PIR floodlight on each column. A site plan was tabled.

Planning permission was previously granted for a new clubhouse and floodlights around the tennis courts until 9.30 pm. This application would provide lightning and safe access from the car park to the clubhouse.

The Council's Environmental Health Officer has no objection.

The Council's Conservation Officer does not consider that the proposal would harm the Conservation Area.

Two letters of objection have been received and one letter of support. Members were advised that officers do not consider that there would be a detrimental impact to residents; the PIR floodlight would only come on when activated by movement and would be at a low level angled downwards.

Initial officer recommendation – Grant planning permission - Refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
16/00857	Variation of condition 2 of PA 13/01491/FUL – erect 40 dwellings, construct new access and carry out associated works – change wording of condition 2 to be able to remove footpath to Kilton Glade, development of former Kennedy Court site, off Keats Crescent, Worksop

Members were advised that the application sought to vary a condition of a previously approved application. The original application plans included a footpath to Kilton Glade. Bassetlaw District Council and Nottinghamshire County Council will not adopt or maintain the footpath therefore it is proposed to remove the footpath from the scheme and provide landscaping.

Highways and Environmental Health have no objection.

Five letters of objection from local residents have been received on the grounds that there has been a historical right of way over the land, the link is used as a shortcut, the area would be become untidy, house prices would be affected and the proposal would not deter motorcycles.

In response to questions raised Members were advised that the current link is an informal footpath and there is no definitive right of way. There are some landscaping advantages to the proposed removal of the footpath and benefits for adjoining properties.

Initial officer recommendation – Grant planning permission - Refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
16/01137	Re-submission of PA 16/00586/FUL – erection of 5 two storey detached dwellings, land across from Ivy House, High Street, East Markham

Councillor G A N Oxby declared a non-pecuniary interest in the application and left the meeting.

Members were advised that the application was a resubmission of a previously withdrawn application. The application sought to erect five two storey detached dwellings. A site plan, floor plans and elevations were tabled.

A summary of consultation responses was given:

- The Council's Environmental Health Team have no objection subject to a condition restricting construction hours.
- The Nottinghamshire Highways Authority have no objection.
- North Notts Regeneration and Investment Team have commented that the draft East Markham Neighbourhood Plan is a material consideration however it has not yet reached the submission stage.
- East Markham Parish Council objects on the grounds that the Neighbourhood Plan identifies that smaller starter homes and bungalows are needed, the site is outside of the development boundary and the school is already over capacity.
- The Council's Conservation Officer has no objection. The Conservation Officer has been in discussion with the applicant to overcome conservation objections.

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

- The proposal does not respect the Conservation Area.
- Traffic and access concerns.
- Poor visibility splays.
- Lack of pavement.
- The development would be detrimental to ecology.
- Loss of green space.
- Drainage issues.
- Limited bus service.
- The detrimental impact on local residents.
- Overshadowing.
- Loss of light.

Members were advised that it is not considered, given the separation distance, that there would be a detrimental impact on the amenity of existing and new residents. Window positions have been considered to prevent overlooking.

Members were advised that the site is outside, but adjacent to the development boundary. The Council cannot currently demonstrate a five year housing land supply and it is considered that this application would help to address the shortfall.

In response to questions raised the Principal Planner advised that Nottinghamshire County Council Education have not been consulted as the application is not classed as a major development.

Initial officer recommendation – Grant planning permission - Refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

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

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

(Meeting closed at 4.20pm.)

PLANNING CONSULTATION GROUP

Minutes of the meeting held on Monday, 24th October 2016 at Worksop Town Hall

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

Officers in attendance: C Crossland and F Dunning.

(Meeting opened at 4.00pm.)

70. APOLOGIES

There were no apologies for absence received.

71. PLANNING APPLICATIONS

<u>Application No</u>	<u>Proposal</u>
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B00536	TPO – confirmation of provisional Tree Preservation Order, 56 Blyth Road, Worksop
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Members were advised that owners of tree want to remove the tree as it is impacting on their garden. A location plan and photographs were tabled.

The Council's Tree Officer has visited the site and commented that no work could be done without damaging the tree and has recommended that a provisional Tree Preservation Order (TPO) be placed on the tree. The owners have objected to the provisional TPO.

The site is within the Conservation Area adjacent to Mr Straw's House. There are long views of the site and it is considered that the tree provides amenity value.

Initial officer recommendation – Confirm TPO - Refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
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16/01226/RSB	Erect 2 four bedroom dwellings (resubmission of 16/00860/FUL), land at Corner Farm, High Street, Everton
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Members were advised that the application sought to erect 2 four bed roomed dwellings. A location plan was tabled.

An overview of the sites planning history was given. The site forms part of a larger site that has permission for the erection of seven dwellings. The siting of the two dwellings proposed in this application on part of the site is similar to the previous scheme. The main difference is the addition of an internal garage with accommodation above. The style and design of the proposed dwellings would be similar to the previous application.

Initial officer recommendation – Grant subject to conditions - Refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

Application No Proposal

16/01200/HSE Single storey rear extension and detached garage, 54 Manton Crescent, Worksop

Members were advised that the application sought to erect a single storey rear extension and detached garage. A location plan and photographs were tabled.

A letter of objection has been received raising concerns that the proposal would block the shared access during construction.

Initial officer recommendation – Grant subject to conditions - Refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

Application No Proposal

16/00223/FUL Change of use to equestrian business and associated works, land south of Bracken Hill Lane, Misson

Members were advised that the application sought change of use to an equestrian business and associated works. A location plan, elevations and photographs were tabled.

Granite stones had been put down on the bridleway and have now been removed after an enforcement application. The agent has been in discussion with Nottinghamshire County Highways regarding what would be acceptable.

The proposal seeks to convert the existing barn into a domestic and commercial equestrian centre and construct a ménage with floodlights. The original application sought to retain a static mobile home. Officers do not consider that there is sufficient justification for a dwelling in an isolated countryside location. A condition is proposed to ensure that the mobile home is removed.

Nottinghamshire County Highways have commented that they are satisfied with the parking provision given the size of the land.

The Parish Council object on the grounds that:

- The application is contrary to policy.
- The site is outside of the development boundary.
- The applicant has not provided evidence to support the application.
- Use of the bridleway by vehicles.
- Lack of parking provision.
- No provision for water run-off.

Members were advised that officers are satisfied that the application is in line with planning policy and development within rural areas. Officers have spent time obtaining evidence for the use of the site. In terms of water run-off a number of conditions regarding drainage are proposed.

An elected Member asked a question regarding on site security.

Initial officer recommendation – Grant subject to conditions - Refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

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

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

(Meeting closed at 4.25 pm.)

PLANNING CONSULTATION GROUP

Minutes of the meeting held on Monday, 31st October 2016 at Worksop Town Hall

Present: Councillors H Richards, M Richardson, A Smith and T Taylor.

Officers in attendance: C Crossland, F Dunning and B Pinkney.

(Meeting opened at 4.00pm.)

73. APOLOGIES

Apologies were received from Councillor K H Isard.

74. PLANNING APPLICATIONS

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

Members were advised that the original application was presented to Planning Committee in 2014 where Members resolved to grant planning permission subject to a S106 Agreement for 25% affordable housing and other contributions.

The applicant has submitted a viability report. The District Valuer has undertaken an independent assessment and estimated that approximately £2.5m would be available for affordable housing and other contributions. The applicant has disputed the findings and offered £500,000 for S106 or 8% affordable housing.

Officers recommend that the application be reported to Planning Committee due to the difference in affordable housing contributions and the advice received from the District Valuer.

In response to questions raised regarding the cost of the District Valuer Members were advised that there is an agreement that the applicant pay the costs.

Initial officer recommendation – That the application be reported to Planning Committee.

Outcome following PCG discussions – Report to be presented to Planning Committee.

<u>Application No</u>	<u>Proposal</u>
14/00503/OUT	Outline application with all matters reserved (except access) for residential development of 86 dwellings and construction of new access, Ashvale Road, Tuxford

Members were advised that the application was presented to Planning Committee on 9th March 2016 where Members resolved to grant planning permission. There was no maintenance contributions towards open space required and therefore the applicant is not in agreement with the fee sought.

Officers have been in discussions with ward Members and the applicants. The applicant has offered to cover the open space maintenance by removing 1 affordable dwelling from the 12 dwellings originally offered. £36,000 would be for the open space maintenance.

Initial officer recommendation – That the proposed change to the affordable housing is agreed and the funding for one house is replaced by open space maintenance - Refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

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

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

PLANNING CONSULTATION GROUP

Minutes of the meeting held on Monday, 7th November 2016 at Worksop Town Hall

Present: Councillors H Richards, M W Quigley, S Scotthorne, A Smith and T Taylor.

Officers in attendance: C Crossland, F Dunning and B Pinkney.

(Meeting opened at 4.00pm.)

76. APOLOGIES

Apologies were received from Councillor K H Isard.

77. PLANNING APPLICATIONS

<u>Application No</u>	<u>Proposal</u>
16/1234/VOC	Vary condition 1 of 15/00282/FUL (allowed on appeal) to raise roof height by 225mm, Unit 1, Bellmore Farm, Lound Low Road, Sutton cum Lound

Members were advised that the application sought to vary condition 1 in relation to the summited plans. It is proposed to increase the roof height by 225mm. Site plans and floor plans were tabled.

The variation is to overcome issues with the foundations as the floor height could not be lowered as planned.

Sutton Parish Council have objected as there have been other variations and therefore feel that this application should be considered as a new application.

Members were advised that the original application was allowed on appeal and these subsequent changes are considered to be minor.

