

## **PLANNING COMMITTEE**

### **Minutes of the meeting held on Wednesday, 4<sup>th</sup> December 2019 at Retford Town Hall**

#### **Present:**

D G Pidwell (Chair)

H Brand, D Challinor, 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 Jones 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.)

#### **50. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **51. DECLARATIONS OF INTEREST**

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

There were no declarations of interest by members.

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

There were no declarations of interest by officers.

#### **52. MINUTES OF THE MEETING HELD ON 6<sup>th</sup> NOVEMBER 2019**

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

#### **53. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 21<sup>st</sup> OCTOBER AND 18<sup>th</sup> NOVEMBER 2019**

**RESOLVED** that the Minutes of the Planning Consultation Group meetings held between 21<sup>st</sup> October and 18<sup>th</sup> November 2019 be received.

#### **54. OUTSTANDING MINUTES LIST**

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

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

#### **Key Decisions**

None.

## **Other Decisions**

### **55. 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 three appeal decisions.

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

#### **(c) Planning Applications and Associated Items**

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
19/00818/FUL	J G Pears Property Ltd	Erect Storage Building (Class B8) with Associated Weigh Bridge. Former High Marnham Power Station, Power Station Access, Fledborough Road, High Marnham.

Members were advised that the application sought planning permission to erect an industrial building (B8 use) on site for the storage of finished animal meal product (processed animal proteins) before it is sent off to be sold. The building is proposed on an existing hardstanding on the northern part of the former High Marnham Power Station site and will be accessed from Fledborough Road using the existing access point and tarmacked internal road which once served the power station.

The application site lies in the south eastern part of the district to the west of the River Trent. The settlements of High Marnham and Low Marnham lie due south of the site with the settlement of Newton on Trent being to the south west. The village of South Clifton lies directly to the east of the site on the Newark & Sherwood side of the river Trent. To the north, there are sporadic dwellings set in open agricultural land before the village of Ragnall is reached with the village of Dunham being slightly further north.

The road access into the site from Fledborough Road and the road through the site to where the power station used to stand, still remains as does a number of hardstandings which once contained the buildings now demolished. The electricity substation which formed part of the power station still exists and is in use, and lies in the south west corner of the site. As the site is no longer maintained, the landscaping and vegetation on site has grown substantially in comparison to when it was in operation as a power station and this has helped to screen what remains on site from the surrounding area.

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

Andrew Winfrow spoke in objection to the application on behalf of Normanton and Marnham Parish Council, he commented that:

- The power station site has been greenfield since 2003.
- The site is a wildlife nature reserve.
- A wildlife survey was only carried out in the area of the proposed storage building, rather than the whole site.
- Local residents are already stressed over problems with the J G Pears site and this development would impact them further, especially if the site is in operation 24/7.

- The officer report says that the proposed unit is as high as the power station towers, which were 650ft high.
- Problems experienced with the J G Pears site have been highlighted in the local MP's newsletter.
- Residents are leaving the area, which is having an impact on numbers attending the local school.
- There is often a terrible smell coming from the J G Pears site.
- If the proposal is approved it will create more problems for local residents.

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

- The local community is long suffering and not respected by J G Pears.
- The Environment Agency is involved in enforcement at the existing site in relation to foul odours.
- J G Pears are reactive rather than proactive.
- The proposed development fills the local community with dread.
- Residents are leaving the area due to the problems experienced with the J G Pears site.
- The proposed building will dominate the surrounding area.
- More needs to be done by the Environment Agency and Bassetlaw District Council in relation to problems with the J G Pears site.
- It is feared that the proposed site is going to be a processing facility and not a storage facility.

Helen Leggett spoke in support of the application on behalf of applicant, she commented that:

- The application is for a storage unit and not a processing facility.
- The existing site at Low Marnham is not a material consideration in this application.
- The product to be stored in the building is not odorous.
- Approving this application would reduce lorry movement by eliminating the long journey between the current sites.
- J G Pears is a significant local employer.
- The proposed building would be in use 24/7. There are no time restrictions on the site in Blyton and J G Pears need to be able to use this site in the same way.
- The proposed site was previously a major developed site.
- Ecology surveys have been undertaken and submitted and the Wildlife Trust are satisfied with these.
- Granting permission for this development would create a saving in carbon emissions and provide economic, social and environmental benefits.
- The proposed development complies with the policies of the Core Strategy.

Members raised questions/concerns regarding:

- Whether local schools or the education authority had commented on the application.
- The current route of travel for lorries compared to the proposed route.
- The height of the proposed building.
- The proposed use of the building.
- The number and origin of objections received.
- Noise and light pollution.
- Problems with the raw product being dropped onto roads and odour issues.

