

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday, 9th October 2019 at Retford Town Hall

Present:

D G Pidwell (Chair)

D Challinor, 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: B Alderton-Sambrook, J 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.)

36. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor H Brand.

37. DECLARATIONS OF INTEREST

(a) Members

Councillor D Challinor raised a disposable pecuniary interest in planning application 19/00876/OUT.

Councillor L Schuller raised a non-pecuniary interest in planning applications 19/00876/OUT and 18/00413/OUT.

Councillor M W Quigley MBE raised a non-pecuniary interest in planning application 19/01055/OUT.

(b) Officers

Beverley Alderton-Sambrook raised a non-pecuniary interest in Planning Application 19/00876/OUT.

38. MINUTES OF THE MEETING HELD ON 11th SEPTEMBER 2019

RESOLVED that the Minutes of the meeting held on 11th September 2019 be approved.

39. MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 12TH AUGUST AND 2ND SEPTEMBER 2019

RESOLVED that the Minutes of the Planning Consultation Group meetings held between 12th August and 2nd September 2019 be received.

40. OUTSTANDING MINUTES LIST

RESOLVED that the Outstanding Minutes List be received.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

41. 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) Proposed Confirmation of an Article 4(1) Direction for Victoria Institute, 2 Wharf Road, Misterton

The chair congratulated Mike Tagg for his recent promotion to Conservation Manager.

Members were presented with a report to seek authorisation for the making of an immediate Article 4 Direction under Article 4(1) of the Town and County Planning (General Permitted Development) Order 2015, to restrict permitted development rights in respect of The Victoria Institute, Wharf Road, Misterton. Members had visited that site prior to Planning Committee.

The Victoria Institute is regarded as a non-designate heritage asset, identified as such in accordance with the Council's criteria which were approved at Planning Committee in January 2011. The specific criteria which are attributed to this building are: 'historic and architectural interest', 'aesthetic appeal', 'association', 'integrity' and 'representativeness'.

Members were advised that at present the building could be demolished under 'permitted development' without planning permission. The building is in a state of disrepair, and has been the target of anti-social behaviour. An immediate Article 4 Direction would allow officers to assess any proposal for demolition against heritage policies.

The building was opened in 1987, to commemorate the Diamond Jubilee of Queen Victoria. A number of similar buildings were constructed across the country on a similar basis. In addition to the buildings inherent significance, it also forms part of the setting of several heritage assets, including the former school buildings immediately adjacent.

The building has been unused and boarded up for a considerable period. It was last used in 2002 as a snooker hall, but was sold by the charitable trust to a private owner in 2014.

It was noted that the building could be converted into a number of different uses including business and residential.

Members commented that it is a shame to see the building in a state of disrepair and should be given the chance to develop and be a benefit to the community.

RESOLVED that:

1. The Committee approve the making of the 'Victoria Institute' Article 4(1) Direction.
2. The Committee confer delegated authority to the Head of Regeneration to implement the making of the 'Victoria Institute' Article 4(1) Direction.

(M Tagg left the meeting) (Councillor D Challinor left the meeting)

(c) Planning Application and Associated Items

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
19/00876/OUT	Barratt David Wilson Homes	Hybrid application for outline planning permission for the residential development of approximately 650 new homes (Approval being sought for access), public open space, landscaping and associated infrastructure with access into the site included. Full planning application (phase 1) include development of 161 new homes, open space, landscaping and associated infrastructure (Resubmission of P.A 17/01728/OUT). Land South of Tickhill Road, Harworth.

Members were advised that the application sought hybrid application for outline planning permission for residential development of approximately 650 new homes, public open space, landscaping and associated infrastructure with access into the site included. This application is a full planning application (phase 1) for the development of 161 new homes, open space, landscaping and associated infrastructure. 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.

It was noted that the application is a resubmission of planning application 17/01728/OUT.

The site is located out of, but adjacent to the Harworth development boundary as defined in the Bassetlaw Local Development Framework. The site in question consists of 26.77 hectares of agricultural land. The site falls within an area of archaeological interest.

The western element of the site is identified as potentially contaminated.

The verge fronting onto Bawtry Road, is a local wildlife site.

Members were advised that the application is a resubmission of planning application 17/01728/OUT that was refused at Planning Committee on 9th January 2019 and is now subject of a forthcoming public inquiry.

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

Members were advised that public open space will be delivered on the site and will be secured by the Section 106 agreement.

Bassetlaw can demonstrate well in excess of a 5 year housing land supply. However, the strategic policies within the Core Strategy are considered to be out of date so carry very limited weight.

The Harworth Neighbourhood Plan has not been reviewed in the last 2 years, therefore carries limited weight.

