

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday, 5th December 2018 at Worksop Town Hall

Present:

Councillor D G Pidwell (Chair)

Councillors D Brett, H Burton, G Clarkson, S Fielding, G Freeman, K H Isard, G A N Oxby, M W Quigley, S Scotthorne, and T Taylor.

Officers in attendance: B Alderton-Sambrook, J Elliott, K France, M Joyce and B Pinkney.

(Meeting commenced at 6.30pm.)

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

54. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor A Smith.

55. DECLARATIONS OF INTEREST

(a) Members

Councillor K H Isard raised a non-pecuniary interest in planning application 17/01239/RSB.

Councillor G A N Oxby raised a non-pecuniary interest in planning application 18/00747/OUT.

Councillor M W Quigley raised a non-pecuniary interest in planning application 18/00747/OUT.

(b) Officers

There were no declarations of interest by officers.

56. MINUTES OF THE MEETING HELD ON 7th NOVEMBER 2018

It was noted that two minor amendments had been made to the minutes; the meeting was held at Retford Town Hall not Worksop and Councillor G A N Oxby raised a non-pecuniary interest not a disclosable pecuniary interest in planning application 18/00747/OUT.

RESOLVED that the Minutes of the meeting held on 7th November 2018 be approved.

57. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 8th OCTOBER AND 5th NOVEMBER 2018

RESOLVED that the Minutes of the Planning Consultation Group meetings held between 8th October and 5th November 2018 be received.

58. OUTSTANDING MINUTES LIST

RESOLVED that the Outstanding Minutes List be received.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

59. 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 seven appeal decisions.

RESOLVED that the appeal decisions be received.

(c) Planning Application and Associated Items

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
17/01356/OUT	William Davis Limited	Outline Application With Some Matters Reserved (Approval Being Sought For Access) for up to 275 New Residential Units and a Replacement Residential Unit, Following the Demolition of 220 Mansfield Road, Along With Site Access, Open Space and Surface Water Attenuation. Land North of Mansfield Road including 220 Mansfield Road, Worksop.

Members were advised that the application sought outline permission with some matters reserved for up to 275 new residential units and a replacement residential unit, following the demolition of 220 Mansfield Road, along with the site access, open space and surface water attenuation. 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 outside the Worksop development boundary as defined in the Bassetlaw Local Development Framework.

The Case Officer presented the proposals and a summary of responses from statutory consultees were given. The relevant policies and site planning history was set out within the report.

The site is located with the setting of a number of heritage assets including; Manor Lodge, Lodge Farm, Unregistered Park and Garden Worksop Manor Lodge, Boundary walls, railings and gate at Worksop Manor and the wider setting of Shireoaks Hall and associated Registered Park and Garden and Scheduled Monument.

Mrs Tory spoke in objection to the application as a local resident, she commented that:

- The proposal site is close to where she resides on Mansfield Road.
- Mansfield Road is a very busy road with two main roads joining to the A57 bypass.
- Works have taken place on the main roundabout which has made the flow of traffic better on Mansfield Road. However, it is still very busy.
- The proposal will increase congestion making the road dangerous.

- It is already difficult to get in and out of their driveway; it can sometimes take 10 minutes to get off the drive.
- Traffic speeds on Mansfield Road.
- Increase noise levels.
- The proposal will affect residents living on both St Anne's and Mansfield Road.
- Mansfield Road is the only way to get to Town and to the A1.
- Lady Lee Lane is a nice setting, building on this will ruin the setting and will spoil the character of the area.

Councillor Leigh spoke in objection of the application as the Ward Member, she commented that:

- She represents Worksop South Ward.
- She is a Cabinet Member for Neighbourhoods.
- Thanked all residents for coming and supporting the refusal of the application.
- She lives on St Anne's; during busy times it is very hard to exit the estate despite the improvements to the roundabout.
- The proposal will increase traffic, noise and air pollution.
- Residents already struggle to enter and exit their homes on Mansfield Road.
- The proposal will add to existing problems for residents living on Mansfield Road and St Anne's.
- The heritage assets around the area are irreplaceable and hope the community consider this.
- The proposal conflicts with the Planning Listed Building & Conservation Areas act 1990.
- The proposal also conflicts with Bassetlaw District Council's Core Strategy and Development Planning Document.
- She urges that Members reject the application.

