

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday, 11th September 2019 at Worksop Town Hall

Present:

S Fielding (Vice-Chair as Chair)

M Charlesworth, S Fielding, G Freeman, G A N Oxby, M W Quigley MBE, M Richardson, N Sanders, L Schuller and B Tomlinson.

Officers in attendance: D Jones, J Krawczyk, B Pinkney, M Tagg (until agenda item no 6(c)) and S Wormald.

(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.)

29. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors H Brand, D Challinor and D G Pidwell.

30. DECLARATIONS OF INTEREST

(a) Members

Councillor G A N Oxby raised a non-pecuniary interest in planning application 19/00765/OUT.

Councillor M W Quigley raised a disclosable pecuniary interest in planning applications 19/00765/OUT and 18/01585/RSB.

(b) Officers

There were no declarations of interest by officers.

31. MINUTES OF THE MEETING HELD ON 14TH AUGUST 2019

RESOLVED that the Minutes of the meeting held on 14th August 2019 be approved.

32. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 22ND JULY AND 5TH AUGUST 2019

RESOLVED that the Minutes of the Planning Consultation Group meetings held between 22nd July and 5th August 2019 be received.

33. OUTSTANDING MINUTES LIST

RESOLVED that the Outstanding Minutes List be received.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

34. 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) Proposed Confirmation of an Article 4(1) Direction for Woodend Farmhouse, Coach Road, Shireoaks

Members were advised that the report seeks Planning Committees approval for the 'confirmation' of an Article 4 Direction which was 'made' on 25th April 2019.

The Conservation Officer advised Members of what permitted development is, how Article 4 Directions affect permitted development and the two types of Article 4 Directions.

Woodend Farmhouse is regarded as a non-designated heritage asset as identified in accordance with the council's criteria which were approved at Planning Committee in January 2011.

The relevant planning history was listed in the report.

The Council was within its right to refuse the latest application on heritage grounds, without an Article 4(1) Direction, as the proposal was for new development. However, it could not stop the building being demolished under the permitted development 'prior approval' process should the applicant wish to pursue the option. The building is at risk as the applicant's intentions are to demolish the building rather than retain it, so it is considered likely that the prior approval route would be pursued after the 6 month time limit should the Article 4(1) Direction not be confirmed.

Members were advised that the making of an Article 4(1) Direction is common practise across the country with respect to the protection from demolition or alterations of non-designated heritage assets. Recent examples included the direction for the former North Border School in Bircotes, and Leicester City Council's Directions on a range of its non-designated heritage assets in 2016 and 2017.

The immediate Article 4 Direction was made in April and then went through a six weeks consultation period. Responses to all consultation comments received are outlined in the report.

Members were advised that the withdrawal of permitted development rights by an Article 4 Direction may give rise to a claim for compensation. However, this is only where the planning application to demolish is submitted within 12 months of the date of the direction comes into force (i.e. 25th April 2019), and relates only to abortive expenditure. In the 5 months since the immediate Direction was made, no such request has been made. Compensation regarding land value is measured by the value of the cleared site, minus the value of the site as exists, which normally produces a value close to nil.

RESOLVED that:

1. The Committee approve the 'confirmation' of the 'Woodend Farmhouse' Article 4(1) Direction.

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

(M Tagg left the meeting)

(Councillor G A N Oxby and M W Quigley MBE left the meeting)

(d) Planning Application and Associated Items

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
19/00765/OUT	Mr T & M Strawson & Horrocks	Outline planning application with some matters reserved (approval being sought for access) for residential development of up to 71 dwellings (resubmission of planning application 18/00747/OUT), land north of Bracken Lane, Retford.

Members were advised that the application sought outline permission with some matters reserved for residential development of up to 71 dwellings. The application is a resubmission of planning application 18/00747/OUT. Slides were used to show the location of the site and photographs of the site were shown. The site had been subject of a site visit prior to the meeting.

The application site is adjacent to Bracken Lane which lies within the south eastern part of the market town of Retford. Bracken Lane leads off the A638 London Road and serves the Bracken Lane Primary Academy School and the surrounding residential area as well as providing a route out to the surrounding countryside.