Initial officer recommendation – Grant subject to original planning permission to include change to plans – Refer to PCG.

Outcome following PCG discussions – Delegate for officer decision.

<u>Application No</u>	<u>Proposal</u>
16/01188/HSE	Erect first floor extension, 5 Bracken Court, Harworth

Members were advised that the application sought to erect a first floor extension to the rear of the dwelling. Elevations, floorplans and photographs were tabled.

The adjoining neighbour has objected on the grounds that the existing ground floor extension is already quite large and a further extension may impact on privacy and overshadowing.

Members were advised that given the distance overshadowing is not considered to be an issue. In terms of overshadowing there are only non-habitable windows adjacent.

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

Outcome following PCG discussions – Delegate for officer decision.

Application No Proposal

16/01203/VOC Variation of condition 2 15/01591/FUL – substitution of drawing for design to onsite engineering earth works, land at Gateford Park, Ashes Park Avenue, Worksop

Members were advised that the application sought to vary condition 2 of previously approved planning permission. A location map and cross section were tabled.

The condition is in relation to groundworks. The applicant seeks to relocate earth within the site from the main development site to the informal amenity area. The relocation of the earth will improve levels on the informal amenity area and improve drainage.

A letter of objection has been received from a local resident however it relates to the residential development not the variation of condition.

Members asked questions in relation to how drainage would be improved and the impact on nearby properties. Concerns regarding water flow and water retention were raised. Members felt a long cross section would be useful.

Initial officer recommendation – Grant amendment subject to original conditions as amended appropriately and new draft conditions – refer to PCG.

Outcome following PCG discussions – Defer for further information regarding the long cross section.

Application No Proposal

16/01088/COU Conversion of outbuilding to dwelling, Holly Mount, Low Street, East Markham

Members were advised that the application sought to convert an outbuilding into a dwelling. A site location map, site plan and photographs were tabled.

Currently there is an existing dwelling on site. The proposal is to convert the outbuilding into a residential dwelling with parking provision to the rear of the dwelling.

A letter of objection from East Markham Parish Council and a local resident have been received raising concerns about parking provision.

Members were advised that the proposal would provide two parking spaces which meets guidance requirements. The existing dwelling has two parking spaces. Highways have no objection subject to conditions.

The Council's Conservation Officer has raised no concerns. There would be no change to the street scene.

An elected Member commented that it was good that the building would be brought back into use.

Initial officer recommendation – Grant subject to standard conditions and conditions from highways and conservation – refer to PCG.

Outcome following PCG discussions – Delegate for officer decision

Application No Proposal

13/00142/ENF Breach of condition 2 and 3 of planning permission 13/01130/FUL, Kings Arms, Main Street, Clarborough, Retford

Members were advised that the application was an enforcement matter. Photographs were tabled.

The applicant did not comply with the original planning permission and an enforcement case was opened. The store and balcony have now been removed. The applicant seeks to retain the air conditioning units and an application has been submitted.

There is a variation to the approved plans. Officers feel that the applicant could not comply with these conditions because of the door access. Officers considered that the variation to the approved plans is de minimis and therefore the notice has been complied with and should not be perused further.

Members thanked officers for their hard work regarding the issue.

Initial officer recommendation –accept that variation to approved plans is de minimis therefore notice has been complied with - refer to PCG.

Outcome following PCG discussions – Delegate for officer decision

Application No Proposal

16/00968/OUT Outline planning application for up to 73 dwellings, Wood End Farm and land Coach Road, Shireoaks.

The application was presented to Planning Committee on 2nd November 2016 where Members resolved to refuse planning permission and for the final reason for refusal to be approved by the Planning Consultation Group. Members were presented with the proposed reason for refusal.

Initial officer recommendation – Approve the reasons for refusal – refer to PCG.

Outcome following PCG discussions – The reason for refusal be agreed. Planning Permission be refused for the following reason:

1. The Shireoaks Neighbourhood plan states that the distinctive character of Shireoaks shall be maintained by ensuring the village remains physically separate from the urban area of Worksop, with high quality landscaping protecting the setting of the village.

The land in question currently forms a landscaped buffer between the village of Shireoaks and the urban fringe of Worksop. The loss of this land and the expansion of the village towards the settlement of Worksop, would detract from the character and appearance of the village. The development if permitted, would conflict with the vision and aims of the Neighbourhood Plan.

Application No Proposal

16/01441/CDM County Council application for proposed use of ash processing plant, EDF Energy, North Road, West Burton.

Councillor H M Richards declared a non-pecuniary interest in the application. She left the room during the discussion.

Members were advised that the application is a Nottinghamshire County Council matter. Bassetlaw District Council is a consultee.

The application seeks permission for a mobile Ash Processing Plant to increase capacity. The plant would be within the existing site and there are no residential properties nearby.

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

Outcome following PCG discussions – Delegate for officer decision

(Councillor H M Richards re-joined the meeting)

<u>Application No</u>	<u>Proposal</u>
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16/01301/HSE	Single storey rear extension, The Nook, Green Mile Lane, Babworth
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Members were advised that the application seeks to erect a single storey rear extension. Site plans, proposed layout elevations and photographs were tabled.

A letter of objection has been received as the neighbour was unsure where the extension was proposed.

Members were advised that the extension would not be visible from the street scene.

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

Outcome following PCG discussions – Delegate for officer decision

78. 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 COMMITTEE

30th November 2016

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 30th November, 2016

INFORMATION REPORT

APPEAL DECISION RECEIVED

15/01672/FUL Mr J R Carlton

Appeal against the refusal of planning permission to erect four single storey residential retirement dwellings, Land Adjacent to King Edward VI School, London Road, Retford, Notts.

DECISION : Appeal DISMISSED by the Inspector

The Inspector considered that the main issue was the effect of the proposed development on the character and appearance of the local area and the character and appearance of the Retford Conservation Area.

He found that the significance of the Conservation Area, insofar as it related to the appeal, to be primarily related to the layout of the historic buildings along London Road and their distinctive frontages. He found that the special interest of the listed building, insofar as it related to the appeal, to be primarily related to the open, verdant quality of the space about the building and the way in which this signifies its former use.

He concluded that the loss of openness and the erosion of its verdant qualities would be detrimental to the heritage asset and that the proposed development would fail to preserve the special interest of the listed building and the significance of the Conservation Area.

In the absence of any substantiated public benefit , he concluded that, on balance, the proposal would fail to preserve the setting of the Grade II listed building and the character and appearance of the Retford Conservation Area and, as such, would not be in accordance with the development plan.

A copy of the Inspector's decision letter follows this report.

OFFICER RECOMMENDATION : Refuse planning permission

FINALISED DECISION LEVEL : Delegated

Appeal Decision

Site visit made on 31 August 2016

by Roger Catchpole DipHort BSc(hons) PhD MCIEEM

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

Decision date: 6 September 2016

Appeal Ref: APP/A3010/W/16/3149897

Land adjacent to former King Edward VI School, London Road, East Retford, Nottinghamshire DN22 6NL

- 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 Mr JR Carlton (Heathcliff Developments) against the decision of Bassetlaw District Council.
 - The application Ref: 15/01672/FUL, dated 17 December 2015, was refused by notice dated 3 March 2016.
 - The development proposed is the development of 4 residential retirement units.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. As the proposal is in a conservation area and within the setting of a listed building I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the local area, bearing in mind the special attention that should be paid to the desirability of preserving the setting of the nearby Grade II listed building, King Edward VI Grammar School, and the character or appearance of the Retford Conservation Area.

Reasons

4. The appeal site is within the grounds of the former King Edward VI School and comprises an irregularly-shaped area of land to the south east of the main school building which has permission for conversion to residential use. The appeal site is set back from London Road and abuts established residential development along its eastern boundary. Construction of a new dwelling, the 'Headmaster's Villa', has begun near to the north-eastern boundary of the site and new dwellings have been constructed to the north of the main school building on former playing fields. The proposal would lead to the erection of four detached, single storey, retirement dwellings and the removal of a number of mature trees.
 5. The Retford Conservation Area (CA) was originally designated in 1973 and covers an area encompassing the historic cores of both West and East Retford,
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which sit either side of the River Idle. It also extends southwards up to and including the 18th century Chesterfield Canal. It covers an area of approximately 0.8 km² and is divided into a series of Character Areas. The appeal site is situated in the London Road Character Area. This is characterised by a significant number of listed buildings and other significant structures that were built after the road divided the settlement in the 1760s. These include a number of late 18th century – early 19th century villas set within substantial grounds as well as the former school, which is the largest building within the Character Area. More modest late 19th century residential dwellings are also present. Given the above, I find that the significance of the CA, insofar as it relates to this appeal, to be primarily related to the layout of the historic buildings along the London Road and their distinctive frontages.