John Coleman spoke in support of the application as the applicant, he commented that:

- He is the Planning Manager of William Davies Limited.
- Officer's recommendation is to refuse the application.
- The site was acknowledged as a preferred option site in 2013.
- There is a good chance that the site will be identified as a preferred site in the local plan.
- The existing local plan is out of date.
- Detailed Section 106 has been agreed.
- A specialised architect has looked at the proposal and made changes in order to overcome issues raised by the Conservation Officer.
- The proposal will create 5 Hectares of open space.
- He asked that Member grant planning permission.

Members commented on how difficult decisions are now that Bassetlaw has a 5 year housing land supply and that some sympathy had to be given to Developers who have engaged in the process for a period of time with a very likely positive approach from Planners when the housing supply was required to suddenly find that position not acceptable any longer. The shift from being Developer-led to a Plan-led approach now stands and that confidence in Officers ability to calculate that supply figure was given following Member training pre-Committee earlier today.

Members commented on and raised concerns regarding the nearby heritage assets and the increase in traffic that will be generated from the proposal.

RECOMMENDATION OF THE HEAD OF REGENERATION – Refuse planning permission for the reasons as detailed in the report.

COMMITTEE DECISION – Refuse planning permission for the reasons as detailed in the report.

(Councillor K H Isard left the meeting)

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
17/01239/RSB	Sundown Adventureland	Proposed 49 Holiday Lodges, 32 Touring Caravan Pitches, 14 Glamping Pods, and Reception Area with Managers Accommodation, Store and Play Areas, Parking and Associated Infrastructure (Resubmission of Planning Application 16/01363/FUL). Land at Elmwood Lodge, Sundown Adventureland, Rampton Road, Treswell.

Members were advised that the application sought planning permission for 49 holiday lodges, 32 touring caravan pitches, 14 glamping pods, reception area with managers accommodation, store and play areas, parking and associated infrastructure. Slides were used to show the site location. The site had been the subject of a site visit prior to the meeting.

Members were advised that the application was presented to Planning Committee on 15th August 2018 with an officer recommendation to grant planning permission subject to the imposition of conditions. It was resolved that the application be deferred to a future meeting to allow for clarity to be sought regarding the proposed access. The applicant's agent has further explored the access options, they have been unable to achieve the required visibility splays to enable the current exit to safely accommodate incoming traffic and therefore cannot utilise the current exit as an access point to serve the development as it would be unsafe on highway grounds. It has been concluded that they are left with only one option to use the existing access.

The Case Officer presented the proposals and a summary of responses from statutory consultees were given. The relevant policies and site planning history was set out within the report.

Alan Mockridge spoke in objection to the application on behalf of Treswell and Cottam Parish Council, he commented that:

- The proposal is contrary to planning policies DM1, DM4, DM5 and DM9 of the National Planning Policy Framework.
- The development will dominate the landscape.
- The proposal is not in character with the local area.
- On average 1,200 vehicles enter and exit the site in a day and approximately 250,000 vehicles a year.
- The safety of horse riders, dog walkers, pedestrians and runners is a concern as Treswell Road is unlit and has no pavement.
- The Parish Council are disappointed that the access has not been relocated.
- The Neighbourhood Plan is nearly complete and will support the development when it has been demonstrated that the scale and mass are appropriate and there will be no adverse impact on traffic, noise, smell etc. to nearby residents.

Colin Watkin spoke in objection to the application as a local resident, he commented that:

- He is a resident of Treswell.
- It is disappointing that an alternative access cannot be identified.
- He has seen Lorries using the private entrance to Sundown, why can't this be an alternative access point?
- He has investigated this access further and stood on the grass verge facing south and walked further down the grass verge, there is no highway obstruction to this access.
- This access would alleviate congestion.
- The existing one way bar is an essential item as it slows traffic down, a new entrance is needed with this device.