Members were advised that the site is an undeveloped field and occupies an area of 3.99 hectares. It lies to the north of Bracken Lane, behind Bracken Lane Primary Academy School. The land is currently undeveloped agricultural field with trees around the boundary.

The indicative site plan shows that 0.78 hectares of the site will be put over to public space with a network of footpaths and amenity areas for informal recreation opportunities and to provide biodiversity enhancements.

The consultee responses and relevant planning history were summarised in the report. A slide was shown to Members to show the education places, this indicates a surplus of 49 primary school place and a deficiency of 139 secondary places.

The Highway Authority has commented that they would prefer all of the scheme to be served from the access point off Bracken Lane, but they are content that as the access point is to only serve three new dwellings that its impact on highway safety will not be unacceptable. They have requested a condition which will limit the use of the London Road access to three dwellings only.

The Lead Local Flood Authority has reviewed the applicants flood risk assessment and have indicated that the site lies in a flood zone 1 area and can adequately deal with surface water without increasing the risk of flooding.

Members were advised that the application is identical to the one that was refused permission under planning reference number 18/00747/OUT at the planning committee on the 5th December 2018. That case is now at appeal and will be heard by an inspector via the informal hearing method on the 26th November 2019.

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

- She speaks on behalf of the local residents who want to reject this application.
- The application site is outside of the development boundary.
- Congestion already occurs on Bracken Lane during peak times as it is a narrow road, buses, Lorries, tractors etc. struggle to get down the road.
- This development will just increase the congestion that already occurs.
- Road safety is a concern as the junction already fails to cope with traffic, long queues form which results in risks being taken.
- There is no lighting or footpaths near the accesses.
- There is a lack of school places, Bracken Lane is already at full capacity.
- Ordsall and Carr Hill Primary School are not within walking distance, this results in parents/carers using cars which will add to the congestion.
- Flooding is an issue, the assessment states that the site is at low risk of flooding, however the photos tabled show that the site can't cope with surface water.
- The area is becoming overdeveloped, houses are already being built on land over the road.
- The proposed development is not sustainable, there are no public amenities, and the play facilities are 1.2km away.
- No provisions have been made for more public amenities.
- To conclude the development is not sustainable and does not provide anything positive for the community.
- Members of the committee object to the application.

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

- She thanked Members for letting her have the opportunity to speak in support of the application.
- They recognise that objections have been received and have been exercised by the previous speaker and in the report.
- The officer has carefully considered all the objections and have made sure they have been responded too and solutions have been made.
- Appropriately worded conditions have been put into place to deal with all objections received.
- No technical objections have been received from statutory consultees.
- The land north of Bracken Lane is a sustainable area for development.
- The proposal will deliver social, economic and environmental benefits to the community.
- Members consider the officer recommendation and grant planning permission.

Members were advised that Councillor Shaw could not attend the meeting but had written in to the planning department with her concerns. The Development Team Manager read out Councillor Shaws comments as follows:

- National Planning Framework considerations, paragraph 96, provision of high-quality open space and opportunity for sport and physical activity - The report outlines the fact that BDC will secure £22,632.25 to enhance the play facilities on Goose More Lane, committee may remember that a substantial amount of money was secured by BDC from the Kenilworth site in a recent application. This play facility was identified as too far for children and young people to go on their own necessitating parents and carers to accompany children across a busy road and down another equally busy road to play. Let's start to be imaginative and assertive with developers and get play facilities onto the estate, there are so many advantages for all the family which are well documented, mental health, stress and healthy lifestyles.
- This site is even further away from the allocated recreational site. Imagine coming home from school and having nowhere to play where you live. The provision identified is not fit for purpose. It is not safe for children to cross the busy A638 to go and play.
- Para 108 Highway safety – The reports reads that Highway Authority has confirmed that it will not request a contribution to improve Whinney Moor / Bracken lane Junction as its impact is not significant enough on surrounding roads to justify it.

