

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 4th March 2020 at Worksop Town Hall

Present:

D G Pidwell (Chair)

H Brand, M Charlesworth, G Freeman, M Quigley OBE, M Richardson, N Sanders, L Schuller and B Tomlinson.

Officers in attendance: J Krawczyk, J Lavender, 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).

64. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D Challinor, S Fielding and G A N Oxby.

65. DECLARATIONS OF INTEREST

(a) Members

There were no declarations of interest by members.

(b) Officers

There were no declarations of interest by officers.

66. MINUTES OF THE MEETING HELD ON 5th FEBRUARY 2020

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. The minutes were updated to reflect this.

RESOLVED that the Minutes of the meeting held on 5th February 2020 be approved.

67. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 20th JANUARY 2020 AND 17th FEBRUARY 2020

RESOLVED that the Minutes of the Planning Consultation Group meetings held between 20th January 2020 and 17th February 2020 be received.

68. OUTSTANDING MINUTES LIST

RESOLVED that the Outstanding Minutes List be received.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

69. 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 decision be received.

(c) Planning Applications and Associated Items

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
19/01520/FUL	GES UK Ltd	Land adjacent to Corner House Farm, 2 Lound Low Road, Sutton Cum Lound, Retford. Retention of 1.8m high close boarded timber fence on boundary of Plots 2 and 3 Lound Low Road.

Members were advised that Retrospective Planning Permission was being sought for the retention of a 1.8m timber fence on the boundary between Lound Low Road and Plots 2 and 3 of the housing development on Lound Low Road adjacent to Corner House Farm. The timber fence is painted green and has a metal railing fence with a planted laurel hedge in front of it. Nottinghamshire Highways stated that the fence should be located behind the public highway, to which the developer has complied and Nottinghamshire Highways are now content with that the proposal would not result in any detriment to highway safety.

The Case Officer presented members with site maps and photos of the development.

The Parish Council objected to the development on the following grounds:

- The erection of the fence has restricted visibility on this 90 degree bend;
- The fence is out of character with the historic buildings within the immediate vicinity and would therefore conflict with Policy DM4 of the Bassetlaw Local Development Framework.

A District Councillor has objected to the development on the following grounds;

- The fence is an eyesore;
- The fence obstructs visibility to the detriment of highway safety;
- The views from the Highways Authority should be sought.

Nine letters of objection were received outlining the following;

- The fence obstructs visibility to the detriment of highway safety;
- The fence will inhibit the growth of the laurel hedge;
- The fence is unsightly;
- The existing hedge was removed together with a monkey puzzle tree;
- Granting permission could set an undesirable precedent for similar fences;
- The fence will force the laurel hedge to grow over the pavement;
- The blind corner is dangerous for pedestrians;
- The fence is unduly suburban in character;

- The sense of enclosure created by the fence is at odds with the rural character of the village.

The criteria as set out in the Sutton Cum Lound Neighbourhood Plan states that development should use a locally inspired range of materials and hedges as boundary treatments. Whilst the fence does appear somewhat stark, over time, the growth of the laurel hedge would mean that the prominence of the fence would diminish.

The fence would have no impact on the residential amenity of neighbouring properties in terms of domination or overshadowing.

Nottinghamshire Highways have indicated that the development would not obstruct visibility and have no adverse impact on highway safety.

The erection of 1.8m high timber fence on these properties would have no adverse impact on the surrounding heritage assets.

Andrew Grainger, the Applicant, thanked the members and the officers for considering his application.

Members raised questions and concerns regarding:

- The fence looked obtrusive and the wrong colour was used on the fence, thus showing that it was not in keeping with the character of the village;
- Have Nottinghamshire Highways visited the site and measure the height of the fence and its distance from the road?
- Would it be the responsibility of Bassetlaw District Council to maintain the hedge?
- Would the hedge grow without the need of the fence?
- If retrospective Planning Permission was refused, would the Applicant have to remove the fence? In that case, would Permitted Development Rights come into effect and the property owners could then erect whatever fences they wanted?

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

- Nottinghamshire Highways have visited the development and are content with the fence and believe that there will be no adverse impact on highway safety;
- Nottinghamshire Highways would also maintain the hedge;
- Time will weather the colour of the fence and the laurel hedge will obscure the fence, so it would be more in keeping with the character of the village;
- If the fence were removed, the hedge would not grow as densely and the owners of the properties could exercise their Permitted Development Rights to erect whatever fences they liked.

The Chair summarised the arguments for and against the development.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant planning permission.

COMMITTEE DECISION – Grant planning permission.

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
19/01581/FUL	Glen Vardy	Demolition of garage and side extension to The Hazels and erection of a new detached garage and erection of one new 1.5 storey dwelling with integral garage. The Hazels, Cave's Lane, Walkeringham.

Members were advised that planning permission was being sought for the demolition of the existing garage and construction of a new garage and erection of a 1.5 storey dwelling with integral garage, all located on the site of The Hazels.

The Hazels is a large brick-built detached bungalow set within a generous plot. It has been previously extended and is located within the Walkeringham Development Boundary, as identified in their Neighbourhood Plan.

The Case Officer presented members with site maps, photos of The Hazels and neighbouring properties, designs and locations of the new garage and bungalow.

No objections were raised by Waste and Recycling, Environmental Health and the Parish Council.