6. The King Edward VI Grammar School was listed in 1976 and dates from the mid-19th century. The building has evolved over time and has been subject to a phased development. The original part of the building was designed by Decimus Burton and completed in 1855. One of the most prominent architectural elements is a stone, octagonal tower with fish scale slates and a spire with a finial. The majority of the building is constructed from red brick and Welsh slate with ornamented ashlar dressings. The principal elevation is set back from the nearby road to a significant extent. A low, stone-coped brick wall with railings and stone piers delineates boundary along London Road. The main entrance is located within this listed structure and is formed from two large, stone gate piers. The frontage of the former school and the appeal site is dominated by mature, deciduous trees. Given the above, I find that the special interest of the listed building, insofar as it relates to this appeal, to be primarily related to the open, verdant quality of the space about the building and the way in which this signifies its former use.
7. I observe from the plans and my site visit that whilst the layout and massing of the bungalows responds to the site context they would nevertheless result in an urbanised, over-intensive form of development. Although the separation distance from the school building would ensure that they are read as distinct entities, the associated infrastructure and domestic paraphernalia would lead to an incongruent urbanisation of this naturalistic, open space. As is apparent from the maps in the appellant's heritage statement, this area was part of the school grounds and was originally free from any curtilage structures. I also note that the access and parking areas would further erode the setting of the listed building because they would add to the uncompromising, stark expanse of tarmac that already extends from the south-eastern elevation of the school building.
8. Any landscaping capable of screening the proposal would reduce the openness of the appeal site and would rely on an impermanent feature that could die from natural causes or be removed at any point. I accept that the existing trees along the London Road frontage would soften the visual impact of the proposal. However, these are also vulnerable for the same reasons. Whilst a tree management plan and phased replanting could ensure a greater persistence of this feature, there is no planning obligation before me that would ensure their long-term retention. I acknowledge the suggested use of a covenant, however, such mechanisms are not enforceable through the planning system and do not, therefore, provide adequate safeguards. Furthermore, the deciduous nature of the existing trees is such that the visual impact of the proposed development would be greater during the winter months. In any

- event, listed buildings and their settings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of a building or its curtilage can be gained.
9. I now turn to the effect of the proposal on the character or appearance of the CA. I accept that the retention of the trees along the site frontage would preserve a prominent feature that contributes to the significance of the CA. However, the urbanised nature of the site would still be visible from a number of vantage points along London Road. Bearing in mind the significant role that the school and its grounds play in defining local character and the large plot sizes of the properties immediately to the south east, I find that the loss of openness and the erosion of its verdant qualities would be detrimental to this heritage asset.
 10. The appellant has suggested that the appeal site has a low sensitivity and that the approved 'Headmaster's Villa' has established a precedent. Despite its two storey nature, its position towards the rear of the wider development site and carefully considered design would not lead to over-intensification of use, unlike the four bungalows that would be located forward of this structure. In relation to sensitivity, it is clear that the appeal site is an integral part of the school frontage and I find its treatment as a less sensitive area contrived. The combined area to the fore and side of the school building has a open, Arcadian quality that positively contributes to local character despite its currently unkempt appearance.
 11. Given the above, I find that the proposal would fail to preserve the special interest of the listed building and the significance of the CA. Consequently, I give these harms considerable importance and weight in the planning balance of this appeal.
 12. Paragraph 132 of the National Planning Policy Framework 2012 (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Given that the proposal involves a development of limited massing and extent, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
 13. Under such circumstances, paragraph 134 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The appellant is of the opinion that the proposal would be beneficial because it would meet local housing needs and help to maintain and enhance tree cover. However, I have no substantiated evidence before me that there is a need for single storey retirement bungalows or that this need could not be met elsewhere. Furthermore, a mechanism already exists to preserve the majority of the trees on the site which are protected.
 14. Given the above and in the absence of any substantiated public benefit, I conclude that, on balance, the proposal would fail to preserve the setting of the Grade II listed building and the character and appearance of the Retford Conservation Area. This would fail to satisfy the requirements of the Act, paragraph 134 of the Framework and conflict with policy DM8 of the Bassetlaw LDF Core Strategy and Development Management Policies DPD 2011 that seeks, among other things, to ensure that all development protects the historic

environment. As a result the proposal would not be in accordance with the development plan.

Other Matters

15. I acknowledge the presence of a SPAR convenience store near the appeal site. However, I am not fully aware of the circumstances of this development and in any event each case must be judged on its individual merits.
16. I accept that there were no objections to the proposed development. However, the absence of an objection does not indicate an absence of harm, merely that it has not been identified. Consequently, a lack of objection cannot be relied upon to imply that the development is acceptable.

Conclusion

17. For the above reasons and having regard to all other matters raised I conclude that, on balance, the appeal should be dismissed.

Roger Catchpole

INSPECTOR

PLANNING COMMITTEE, 30th November 2016

INFORMATION REPORT

APPEAL DECISION RECEIVED

15/01546/OUT	Mrs Amanda Henton	Appeal against the refusal of outline planning permission including the means of access for the erection of 2 No. detached dwellings, garage block, associated entrance, driveway and car parking areas on land adjacent to Larkfield House Blyth Road Ranskill
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DECISION: Appeal DISMISSED by the Inspector.

The Inspector considered the main issue in this case to be the effect of the proposal on the character and appearance of the area with particular regard to the setting of designated and non-designated heritage assets.

The Inspector concluded that the proposal would be harmful to the character and appearance of the area with particular regard to the setting of designated and non-designated heritage assets. The harm to the heritage assets would dilute their significance and the Inspector has given great weight to the harm without clear and convincing justification.

The benefits that might accrue do not outweigh the significant harm to the designated heritage assets. The contribution towards the five year housing land supply deficit by two dwellings would be small and the benefit is only given moderate weight. The limited contribution to the economy during construction is not significant given the small scale of the development.

A copy of the Inspector's decision letter follows this report.

OFFICER RECOMMENDATION: Refuse Planning Permission.

FINALISED DECISION LEVEL: Delegated

Appeal Decision

Site visit made on 17 October 2016

by **Zoe Raygen Dip URP MRTPI**

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

Decision date: 4 November 2016

Appeal Ref: APP/A3010/W/16/3153702

Land adjacent to Larkfield House, Blyth Road, Ranskill, Nottinghamshire DN22 8LR.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs Amanda Henton against the decision of Bassetlaw District Council.
 - The application Ref 15/01546/OUT, dated 20 November 2015, was refused by notice dated 5 January 2016.
 - The development proposed is erection of 2 No detached dwellings, garage block, associated entrance, driveway and car parking areas.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. The application is in outline; with all matters reserved for future consideration except for access. The appellant has submitted plan ref 15_1695 1A which details not only the proposed access but also the siting of two dwellings. I have therefore treated the siting of the dwellings as for indicative purposes only.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area with particular regard to the setting of designated and non-designated heritage assets.

Reasons

4. There is no dispute between the parties that Larkfield House is a non-designated heritage asset together with Larkfield Cottage, the former Maltings and the Bluebell Public House all of which are within the vicinity of the appeal site. To the north on the opposite side of the road is the Old Hall together with the Pigeoncote, both of which are grade II listed buildings. The character and appearance of the road is therefore heavily influenced by the heritage assets.
5. The appellant's Settings Impact Assessment (the SIA) demonstrates the evolution of development on and around Larkfield House including the appeal site. It identifies that the walls do not form part of the original historic setting for any of the heritage assets, with the exception of Larkfield Cottage to which

- it is probably contemporary. The other walls are mainly nineteenth century in origin with the exception of that at Judy Croft which is more modern in appearance. Furthermore, it does not assess the wall in the body of the report as it is not a heritage asset or a listed or protected monument of any kind. While that may be the case, nonetheless, the National Planning Policy Framework (the Framework) defines the setting of a heritage asset as 'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve'.
6. Larkfield House is a large house with a gable elevation at the back edge of the footway and its front elevation facing towards the appeal site. It has a high brick wall along the boundary to the road both to the east and west of the house. To the east the boundary wall contains a large garden, which given the residential nature of the property, forms its current, enclosed garden setting. It has a small curved vehicle access within the boundary wall.
 7. The other heritage assets in the street, surrounding Larkfield House, have their own settings. The Old Hall is set back from the road and has a wall along its boundary with the road which incorporates the Pigeoncote. This too therefore has an enclosed walled garden setting. The Pigeoncote, Larkfield Cottage, Malt Kiln House and the Bluebell Public House are sited close to the appeal site. All are sited at the back edge of the pavement. In my opinion each has a setting within Blyth Road that consists of a hard edge to the road, contributing to the assets significance, either through a boundary wall or a built structure which are punctuated by small, narrow discrete vehicle accesses. As a result therefore the road has an enclosed character and appearance either through boundary treatment or buildings.
 8. I have had regard to the SIA however I cannot agree with the findings that the proposal would only have a slight- neutral effect on the setting of the heritage assets. The proposed access would necessitate the removal of about 16.5 metres of the boundary wall to allow an access for two dwellings which would comply with the requirements of the Highway Authority. As a result a substantial part of the boundary wall would be lost midway in its siting around the garden of Larkfield House. Although the wall would be curved, I saw from the existing access that it was still apparent in the street scene that there was a break in the wall. An access of greater width would therefore be more dominant and obtrusive. Accordingly the loss of the wall would considerably erode the enclosure of the site and consequently significantly affect the setting of Larkfield House.
 9. All of other heritage assets I have referred to can be viewed at various points within Blyth Road in association with the boundary wall of the appeal site and therefore the substantial loss of hard edge to the street to facilitate the proposed access would also have some effect on the setting of the other heritage assets on the street. Consequently the introduction of a plot in the street with a more open setting and wide access would attract more prominence in the street scene, detracting from its enclosed character and appearance.
 10. For the reasons above therefore I conclude that the proposal would be harmful to the character and appearance of the area with particular regard to the setting of designated and non-designated heritage assets. This harm to the setting of the assets would dilute their significance. It would therefore be

contrary to save Policy DM8 of the Bassetlaw Core Strategy and Development Management Policies DPD 2011 and paragraphs 131, 132 and 135 of the Framework. These require that development preserves or enhances the setting of a heritage asset.