- This is potentially a very dangerous junction, there is a crossing just off the junction which feeds two schools in local proximity. The crossing is very busy at school times and the junction becomes gridlocked already at busy times. The A638 feeds all traffic in and out of Retford. She believes it is incumbent upon planning to investigate further the impact this development will have on the junction and feed back to Highway Authority their concerns in the light of the 200 houses recently given the green light further up the road.
- The report highlights bus stop infrastructure, however there is no links to the fact there are very few buses in and out of Retford. The report also highlights the fact that individuals may have to walk 20 minutes to the nearest shop, which is seen as reasonable. Has consideration been given to elderly or disabled individuals? It is also noted that individuals could cycle into town however, no mention of cycle lanes?
- Referring to paragraph 155 – inappropriate development at risk of flooding to be avoided. Many residents have photographs taken over many years of the flooding in the area. She asked committee to seek a second option and at least wait until Kenilworth site is complete to see if it in fact has a negative effect on the surrounding area.
- The report highlights BDC local development framework.
- DM9 – open space and sports provision.
- DM12 – flood risk.
- DM13 – sustainable transport.
- She urges committee to look closely at all these priorities from the framework before a final decision is made.

Members raised concerns/questions regarding highway safety, sustainability and access into the town centre, cycle lanes, flooding issues and accessibility to play facilities.

In response to questions raised the Major Projects Planner advised that cycle lanes and bus routes are already in place, the photos of the flooding are from years ago, the site is in a flood zone 1 area so it at low risk of flooding. Members were advised that the Highway Authority have taken into consideration the other nearby residential developments.

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

(Councillor G A N Oxby returned to the meeting)

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
18/01585/RSB	Mr S Difuria	Proposed outline application (all matters reserved) for residential development and community allotments (resubmission of planning application 17/00962/OUT), land between Walkeringham Road and Vicarage Lane, Beckingham.

Members were advised that the application sought outline permission with all matters reserved for residential development and community allotments. The application is a resubmission of planning application 17/00962/OUT. Slides were used to show the location of the site and photographs of the site were shown. The site had been subject of a site visit prior to the meeting.

The site is located on the northern edge of Beckingham between Walkeringham Road and Vicarage Lane. The site comprises a large rectangular grass field with mature hedging and a number of trees along each boundary providing an enclosed feel. There is housing along the west side of Walkeringham Road from the start of the appeal site heading sought into the village, and housing on the north side of Vicarage Lane.

Members were shown the indicative layout which shows the allotments being provided to the easternmost portion of the site with its own parking area.

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

Members were advised that the application was previously dismissed at appeal following the application being refused at Planning Committee. The inspector dismissed the application due to the lack of information in respect of planning obligations which were considered necessary to mitigate the impact of the development.

Angela Simmonds spoke in support of the application as the agent, she commented the following:

- She thanked the Committee for the opportunity to speak in support of the application.
- They have benefited from the application being dismissed at appeal due to the lack of information, as they have had the opportunity to resubmit the application.
- The site is a suitable location.
- The proposed scale of development is considered to be appropriate.
- The applicant is a local man who is pleased to provide for his community to improve the area.
- The applicant has developed the land himself.
- She asks that the committee approve the application.

Councillor Oxby commented that the decision notice and the appeal decision is not presented in the report.

Members raised questions/concerns regarding the management of the allotments and the existing play facilities.

In response to questions raised the Development Team Manager advised that the management of the allotments will be within the S106 agreement. He advised that the nearest play facilities are on the other side of the village.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant planning permission subject to a S106 agreement.

(Councillor M W Quigley MBE returned to the meeting)

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
19/00611/FUL	Stancliffe Homes Ltd	Erection of 27 dwellings with new access from Shireoaks Common and associated landscaping works, land south of Woodend Farm, east of Shireoaks Common, west of A57, Shireoaks.

Members were advised that the application sought to erect 27 dwellings with a new access from Shireoaks Common and associated landscaping works. Slides were used to show the location of the site and photographs of the site were shown. The site had been subject of a site visit prior to the meeting.

The site is Greenfield and is located outside of the Shireoaks development boundary as defined in the Bassetlaw Local Development Framework. The development site is located to the south east of Shireoaks and is position between Shireoaks and Worksop. The site is bound to the west and south by Shireoaks Common and to the east by the A57. The site is contained by hedgerows along the boundaries with mature trees also forming the western boundary along Shireoaks Common.

