

## **PLANNING COMMITTEE**

### **Minutes of the meeting held on Wednesday, 22<sup>nd</sup> May 2019 at Worksop Town Hall**

#### **Present:**

Councillor D G Pidwell (Chair)

H Brand, D Challinor, S Fielding, G Freeman, G A N Oxby, M W Quigley, M Richardson, N Sanders and B Tomlinson.

Officers in attendance: K France, D Jones, J Krawczyk and B Pinkney.

(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.)

#### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors M Charlesworth and L Schuller.

#### **2. DECLARATIONS OF INTEREST**

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

Councillor G A N Oxby raised a non-pecuniary interest in planning application 18/01637/FUL.

Councillor M W Quigley raised a non-pecuniary interest in planning applications 18/00695/FUL and 18/01431/OUT.

Councillor H Brand raised a non-pecuniary interest in planning application 18/01431/OUT.

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

There were no declarations of interest by officers.

#### **3. MINUTES OF THE MEETING HELD ON 24<sup>TH</sup> APRIL 2019**

**RESOLVED** that the Minutes of the meeting held on 24<sup>th</sup> April 2019 be approved.

#### **4. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 25<sup>TH</sup> MARCH AND 15<sup>TH</sup> APRIL 2019**

**RESOLVED** that the Minutes of the Planning Consultation Group meetings held between 25<sup>th</sup> March and 15<sup>th</sup> April 2019 be received.

#### **5. OUTSTANDING MINUTES LIST**

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

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

#### **Key Decisions**

None.

## Other Decisions

### 6. 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) Planning Applications and Associated Items

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
18/01637/FUL	Thoresby Farming	Erection of 125.1m x 29m agricultural building (Grain Store) with concrete apron, dryer, storage tanks, 7.5m x 3.2 control and sampling room and associated buildings. A new access on to the highway and access roads within the site. Land north of Normanton Larches Farm, Normanton Lane, Clumber Park.

Members were advised that the application sought to erect an agricultural grain store with concrete apron, dryer, storage tanks and associated buildings. A new access on to the highway and access roads within the site are proposed. 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 currently an agricultural field with an existing bungalow next to the proposed entrance. To the north is an existing woodland area.

The Consultee responses were listed in the report.

Mr Mitchel spoke in objection to the application representing the Parish Council, he commented that:

- The proposal lacks detail on traffic control.
- Main Street is a narrow and windy road.
- The current weight restrictions on the road has been ignored, pedestrians, cyclist and horse riders use this road.
- The weight restriction should be removed so heavy goods vehicles can use it.
- A lot of horse and cycle traffic- how will this be policed?
- Signage needs to be put on major roads.

Members raised questions regarding what infrastructure improvements will be made to the road and the weight restrictions.

The Major Projects Planner advised that it is proposed to improve the junction of Normanton Lane and the A614 and create passing points along Normanton Lane to ensure vehicles can easily pass each other on the highway. The access to the site would be upgraded to ensure heavy goods vehicles can pass each other at the site entrance.

(Councillor H Brand joined the meeting)

**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>
18/00695/FUL	Harron Homes	Erect 109 dwellings and construct a new access including provision of public open space and surface water balancing pond (phase 2). Land to the rear of Kenilworth Nurseries, London Road, Retford.

Members were advised that the application sought to erect 109 dwellings and construct a new access including provision of public open space and a surface water balancing pond. Slides were used to show the location. The site had been the subject of a site visit prior to the meeting.

The site lies to the south of Retford and forms part of the Kenilworth Nurseries site which is to the east of London Road. The parcel of land is 5.39 hectares and is the second phase of the housing development which has previously been approved for the Kenilworth Nurseries Site.

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

The Major Projects Planner advised Members of further updates to the report.

Members were advised that the Highways Authority want to signalise on the junction to free capacity on London Road.

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

- In the past developments have been refused on this site due to flooding problems on the site.
- What has changed since the Phelps report?
- Why has a pumping station been allowed on the phase 2 land?
- The Lead Local Flood Authority conditioned an order on the site in March 2018, this was discharged in September when the building works started.
- Bassetlaw District Council failed to inspect this.
- Who is responsible for the pumping station?
- Bassetlaw's draft plan states the importance of flood control.
- Contrary to paragraph 155 and 163.
- In 2007 and 2012 residents were evacuated from their homes for long periods due to flooding.