Other matters

11. I had the opportunity to view the parking space adjacent to Larkfield Cottage where a section of boundary wall adjacent to the highway had been removed under planning permission 13/00659/COU. However, I saw that this development would have necessitated the removal of a much shorter section of wall than the appeal proposal. Furthermore the part of the structure to be removed was at the end of the wall rather than in the middle as currently proposed.
12. The appellant has also brought to my attention two planning applications which have been approved for development adjacent to heritage assets (13/01034/FUL, and 39/10/00010). I do not have full details of the 2013 application or what made it acceptable at the time. In particular I cannot be sure that the character and appearance of the area or the significance of the heritage assets are directly parallel to that of the appeal site. Furthermore, the 2010 application was granted before the Framework and therefore would have been determined under different policy guidance to that in place now.
13. I have had regard to comments from the Council regarding the proposed layout of the two houses and their impact on the character and appearance of the area. However, the submitted layout plan is for indicative purposes only and does not constitute definite proposals. Therefore I cannot determine at this stage whether the proposed layout would be harmful to the character and appearance of the area.

Balancing and Conclusion

14. I have found that the proposal would be harmful to the setting of non-designated heritage assets and hence the character and appearance of the area contrary to local and nation policy and I give significant weight to this harm. In the parlance of the Framework the harm to the designated heritage asset would be less than substantial. Nevertheless, I must have special regard to the desirability of preserving the setting of the asset and any harm should require clear and convincing justification. The harm I have found carries great weight in my decision, but in accordance with Paragraph 134 of the Framework this harm should be weighed against any public benefits of the proposal.
15. I note that the two houses in an accessible location would contribute to the Council's five year housing land supply as required by the Framework. However, a net increase of two dwellings would be a small contribution so I afford this benefit only moderate weight.
16. In addition, the construction of the dwelling would derive some economic benefits but this would be for a limited time. Furthermore, given the small scale of the development, the contribution to the local economy from the spending power of future occupants is unlikely to be significant.
17. Therefore the public benefits that might accrue if the development was to be allowed would not outweigh the harm to the designated heritage asset. Along with the other harm that would arise from the impact on the character and

appearance of the area this leads me to find that overall the scheme would not be sustainable development as envisaged by the Framework. Consequently, having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Zoe Raygen

INSPECTOR

BASSETLAW DISTRICT COUNCIL
INDEX FOR PLANNING COMMITTEE 30.11.2016

Sheet No.	Ref No.	Applicant	Location	Recom. Decision
A1	16/01166/OUT	SP Scholey And The Executors To WA Scholey	Land North of Arundel Drive and East of Great North Road, Ranskill . Outline Planning Application With Some Matters Reserved, Approval Being Sought for Access, for Residential Development.	Grant
	(pages 45 -58)			
A2	16/00725/FUL	Walker & Son (Hauliers) Ltd	Land North East of Shireoaks Road, Worksop. Erect Eighty Dwellings, Construct New Access and Associated Ancillary Works Including Drainage Infrastructure, Landscaping, Open Spaces and Car Parking	Grant
	(pagess59 - 72)			

ITEM SUBJECT OF A SITE VISIT

Item No: a1

Application No: 16/01166/OUT

Application Type: Outline Planning Application

Proposal Outline Planning Application With Some Matters Reserved, Approval Being Sought for Access, for Residential Development

Location Land North Of Arundel Drive And East Of Great North Road Ranskill Nottinghamshire

Recommendation: Grant - Subject to a Legal Agreement

Case Officer: Jamie Elliott

Tel No: 01909 533227

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

THE APPLICATION.

The application seeks outline planning permission for residential development with some matters reserved on a site 4.69ha in area. The applicant has provided an illustrative layout showing 130 dwellings.

The site is located outside of the Ranskill development boundary as defined in the Bassetlaw Local Development Framework.

The applicant's agents have submitted a number of supporting documents which include:

Design and Access Statement;
Planning Statement
Flood Risk & Drainage Assessment;
Transport Assessment.
Residential Travel Plan.
Preliminary Ecological Appraisal.

All these documents are available for inspection within the Council's offices.

DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

Part 1 of the National Planning Policy Framework 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. Of particular relevance are paragraphs, 14, and 49 which set out if the approach local authorities should adopt in the absence of a 5 year supply of land for housing. These paragraphs state that there is a presumption in favour of sustainable development and planning permission should be granted unless adverse impacts significantly and demonstrably outweigh the benefits,

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

Policy CS8 of the Bassetlaw Local Development Framework states that all housing development resulting in a net gain of one or more units, will be required to contribute towards the achievement of an affordable housing target of at least 25% for Ranskill.

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

Policy DM9 of the Bassetlaw Local Development Framework states that new development proposals in and adjoining the countryside will be expected to be designed so as to be sensitive to their landscape setting and expected to enhance the distinctive qualities of the landscape character policy zone in which they would be situated, as identified in the Bassetlaw Landscape Character Assessment. Proposals will be expected to respond to the local recommendations made in the Assessment by conserving, restoring, reinforcing or creating landscape forms and features accordingly.

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

This policy states that new development proposals will be expected to provide functional on-site open space and/or sports facilities, or to provide contributions towards new or improved facilities elsewhere locally, as well as contributions for on-going maintenance, to meet any deficiencies in local provision that will be caused by the development.

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

Policy DM12 states that all new development will be required to incorporate Sustainable Drainage Systems (SuDS) and provide details of ongoing and maintenance and management.

The site falls within the Ranskill designated Neighbourhood Plan area. However at the present time, there is no draft or submitted Neighbourhood Plan.

RELEVANT PLANNING HISTORY

A screening opinion was issued in relation to residential development on this site application on 20th June 2016. This concluded that an Environmental Impact Assessment would not be required to accompany any planning application.

RESPONSES FROM STATUTORY BODIES

THE COUNTY HIGHWAYS AUTHORITY

There are no objections in principle subject to conditions to secure:

1. The phasing and completion programme of highway works;
2. Management and maintenance of surface water drainage;
3. Re-location of 30 mph speed restrictions and village entry signs;
4. Upgrading of bus stops;
5. Provision of footways;
6. Visibility splays.

A Travel Plan together with monitoring fee should also be secured through S106 legal agreement, in order to promote sustainable travel.

NOTTINGHAMSHIRE COUNTY COUNCIL -Strategic Planning Issues

Waste - No objections

Minerals - No objections

Public Health - Obesity is a major public health challenge for Nottinghamshire and it is unclear whether the six themes of the 'Planning for Healthy Weight Environments' document has been considered.

Strategic Highways - No objections

Ecology - No objections subject to conditions to secure suitable mitigations and biodiversity enhancements.

Landscape -

No objections subject to conditions requiring mitigation in the form of hedgerow and tree protection measures and the additional planting.

NOTTINGHAMSHIRE COUNTY COUNCIL - LEAD LOCAL FLOOD AUTHORITY

There are no objections in principle subject to conditions securing the implementation of a sustainable urban drainage system (SuDs).

NOTTINGHAMSHIRE COUNTY COUNCIL - EDUCATION

The proposed development of 130 units would yield an additional 27 primary places.

An education contribution of £80,185 (27 x £11,455) to provide primary provision to accommodate the additional pupils projected to arise from the proposed development, should therefore be secured.

In addition a financial contribution of £5,975 should be secured of the provision of additional library stock.

THE DISTRICT CONSERVATION OFFICER has no objections from a heritage point of view but would suggest that the potential for archaeological remains be considered.

The DISTRICT ENVIRONMENTAL HEALTH OFFICER.

Whilst there are no objections in principle, a condition should be imposed restricting the hours of construction works in order to safeguard the amenity of existing residents.

The DISTRICT PARKS DEVELOPMENT OFFICER. No comment had been received at the time of drafting this report. It is likely however that as there is an existing play area within the village, the preference would be to improve this rather than provide a play area on the application site. A financial contribution would therefore be required for the provision of play equipment on the existing site.

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

The DISTRICT OPERATIONAL SERVICE MANAGER (Waste and Recycling) has no objections subject to sufficient access and turning for refuse vehicles, and adequate wheelie bin collection points.

NATURAL ENGLAND.

No objection subject to suitable mitigation being secured to protect Mattersey Hill Marsh and the River Idle Washlands Sites of Special Scientific Interest.

ENVIRONMENT AGENCY - No objections.

NOTTINGHAMSHIRE WILDLIFE TRUST

The conclusions of the Preliminary Ecological Appraisal are fully supported.

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

1. The council is disappointed that Bassetlaw DC has abandoned the principle of the Core Strategy;
2. The lack of 5 year housing land supply has given rise to opportunist developers submitting applications for residential development;
3. The substantial impact of such development is of great concern to the parish council;
4. Planning permission has already been granted for 3 residential sites with a total of 49 dwellings;
5. As none of the current permission have been implemented, it would appear that such development is not contributing to the 5 year deficit;
6. The Ranskill and Torworth Plan 2006 identified that to retain the character of the village, only no development or small scale development would be appropriate;
7. Whilst the current Ranskill Neighbourhood Plan is in its early stages, initial surveys indicate that development should be in the form of backland or infill;
8. Unfortunately the Neighbourhood Plan, carries limited weight at this time;
9. The Parish Council would dispute the extent to which the village was consulted by the developers prior to submission of the application;
10. The District Council's consultation paper proposes a housing cap of 20% in villages over the plan period. The current application would be contrary to these principles;
11. The size of the development is too big and out of scale with village;
12. The village has limited services and facilities and no village hall;
13. The development would not produce any economic or employment opportunities;
14. The development would adversely affect the rural setting of the village;
15. The earlier applications have set a precedent for further development;
16. The development would result in substantial increase in traffic;

17. The development would increase the use of Folly Nook Lane, which is unsuitable for further vehicular movements;
18. The sewage system is not designed to cope with this increase housing numbers;
19. The school is not capable of accommodating the increase in demand;
20. The village is served by an inadequate bus service;
21. The village is affected by subsidence;
22. Ranskill is unfairly targeted for housing development;
23. The CIL contributions and Section 106 monies generated by development such as this, should be directed towards the provision of village infrastructure such as a village or community hall.