Councillor Anita Smith spoke in objection to the application on behalf of the Harworth Town Council, she commented that:

- The Harworth and Bircotes Neighbourhood Plan sets out future visions, priorities and objectives.
- The plan outlines the long term future of the town.
- The Neighbourhood Plan states that regeneration requires new businesses, employment and infrastructure.

- The town is seeing more and more houses and employment opportunities but no infrastructure.
- The local schools are already experiencing problems with capacity.
- Parents have to travel to other settlements already to get a school place.
- There has been no mention for meeting the housing needs.
- Will there be affordable housing at a later date?
- The planning application does not support the priorities and objectives that are outlined in the neighbourhood plan.
- The development will have a negative impact on the infrastructure and wider community.
- Haworth Town Council strongly object to this application.

Councillor Peter Walker spoke in objection to the application on behalf of Tickhill Town Council, he commented that:

- He speaks on behalf of Tickhill Town Council.
- Not all the concerns have been addressed.
- Many highways issues have been raised.
- The development will increase traffic to and from Harworth as well as to and from Worksop.
- The development will increase the traffic through the town centre.
- No reference has been given to the recent road traffic accident that occurred.
- Motorist travel fast up to the junctions.
- The introduction of traffic lights will not mitigate the problems.
- The additional traffic near houses will increase noise and air pollution.

Lisa Matthewson spoke in objection to the application, she commented that:

- She is representing Spawforths Planning Consultants.
- The Neighbourhood Plan provides specific guidance.
- Spawforths are not in habit of objecting to other house builds.
- There are cheaper Greenfield sites around the area that could be used for development.
- The site is outside the development boundary.
- The open field settlement will impact on the urban generation.
- The lists of benefits is not site specific.
- She asks that Members refuse the application.

Councillor J Evans spoke in objection to the application as the Ward Member, she commented that:

- Policy CS1 related to developments within the settlement boundary, whereas this application crosses the boundary line. Furthermore, we have no 5-year shortfall of housing supply, no shortage of permitted sites and there is no explicit support for it from this community.
- The odour assessment report acknowledges the existing odour problem on the west part of the site, and recommends a more detailed odour impact assessment – why hasn't this been done? It should have been done over the summer months, so that the facts about air quality and degree of odour nuisance are clearly established, before any permission is even considered.
- The intention is to build on the higher parts of this rising section of land, with new homes parallel to Baulk Lane. Has the developer forgotten the Law of Physics –'Hot Air Rises'? – The residents of Baulk Lane haven't – they suffer appalling smells in warm weather, and no trees or car parks will buffer this.
- The NPPF Paragraph 20 requires that the effects of the pollution on health, the environment or general amenity are taken into account when making a planning decision, by ensuring that new development is appropriate for the proposed site – in this case, a site with a definite odour issue.
- It is morally wrong for a developer to plan to build houses on a site known to be affected by the stench of effluent; it is ethically wrong for a Council to grant planning permission where

there is an existing source of air pollutant, about which the facts and the effect on local people have yet to be fully established, this does not comply with Good Practise Guidelines.

- The Neighbourhood Plan lists the Planning Objectives Priorities local people want and asked for; it also states 'growth should only make a positive contribution' – this application fails on both points.
- Infrastructure – County identified the constrained capacity at key road junction as far back as 2014.
- County also confirms the current insufficient capacity for existing Primary School Pupils. The need for a further 137 Primary places, leading to an acute shortage locally, will cause a public outcry, and this is not a positive contribution.
- The cumulative effect from already-allocated proposals, plus a further 650 houses, will have a negative impact on infrastructure, and inevitably on the wider community.
- The District Council is not responsible for infrastructure, but you are responsible for making a bad situation even worse, if you grant this application.

Becky Lomas spoke in support of the application on behalf of the applicant, she commented that:

- She speaks on behalf of the applicant.
- She thanked Officers for the hard work put into the concrete report.
- They have worked hard with Bassetlaw District Council and Doncaster Metropolitan Council and have addressed all matters and public enquiries.
- The development will bring many benefits, including 15% affordable housing. This is 98 houses out of the 650.
- The development will bring economic benefits and employment opportunities.
- The development will provide public open space, an equipped play area, landscaping and bird boxes.
- A significant Section 106 agreement has been developed.
- The S106 will bring financial contributions for school places, development of nearby junctions and a travel plan.
- No technical objections have been received.
- Recognition has been given to the concerns raised by local residents and the Town Council.
- Officers have considered these objections and solutions have been provided.
- The site is a preferred option in the index of the Neighbourhood Plan.

Members raised questions/concerns regarding the lack of school places, highway issues, play facilities and flooding issues and potential odour issues from the nearby sewage treatment works.