Councillor Susan Shaw spoke in objection to the application as ward councillor, she commented that:

- Paragraph 94 of the National Planning Policy Framework – provision of sufficient school places. Nottinghamshire County Council advised that Ordsall Scholl is in the catchment, this is not the case, and children would have to go by car or a potentially long dangerous walk.
- The £314,088 to extend Ordsall School would not elevate transporting children too and out of the catchment area.
- Paragraph 96 – provision of high-quality open space and opportunity's for sports and physical activity. The plans show that there is small open space near the back, this brings water safety concerns.
- The application reads that Bassetlaw District Council will not be responsible for the open space and a management company would have to maintain it. Will this be a condition?
- The application refers to an additional £35,062.50 to be contributed to Bassetlaw District Council for play and states that there is a play area on Goosemore Lane, the crossing on

London Road to get to Goosemore Lane is busy, this would mean parents taking their children by car or by foot as it is too far for children to walk alone.

- There is no provision for a public footpath or a crossing to aid this.
- There is nowhere on site for teenagers to do sports.
- Paragraph 108 – Highway Safety. There is one exit from this site, the final count of 222 homes possibly 400 cars in and out of the very busy London Road, already grid locked at peak times.
- If Ordsall School is identified then the cars will be leaving the development and going down Goosemore Lane at peak times.
- Has there been a risk assessment to assess the increased risk due to the density of the traffic and the extra homes and cars exiting the estate?
- Bassetlaw social objective is to “support strong, vibrant and health communities”, this development would not be a community, however it should be seen as one as it is big enough.
- The development has no public meeting space, no shops or no amenities on the site.
- Building an additional 109 houses on a field does not fulfil a social objective and sustainability.
- Conditions set at planning – developers are not meeting the conditions set when a planning application is granted, in this case conditions such as starting to build phase two of development when condition 20 has not been satisfied.
- We should not have to rely on Bassetlaw’s enforcement powers having to be applied.

Rachael Martin spoke in favour of the application as the agent, she commented that:

- This is the second phase of development.
- Bassetlaw has met its 5 year housing supply. However, steps still need to be taken to maintain this.
- The out of date policy means that planning applications are considered using the tilted balance method.
- The development will bring 109 new homes.
- It continues to improve local infrastructure.
- No objections have been received from consultee responses.
- Nottinghamshire County Council will facilitate the improvements on London Road.
- The site is in flood zone 1, the flood risk has not increased on the site.
- Under paragraph 11 of the National Planning Policy Framework the benefits of the developments outweigh any negative impacts.

The Chair asked if the developer had any further information that could be given on the pumping station. The developer advised that the pumping station has been built in accordance with regulations and will have the capacity to serve the development of phase 2.

Members raised questions/concerns regarding investigations on breaching conditions, traffic, access to London Road, the play area on Goosemore Lane and the danger of children walking across the busy road, public transport and flooding issues.

In response to questions raised the Planning Development Manager advised that breaches of conditions are investigated by the local authority and enforcement action will take place when required.

Nottinghamshire County Council has not requested any contributions for public transport. However, a travel plan coordinator is in place that provides house owners with other options of transport.

The Planning Development Manager advised that Nottinghamshire County Council Highways are satisfied with the cumulative impact the development will have.

**RECOMMENDATION OF THE HEAD OF REGENERATION** – Grant planning permission subject to conditions as detailed within the report and the execution of S106 agreement.

**COMMITTEE DECISION** - Grant planning permission subject to conditions as detailed within the report and the execution of a S106 agreement.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
18/01625/OUT	Muller Property Group	Outline planning application with some matters reserved (approval being sought for access) for residential development of up to 171 dwellings. Land north of Bigsby Road, Retford.

Members were advised that the application sought outline permission with some matters reserved for residential development of up to 171 dwellings. Slides were used to show the location. The site had been the subject of a site visit prior to the meeting.