OTHER COMMENTS RECEIVED

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

1. The development would substantially increase the size of the village;
2. Folly Nook Lane is very narrow and unsuitable for the increase in traffic;
3. The development would detract from the character of the village;
4. The increase in traffic would be detrimental to highway safety and residential amenity;
5. The aims of the Neighbourhood Plan should be considered;
6. The development would result in a loss of views;
7. Depreciation in house values;
8. The houses in Ranskill have previously suffered from mining subsidence;
9. Increase in the risk of flooding;
10. Construction works would impact on residential amenity;
11. Affordable housing should be secured;
12. The development does not accord with the Successful Places SPD;
13. The existing crossroad is often congested;
14. Development of this scale would render Ranskill a town;
15. There are many properties for sale in the village;
16. There are no services or infrastructure to accommodate the increase in housing numbers;
17. Adverse impact on protected species;
18. Loss of and adverse impact on hedgerows;
19. The speed and nature of the planning application, suggest that Bassetlaw planning have been working with the developers. This should be thoroughly investigated;
20. Decision on the application should be delayed until the adoption of the Neighbourhood Plan;
21. The village suffers from noise from aircraft using Robin Hood Airport;
22. The school cannot accommodate the increase in demand;
23. Development should be restricted to 2 storeys;
24. Loss of agricultural land
25. Poor internet service;
26. Poor postal service;
27. Loss of privacy;
28. Would set a precedent for further residential development;
29. The 2.5 storey dwellings would be out of character with the existing village;
30. Proposed siting of the open space could attract anti- social behaviour;
31. Brownfield sites should be developed first;
32. The development is unsustainable.

A PETITION with 76 signatures has been received objecting to the development on the following grounds:

1. The village does not want such an expansion of housing;
2. The development is premature to the adoption of the Neighbourhood Plan;
3. The development would increase vehicular movements to the detriment of highways safety and amenity;
4. The financial contribution for education would appear to be insufficient;
5. The development would result in overlooking and loss of privacy.

A LETTER has been received from a COUNTY COUNCILLOR, objecting to the development on the following grounds:

1. There are already substantial plans for residential development in the village;
2. The village has limited services/facilities;
3. Ranskill has no village or community hall that could accommodate the increase in population;
4. The primary school is not capable of accommodating the increase in pupils;
5. The development would detract from the rural character of the village;
6. The development would increase the number of HGV's on the North Road to the detriment of highway safety;
7. Should permission be granted it should be subject to condition requiring the provision of extra school places and a community hall.

A Letter has been received from the local MEMBER of PARLIAMENT, objecting to the development on the following grounds:

1. I am concerned that the planning authority will use the argument that they have to fulfil the need to meet the 5 year housing supply when taking the decision;
2. Other authorities experiencing similar pressures are still able to objectively refuse planning applications that fall outside of their Local Development Framework.
3. I request that the planning authority research practices in other areas that are not meeting their 5 year housing supply.

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

CONSIDERATION OF PLANNING ISSUES.

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

Principle

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

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

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

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

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

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

Visual Amenity

Whilst the application site is currently an agricultural field, the subsequent development would be viewed in the context of the existing residential development to the south of the site. It is considered that the site relates well to the existing settlement and would not therefore appear unduly discordant in terms of landscape character.

The site in question is identified in the Bassetlaw Landscape Character Assessment as Idle Lowlands Policy Zone 10: Ranskill. As part of its aims to conserve and reinforce the open rural character of the landscape, it recommends that new development should be concentrated around the existing settlement of Ranskill and along the A638 Great North Road.

Accordingly it is considered that a suitably designed scheme would comply with the aims of the landscape character assessment and policies DM4 and DM9 of Bassetlaw Local Plan.

Heritage Assets

Whilst no features of archaeological interest have been identified on the application site, parallel ditches and tracks are present on land immediately to the north. It is recommended therefore that a condition be imposed requiring an archaeological watching brief.

Residential Amenity

As indicated above the application is in outline form with all matter reserved. Whilst there are no specific details of the design and location of the new dwellings, it is considered that an acceptable scheme can be achieved that would have no adverse impact on neighbouring properties in terms of overlooking loss of privacy of domination. Detailed consideration of the above matters would however be undertaken at the reserved matters stage.

Highways Matters

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

Education

A financial contribution of £309,285 towards primary school provision, would be required and secured through a Section 106 Legal Agreement.

Affordable Housing.

Policy CS8 of the Bassetlaw Local Plan state that housing development within Ranskill will be required to contribute towards the achievement of an affordable housing target of at least 25%. Should permission be granted, this would be secured through a Section 106 Legal Agreement.

Ecology

The submitted Preliminary Ecological Appraisal has established that the site has limited potential for protected species. Notwithstanding this, it is recommended that a condition be imposed requiring the implementation of ecological enhancements, such as tree and hedge planting/retention and the installation of bird and bat boxes and hedgehog mitigation measures.

A Construction Environmental Management Plan would also ensure that trees, hedgerows, birds and mammals are protected during construction works.

Open Space

Should permission be granted, a financial contribution towards off-site play equipment should be secured through a Section 106 Legal Agreement.

Drainage

The Flood Risk Management Team has indicated that there would be no objection in principle to the development subject to conditions requiring details of how surface water and foul sewage is to be disposed of from the site. The above matters will be addressed through the imposition of conditions and through the requirements of the Section 106 Legal Agreement.

Community Infrastructure Levy

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

Neighbourhood Plan.

The Ranskill Neighbourhood Plan was designated on 7th March 2016. The parish council are currently in the process of producing their draft neighbourhood plan. Accordingly the plan carries little or no weight.

Conclusion

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

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

For the reasons outlined above, it is considered that the proposed development would be in accordance with the provisions of policies CS1, CS8, DM4, DM8, DM9, DM11 and DM12 of the Core Strategy of the Bassetlaw Local Development Framework and the National Planning Policy Framework.

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

1. Education contribution of £309,285
2. Library contributions of £5,975
3. Monies in lieu of open space
4. Drainage (SuDs)
5. 25% Affordable housing
6. Travel Plan & Monitoring

RECOMMENDATION: Grant subject to a Section 106 and the following 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 scale and appearance of the building(s), the layout and the landscaping of the site shall be only as may be approved in writing by the Local Planning Authority before any development commences.

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

- 3 No development shall take place until a phasing and completion programme for the highway and private street works covering the whole of the development has been submitted to and approved in writing by the Local Planning Authority (LPA). The development shall be carried out in accordance with the approved phasing and completion programme unless previously agreed with the LPA.

Reason: In the interest of highway safety.

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

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

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

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

- 6 Prior to commencement of each phase of the development hereby permitted detailed plans and particulars relating to the following items appropriate for that phase shall be submitted to and be approved by the Local Planning Authority and which shall be implemented in accordance with the phasing and completion programme:

- i. A detailed layout plan of the phase in context with the whole site (for the avoidance of doubt the submitted Master Plan and Design & Access Statement shall be considered to be for indicative purposes only) which shall be accompanied by a swept path analysis of a 11.9m refuse vehicle;
- ii). Details of the means of foul and surface water drainage together with a programme of implementation;
- iii). Cycle and bin storage facilities;
- iv). The provision of bus stops and upgrade of existing bus facilities on Great North Road serving both directions including the provision of bus stop poles, timetable cases, dropped kerb wheelchair and pushchair access, lit bus shelters with real time displays, and the provision of footway connections/hard standings at locations to be agreed;

- v). Wheel washing facilities and street cleansing (including full details of its specification and siting) that maybe varied from time to time with the approval of the Local Planning Authority and as made necessary by the works or ground conditions in any phase;
- vi). The routing and storage of plant, materials and equipment and staff parking during the constructions phases of the development;
- vii). A minimum "primary public road" carriageway width of 5.5m and minimum "secondary public road" width of 4.8m with 2 x 2.0m footways/service strips throughout.

Reason: In the interest of highway safety.

7 No dwelling shall be accessed from the A638 Great North Road until:

- i). The existing 30mph speed restriction and village entry signs have been relocated towards the northern boundary of the site;
- ii). The street lighting has been extended towards the northern boundary of the site;
- iii). The carriageway dragons teeth and 30mph roundel including red surfacing has been removed and replaced to coincide with the revised 30mph speed-limit location;
- iv). A ghost island right turn lane has been provided (as shown for indicative purposes only on plan reference 5048/SK001/001) which shall include minimum width 3.0m running lanes and a 3.0m minimum width central right-turn lane;
- v). A kerbed 2.0m minimum width footway has been provided on the A638 Great North Road from a point north of the site access to the junction with Arudel Drive to the south
- vi). Minimum 2.4m x 120m visibility splays have been provided on both sides of the A638 Great North Road junction from a height 0.6m above carriageway level.

Reason: In the interest of highway safety.

8 No dwelling shall be accessed from Folly Nook Lane until:

- i). The junction has been provided (as shown for indicative purposes only on plan reference 5048/SK002/001) which shall include a generally 2.0m wide footway from a point north of the junction in a southerly direction connecting with the footway at Arundel Drive;
- ii). Dropped vehicle footway crossings have been provided on Folly Nook Lane across the Arundel Drive junction;
- iii). Minimum 2.4m x 43m visibility splays have been provided on both sides of the junction with Folly Nook Lane from a height 0.6m above carriageway level.

Reason: In the interest of highway safety.