Two letters of objection and one letter of support were received outlining the following:

- Proposed footprint is making maximum use of land and is considerably larger than the existing bungalow, giving the site an over-developed appearance;
- Floor to ceiling glass panels are inappropriately squeezed into this location;
- Elevation E-03 is considerable length approx. 22m along boundary fence (actual length proposed 19.75m);
- Design is out of character with other properties within vicinity;
- The proposal will result in five properties requiring access on the bend of Cave's Lane;
- The site has been excluded in the Draft Neighbourhood Plan and is not considered suitable for development;
- The new garage would compromise the safety and security of the neighbouring property, as it would obstruct view of gate entrance and private driveway;
- The eco-design of the property is in line with Bassetlaw's Draft Local Plan.

National Planning Policy Framework (NPPF) paragraph 11 contains a presumption in favour of sustainable development unless the adverse impacts of doing so would outweigh the benefits. This is reflected in the Draft Neighbourhood Plan Policy 1 that supports sustainable development within the development boundary, so in principle, the proposed development is acceptable.

The design is meant to make efficient use of the shape of the plot. The key part of the bungalow that is visible is the front elevation. The design is single storey close to the boundary with the neighbouring property, with the central apex maximum height of 6.75m and then a reduced height down to the existing bungalow eaves. This design falls in line with Walkeringham Neighbourhood Plan Policy 3: Design Principles for high design quality that will contribute to the character of the area, buildings appropriate to their location and including innovate and contemporary designs, and innovative approaches to the construction of low carbon homes which demonstrate sustainable use of resources and high energy efficient levels being supported. The proposed garage will be made of traditional red bricks which reflect the character of the neighbouring properties. The design of the bungalow will contain a white render and some cedar cladding, in keeping with the surround white rendered properties.

Nottinghamshire Highways have stated that there is adequate off-street parking to service all the properties on the bend of Cave's Lane.

The proposed dwelling was designed to maintain privacy for proposed and existing residents. The position of the proposed dwelling has ensured that there is no unacceptable overshadowing of the Rotherholme property 20m north of the site. There is also substantial rear garden areas which separate the site from Everglade House and Sycamore House.

There is low risk of flooding on the property and no adverse impact of flooding on neighbouring properties.

Mr Neil Cooke, the Architect, spoke in favour of the project, commenting that:

- The applicant is a member of the Parish Council and consulted them before proceeding with this application;
- The site was originally earmarked for four dwellings, so there will be minimal impact with the building of one new dwelling and a garage compared to four dwellings;
- The Planning Office raised no objections to this development;
- Six new dwellings are being constructed on the site of the nearby disused brickworks;
- This dwelling has strong sustainability credentials.

Members raised questions/concerns regarding:

- The garage being located near the road could be dangerous for traffic coming in and out of the property;
- The site was excluded from development in the Walkeringham Neighbourhood Plan;
- The garage restricts the view of the residents of The Wallnuts from being able to see anyone coming onto their property, thus maximising security concerns;
- Removal of trees;
- The design may not be entirely in keeping with the village, but sustainable homes like these do need building.

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

- The garage has a long driveway;
- The holly trees would be removed, but the others could be kept. There is no tree protection order in place for this development;
- The Wallnuts is well concealed and the proposed garage would only restrict the view of the driveway by 20 yards.

The Chair summarised the arguments for and against the development.

RECOMMENDATION OF THE HEAD OF REGENERATION – Grant planning permission.

COMMITTEE DECISION – Grant planning permission.

(d) Proposed confirmation of an Article 4(1) Direction for Worksop Central Area Houses in Multiple Occupation

Members were presented with a report to approve for the confirmation of an Article 4 Direction under Paragraphs 2(6), 2(7), 1(9) and 1(10) of Schedule 3, Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, to restrict permitted development rights in respect of Worksop Central Area Houses in Multiple Occupation. Once approved, authority will be delegated to the Head of Regeneration.

Houses in Multiple Occupation (HMOs) are classified as a building or part of a building occupied by 3 unrelated people or more if it consists of one or more units of living accommodation that is not a self-contained flat or flats.

Currently, there is an overconcentration of HMOs in Central Worksop. It has a relatively small catchment area which includes the town centre, bus station and railway station, and can provide affordable accommodation for those moving to Worksop to work.

The majority of the properties in the area are Victorian or Edwardian semi-detached or detached proposed, as well as high-density Victorian terraced streets, most are capable of conversion into smaller units.

To date, at least 48 properties have been converted into HMOs in Central Worksop and can no longer be made available as family accommodation. This is contrary to Core Strategy Policy DM4:

Design and Character which seeks to protect and enhance the character of the built and historic environment, ensure new development is of a scale appropriate to the surrounding area and improve the range of houses in the area.

With the clustering of HMOs within Central Worksop, there may be a negative impact on the area in terms of amenities, such as pressures on local public services, increased traffic and noise, all of which can have a detrimental effect to the occupants, neighbours and the physical environment of the neighbourhood.

The making of Article 4(1) Directions in common practice across the country with respect to the restriction of permitted development for change of use rights from C3 to C4. They are common in inner urban areas, such as Sheffield, Nottingham and Lincoln, where loss of family sized properties has caused harm to character and amenity for residents.

A public consultation was carried out between 5th December 2019 and 16th January 2020 involving residential property owners, local ward councillors, the Ministry for Housing, Communities and Local Government and Nottinghamshire County Council.

Members raised questions/concerns regarding:

- Other residential parts, such as Elms Road, Wellbeck Street and Sherwood Road should be included as they contain Victorian and Edwardian houses which if left off, could be developed into HMOs;
- A six-week consultation should take place before it is approved by Planning Committee.

RESOLVED to defer this item until a later date after Planning Officers have consulted with Worksop Councillors and taken the recommendations out for further consultation.

Key Decisions

None.

Other Decisions

None.

70. 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 7:40pm).