The site is located outside of, but adjacent to the development boundary of Retford with two access points proposed off the end of Bigsby Road and Palmer Road. The site consist of 7.43 hectares of agricultural land, with a drainage ditch and East Retford public footpath crossing the middle of the site.

The proposal is within the setting of grade II listed Moorgate House approximately 200 metres to the North West of the site across adjacent fields.

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

Members were advised that the applicant had submitted details on the nearby grade II listed house.

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

- Bassetlaw District Council has reached its 5 year housing supply.
- Retford does not need any more development.
- Retford doesn't need the pressure on the infrastructure.
- The development will increase the traffic onto Tiln Lane.
- Large heavy goods vehicles already have to use this route as it is a diversion from low bridges at Welham.
- As well as increased traffic, can we mitigate over 400 children spilling out from the school onto Tiln Lane?
- It is shocking that Highways have no objections about this development.
- These circumstances have already impacted on families.
- He urges for Members to listen to residents and object the development.

Councillor Susan Shaw spoke in objection to the application as Ward Member, she commented that:

- She thanked Officers for the detailed report.
- This application site is outside of the existing built form of Retford. In addition Bassetlaw has met its 5 year housing supply.
- Paragraph 96 of the National Planning Policy Framework – provision of high quality open space and opportunity for sport and physical activity. In stark contrast to the previous application, it is pleasant to read that the councils preference of on-site provision and amenity space within the development, should be considered by planning committee. This is very important as there is no access to play, sport and physical activity.
- The nearest play area in on Leverton Road which is unsustainable for families.

- Paragraph 108, Highway Safety – the detailed reports identifies the real danger of overcapacity in the area and the transport assessment identified the space around Tiln Lane, and Moorgate junction as being small and would be constrained.
- The report highlights all the concerns from residents with regards to safety near Carr Hill School and the HGV traffic that already is a pinch point identified from other developments brought to committee as well as the junction.
- This development identifies many issues yet to be resolved for this area of Retford and until the infrastructures, e.g. highway safety is resolved it will always bring with it high safety concerns.
- The officer recommendation is to refuse the application and hope the committee agree.

Members raised many concerns regarding highway safety around this area.

**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.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
18/01431/OUT	Mr & Mrs C. Summers	Outline planning permission with some matters reserved, approval being sought for access, to erect up to five dwellings and create a new access road from Town Street. Land to the rear of 30 Town Street, Sutton Cum Lound.

Members were advised that the application sought outline permission with some matters reserved to erect up to five dwellings and create a new access road from Town Street. Slides were used to show the location. The site had been the subject of a site visit prior to the meeting.

The site is located within Sutton-cum-Lound development boundary. The site is relatively level and lies within the core of the main built up part of the area. There is an existing hedge on the road side boundary and the existing dwellings and outbuildings, number 30 Town Street which is regarded as a non-designated heritage asset.

The site has an area of approximately 0.66 hectares and forms an extensive curtilage to the existing dwelling.

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

Mr John Gough spoke in objection of the application on behalf of the Parish Council, he commented that:

- The Parish Council object to the application.
- The proposal conflicts with the Neighbourhood Plan.
- The planning application site is contrary to the Neighbourhood Plan.
- The neighbourhood Plan was formally adopted one year ago.
- The site was branded as one of the least favourite sites for development in the Neighbourhood Plan.
- It is clear that they do not want housing of any scale to the rear of 30 Town Street.
- The vision of the neighbourhood plan should not be ignored.
- The design of the access is based on a two hour traffic survey taken, this is not adequate.
- Traffic speeds on Town Street.
- The access road is too narrow.
- If the application is approved they may as well no longer have an Neighbourhood Plan.
- Asks that the committee refuse the application.

Mr Nigel Johnson spoke in objection of the application on behalf of the Neighbourhood Planning Group, he commented that:

- Policy 6 of the Neighbourhood Plan has been misinterpreted.
- This is a clear definition of what is meant by infill. Don't know how this development fits the definition outlined in the Neighbourhood Plan.
- 20 sites had been considered in the Neighbourhood Plan, this site was the 2<sup>nd</sup> most unpopular site to use for development.
- Paragraph 14 of the National Planning Policy Framework is to protect the Neighbourhood Plan.
- The Neighbourhood Plan is a community plan.
- In summary, five new dwellings have been proposed that will cause a lot of impact to the community. If the proposal is granted policy 6 will not apply.