9 The development shall not exceed 130 dwellings of which no more than 65 shall be occupied until access is available from both Folly Nook Lane and the A638 Great North Road.

Reason: In the interest of sustainable travel and to provide permeability and connectivity to main destinations with a choice of routes.

- 10 Development shall not commence until such time as full details of the manner in which foul sewage and surface water are to be disposed of from the site have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

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

- 11 The existing trees and hedges on the boundaries of the application site shall be retained. No part of the hedge or trees shall be removed unless that removal is authorised as part of this grant of planning permission or is the subject of written agreement by the Local Planning Authority.

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

- 12 No development shall commence until a Construction Environmental Management Plan for the development has been submitted to and approved in writing by the Local Planning Authority. The construction Environmental Management Plan shall include;
Measures to minimize the creation and impact of noise, dust and artificial lighting including wheel washing facilities for construction traffic;
Mitigation for birds, bats and other mammals;
The implementation of suitable stand-offs with appropriate protection measures for all retained hedgerows and trees;
Once approved, the Construction Environmental Management Plan shall be adhered to at all times unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development is carried out in a way which safeguards protected species, hedgerows and trees.

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

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

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

- 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.

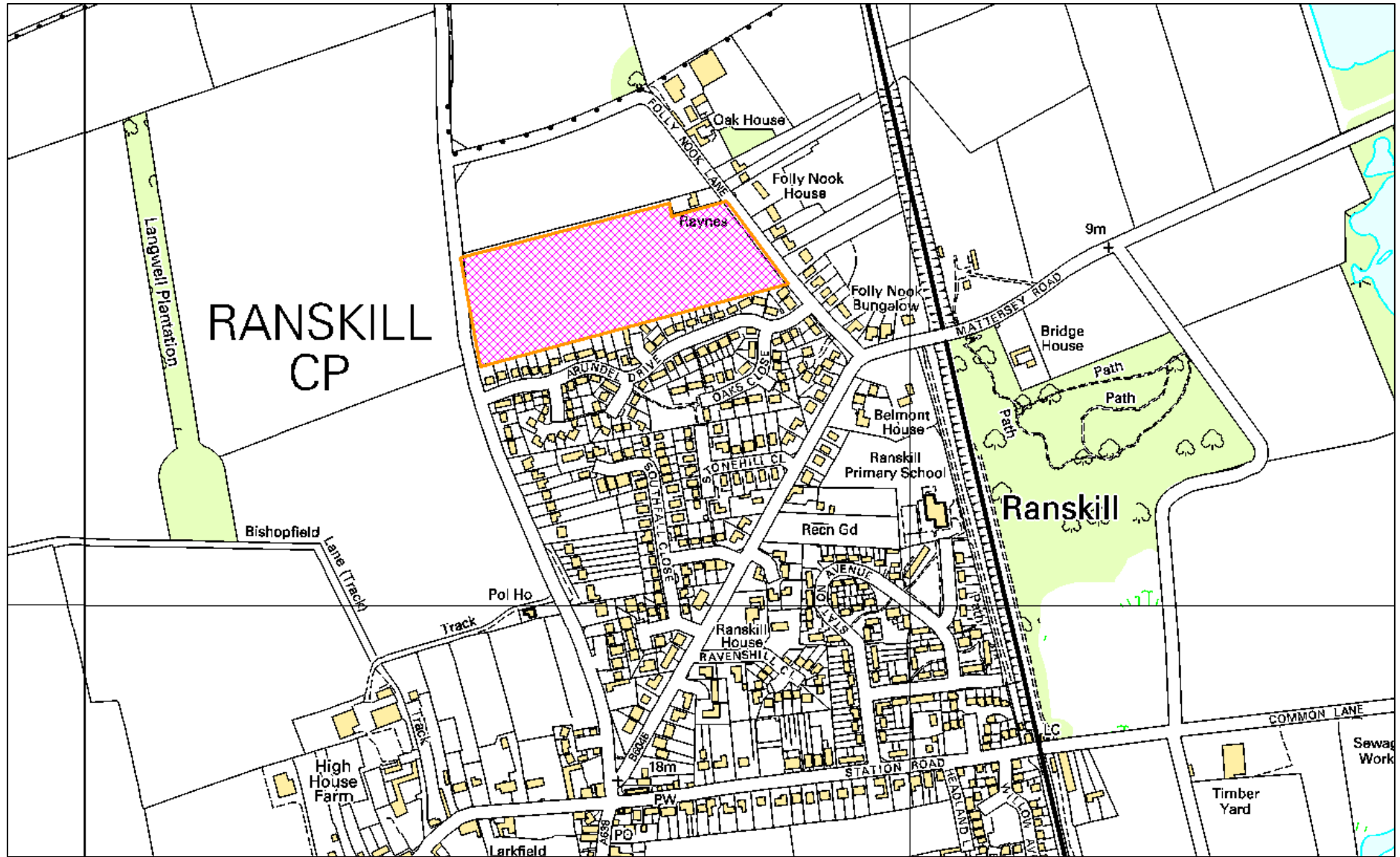
Reason: To ensure that bird's nests are protected from disturbance and destruction.

- 15 No works relating to site preparation or construction shall take place outside 8:00am - 6:00pm Monday to Friday, 8:00am - 1:00pm on Saturday and not at all on Sundays or Bank Holidays.

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

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

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



ITEM SUBJECT OF A SITE VISIT

Item No: a2

Application No: 16/00725/FUL

Application Type: Full Planning Application

Proposal Erect Eighty Dwellings, Construct New Access and Associated Ancillary Works Including Drainage Infrastructure, Landscaping, Open Spaces and Car Parking.

Location Land North East of Shireoaks Road Worksop Nottinghamshire

Recommendation: Grant - Subject to a Legal Agreement

Case Officer: Mandy Freeman

Tel No: 01909 533227

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

THE APPLICATION

The application seeks full planning permission for 80 dwellings on the former Dormer Tools site. All the former buildings on site have been demolished.

The proposal consists of 8 x 4-bed houses; 28 x 3-bed houses; 40 x 2-bed dwellings; and 4 x 1-bed (apartment) dwellings.

The site is accessed from the existing access onto Shireoaks Road.

The site is within the development boundary for Worksop. Immediately adjoining the site to the north is a designated Local Wildlife Site and also Ancient Woodland. The trees to the south of the site are covered by a Tree Preservation Order.

DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

Part 1 of the National Planning Policy Framework 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. Of particular relevance are paragraphs, 14 and 49 which set out if the approach local authorities should adopt in the absence of a 5 year supply of land for housing. These paragraphs state that there is a presumption in favour of sustainable development and planning permission should be granted unless adverse impacts significantly and demonstrably outweigh the benefits.

Part 6 of the National Planning Policy Framework is relevant to delivering a sustainable development. This sets out the key criteria in delivering a wide choice of high quality homes.

Part 7 of the National Planning Policy Framework is relevant to delivering a sustainable development. This sets out the key criteria in requiring good design.

Part 12 of the National Planning Policy Framework is relevant to delivering a sustainable development. This sets out the key criteria in conserving and enhancing the historic environment.

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

Policy CS2 of the Bassetlaw Local Development Framework identifies Worksop as a Sub-Regional Centre which requires all housing development to provide a contribution towards the achievement of affordable housing target of at least 15%.

The policy supports the principle of development within the Development Boundary in line with other material considerations and planning policy requirements.

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, open space and economic development opportunities.

Policy DM5 considers housing mix and density and encourages development to provide housing of a size, type and tenure appropriate to the site and locality and of a density reflecting the characteristics of the site and the surrounding area.

Policy DM7 considers the protection of vacant former employment sites for re-development for economic development purposes. The criteria for re-developing a protected economic development site for non-economic development uses are set out in this policy.

Policy DM9 of the Bassetlaw Local Development Framework states that new development proposals will be expected to provide functional on-site open space and/or sports facilities, or to provide contributions towards new or improved facilities elsewhere locally, protect green infrastructure assets and demonstrate that they will not adversely affect or result in the loss of features of recognised importance.

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

In addition it states that arrangements for the provision or improvement of infrastructure required by the proposed development and/or to mitigate the impact of that development will, in line with national guidance and legislation, be secured by Community Infrastructure Levy (CIL) charge, planning obligation or, where appropriate, via conditions attached to a planning permission.

Policy DM12 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.

Policy DM13 of the Bassetlaw Local Development Framework states that development proposals will be expected to, minimise the need to travel by car, provide linkages or develop new footways, cycle paths and bridleways giving access to key local facilities and provide appropriate facilities to support access to high quality public transport.

The Residential Parking Standards SPD expands upon Policy DM13: Sustainable Transport in the Core Strategy & Development Management Policies DPD. It sets out the approach that the Council expects developers to take when establishing parking requirements for new residential development proposals.

Successful Places SPD is a guide to sustainable housing layout and design supporting the design Policy DM4 in the Core Strategy & Development Management Policies DPD.

RELEVANT PLANNING HISTORY

There are various previous planning applications on the site from 2001 and earlier in relation to the Dormer Tools factory that operated on this site previously, which has now been demolished.

02/08/00457 Outline planning permission was REFUSED for residential development and construct new access on 3 Dec 2008 and subsequently DISMISSED on appeal on 16 Sept 2009.

69/11/00012 An application for outline planning permission was granted on 28 September 2016 for a residential development of up to a maximum of eighty dwellings and a seventy two bed residential care home/senior living units.

RESPONSE OF STATUTORY BODIES

Bassetlaw District Council Strategic Housing has commented that in this area they would expect to achieve 15% affordable housing of any residential development. Demand for social rented accommodation indicates a preference for smaller properties more suited to move-on accommodation for older people to downsize, or for new emerging single person households.

