

## **PLANNING COMMITTEE**

### **Minutes of the meeting held on Wednesday, 24<sup>th</sup> April 2019 at Retford Town Hall**

#### **Present:**

Councillor D G Pidwell (Chair)

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

Officers in attendance: K France, D Jones, J Krawczyk B Pinkney and M Tagg (Agenda Item No. 6(c) and 6(d) only).

(Meeting commenced at 6.30pm.)

(The Chair welcomed all to the meeting, introduced Members and officers 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.)

#### **82. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor D Brett and G Clarkson.

The Chair advised the committee and the public that this will be the last Planning Committee before the District Elections on 2<sup>nd</sup> May. The Chair thanked those Councillors who will not be standing again in the forthcoming elections.

The Chair thanked Councillor T Taylor for work over the past four years on Planning Committee, Councillor A Smith who has been on Planning Committee for five years, three of which as vice-chair.

Special thanks were given to Councillor H Burton who has been on Planning Committee for 15 years. The chair thanked him for all his work and dedication to Planning Committee over the years and presented Councillor H Burton with a gift. Members each gave their thanks to Councillor H Burton.

The Chair also thanked the solicitor Kerry France as this will be her last Planning Committee meeting due to leaving the Council.

#### **83. DECLARATIONS OF INTEREST**

##### **(a) Members**

Councillor K H Isard raised a non-pecuniary interest in planning application 18/01603/PIP.

Councillor M W Quigley raised a non-pecuniary interest in planning applications 18/01037/FUL and 18/01038/LBA.

##### **(b) Officers**

There were no declarations of interest by officers.

#### **84. MINUTES OF THE MEETING HELD ON 6<sup>TH</sup> MARCH 2019**

**RESOLVED** that the Minutes of the meeting held on 6<sup>th</sup> March 2019 be approved.

85. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 18<sup>TH</sup> FEBRUARY AND 18<sup>TH</sup> MARCH 2019

**RESOLVED** that the Minutes of the Planning Consultation Group meetings held between 18<sup>th</sup> February and 18<sup>th</sup> March 2019 be received.

86. OUTSTANDING MINUTES LIST

**RESOLVED** that the Outstanding Minutes List be received.

**SECTION A – ITEMS FOR DISCUSSION IN PUBLIC**

**Key Decisions**

None.

**Other Decisions**

87. 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 one appeal decision.

**RESOLVED** that the appeal decisions be received.

(c) Consultation Update and Proposed Discontinuance of a Proposed Article 4(1) Direction for Misson Conservation Area

Members were presented with a report which sought to update Members following the extensive public consultation carried out in August and September 2018 on a proposed Article 4(1) Direction in Misson Conservation Area. The report also seeks authorisation from the Planning Committee to end the proposed Article 4(1) Direction process without confirming the Article 4(1) Direction.

Members were advised that the proposed Article 4(1) Direction was made on the 16<sup>th</sup> August 2018 following authorisation given at planning committee on the 15<sup>th</sup> August 2018. The making of this 'non-immediate' Direction did not give it any weight in the planning system, but was the first step in the process that then required public consultation, after which would be needed confirmation at a future planning committee. Public consultation was carried out in the local community, between the 16<sup>th</sup> August 2018 and 28<sup>th</sup> September 2018. As part of the consultation everyone in the area received a letter. There was no requirement to have a consultation event, however, the Conservation Officer advised that he did attend a Parish Council meeting where 40-50 local residents attended, a lot of which were objecting to the proposals.

A summary of the consultation responses was presented to Members.

The Conservation Officer advised that there is a lack of widespread public support. Without overwhelming community support, the aims of the Article 4 are unlikely to be met. It is therefore recommended that an Article 4(1) Direction would be inappropriate in Misson at this time.

Members thanked the Conservation Officer for his continued hard work on seeing the process through.

Cllr Taylor spoke in reference to the Parish Council meeting which she attended in her capacity as County Councillor. Cllr Taylor stated that the Conservation Officer remained calm and professional throughout the meeting, in the face of strong and vociferous opposition to the proposal.

