

## **PLANNING COMMITTEE**

### **Minutes of the meeting held on Wednesday, 5<sup>th</sup> February 2020 at Retford Town Hall**

#### **Present:**

D G Pidwell (Chair)

H Brand, M Charlesworth, D Challinor, S Fielding, G Freeman, G A N Oxby, M Richardson, N Sanders, L Schuller and B Tomlinson.

Officers in attendance: L Dore, S Bacon, D Jones, J Krawczyk, J Lavender.

(Meeting commenced at 6.29pm).

(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).

#### **57. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor M W Quigley MBE.

#### **58. DECLARATIONS OF INTEREST**

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

Councillor S Fielding declared a non-pecuniary interest in Planning Application 19/00852/FUL and remained in the meeting.

The Chair announced that Committee members had received direct mailings from a District Councillor objecting to 19/00852/FUL and from a member of the public objecting to 19/01459/PIP.

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

There were no declarations of interest by officers.

#### **59. MINUTES OF THE MEETING HELD ON 4th December 2019**

**RESOLVED** that the Minutes of the meeting held on 4th December 2019 be approved.

#### **60. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 25<sup>th</sup> NOVEMBER 2019 AND 13<sup>th</sup> JANUARY 2020**

**RESOLVED** that the Minutes of the Planning Consultation Group meetings held between 25<sup>th</sup> November 2019 and 13<sup>th</sup> January 2020 be received.

#### **61. OUTSTANDING MINUTES LIST**

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

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

#### **Key Decisions**

None.

## **Other Decisions**

### **62. 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 two 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>
19/00852/FUL	Gleeson Regeneration Ltd	Residential development of 128 two, three and four bedrooomed dwellings, ancillary works and construct new access. Land west of Queen Elizabeth Crescent, Rhodesia.

Members were advised that this application sought full planning permission to build 128 dwellings, including 45 two-bed, 77 three-bed and 6 four-bed dwellings, with ancillary works and new access to the land west of Queen Elizabeth Crescent in Rhodesia.

Since it was initially submitted, there was an amendment submitted by the developer to change the numbers of dwellings, whilst keeping the total to 128, to 30 two-bed, 80 three-bed and 18 four-bed dwellings.

Members were shown designs for the dwellings outlined in the application, as well as photos and site maps for the access point on Cecil Close.

Both the Parish Council and Nottinghamshire Highways had expressed concerns about the single access point from Cecil Close with increased traffic and the school being close by. The Parish Council and a District Councillor have made the recommendation that the development is connected to Mary Street via P.A.17/00506/FUL, an existing application for 9 dwellings.

14 letters of objection were raised by residents based on the following points:

- Traffic (lack of calming measures, construction traffic, safety of schoolchildren);
- Increased noise and disturbance for residents;
- Access better achieved off Mary Street;
- Development falls outside of village boundary;
- School not large enough to accommodate increase in demand;
- Environmental (flooding concerns, geological assets, protected species, protecting green belt and local wildlife sites).

John Short, a resident of Rhodesia spoke in opposition to the project, he commented that:

- Residents had been assured by councillors and planners that the 'Seafield' developments taking place on Highgrounds Farm Industrial Estate would be the final development line in an easterly direction;
- The proposed development falls outside the village planning envelope, thus failing to protect the village green belt;

- The traffic estimations outlined in the application could be five times greater than forecast;
- Construction traffic;
- Flooding concerns overlooked;
- Access to public bridleways;
- Lady Lea Quarry is a site of geological conservation importance due to its outcrop of Magnesium Limestone, which only occurs here and in one site in Poland;
- The nature reserve and surrounding area carry a listing under the EU Habitat and Species Directive as a site of special importance.

Steve Gamble of Gleeson Regeneration Ltd (the Applicant) spoke in support of the application, he commented that:

- The development meets the requirements of providing entry level housing for first-time buyers;
- 15% of the new dwellings will meet the affordable housing requirements;
- It provides contributions towards primary school places, new play equipment/improvements, public transport and provision of link to Mary Street;
- The development caters for disability requirements;
- Apprenticeships will be provided;
- Working with Nottinghamshire Police to ensure safety during and after the development.

Members raised questions/concerns regarding:

- Access to the site from Mary Street and who owns the land for P.A.17/00506/FUL;
- Concerns around construction traffic coming near the school and increased traffic coming from Rhodesia onto Shireoaks Road;
- Lack of traffic calming measures;
- Lack of rental properties;
- Status of the ponds and nature reserves adjacent to the site;
- Costs incurred for road works;
- Status of the footpath at the bottom of Mary Street which runs onto the site;
- Lack of amenities;
- Lack of children's play areas/parks proposed on the development site;
- Potential conflict of interest as the Council owns the land for P.A.17/00506/FUL.

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

- Nottinghamshire Highways addressed the additional access point to Mary Street in their consultation response and would seek to ensure the delivery of this through the Section 106 agreement;
- Bassetlaw District Council currently own the land at the bottom of Mary Street as outlined in P.A.17/00506/FUL. The new access road could be put in by the developer to link in with the development approved in P.A.17/00506/FUL. Once it expires, it could be likely that the Council may sell the whole of that parcel of land to the developer, but in any case, the S106 agreement would require the developer to deliver this access point into the site;
- The public footpath at the bottom of Mary Street is not a definitive Nottinghamshire County Council footpath, so it is not protect by that status but is publicly accessible as Bassetlaw District Council have allowed access over this land. Public access would not be prejudiced by the development proposed;
- The developer would be required to provide a contribution for additional school places in accordance with the requirements of Nottinghamshire County Council;
- The Parks Development Officer has proposed improving existing local play areas rather than creating a new one on the development.