Further to the results of the viability assessment demonstrating that it is not viable to deliver affordable housing, housing has commented that it would be interesting to see how this sells as a test case for market bungalows. The suspicion is that buyers will be outpriced due to bungalows typically being more expensive due to larger plot size and the high demand. There is a HCA funding programme for Shared Ownership and Affordable Housing programme which includes an older-persons shared ownership product which offers bungalows at 75% share, with no rent owed for the remaining 25%. It is suspected that households could release sufficient equity from the sale of their current home to buy 75% share outright, but would struggle to have enough for 100% without the need to borrow. The number of bungalows proposed, and smaller units, is responding to demographic information and on this basis strategic housing are relatively comfortable to proceed.

Bassetlaw Environmental Health has commented

In relation to noise, although withdrawn, Planning Policy Guidance 24: Planning and Noise seem as still relevant in respect to traffic noise assessment/railway noise and mixed industrial noise and it is recommended to be used. Where noise is elevated on site and requires works to reduce its impact then remediation measures should be specified. For households, noise levels inside living rooms and bedrooms BS8233:2014 is fine. It is preferable for a noise level of 30 dBA to be attained. A noise survey should be carried out on the boundary of the site, to cover the night time period 2300 – 0700 hours, to include the nearby industrial noise BS4142 should be used.

Construction hours should be limited to 8:00 to 18:00 Monday-Friday; 8:00 to 13:00 Saturday and no time on Sunday and Bank/Public holidays. Deliveries of goods to and from site including the removal of plant, equipment, machinery and waste must only take place within these hours. Although there are limited residential properties in the immediate vicinity, this would protect the amenity of the first residents on the site as development progresses.

No comments or observations have been made in relation to air quality, extraction/ventilation, lighting, pollution prevention and control, contaminated land, food hygiene and health and safety.

Bassetlaw Tree Officer has commented that the significant trees are growing as woodland areas, mostly outside the application site, but many within the applicant's ownership. The tree officer agrees with the assessment of the trees, their condition and the retention categories applied to the trees in the tree survey by CBE Consulting.

The proposed layout is also supported that designs the roads and open spaces and parking around the edges keeping the dwellings away from the woodland areas. This will reduce the problem of shading for residents.

There are a number of areas at the southern end of the site where dwellings are proposed quite close to the woodland boundaries. Some of these trees are poplars (TG1 and TG4 on the tree survey). These could and should be removed because these are not suitable for long term retention close to dwellings. This would also provide increased distance between the woodland and the dwellings. They are not valuable trees and don't add value to the woodlands. Some of them do have cavities however and should be checked for nesting birds and bats if they are to be removed.

The tree officer supports the inclusion of open space in the central areas of the site that provides opportunities for tree planting. It would be very positive if long lived tree species are selected for planting, as well as large growing species where space allows. The open space will undoubtedly add value to the development.

It is recommended that a condition is attached to any grant of planning permission to protect trees during construction.

Bassetlaw Parks and Open Spaces have commented that based on 80 dwellings, the amount of open space required to be set aside for play provision is 242 sqm. As there is an existing play area close to the site, the Council's preference would be not to have any further play provision on this site but secure a financial contribution of £30,200 for improvements elsewhere. The Council has been working with the local community to improve the nearby recreational facility at Rhodesia Quarry, The required work would allow more and safer public access to off-road walks and areas of nature. Therefore any contributions sought would be directed towards these improvements.

The proposed amenity space on the site does add value to the development and would create a pleasant environment for people to live in, and would tie in with the rural feel of this site and the surrounding woodland. However, the District Council will not be in a position to maintain any open space provided on the site and would be reliant upon alternative management arrangements.

Further to the applicant's offer to provide an off-site contribution of £15,100 following the submission of a viability assessment, Parks & Open Spaces have responded that this is a reasonable and acceptable offer and requests that the contribution be made either in advance or in the early stages of the proposed development to allow them to secure the remaining funding for the pond improvement scheme through other sources of funding i.e. match funding for grants and thus delivering all the improvements at the same time.

Nottinghamshire County Council Highways has commented initially asking for additional details. The applicant has provided additional information and amended drawing 15/2043/103 Rev C, such that the Highway Authority is satisfied that the details generally address their previous concerns. A swept path analysis has now been submitted demonstrating that dust cart can penetrate the site within reasonable walking distance to refuse collection points. The trees and verges have been relocated to the back of the footway along the site access road to remove concerns in relation to the trees obstructing visibility for drivers emerging from adjacent private accesses and the severance created by verges between footways and carriageways. The gates have been removed from the footways as you enter the site such that pedestrian access will not be obstructed on what is likely to be an adopted highway and visibility splays have been plotted from the accesses serving plots 65 and 66.

The development will be served from a combination of private and public roads. Where there are private access arrangements serving in excess of 5 dwellings, the Highway Authority will expect private maintenance arrangements to be secured.

It would appear that at least some of the roads and private access arrangements will be drained into swales. These areas will not be considered for highway adoption. A permanent maintenance strategy will need to be secured to ensure suitable drainage is continually available.

The traffic generated by the development will have a detrimental impact on the junction of Shireoaks Road and Sandy Lane in the 2021 future year assessment. The cost of improvement is likely to be disproportionate to the scale of development. However, the junction is currently secured for improvement as part of the Vesuvius site redevelopment. Therefore should that consent or similar consent come to fruition, it is likely that this situation will be addressed. In the interim the Highway Authority seeks a contribution of £25,000 to improve public transport and pedestrian facilities on Shireoaks Road in the interest of sustainable travel as a means to discourage the use of the private car, thereby lessening the traffic impact. A revised Travel Plan has been submitted and is acceptable. The Highway Authority seeks a contribution of £2,904 towards a Travel Plan review.

If planning permission is granted, conditions are requested in relation to provision, retention and surfacing of access roads, driveways and parking and manoeuvring areas; provision of wheel washing facilities; arrangements to secure management and maintenance of proposed streets; provision of visibility splays on plots 65 & 66.

Nottinghamshire County Council Planning Education has commented that a proposed development of 80 dwellings would yield an additional 17 primary places. Nottinghamshire County Council would therefore wish to seek an education contribution of £194,735 (17 places x £11,455) to provide primary provision to accommodate pupils projected to arise from the proposed development. Contributions would be used Haggonfields Primary School, Rhodesia. In respect of secondary education the proposed contributions would be covered by CIL.

In relation to the commercial proposition by the applicant with reduced education contribution, the County Council has commented having reviewed this they can see nothing in the planning statement or the design and access statement to say that the 27 x 2 bed bungalows are solely for the over 55s with no dependants. Many over 55s still have school aged children at home. Also, their policy is not to discount 1 beds in mixed size developments, unless they are all apartments. They will not set a precedent in this case.

They calculate our requirements based on the formula as outlined in our Planning Obligations Strategy which allows for just 21 primary places for every 100 dwellings. It is very unlikely that 100 dwelling would yield just 21 places. There is no other stream of funding for the provision of school places that may arise from housing developments.

The 27 x 2 bed bungalows would only be discounted if it were stipulated that these were for over 55's **with no resident school aged children and in perpetuity**. In this case, they would require £123,005 for 11 x primary places that would be expected to arise from any proposed development of 53 units. Otherwise their previous response would stand.

In terms of libraries, County would seek a developer contribution for additional stock that would be required to meet the needs of the 192 population that would be occupying the new dwellings This is costed at 192 (population) x 1,532 (items) x £12.50 (cost per item) = £3,676.

Severn Trent has no objection to the proposal subject to a condition in relation to disposal of surface water and foul sewage being agreed.

Environment Agency comments relate solely to the protection of the water environment. The phase 1 report recommends that an intrusive investigation is carried out. This should be undertaken prior to each phase of the development and secured by condition, to protect the underlying aquifers.

Nottinghamshire Wildlife Trust notes that the proposed development is adjacent to Tranker Wood Local Wildlife Site (LWS), a notable area of deciduous woodland. The recommendations in section 5.3 of the extended phase 1 are supported in order to protect and enhance the LWS and should be secured by conditions:

- Provide physical separation between dwellings and Tranker Wood LWS through the installation of a fence to protect the wood from increased recreational use and reduce likely hood of fly tipping negatively impacting on woodland.
- A minimum 15m buffer zone between Tranker Wood and the new development that incorporates mixed native shrub planting and a succession of tall and short herbs and a species rich grass sward. This should be managed with minimum intervention and should not form part of the open space provision.
- Trees not to be incorporated into gardens
- Public open space to be managed with a strong ecological focus to make a positive contribution to habitat, which should be linked to habitats in the wider landscape.
- The inclusion of bat bricks in dwellings adjacent to the site boundaries to provide roosting opportunities. Light pollution to be avoided from properties along the boundary with the adjacent woodland to avoid disturbance to bats.
- All site clearance/preparation work to be undertaken outside the bird breeding season (March-September inclusive). If works are to begin during this period a suitably qualified ecologist should be on site to survey for nesting birds.
- Ideally native planting should be continued through the site to provide opportunities for wildlife and provide links to the wider landscape. Steps to ensure appropriate establishment and ongoing maintenance of retained and newly created habitat should be included within a long term management plan for the site.

- The SuDS system could include swales, which would further enhance the biodiversity of the site.
- The provision of interpretation boards to highlight the value of ancient woodland habitats.

Natural England has no comments to make on this application.

Rhodesia Parish Council are disappointed that no senior citizens properties are included in the development.