**RESOLVED** that:

1. The Committee approve the discontinuance of the Misson Article 4(1) Direction process.
2. Delegated authority be given to officers of the Conservation Team to implement this discontinuance, including notifying affected properties and other consultees.
3. Any future cost implications for employee structure be reported to Members.

(d) Proposed Article 4(1) Direction for Woodend Farmhouse, Coach Road, Shireoaks

Members were presented with a report which sought to seek authorisation from the planning committee for the making of an immediate Article 4 Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) (England) order 2015, to restrict permitted development rights for demolition, rendering, painting or changes to chimney stacks.

Photographs and a location plan were tabled.

Woodend Farmhouse is regarded as a non-designated heritage asset, identified as such in accordance with the Council's criteria which were approved at Planning Committee in January 2011. The building was constructed in the late-18<sup>th</sup> century for Reverend John Hewitt of Shireoaks Hall. Although the appearance at present is different to what is used to be the building still retains much of its significance.

The planning history of the site was listed in the report.

Members were advised that on 21<sup>st</sup> March 2019, an application was validated for the demolition of the farmhouse, the erection of two dwellings and garages, together with an additional garage. The building is therefore at immediate risk as the applicant's clear intent is to demolish rather than retain. Whilst the Council would be within its rights to refuse the current application on heritage grounds, it could not stop the building being demolished under the permitted development 'prior approval' process should the applicant wish to pursue that option.

Members raised appreciation that the proposed Article 4 has been brought to committee as residents and the parish council wished to save this historic building in Shireoaks.

**RESOLVED** that:

1. The committee approve the making of the 'Woodend Farmhouse' Article 4(1) Direction.
2. The Committee confer delegated authority to officers of the Conservation Team to implement the making of the 'Woodend Farmhouse' Article 4(1) Direction.
3. Any future cost implications for employee structure be reported to Cabinet.

(e) Planning Applications and Associated Items

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
19/00076/FUL	McConnells Electrical	Conversion of former local communal centre to large (HMO) house in multiple occupation consisting of 10 en-suite bedrooms and shared kitchen and dining room with external alterations. Former Local Communal Centre, Lanchester Gardens, Worksop.

Members were advised that the application sought conversion of a former local communal centre to a large house in multiple occupation consisting of 10 en-suite bedrooms and shared kitchen

and dining room with external alterations. The site had been the subject of a site visit prior to the meeting. Slides were used to show the site location.

It was noted that the former communal centre is currently empty.

The external alterations consist of an increase in the size of the first floor across the full width of the building on the front elevation. The accommodation is to be provided on two floors with two bedrooms and the communal kitchen, dining room and hallway on the ground floor and eight bedrooms on the first floor. It is proposed for the building to have a render finish with false cedar panelling on the front elevation and dark grey windows.

The site currently has seven car parking spaces, the proposal will increase the car parking spaces to 13 for new residents.

The relevant planning history and a summary of the consultee responses were listed in the report.

Councillor J Potts spoke in objection to the application as the ward councillor, she commented that:

- She is the Ward Councillor for the area.
- A large number of local residents who live near to Lanchester Gardens have objected to the proposal and have signed a petition.
- House of multiple occupations are associated with crime and anti-social behaviour.
- The proposal will increase the risk of crime and noise to the nearby elderly residents.
- The proposal conflicts with paragraph 127 of the National Planning Policy Framework.
- 70+ bungalows sit opposite the proposed site around 20 yards away, the majority of residents living in these are elderly and vulnerable.
- The council has a 7.9 years housing land supply so further development is not needed.
- If the application is to be granted Councillor Potts has asked for security measures to be put into place, for example, CCTV and security on doors.
- The site previously had anti-social behaviour issues but since the building was done up it no longer has problems. They do not want these issues to come back.

Councillor J Shepherd spoke in objection to the application as the ward councillor, he commented that:

- He wants to emphasise on Councillor J Potts points.
- Local Residents have raised objections based on fear of low level crime, anti-social behaviour and noise.
- The proposal is contrary to paragraph 127 of the National Planning Policy Framework.
- Quality of life of the elderly local residents will be degraded by the fear.
- Issues have occurred in the past around the adjacent property.
- 70+ bungalows are adjacent to the property where elderly and disabled residents reside.
- The closest bungalows are just 20 yards away from the proposed site.
- Further development is not needed as the council has already got a 7.9 year housing land supply.