In response to questions raised, the Case Officer clarified that:

- Local schools and the education authority had not been consulted as Environmental Health had determined that the site would not cause statutory nuisance.
- The current and proposed routes of travel were demonstrated on a map.
- The maximum height of the proposed building is 14.5 metres.

- The application is for a B8 storage building, not a B2 industrial building, and therefore cannot be used for processing.
- The objections were received from 95 people within a ten mile radius of the site. They are from a wide area due to the number of local villages and there could be multiple objections from per household.
- Environmental Health had visited the current storage facility at Blyton and considered that any noise nuisance was not significant enough to warrant restricted operating times. Lighting would be limited to one side of the building and would be low level due to the requirement for it to be bat friendly.
- The Environment Agency had confirmed that there had been instances of odour releases and raw product dropping onto roads but these were in relation to the Low Marnham production site and not the application site. There had been no complaints in relation to the storage site at Blyton.

The Chair summarised that the committee recognised the difficulties experienced by residents with the Low Marnham site, which had resulted in the site being subject to a warning notice from the Environment Agency. However, the Planning Committee has no power over how the existing site operates and cannot consider the issues raised in relation to that site in determining this planning application. There had been no complaints about the storage site at Blyton, which is located closer to the village of Blyton than the proposed site is to the villages of High Marnham and South Clifton.

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

(d) Proposed Article 4(1) Direction – Worksop Town Centre Houses in Multiple Occupation

Members were presented with a report to seek authorisation for the making of a non-immediate Article 4 direction under Article 4(1) of the Town and Country Planning Order 2015, to restrict permitted development rights for the change of use from Class C3 (dwelling houses) to Class C4 (Houses in Multiple Occupation) in respect of Worksop Central Area.

Houses in Multiple Occupation (HMOs) are private rented accommodation. A building or part of a building occupied by three or more unrelated people can be classified as an HMO if it consists of one or more units of living accommodation that is not a self-contained flat/flats. The living accommodation must be occupied by more than one household who share one or more of the basic amenities, such as toilet, washing facilities and cooking facilities.

HMOs can change the character of a neighbourhood and result in the loss of family sized accommodation. An over concentration of HMOs can have a negative impact on occupants and neighbours in non HMO properties. Clusters of HMOs can cause issues with car parking, noise, waste management and waste collection. Planning permission is not required to change the use of a dwelling to a small HMO (3-6 unrelated residents), but is required for larger HMOs (more than 6 unrelated residents). This means that HMOs are relatively unmanaged and, as a result, parts of central Worksop are experiencing an overconcentration of HMOs.

At least 48 properties have been converted into HMOs in Central Worksop and are therefore no longer available as family accommodation. This is contrary to Core Strategy Policy DM4 in the Local Development Framework.

An Article 4 Directive would ensure that HMO conversions are considered carefully to avoid a high concentration of HMOs and not allow clusters of HMOs to be formed on a particular street.

**RESOLVED** that:

1. The Committee approve the making of the 'Worksop Central Area Houses in Multiple Occupation' Article 4(1) Direction.

2. The Committee confer delegated authority to the Head of Regeneration to implement the making of the 'Workshop Central Area Houses in Multiple Occupation' Article 4(1) Direction.

(e) Development Management Performance Report Quarter 2 2018-2019

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

Members were informed that the percentage of major applications determined in 13/16 weeks was 80% and the percentage of non-major applications determined in 8 weeks was 96.6%. This equated to 16 of 20 major applications and 204 of 211 minor applications being determined within statutory time limits.

During Quarter 2 of 2019/20 a total of 10 appeals were determined by the Planning Inspectorate. Out of these, 2 were allowed and 8 were dismissed, equating to a successful performance of 80% of appeals being dismissed.

There was one cost application to the Planning Inspectorate (PINS) during the second quarter of 2019/20 and this was partially allowed. This demonstrates the ongoing robust and defensible approach to decision making.

Quarter 2 continued to be a busy time for the Planning Enforcement Team, with officers responding to complaints much more quickly and working through historic non-urgent complaints. The Development Team are continuing to assist with the management of ongoing cases with the most pressing and expedient matters being given priority. During Quarter 2, 52 new enforcement cases were opened, 35 cases were closed and 3 Enforcement Notices were served, comprising of 2 Enforcement Notices and a Section 215 Notice.

This report summarised that the standard of performance continues to exceed local and national targets.

Members requested information on the cost of appeals and the Development Team Manager agreed to look into how this could be provided in future.

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.

**56. 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 7.25pm).