Letter from a **neighbouring business**, immediately adjoining the site. They write to inform that they are a manufacturing business with opening hours for vehicular movement of cars and HGV at the moment from 5:30 a.m. until 18:00 hours. However these hours can change to 24 hour production at certain times. Obviously this will impact on potential residential dwellings, as there will be noise associated with the manufacturing of electrical components which is unavoidable.

Also site security is of concern and the adjacent fencing will need to be re-enforced to ensure this is maintained. Cinch do not object to the use of this land however they do have concerns which they would like to be considered.

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

ENVIRONMENTAL IMPACT ASSESSMENT SCREENING

Given the size of the site, the proposed use falls within the description of paragraph 10 (b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The site is indicated to be 3.6ha this would be below the threshold set out in The Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015. As such the development is considered not to constitute development requiring an Environmental Impact Assessment.

CONSIDERATION OF PLANNING ISSUES

Principle

Policy DM7 protects existing, or vacant former employment sites for economic development purposes. The redevelopment of protected sites for non-economic uses will only be supported where it can be demonstrated the site is no longer capable of accommodating economic development uses; or it can be demonstrated that redevelopment would offer significant benefits to the local area. The site currently has an extant planning permission for residential development. As such the requirements of policy DM7 have already been addressed previously.

Policy CS2 of the development plan indicates that residential development proposals will be supported within the development boundary, in line with other material considerations and planning policy requirements. The NPPF also states that there is a presumption in favour of sustainable development and planning permission should be granted. In principle residential development on this site is therefore acceptable.

Impact on the Character and Appearance

The site was previously occupied by various factory buildings. The site has now been cleared, with rubble and overgrown vegetation now covering the site. The site is surrounded by trees, including woodland areas, that provide screening to the majority of the site. Views into the site are provided from the access, but it is proposed to plant trees along the new access road into the site. As the site currently has outline planning permission for residential development on the site, it is considered that the impact on the character and appearance of the area would be acceptable subject to details of materials to be agreed.

Amenity

Although the overall design provides open space in the form of tree root protection area / buffer zones to woodland and a swale in the centre of the site relating to sustainable drainage, some of the layout and design do not meet the minimum requirements set out in terms of private garden area and parking provision. In particular, plots 16-27 all fall short of the minimum private amenity area, however their aspect to the rear is onto an open area.

Highways Impact

The site would be served by a mixture of adopted and private roads. The highway authority has no objection in principle, subject to conditions in relation to provision, retention and surfacing of access roads, driveways and parking and manoeuvring areas; provision of wheel washing facilities; arrangements to secure management and maintenance of proposed streets; provision of visibility splays on plots 65 & 66.

Due to the increased traffic on the Shireoaks Road/Sandy Lane junction, the highway authority has requested a contribution of £25,000 to improve public transport and pedestrian facilities on Shireoaks Road in the interest of sustainable travel as a means to discourage the use of the private car, thereby lessening the traffic impact. A contribution towards the Travel Plan review of £2,904 has also been requested.

Noise Impact

Environmental Health has requested a noise survey on the boundaries between 2300 and 0700 hours due to the proximity of nearby industrial uses. However, Cinch, adjacent to the site has indicated that although they do operate 24 hours at certain times, the current times of operation are 0530 to 1800.

Drainage

It is proposed to dispose of foul sewage to mains drainage and surface water drainage to sustainable drainage system (SuDS). This would be in line with Policy DM12 which requires new development to incorporate SuDS and provide details of adoption, ongoing maintenance and management. This would need to be secured through a S106 legal agreement.

Affordable Housing

Policy CS2 requires a contribution towards affordable housing of at least 15%. A viability assessment has been submitted that concludes there is no excess profit to enable contributions towards any affordable housing. What is proposed however is smaller housing units that will be more affordable. In addition to this, an overage clause will be included in the S106 Agreement so that a viability appraisal is undertaken after the sale of the dwellings and any additional profits over and above the viability appraisal submitted originally will be shared equally by the developer and the Council.

Impact on Ecology

A desktop study of existing ecological information and an Extended Phase 1 Habitat Survey, was submitted as part of the application submission. The desktop study identified protected and priority species recorded within 1km of the site. The search of the site found no evidence of any of the species or the potential for them to be affected by any re development.

The ecological survey concludes that there is no significant constraint to the redevelopment from protected species or habitats of significance. There is however opportunities to retain the biodiversity resource which the area of ruderal vegetation provides by ecological enhancement.

Trees

The significant trees in the area are part of the surrounding woodland with no significant trees within the red line application site. The trees adjacent to Woodhouse Close, subject to a TPO overhang the site, but this is recognised in the design and layout. The open space within the development provides opportunities for further tree planting. A condition is recommended to provide measures to ensure the trees are protected during development.

Financial Implications

The applicant has prepared a Viability Assessment which considers the costs of development against the future estimated values of the site. It concludes that, based on the technical reports and other supporting information which accompanies the application, this is a site which is not without its complications and thus there are significant abnormal costs associated with bringing forward its development. As a result, the appraisal demonstrates that it is not viable to deliver affordable housing either within the site or for a commuted sum being required to pay for off-site provision. On the basis of a nil contribution, the developer profit margin still sits well below the recognised levels of return. As mentioned above, an overage clause is proposed after the sale of the dwelling so that any additional profits are shared with the developer and the Council.

The Viability Assessment made it clear that there is not surplus profit to fund S106 and CIL contributions. However without contribution to some of the basic infrastructure necessary to serve the development, the application is not considered sustainable. The applicant acknowledges that there are pressing needs in the district and will consider a commercial proposition to facilitate the scheme. The offer is framed as follows.

Education contribution – 55% of the overall dwelling numbers proposed are either two-bed bungalows aimed at the retirement market (33.75%) or small one and two bed apartments / terraced dwellings. These are considered to be less suitable for family homes and the offer is therefore for 45% of the requested education contribution, namely £87,630.75.

Libraries contribution – this is accepted at £3,676.

Public transport contribution – the site is sustainable and accessible, with bus stops at the entrance and bus frequency at every half hour during the week. The development will help support public transport through increased use and revenues. On this basis no contribution is offered.

Travel plan review – this is accepted at £2,904.

Open space contribution – the proposed development includes a significant amount of public open space in the form of a central green space and, over and above this, a further area of open space as a buffer to the woodland. This maintenance of this will all be the responsibility of a management company and so it is considered that Bassetlaw should not require open space contributions. However, following a meeting with a local councillor, it is understood that there is a local project in need of funding and the applicant would like to offer 50% towards this, namely £15,100.

Overall, the contributions offered therefore amount to £109,310.75. This to be on an agreement that the site cannot sustain affordable housing (albeit those bungalows aimed at the retirement market and a significant proportion of smaller properties help make the site 'affordable' in general) and that full relief from CIL would be required.

SUMMARY OF S106 OBLIGATIONS

- £87,630.75 education contribution towards provision of primary school places at Haggonfields Primary School at Rhodesia.
- £3,676 library contribution towards books/items at Worksop Library.
- £2,904 towards Travel Plan review
- £15,100 open space contribution towards improvements at Rhodesia Quarry
- SuDS management scheme
- 5% management fee
- Overage clause for a viability review after the sale of the dwellings

The proposal would be liable to CIL. The CIL charging rate in Worksop & Rural West is £20 per sq m for residential development. The estimated CIL liability is £171,799.78. The applicant has indicated that full CIL relief would be required in order to provide the above S106 contributions. Although the applicant could apply for exceptional circumstances relief, this would be subject to an independent viability assessment for the purposes of CIL and cannot be guaranteed.

RECOMMENDATION: Grant - Subject to a Legal Agreement and subject to the following conditions:

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

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

- 2 The development hereby permitted shall be carried out only in accordance with the details and specifications shown on the originally submitted drawings, as amended by the drawing received on 9 November 2016 (Drawing No. 15/2043/104B and 15/2043/103D)

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

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

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

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

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

- 5 Development shall not commence until such time as full details of the manner in which foul sewage and surface water are to be disposed of from the site have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

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

- 6 No development shall commence until such time as the tree(s) covered by the Tree Preservation Order on the application site and within the adjacent woodland have been protected, in a manner to be agreed in writing with the District Planning Authority. The trees shall be protected in the agreed manner for the duration of building operations.

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

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order), no building, extension or structure shall be erected or placed within the curtilage of any dwelling(s) covering the Habitat Buffer Zone and Indicative Tree Root Protection Area, as shown on the Drawing No. 15/2043/102 Rev.A, received on 25 May 2016 or as may subsequently be agreed in writing with the Local Planning Authority.

Reason: The erection of extensions etc. as "permitted development" may create difficulties both in terms of the impact on the ecology and the impact on the trees subject to T.P.O.

- 8 Development shall not commence until details of the proposed land levels of the site, including sections through the site and building(s) proposed indicating finished floor levels have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed details.

Reason: To ensure the satisfactory development of the site.

- 9 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.

- 10 Prior to each phase of development approved by this planning permission no development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A site investigation scheme, based on the scope presented in 'Outline Remediation Strategy' (ref P15-266, dated May 2016) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect the underlying aquifers, including the source protection zone 2 from contamination.

- 11 The development shall only be carried out in accordance with the recommendations at paragraph 4.2 of the HWA/deltasimons Phase 1 Environmental Assessment dated May 2016.

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

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

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

- 13 No works relating to site preparation or construction shall take place outside 08:00 hours to 18:00 hours Monday to Friday; 09:00 hours to 13:00 hours on Saturday and not at all on Sundays, Bank Holidays or Public Holidays.

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

- 14 Before development commences, a noise survey shall be undertaken to identify existing noise levels on the boundaries of the site and any remediation necessary to provide adequate amenity to the residents of the proposed development.

Reason: To safeguard the amenities of the proposed dwellings.