Members raised questions/concerns regarding the following:

- The shared facilities may cause problems; tempers can rise when sharing facilities.
- Fear of crime can be used as a material planning consideration.
- Crime figures in Lanchester Gardens were outlined.
- Concerns regarding the layout and density.
- Lack of car parking spaces.

The Planning Officers advised Members that the house in multiple occupancy would be licensed. The number of car parking spaces meets the Councils policy. The Fear of crime is a material

planning consideration but is to do with how the proposal is designed not who may reside in the property.

**RECOMMENDATION OF THE HEAD OF REGENERATION** – Grant planning permission subject to conditions as detailed within the report.

**COMMITTEE DECISION** – Grant planning permission subject to conditions as detailed within the report.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
18/01037/FUL	Broadbill Ltd	Proposed refurbishment, alterations and extension to provide 21 residential apartments and studio flats. 4 Chapelgate, Retford.

Members were advised the application seeks planning permission for the refurbishment, alteration and extension of the existing building to provide 21 residential apartments. Slides were used to show the site location.

The relevant planning history and consultee responses were listed in the report.

The site is located outside the primary shopping area boundary but forms part of a secondary retail frontage within the Retford Conservation Area. The building in question is a grade II listed building, it was last used as a public house at ground floor level, but is no longer in use, with flats above on the first and second floor. The proposal would include a second floor extension at the rear of the building and an extension to form a lift at the rear.

Members were advised that a condition has been imposed to constrict the hours of construction.

Mr Barnett spoke in objection to the application as a local resident, he commented that:

- He is representing the Retford Civic Society.
- He is keen to see investment into the Town Centre.
- The proposal will cause serious harm to the area as the ground floor will be used for residential use.
- The proposal will harm the character of the Conservation Area.
- The Conservation Area needs to be preserved and enhanced.
- Having this as residential use will give people less reason to visit the area.
- The proposal will result in harm to the character of the area.
- This is the commercial heart of the Town Centre.
- It is proposed for two flats to be on the ground floor, this is poor living accommodation.
- There will be a lack of natural light to at least one bedroom.
- The windows will be on the square – lack of privacy.
- There is a risk of anti-social behaviour in the area.

Mr P Turner spoke in support of the application as the agent, he commented that:

- The proposal will create 21 high quality retirement apartments.
- It will take two years to construct.
- The building has already been vacant for several years.
- A heritage impact assessment has been carried out.
- The proposal will enhance the setting of the Conservation Area.
- A positive response has been received to change the character of the Town Centre.
- The place where people live, shop and socialise.
- The proposal will enhance the historic frontage and economy.
- The proposal will bring affordable housing.

Members raised concerns regarding the lack of natural light to at least one bedroom. The Planning Development Manager advised that it is not a legal requirement to have a window in a bedroom. The decision is based on if the proposal gives enough residential amenity

**RECOMMENDATION OF THE HEAD OF REGENERATION** – Grant planning permission subject to conditions as detailed within the report.

**COMMITTEE DECISION** - Grant planning permission subject to conditions as detailed within the report.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
18/01038/LBA	Broadhill Ltd	Proposed refurbishment, alterations and extension to provide 21 residential apartments and studio flats. 4 Chapelgate, Retford.

Members were asked to consider the listed building consent for the refurbishment, alterations and extension of the existing building to provide 21 residential apartments.

The application was taken alongside the previous application.

**RECOMMENDATION OF THE HEAD OF REGENERATION** – Grant planning permission subject to conditions as detailed within the report.

**COMMITTEE DECISION** – Grant planning permission subject to conditions as detailed within the report.

#### 88. CHANGE IN AGENDA ORDER

The chair advised of a change in agenda order so that planning application 18/01603/PIP be taken before planning application 18/00467/OUT.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
18/01603/PIP	Mr Tim Needham	Residential development not exceeding nine dwellings. Rosedean Farm, Mark Lane, East Markham.