In response to the question on whether the Council has a potential conflict of interest in owning the land for P.A.17/00506/FUL at the bottom of Mary Street, linking to the site, the Council's Solicitor stated that there was no conflict of interest.

The Chair summarised the arguments for and against the development.

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

**COMMITTEE DECISION** – Defer the decision for another meeting for the following reasons:

- Construction traffic going past Haggonfields Primary & Nursery School could have public safety implications;
- Ingress and exits to the development site during and after development.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
19/01459/PIP	Mr Tim Needham	Residential development not exceeding nine dwellings (Resubmission of 18/01603/PIP). Rosedene Farm, Mark Lane, East Markham.

Members were advised that this application sought permission in principle for the residential development of nine dwellings on the site of Rosedene Farm on Mark Lane in East Markham. The site lies outside of the defined development boundary and also outside of the Conservation Area. Further consideration into the details of the application will be considered later in the application process. The planning application was rejected back in April 2019 on the grounds of sustainability and loss of employment from the cider-making business and micro-bar which currently operates out of the site.

Nottinghamshire Highways Authority noted that some works would need to be completed in relation to parking, street lighting, speed limits and extended footways.

Three letters of objection have been received, and one further objection was submitted by a resident via email, which was circulated to members of Planning Committee. The objections were on the grounds that no new planning issues had been advanced to justify overturning the previous decision to refuse the application.

East Markham Parish Council have objected and commented that the application contravenes the Government Cap on planning permissions for the village. The Case Officer advised that there is no cap and the Government is encouraging house growth in sustainable locations. The Draft Bassetlaw Local Plan imposes a 20% cap on growth in rural settlements including East Markham based on the existing number of dwellings in the settlement as of August 2018. However, this policy cannot be given weight in the determination of this application as it is still in its early stages and is being consulted upon.

As this is a Planning in Principle (PIP) application, it does not consider matters such as access, layout, scale, appearance or landscaping, nor the technical details such as flooding, drainage, land contamination or protected trees/species. These will all be addressed at the full application stage.

Councillor Mark Priddle spoke in objection to the application on behalf of East Markham Parish Council, he commented that:

- The business losses were due to the purchasing of machinery for cider-making, not a lack of custom;
- The development will go over the 105 homes cap for East Markham;
- There would be road safety issues with this development, the 9 dwellings on Beckland Hill and the 41 dwellings being built on the former poultry factory site.

Paul Gaughan of PGDC Limited (the Agent of the Applicant) spoke in support of the application, he commented that:

- The development is in a sustainable location;
- If the business goes, the land could potentially be derelict, so it is better to build homes on it which people need;
- It falls within the Bassetlaw Neighbourhood Plan.

Councillor John Ogle spoke in objection to the application as District Councillor, and commented that:

- The development contravenes the East Markham Neighbourhood Plan and Bassetlaw Local Plan;
- It will have a detrimental impact on the character of East Markham;
- It was rejected previously on sustainability grounds and loss of employment;
- It is located on a dangerous road junction.

Members raised questions/concerns regarding:

- Nine dwellings will not make a large about of difference to traffic and will not look out of place;
- Concerns around asbestos on the farm site;
- Access to the site;
- Support should be given to the business rather than let it close;
- Would the full planning application go to PCG?

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

- Details around access, environment and design will all be assessed at the full planning application stage;
- It is the decision of the business owner on whether to maintain the business or not and whilst the financial loss of the business and the personal circumstances of the applicant are not material planning considerations the viability of the business is;
- If PIP is approved, any future application for Technical Details Consent will be determined in accordance with the Scheme of Delegation for Determining Planning Applications so may be referred to Planning Consultation Group and/or possibly Planning Committee;

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

**COMMITTEE DECISION** – Grant planning permission in principle.

(d) Report from Planning Team Manager – Viability Protocol

Members were presented with a report into the establishment of a Viability Protocol.

The NPPF provides guidance in respect of governing viability of planning projects at both plan making and decision taking stages. The National Planning Practice Guidance (NPPG) also sets out guidance in respect to viability testing.

All viability assessments should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publically available.

Due to the Council's current planning policy position, only one viability assessment has been submitted in the last twelve months and the executive summary of this was made publicly available and the submitted assessment was in accordance with the Viability Protocol.

With a Viability Protocol in place, all developers will need to be aware of the new standardised inputs and make the assessments publically available.

**RESOLVED** that the contents of the report be noted and the Viability Protocol be reviewed and reported back to the Committee in 18 months' time.

(e) Report from Planning Team Manager – Scheme of Delegation

Members were presented with a report into revising the Scheme of Delegation, which was approved at the Full Council Meeting on 7<sup>th</sup> March 2019. The Scheme of Delegation requires that the largest scale and most controversial planning applications are referred to Planning Committee for determination in an open and accountable manner. Any applications that have received objections on planning grounds are required to be referred to the Planning Consultation Group (PCG). Members are also able to refer any controversial applications or applications where members of the public should be able to make direct representation to the Committee.

**RESOLVED** that that the contents of the report be noted and the Scheme of Delegation be reviewed and reported back to the Committee in 18 months' time.

**Key Decisions**

None.

**Other Decisions**

None.

**63. 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 8:41pm).