Mr Richard Long spoke in support of the application as a local resident, he commented that:

- He resides in Sutton.
- Has been a resident in the village for 30 years and has seen the village grow.
- The proposed site is in an already built up area.
- Bassetlaw's Conservation Officer supports the development.
- Not all local residents object to the development.
- He objects that the proposal contradicts the Neighbourhood Plan.
- The Neighbourhood Plan Officer has commented that the development does not contradict the Neighbourhood Plan.
- The local petition has been done by a number of objecting neighbours.
- The layout is attractive with a good distance around each dwelling.
- The site is a perfect site for this development.

Councillor Rob Boeuf spoke in objection to the application as the Ward Councillor, he commented that:

- He recalls the Leaders of the Council words at the Annual General Meeting regarding Bassetlaw's success with Neighbourhood Plans.
- Sutton-cum-Lound is proud of their Neighbourhood Plan.
- The application undermines Sutton's Neighbourhood Plan.
- There is a fear for the future.
- There are pedestrian safeguarding issues, the footpath is very narrow.
- As the footpath is narrow the only safe passage is to cross over Town Street.
- Pavements need to be made wider.
- Sutton residents deserve more radical approval.

Councillor Tracey Taylor spoke in objection to the application as County Councillor, she commented that:

- She had sought committee hearing of the application whilst I was still district Councillor for Sutton ward.
- A previous application was refused at planning at appeal. The site was not a Neighbourhood Plan approved site then and now.
- Corbelling works to the non-designated heritage asset (30 Town St) are the subject of a still unanswered enquiry over planning legitimacy.
- Highways concerns over proposed site entrance and apparent contradictions between Highways officer's response to planning consultation and recent NCC decisions:
  1. vehicle speeds along Town St: NCC's conclusion that speeds met criterion for the installation of interactive speed signs (2) near this location.

2. width of footpath and carriageway along Town St: NCC officer assessment that the carriageway is too narrow to achieve the footpath widening sought by the parish council to address the danger to pedestrians of vehicles over-riding the kerb.

Mr Nick Baseley spoke in support of the application as the agent, he commented that:

- The site is within the existing settlement and complies with the Neighbourhood Plan.
- The application was previously for 15 dwellings, with a request to demolish 30 Town Street. This was refused and the appeal was dismissed.
- The inspector's decision was based on the demolition of 30 Town Street.
- The proposal is now to retain 30 Town Street and erect five dwellings.
- Bassetlaw' Conservation Officer supports this.
- The development does not conflict with Sutton's Neighbourhood Plan.
- The site area is suitable for five dwellings.
- No other technical objections have been received.
- The Neighbourhood Plan provides a framework on what to provide.
- There is no settlement cap at present.
- He asks Members to support the application subject to conditions listed in the report.

Members raised concerns/comments regarding policy 6 of the Neighbourhood Plan – infill and redevelopment, sites outlined in the Neighbourhood Plan, open and green space land and the communities work on the Neighbourhood Plan.

In response to questions raised the Planning Development Manager advised that the Neighbourhood Plan has been made so full weight is accorded. He advised that five dwellings will be the maximum amount on the site.

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

Voting for taking this course of action:

**FOR:** None.

**AGAINST:** Councillors H Brand, D Challinor, S Fielding, G Freeman, G A N Oxby, D G Pidwell, M W Quigley, M Richardson, N Sanders and B Tomlinson.

**ABSTAIN:** None.

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

- The proposal is contrary to policy 6 of the Neighbourhood Plan.
- Highway Safety issues.

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

(c) Development Management Performance Report 2018/2019 Full Year

Members were presented with a yearly performance report for the Development Management Functions 2018/2019.

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

The outcome of appeals for 2018/2019 were given, as well as cost appeals and planning enforcement that have taken place.



Members were advised that in terms of the national picture of Local Authority planning performance, the Development Team has far exceeded the national average performance despite changes in staff and pressures arising from long-term illness.

The Chair gave thanks to all Planning Officers for their continued hard work and dedication.

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 8:55pm)