Councillor Critchley spoke in objection to the application as the Ward Member for Rampton, she commented that:

- She is the Ward Councillor for Rampton.
- The previous objections still stand.
- The development is contrary to policy DM1.
- The size of the development is inappropriate and will result in a loss of amenity.
- The development is contrary to the Neighbourhood Plan.
- An alternative access has been dismissed because of the cost implications.
- The current entrance has no speed limit, no footpath and is used by agricultural vehicles.
- Highway Safety is an issue, coaches, touring caravans, cars all cut through the car park. Who will ensure the safety of pedestrians?
- 95 new units are proposed, this will have a big impact on traffic issues.
- Hopes the application is refused for these issues to be looked at.

Rebecca McAlster spoke in support of the application as the agent, she commented that:

- The application was presented to Planning Committee in August 2018 and was resolved that the application be deferred to look at alternative access points.
- Since then all access options have been explored and are all not appropriate due to Highway Safety.
- The only access Highways have outlined as safe is the current access.
- Sundown Adventureland is one of the greatest attractions.
- Sundown has a quarter of a million visitors each year and is the second most visited attraction in Bassetlaw.
- 100 members of staff are employed by Sundown.
- The private access that has been suggested as an alternative access by local residents cannot be used as the access leads to the centre of the theme park.
- She hopes Members endorse the application and approve it.

Some Members disagreed with the consultee response received from the Highway Authority; it was discussed that the development could put strain on highway safety. Concerns/questions were raised regarding the size and mass of extra vehicles, the access, hours of vehicle movement and the barrier access. The Interim Development Team Manager discussed that whilst Members may have concerns, the potential harm is not severe which is the policy pre-requisite as set out at paragraph 109 of the NPPF.

The chair confirmed that the barrier will be operated with a number plate recognition system, allowing visitors who are staying overnight to enter and exit the site at any time. He also commented that the main concerns raised are the increase in traffic and safety. However, a traffic survey has taken place and the site only generates approximately 16 vehicles in 1 hour. In 2014, 2015, 2016 and 2017 2 accidents have occurred. Sundown is a popular site with a 4/5* rating.

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

COMMITTEE DECISION – Grant planning permission subject to conditions as circulated.

(Councillor K H Isard Joined the meeting, Councillor G A N Oxby left the meeting)

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
18/00747/OUT	Mr T & M Strawson & Horrocks	Outline Planning Application With Some Matters Reserved (Approval being sought to Access) for up to 71 Dwellings and Other Associated Works. Land North of Bracken Lane, Retford.

Members were advised that the application sought outline permission with some matters reserved for up to 71 dwellings and other associated works. 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 outside but adjacent to the eastern edge of the development boundary of Retford. The site is an irregular rectangular shape and occupies an area of 3.99 hectares.

The Case Officer presented the proposals and a summary of responses from statutory consultees were given. The relevant policies and site planning history was set out within the report.

(Councillor M W Quigley raised a non-pecuniary interest and left the meeting)

Mr Bradley spoke in objection to the application, he commented that:

- The access road has been renamed to London Way.
- The access is currently for five dwellings, it is proposed to widen this access point.
- As it is proposed for 71 new dwellings the access will be unsafe even if alterations were made to make the access wider.
- His and his neighbour's access is a total blind spot; this is a great health and safety risk.
- Six substantial trees would have to be felled to allow for visibility.
- Whose responsibility is it to maintain London Way?
- At peak times access onto London Road is almost impossible.
- Visibility is very bad on London Road.
- When accidents happen on the A1 traffic is diverted onto London Road which can cause the road to be grid locked, additional dwellings will increase congestion.
- The proposal is a major risk to the health and safety of residents.

Hannah Godley spoke in support of the application as the agent, she commented that:

- She thanked Members for allowing her the time to speak in support of the application.
- She is a Chartered Town Planner and is the agent for this development.
- 6 months of hard work has gone into this development.
- The matters regarding archaeology have been addressed.
- The new 5 year housing land supply update now means that this application is recommended for refusal.
- The allocated site is sustainable.
- No technical objections have been received.
- She disagrees that the Council can supply the 5 year housing land supply required.
- The site is deliverable.
- The proposal will deliver the full affordable housing required, all contributions and CIL payments.
- A draft S106 agreement has been made.
- She asks that Member reconsider the application.