Members were advised that the proposed 27 dwellings consist of seven four bedrooms dwelling, ten three bed dwellings and ten three bed bungalows. Four three bedroom semi-detached dwellings would be affordable housing offered to first time buyers at a minimum of 20% below its open market value.

The original scheme was for 32 dwellings. However, after discussions with the applicant the scheme has been amended to reduce the number of dwellings to 27.

It is proposed to provide a new vehicular access into the site from a new priority T-junction to Shireoaks Common with a partial right turn lane. Footways are to be provided on both sides of the access road with the main access road serving a number of dwellings directly, with additional shared private roads/drives providing access to the remaining properties.

The consultee responses were summarised in the report.

Councillor D Pressley spoke in objection to the application as the Ward Councillor, he commented the following:

- He thanked Members of the Committee for the opportunity to speak in objection to the application.
- The scheme has been amended from 32 dwellings to 27.
- The application site is adjacent to the A57 roundabout.
- The development will not be connected to the village, the land is nearly 1 mile away from the village.
- Traffic comes from the A57 roundabout at around 60mph, this could conflict with the site entrance.
- This site is the last green field of Shireoaks Common.
- 200+ houses have already been agreed nearby with no additional facilities for residents in the village.
- This development will bring Shireoaks Village nearly into Worksop.
- He asked that the committee refuse the application on the grounds listed.

Katrina Hulse spoke in support of the application as the agent, she commented the following:

- She thanked the chair for the opportunity to speak in support of the application.
- She speaks on behalf of the applicant.
- They have a current development of 72 dwellings that is underway, these proposed 27 dwellings will be an extension onto the existing development.
- The application will provide 27 detached units, 15% of which will be affordable housing.
- A green bund will be in place to reduce the noise impact.
- Contributions will be made for primary school places, public open space, bus stops and management and maintenance of SuDs.
- The development will deliver employment opportunities for the shireoaks residents.
- Stancliffe Homes Ltd have listened to the Parish Council and have provided bungalows.
- No public objections have been received apart from Councillor Pressley's.
- No objection have been received from statutory consultees.
- She asks that Members support the officer recommendation and grant the application.

Members raised concerns/questions regarding the following; highway safety, the site is greenfield land, it is outside the development boundary, character of the village, over intensity of development and the lack of amenities in the village against the number of proposed residential dwellings.

In response to questions raised the Development Team Manager advised contributions have been identified to improve the roundabout. It was advised that the planning permission for 200+ dwellings to the east of the site has now expired.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant planning permission subject to a S106 agreement.

Voting for taking this course of action:

FOR: Councillors M W Quigley MBE, N Sanders and L Schuller.

AGAINST: Councillors M Charlesworth, S Fielding, G Freeman, G A N Oxby, M Richardson and B Tomlinson.

ABSTAIN: None.

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

- Over intensification of the village.
- The site is outside the development boundary.
- The development would not be in keeping with the character of the village.
- There is a lack of local amenities.

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

(e) Development Management Performance Report Quarter 1 2019-20

Members were advised that the purpose of the report is to provide Members with a quarterly performance report recorded for the Development Management function for the first quarter of 2019/2020.

Members were advised that the % of major applications determined in 13/16 weeks was 96.4% and the % non-major applications determined in 8 weeks was 96.5%.

During quarter 1 of 2019/20 a total of seven appeals were determined by the Planning Inspectorate. Out of these, two were allowed and five were dismissed by the Planning Inspectorate. Cumulatively, the year as a whole for 2018/19 the rate of dismissed appeals was 73.5%.

There was one cost application to the Planning Inspectorate during the first quarter and this was partially allowed.

Members were advised that 91 new enforcement cases were opened during quarter 1, 52 cases were closed and four enforcement notices were served comprising of two stop notices, one high hedge notice and three listed building enforcement notices.

The Chair congratulated the officers and the teams on their continued hard work throughout the year.

RESOLVED that the Committee notes the current performance data report.

Key Decisions

None.

Other Decisions

None.

35. 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 8.25pm).