Members were advised that the application sought to seek permission for residential development not exceeding nine dwellings. The site had been the subject of a site visit prior to the meeting. Slides were used to show the site location.

The site is on the edge of the village of East Markham outside the development boundary as defined in the Bassetlaw Local Development Framework and outside the East Markham Conservation Area.

Members were advised that the scope of permission in principle is limited to location, land use and the amount of development. Other matters should be considered at the technical details consent stage.

A summary of the consultee responses were listed in the report.

Councillor M Priddle spoke in objection to the application representing the Parish Council, he commented that:

- The site is outside of the development boundary.

- Highway safety – the exit from the site is on to Mark Lane, the Parish Council consider this to be dangerous.
- Lack of parking.
- Land supply – East Markham has seen a disproportionate amount of planning permissions being granted for new development for its size.
- The development will lead to a loss of employment as those who currently work on the site will no longer have a job.
- A lot of visitors visit the farm on bank holidays.
- Sale of existing properties in the area is struggling.

Councillor J Ogle spoke in objection to the application as the Ward Councillor, he commented that:

- The site is outside the village development boundary.
- Bassetlaw now has a 7.9 year housing land supply which has not been taken into account, further development is not needed.
- Highway Safety – the junction onto the site is dangerous, the Parish Council have already asked to have a mini roundabout in place.
- East Markham is already busy; this will make the area more dangerous.
- If the application is refused then something smaller could go on the site.

Members raised questions concerns regarding the following:

- The village is small with little employment; don't want to lose anymore employment.
- No provision has been made for starter homes or two bed dwellings.
- The proposal does not meet some of own policies.
- Negatives out way positives.

The planning development manager advised that a loss of employment is a material planning consideration; however, it may be that the business is unviable.

**RECOMMENDATION OF THE HEAD OF REGENERATION** – Grant permission in principle.

Voting for taking this course of action:

**FOR:** Councillors S Fielding, G Freeman and S Scotthorne.

**AGAINST:** Councillors H Burton, K H Isard, G A N Oxby, D G Pidwell, M W Quigley, A Smith and T Taylor.

**ABSTAIN:** None.

**COMMITTEE DECISION** – Refuse permission in principle for the reasons as follows:

- A loss of employment, insufficient information on the impact on workers.
- The proposal is therefore contrary to the requirements of policy CS1 and DM8 of the Bassetlaw Local Development Framework and the requirements of paragraphs 77, 78 and 127 of the National Planning Policy Framework.
- The proposal is contrary to policy DM3.

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

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
18/00467/OUT	Lindrick Park Development Limited	Proposed residential development of houses, apartments, bungalows with associated adoptable access road, private courtyards and parking spaces. Land to the north of Claylands Avenue, Worksop.

Members were advised that the application sought proposed residential development of houses, apartments, bungalows with associated adoptable access road, private courtyards and parking spaces. Slides were used to show the site location.

Members were advised that this is the 3<sup>rd</sup> time that the application has been to Planning Committee. The scheme was considered by planning committee on the 15<sup>th</sup> August 2018 where it was resolved to grant planning permission subject to the completion of a S106 agreement. A decision on this case has yet to be issued as the S106 remains uncompleted.

The application was then brought to the 6<sup>th</sup> March Planning Committee with a recommendation to refuse as almost seven months from the date of the original resolution to approve. However, a decision on the case was deferred at the 6<sup>th</sup> March meeting as the applicant had seen the amended resolution to refuse permission for the scheme and had contacted the council and advised that they now wished to progress with signing the notice.

As the S106 has still not been signed and eight months has elapsed it is recommended that the scheme is refused permission.

**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.

## **SECTION B – ITEMS FOR DISCUSSION IN PRIVATE**

### **Key Decisions**

None.

### **Other Decisions**

None.

## **89. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT**

Councillor Hugh Burton outlined his issues regarding the planning process to the rest of the Committee Members and Officers.

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

(Meeting closed at 9:03pm)