

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday, 24th May 2017 at Worksop Town Hall

Present:

Councillor D Pidwell (Chair)

Councillors D Brett, S Fielding, G Freeman, K H Isard, G Oxby, MW Quigley MBE, S Scotthorne, A K Smith 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, one member of the public responded that he would be filming the meeting. The Chair confirmed that the public speakers were happy to be filmed.)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors H Burton and G Clarkson.

The Chair noted that it was a new civic year and there had been a number of changes to the Committee. He welcomed new Committee members Councillors D Brett and G Clarkson.

Councillor's M Richardson and H Richards are no longer members of the Committee. Councillor M Richardson had severed the Committee for three years and made a valuable contribution. Councillor H Richards had chaired the Committee for the past two years and had been an exemplary and fair Chair.

RESOLVED that thanks be given to Councillors H Richards and M Richardson.

2. DECLARATIONS OF INTEREST

(a) Members

Councillor S Fielding declared a disclosable pecuniary interest in planning application 17/00215/FUL. She left the meeting during the item.

Councillor M W Quigley declared a disclosable pecuniary interest in planning application 17/00102/VOC. He left the meeting during the item. He also declared a non-pecuniary interest in planning application 17/00215, he remained in the meeting.

Councillor S Scotthorne declared a disclosable interest in planning application 17/00215/FUL. He left the meeting during the item.

Councillor T Taylor declared a non-pecuniary interest in planning application 17/00215/FUL. She remained in the meeting.

(b) Officers

There were no declarations of interest by officers.

3. MINUTES OF THE MEETING HELD ON 24TH APRIL 2017

RESOLVED that the Minutes of the meeting held on 24th April 2017 be approved.

4. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 10TH APRIL AND 2ND MAY 2017

RESOLVED that the Minutes of the Planning Consultation Group meetings held between 10th April and 2nd May be received.

5. OUTSTANDING MINUTES LIST

RESOLVED that the Outstanding Minutes be received.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

6. REPORT(S) OF THE HEAD OF REGENERATION

(a) Public Interest Test

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

(b) Planning Applications and Associated Items

(Councillor M W Quigley left the meeting)

| <u>Application No</u> | <u>Applicant</u> | <u>Proposal</u> |
|-----------------------|------------------|---|
| 17/00102/VOC | Mr R Bennet | Removal of condition 1 and variation of conditions 2 and 3 on P/A 14/01044/COU – retrospective application for a change of use from agricultural land to one gypsy and traveller pitch for one family (three caravans). Also to retain the erection of a timber storage and utility building, septic tank and an area of hard surfacing. Land north of Hayton Smeath, Smeath Road, Retford. |

Members were advised that the application sought outline permission to remove condition 1 and vary conditions 2 and 3 of planning application 14/01044/COU which was granted planning permission in March 2015. The site had been subject of a site visit prior to the meeting. Slides were used to show the site location.

The Case Officer advised Members of the current and proposed conditions.

The applicant and family have occupied the site since February 2014. The site is located outside the Clarborough and Hayton development boundary. The site is approximately 1km from the edge of the villages of Clarborough and Hayton, and 1.4km from the edge of Retford.

The access of the site is adjacent Hayton Footpath No. 23, a public right of way.

A summary of responses from statutory consultees was given. The County Rights of Way Officer has a holding objection. No objection has been received from Highways and the Council's Environmental Health.

Hayton Parish Council object to the development and 12 letters of objection have been received from local residents.

A letter had been received from a District Councillor requesting that the application be referred to Planning Committee.

Members were advised that the site is outside of the development boundary however the Council do not currently have sufficient site allocations.

