

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday, 7th February 2018 at Retford Town Hall

Present:

Councillor A Smith (Vice in Chair)
Councillors D Brett, H Burton, G Clarkson, S Fielding, G Freeman, K H Isard, S Scotthorne and T Taylor.

Officers in attendance: D Askwith, J Hamilton, M Joyce and S Wormald.

(Meeting commenced at 6.30pm.)

(The Chair welcomed all to the meeting. At the point when a member of the public joined the meeting, she read out the Fire Evacuation Procedure. She also enquired as to whether any member of the public wished to film the meeting or any part thereof; this was not taken up.)

62. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G A N Oxby, D G Pidwell and M W Quigley.

63. DECLARATIONS OF INTEREST

(a) Members

There were no declarations of interest by Members.

(b) Officers

There were no declarations of interest by officers.

64. MINUTES OF THE MEETING HELD ON 6th DECEMBER 2018

RESOLVED that the Minutes of the meeting held on 6th December 2018 be approved, subject to amendments to the attendees and apologies from Members.

65. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 13TH NOVEMBER 2017 AND 15TH JANUARY 2018

RESOLVED that the Minutes of the Planning Consultation Group meetings held between 13th November 2017 and 15th January 2018 be received.

66. OUTSTANDING MINUTES LIST

There were no Outstanding Minutes.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

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

(a) Public Interest Test

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

(b) Appeal Decisions Received

Members were presented with nine appeal decisions.

The Interim Development Team Manager explained the Inspector's rationale behind the five appeal decisions which had been upheld. He reminded Members that although five had been allowed, equating to 22%, this was still below the national average.

A Member reminded the Committee that they had requested the relevant extract of the Minutes when receiving appeal decisions which had been upheld.

RESOLVED that:

1. The appeal decisions be received.
2. The relevant extract of the Minutes be presented with future appeal decisions which are upheld for Members' information.

(c) Planning Applications and Associated Items

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
17/01353/HSE	Mr D Reed	Retention of first floor rear extension – 136 Potter Street, Worksop

Members were advised that the application sought retrospective planning permission to retain a first floor rear extension. Slides were used to show the site location. The site had been the subject of a site visit prior to the meeting.

The site is located within the development boundary of Worksop and within the Worksop Conservation Area. The rear extension is over the existing ground floor rear projection, across the full width of the property. It has a flat roof construction with brick walls to the flanks and a weather board finish to the south facing elevation with a centrally positioned white upvc window.

The Case Officer presented the proposals. The Council's Conservation Officer commented that the structure is well screened from view from the road and the majority is not visible. It is considered that there is no impact on the character of the Conservation Area nor on the setting of the nearby listed buildings, including the Priory Gatehouse and the Priory Cross.

One letter of objection from a local resident has been received, together with a letter of objection from a concerned party. However, the majority of the issues relate to matters of dispute between neighbours which are civil, not planning, matters. The Enforcement Officer has reported the alleged building control issues to the Council's Building Control Team.

Officers consider that the development does not warrant refusal of retrospective planning permission as it does not sufficiently conflict with policies DM4 and DM8 of the Bassetlaw Local Development Framework and Parts 7 & 12 of the NPPF. It is considered that the relationships with the existing dwellings on either side are acceptable and that the extension does not significantly adversely affect the visual amenity of the locality such that a refusal of planning permission could be justified in this instance.

Members expressed concerns at the poor quality of the extension.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant planning permission unconditionally to retain the development.

COMMITTEE DECISION – Grant planning permission unconditionally to retain the development, with an informative note that the applicant is strongly advised to apply for Building Regulations approval for the existing structure.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
16/01676/VP08	c/o Rapleys LLP	Application to modify planning obligation and subsequent deed of variation under PA 02/09/00033 – former Vesuvius UK works, Sandy Lane, Worksop

Members were advised that the application sought permission to vary the Section 106 Agreement dated 25th February 2014 (and the subsequent Deed of Variation dated 24th March 2014) and the Unilateral Undertaking dated 24th February 2014 which accompanied application reference 02/09/00033 that was granted on appeal on 27th March 2014. Slides were used to show the site location. The site had been the subject of a site visit prior to the meeting.

The site lies within the development boundary of Worksop and is located to the northwest of Worksop town centre, and is the site of the former Vesuvius Works which is currently vacant. The site lies within a generally industrial area to the north of the Chesterfield Canal.

The site has a long history of planning permissions dating back to 2008, which were listed in the report.

The variation sought in respect of the Section 106 Agreement is in three parts:

- Changes to the bus service and Integrated Transport Measures Contribution;
- The reduction of the Community Recreational Sum; and
- Variation of the timing of the transfer of the existing safeguarded community facilities land.

The Case Officer presented the proposals and a summary of responses from statutory consultees was given, as detailed in the report. Nottinghamshire County Council Highways has no objections.

The Council's Parks Development Officer commented that the sum of £347,311.79 has been calculated that would, upon transfer of the land to the District Council, allow for the provision of a natural playing pitch surface and basic land maintenance for a period of 60 years.

The Ward Member raised objections as he felt that the payments which were agreed to at the start of the process should be adhered to; the development will be profitable to all concerned and the payments will enhance the facilities for Bassetlaw residents.

The Case Officer outlined consideration of and proposals for community facilities, the bus service, and the integrated transport measures, the principles for visual and residential amenities, highways matters, open space and economic development of the site.