Members expressed their sympathy to developers and local residents now that the 5 year housing land supply is in place.

Members raised concerns regarding the access to the development and the extra volume of traffic using this with an additional 71 dwellings proposed.

An Elected Member outlined that the development offers 18 units of affordable housing, education contributions, bus stop improvements and a pub nearby to the development.

RECOMMENDATION OF THE HEAD OF REGENERATION – Refuse planning permission for the reasons as detailed in the report.

COMMITTEE DECISION – Refuse planning permission for the reasons as detailed in the report.

(Councillor G A N Oxby and M W Quigley returned to the meeting)

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
18/01093/OUT	FCC Environment	Outline Application With Some Matters Reserved, Approval Being Sought for Access for the Erection of B1 (Business), B2 (General Industry) and/or B8 (Storage and Distribution) Units. Carlton Forest Quarry and Landfill Site, Blyth Road, Worksop.

Members were advised that the application sought outline permission with some matters reserved, approval being sought for access for the erection of B1, B2 and/or B8 units. 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 outside the development boundary of Worksop. The development comprises of 3,125 sqm of B1, B2 and/or B8 floor space within the former Carlton Forest Quarry and Landfill Site. The site is approximately 2.4 hectares.

The Case Officer presented the proposals and a summary of responses from statutory consultees were given. The relevant policies and site planning history was set out within the report.

An Elected Member commented that it is disappointing that the Highways Authority have not made any requirements for a speed limit as the road can be dangerous.

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

COMMITTEE DECISION – Grant planning permission subject to conditions as circulated.

6(d) Planning Services: Establishment of a Viability Protocol

Members were presented with a report to review the government position of the release of viability information associated with planning applications into the public domain and to establish a viability protocol for the Council's compliance.

Members were advised that there have been numerous changes to national planning policy this year with the introduction of the revised National Planning Policy Framework and one of those changes was the approach taken to the publication of financial information supporting applications where a scheme is not viable and the need to push them into the public domain.

Paragraph 57 of the National Planning Policy Framework prescribes that "all viability assessments, (including any undertaken at the plan-making stage), should reflect the recommended approach in national planning guidance, include standardised inputs, and should be made publicly available". The Head of Regeneration relayed that although the government were to produce a template of required detail, this hasn't occurred to date, so Officers have prepared their own as shown in Appendix 1.

Members were advised that both the NPPF and the NPPG make it clear that where Councils have an up to date Local Plan inclusive of up to date policies which set out the contributions expected from development, planning applications should be assumed to be viable so no further viability testing should be required through the application process. At this time, the Council's Plan is considered out of date and so this does not apply.

If an up to date local plan can be demonstrated, it is up to the applicant to justify the need for a viability assessment at the application stage. The weight to be attributed to the viability assessment will be determined by the Local Planning Authority.

Guidance for the developers and promoters of land is that the price paid for the land is not a relevant justification for failing to accord with relevant policies in the Plan. A benchmark land value should be established on the basis of the existing use value of the land plus a premium for the land owner.

Members were advised that developer returns reflects the potential risks of development. The NPPG states that this should be between 15% and 20% of the gross development value. The lower figure may be more appropriate in consideration of delivery of affordable housing in circumstances where this guarantees an end sale at a known value and reduces risk

The NPPG has outlined that viability assessments should be made publicly available except in cases of exceptional circumstances and the Head of Regeneration outlined this could be cases where land purchases is under negotiation or compensation has to be paid. It was noted however that these figures could be aggregated into the costs section of the viability report.

Members were asked to consider the three options outlined in the report.

An Elected Member thanked officers with their continued patience with the issue and for their hard work in producing the protocol.

It was suggested that a recommendation be added to review the protocol in 12 months' time and report back to the Planning Committee.

RESOLVED that:

1. Members receive the report and agree to implement option 1 as set out in the report with immediate effect.
2. All agents who have submitted major applications with viability implications and which a currently undetermined are requested to provide an executive summary of their viability assessment for publication in the public domain.
3. The process be reviewed and reported back to Planning Committee in 12 months.

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None.

Other Decisions

None.

60. 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 8.35pm.)