Councillor K Sutton spoke as ward Member for Clayworth. She advised that she was asked by the Chairman of Hayton Parish Council to bring the application to full Planning Committee who unfortunately felt unable to speak at the meeting. As ward Member for both the applicant and the villagers she respects the views of both parties, in particular Mr Bennett's desire to have a permanent base and integrate in the village community. She advised that she had been approached by local residents to express their concerns, which are not necessarily hers:

- Section 73 of the Planning Act allows an applicant to use a variation application to make minor material alterations to an existing planning consent. This application to local residents appears more major and will double the use of the site and result in significant intensification.
- Policy DM4 mentions highway safety and this is a real worry to them. To vary the condition increases the risk of movement near a dangerous bend in Smeath Lane which is already a rat run for heavy vehicles, and suffers from speeding. Previously in another application the Highways Department were concerned with this problem. The Highways department has noted that further expansion would necessitate a comprehensive travel survey. Access to the site had already been accepted as substandard in terms of viability.
- The County Rights of Way Officer has asked for information about the amount of traffic accessing the site as pedestrian safety could be compromised for those accessing footpath 23.
- Some local residents have alleged that Mr Bennett in the past has undertaken unauthorised development before seeking permission.

Mr B Bennett spoke on behalf of the applicant. He thanked officers for the report and explained how the application would affect the family, he advised that:

- The application would guarantee the family a home where they can live and enjoy life. The renewal of the condition would mean that on his father's death the family can continue to live on the site.
- It has not been easy to get to this point. There has been high levels of distress, a lack of tolerance and community spirit.
- He has appeared in two series of Gypsy Kids on Channel 5.
- Acts of racism has given him a voice.
- Education is needed.
- There is a new generation of determined and intelligent youth.
- He wants to shout out every time he hears that gypsies are not equal.

Elected Members asked questions/ raised issues in relation to:

- Highways and the increase in traffic.
- The temporary site was made based on an assessment at that time.
- Sustainability and need for the site.
- Rural exception site.
- Shortfall of sites.

- There are porta cabins on site, where do we stand on those? What is their longevity and acceptability on site?
- The holding objection from Rights of Way.
- New language is used for the working of the conditions, does this not include the other structures for example the cabins.

In response to questions raised the Principal Planner advised that a shortfall of gypsy and traveller pitches was identified through the Gypsy Traveller Needs Assessment. There was an intention to do this through the site allocations process however this has not come forward yet. Policy is if there is a shortfall a temporary site can be a solution while the need is assessed.

In relation to the Rights of Way holding objection the objection is for additional information that the right of way is not obstructed.

The Development Manager advised that structures ancillary to the three mobile homes on site have been accepted and in place since planning permission was granted in 2014.

The conditions relate to the mobile homes and caravans and do not cover the ancillary buildings and are not part of this application.

The way the site has been addressed so far is to accept reasonable outbuildings. Officers consider what is on site to be reasonable.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant subject to the conditions as circulated.

COMMITTEE DECISION – Grant subject to the conditions as circulated.

(Councillor M W Quigley re-joined the meeting)

| <u>Application No</u> | <u>Applicant</u> | <u>Proposal</u> |
|-----------------------|------------------|---|
| 17/00134/RSB | Mr C Mallinson | Outline application with some matters reserved, approval being sought for access, for residential. Land rear of Broomfield House and Aysgarth House, Spital Road, Blyth |

Members were advised that the application sought outline planning permission with the matters of appearance, landscaping, layout and scale being reserved. Slides were used to show the site location.

The proposed site is 0.25 ha in area. No specific details have been provided regarding the number of dwellings proposed. The site is located within the Blyth development boundary.

The north western corner of the site lies within the Blyth Conservation Area. The adjacent property is identified as a positive building in the Conservation Area. Trees within the grounds of York House are subject to a tree preservation order. Rose Cottage on the opposite side of the road is a Grade II listed building.

Two letters of objection have been received from local residents and a letter from Blyth Parish Council raising concerns.

A summary of responses from statutory consultees was given.

Elected Members asked questions/ raised issues in relation to:

- Four houses would be over intensification of the site.
- Considering the area and types of properties in Blyth the proposal would be out of keeping with the area.
- Access to the proposed properties.
- Trees on site.