Mr D Hodgson spoke as the agent on behalf of the applicant and advised that:

- CEG promised to deliver a community scheme back in January 2010 and is committed to doing so.
- The site has been vacant for over a decade and, although the economic market for a food store is not what it was, CEG will deliver the project despite the viability challenges.

- The foodstore will kickstart development of the area, including a sports pitch and 300,000 sq ft for development, together with the associated construction and apprentice opportunities.

Members commented that the site has been a “blight” on the area for a long time and that, despite disappointment that the original scheme is being varied, the site will finally be developed.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant planning permission to modify the Section 106 planning obligation and subsequent Deed of Variation under PA 02/09/00033, as detailed in the report.

COMMITTEE DECISION – Grant planning permission to modify the Section 106 planning obligation and the subsequent Deed of Variation under PA 02/09/00033, as detailed in the report.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
17/01652/VOC	c/o Rapleys LLP	Variation of Condition 9 of PA 02/09/00033 – mixed use regeneration including offices, light industry, storage/distribution, foodstore, hotel, restaurants, petrol filling station and safeguarded community sports land – former Vesuvius UK works, Sandy Lane, Worksop

Members were advised that the application sought permission to vary Condition 9 of PA 02/09/00033 which stipulates that *“No development shall take place until a scheme for construction of a new junction at Sandy Lane and Shireoaks Road and a road extending to the playing field has been submitted to and approved in writing by the local planning authority. The junction and road shall be designed to a capacity to serve all the development hereby permitted and shall be constructed prior to the first opening of the foodstore to customers.”*

The site lies within the development boundary of Worksop and is located to the northwest of Worksop town centre. The site is the former Vesuvius UK works, which is currently vacant, and lies within a generally industrial area to the north of the Chesterfield Canal.

The site has a long history of planning applications, dating back to 2008, which were listed in the report.

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

The applicant’s agent has stated that the estate road and the foodstore go hand-in-hand as the store cannot open to the public without the road, or part of the road being operational. However, in order to open the store, it is not necessary for the estate road to be constructed all the way to the playing field. In order to access the foodstore, approximately two-thirds of the estate road needs to be constructed. They therefore consider that the estate road only needs to be constructed to a few metres north of the foodstore access spur road and consequently seek the variation to the wording of Condition 9, as follows:

“No development shall take place until a scheme for construction of a new junction at Sandy Lane and Shireoaks Road and a road extending to the playing field has been submitted to and approved in writing by the local planning authority. The junction and road shall be designed to a capacity to serve all the development hereby permitted and shall be constructed as far as, and including, the foodstore service yard access prior to the first opening of the foodstore to customers.”

Nottinghamshire County Council Highways commented that they are happy with the amended wording.

The Ward Member raised objections as he believes that the road serving the community land will not be constructed before the rest of the development proceeds.

The Case Officer advised that the proposed amending of Condition 9 has come about as a result of changes in circumstances that existed at the time of the appeal in 2013/14 in relation to a re-negotiated purchase price by ASDA and market changes. The NPPF advises that local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

Officers consider that the proposed variation would assist in the deliverability of the proposed development on a phased basis.

Members reiterated that development of the site was long overdue and welcomed regeneration of the area.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant planning permission to vary the wording of Condition 9 of PA 02/09/00033 as detailed in the report.

COMMITTEE DECISION – Grant planning permission to vary the wording of Condition 9 of PA 02/09/00033 as detailed in the report.

(d) Discussion Paper on Planning Performance Agreements (PPAs) and the Need for a Public PPA Charter and Recommendation to Adopt the Draft PPA Charter

Members were presented with a report into the need to publish a Planning Performance Agreement (PPA) Charter to inform and assist applicants and developers who may wish to avail themselves of this voluntary service for a managed procedure of a major development scheme which will be for the mutual benefit of both the local planning authority and the customer.

Under Section 93 of the Local Authorities Act 2003, local authorities can make a charge for providing discretionary services such as pre-application advice. The charges should be clear and calculated transparently. The report provided: background; matters for consideration; what charges a local authority can make; and proposals for a Bassetlaw PPA. A draft PPA Charter for Bassetlaw was appended to the report.

RESOLVED that the report be received and the draft Planning Performance Agreement (PPA) Charter, as appended to the report, be approved for immediate use.

(Councillor T Taylor abstained from voting.)

(e) Development Management Performance Report – Quarter 3, 2017/18

Members were presented with a performance report for the Development Management function for Quarter 3 of 2017/18, for the period 1st October to 31st December 2017.

The report provided: an overview of designation thresholds and assessment period; speed of determination; appeal performance detail; and costs appeals.

In summary, the report showed that in Quarter 3 of 2017/18:

- The standard of performance met the local and national targets for both Majors and Non-Major applications and was a good recovery from the disappointing Quarter 2 returns for Majors.
- With the increased focus on caseload management, the current returns should be sustained and potentially improved for the remainder of 2017/18.
- 21% of appeals were allowed, similar to 22% for 2017/18 to date. This continues to improve but remains slightly higher than the local target of 20%.

RESOLVED that:

1. Thanks be recorded to the Development Control Team for their efforts to date.
2. The report be received and the current performance data be noted.

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None.

Other Decisions

None.

68. 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 7.20pm.)