Members were advised that Condition 5 could be amended to ensure the access would serve a maximum of five properties including Aysgarth House.

The application seeks outline planning permission only. Size and scale will be determined and how many properties can fit on the site. Details would be discussed at reserved matters.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant subject to the conditions as circulated.

COMMITTEE DECISION – Grant subject to conditions with the amendment of condition 5 as follows:

5. The private driveway will serve a maximum of 5 properties including Aysgarth House.

It was clarified that Condition 5 relates to highway safety. The reserved matters application can be presented to Planning Committee.

FURTHER RESOLVED that the reserved matters application be presented to Planning Committee.

(Councillors S Fielding and S Scotthorne left the meeting)

| <u>Application No</u> | <u>Applicant</u> | <u>Proposal</u> |
|-----------------------|----------------------------|--|
| 17/00215/FUL | Bassetlaw District Council | Proposed demolition of the current independent living facility and the erection of a new fifty-one unit extra care facility with communal facilities and car parking |

Members were advised that the application sought to demolish the existing two storey buildings on the site and erect a building between two and four storeys. Slides were used to show the site location and floorplans. The new building will house 51 residential units for the elderly and provide communal and community facilities within the building. Details of the building layout was provided within the report.

Members were advised that there will be an impact on nearby residents however it is not considered to be significant.

As part of the application amended plans have been submitted and the further consultation has been undertaken.

A local resident has submitted concerns regarding parking.

A summary of responses from statutory consultees was given:

- The Lead Local Flood Authority have confirmed that the site would require SUDs and various conditions.
- The Council’s Conservation Officer has raised concerns regarding the setting of the Conservation Area. The site has views to and from the grade I listed gatehouse. The overall impact is considered less than substantial.

Members were advised that additional landscaping and boundary treatment is proposed. The proposed buildings would be between 2 – 4 storeys in height. The four storey part is proposed in the centre of the site. The building is designed to minimise the impact on neighbours.

Several conditions are proposed including materials to be agreed and the removal of a canopy proposed in the original application.

The proposed building would be u-shaped with a courtyard. No facilities are proposed on the ground floor. The top floor would include a roof terrace café.

J Rennie spoke on behalf of the applicant as the Director of A1 Housing. She advised that:

- The original 1973 scheme was for 32 bedsit units. The facility fails to meet current needs.
- The site is popular due to its location in Worksop.
- Abbey residents live in a sheltered environment staying in their own homes with access to care.
- The application proposes to demolish the existing building as it is not fit for purpose and has a negative contribution to the conservation Area.
- Working with partners a purpose built building has been created.
- 48% of the Council's waiting list is applicants over 60 years of age. People are living longer and there is a greater demand.
- The proposal will create 51 units, the majority will be one bed and there will also be some two beds offering greater choice.
- The accommodation is suitably designed to enable people to live independently to their own home and access care.
- The new scheme would create a community hub.
- The building is modern in design, will use high quality materials and include views to the Priory Gatehouse.

In relation to questions raised regarding access to the scooter store Members were advised that a condition could be imposed to ensure direct access from the scooter store to Thurstan Way.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant subject to conditions as circulated.

COMMITTEE DECISION – Grant subject to conditions as circulated and the inclusion of an additional condition regarding direct access to the scooter store from Thurstan Way.

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

(Councillor S Scotthorne re-joined the meeting)

(c) Development Management Performance Report 20-16/17 Yearly Performance

Members were presented with the yearly performance report for the Development Management Function for 2016/17.

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

The outcome of appeals for 2016/17 was also given; details of the applications were included within the report.

Members were advised that the Government has introduced performance standards for appeals on non-major applications, in a similar way to major applications. The Council is currently performing well and is not identified on the list of authorities not adequately performing in appeals but more work would be needed to ensure that any refusals are defensible at appeal.

Members acknowledged the pressure of the Planning Department and thanked them for their hard work.

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

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None.

Other Decisions

None.

7. 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 7.40 pm.)