In response to questions raised the Development Team Manager advised that Nottinghamshire County Council education have asked for contributions to expand Serlby Park School and consider that this would allow sufficient school places to be provided. Highways have also assessed the scheme and have not raised any concerns. It was advised that Parks want to see open space delivered throughout the scheme.

The Chair commented that Harworth is a well-known community for developing housing and open space. It was one of the first to develop a Neighbourhood Plan, it is a shame that the Neighbourhood plan doesn't carry much weight. The benefits of the site are retail, lively hood, service industries, leisure facilities, employment opportunities. The concerns that have been raised have been mitigated by conditions.

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 D Challinor and M W Quigley MBE joined the meeting)

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
19/01055/OUT	MLN (Land and Properties) Ltd	Outline planning application with some matters reserved (Approval being sought for access) for up to 60 dwellings and other associated works (Resubmission of P.A 18/00069/OUT). Land west of Longholme Road, Retford

Members were advised that the application sought outline planning permission with some matters reserved for up to 60 dwellings and other associated 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 lies outside the development boundary of Retford. The north-east corner of the site adjoins the Longholme Pasture Local Wildlife Site. The site is currently used as pasture. The area is residential to the south and south-east as well as some 100 metres further away to the west.

The site is roughly rectangular in shape and occupies an area of approximately 2.8 hectares. It is accessed from the east by Longholme Road.

Members were advised that the application is identical to the one that was refused permission, contrary to the recommendation of Officers, under planning reference 18/00069/OUT at the Planning Committee on the 15th August 2018. That case is now at appeal and will be heard by an inspector via the informal hearing method on 16th October 2019.

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

A summary of highway matters, flooding, ecology, infrastructure and policies were given.

The Development Team Manager advised Members of comments that Councillor Shaw had made as follows;

- There are huge issues with the access on a blind bend into the proposed development as is well documented also concerns about the access close to Carr Hill School and Welham road and the junction to Clarborough with the HGV lorries going past the school. This was the basis of the rejection by committee and planners to the planning application off Bigsby road recently.
- The two fatalities near the Carr hill school are of grave concern. This site will generate a lot of extra traffic accessing the school, if they can in fact get a school place at Carr Hill school given NCC admission that places will be across Retford, this will potentially mean cars heading across Retford to add to the already congested roads and the huge development currently under construction just past the school on Clarborough road. These developments cannot be taken in isolation.
- I did ask if a planning officer could come out and speak with the residents and look at the said bend, I know the committee will have looked at this access again today.
- I understand that a planning colleagues did a site visit recently to take photos of the junction on London Road as part of his report and submission recently? Perhaps I can ask if a planning officer responsible for this report did the same to support the knowledge that this is a dangerous access and egress on a sharp bend. I do feel that it is necessary to hold NCC highways to account if it is seen to be making uninformed decisions. Apparently blue light services and bin lorry operatives cannot be consulted, maybe they should be on such occasions?
- The other main reason for rejection was the flooding potential of this land which was not robustly dealt with the last time.
- All the comments from the last planning committee decision have not changed with this application.

- Can I also say that BDC are currently running a consultation about appropriate housing requirements across Bassetlaw and looking at bungalows being required and requested by residents? Is the planning department working with developers to facilitate this please?
- This development would be more welcome if it had a mix of more bungalows which would then free up the large houses on this particular estate. The houses are very big on this estate and I know of residents who only live downstairs in a huge four bedroom property as it has a downstairs on suite and they are of an age where they would like to purchase a suitable bungalow, or new build and Retford does not offer that. If some residents could down size t bungalows it would free up family homes on the estate.
- Finally this last point seems to be lost each time I bring it up.
As Health and wellbeing portfolio holder I think the idea of 106 money being allocated to a well-stocked play park such as Leverton road is not appropriate to be highlighted in the application for this site. Leverton road is a long way from this development and will not serve the children well, if at all. Access to the park is from a busy road. Again I ask you to consider play provision. There is currently none in close proximity to this or the other new development in the area.

Mrs Sheila Bland spoke in objection to the application, she commented that:

- The application has no strong planning grounds.
- The site in question is outside the development boundary.
- Policy CS3 is not supported.
- Applications nearby have been refused.
- Other site have been identified in the Neighbourhood Plan.
- Bassetlaw can already demonstrate a 7.9 year land supply, therefore there is no need for more developments.
- The proposal will cause overdevelopment.
- The proposals are not in keeping with the locality.
- A consultation meeting was carried out with the applicant and the local residents was told that there would be no more than 55 houses developed.
- Green space and play areas will be removed.
- It is a long walk to the railway station.
- The bus service only runs twice a week.
- The area needs more bungalows.
- If the application is approved can a condition be imposed for provision of smaller houses?
- There are many road safety concerns.
- No evidence has been produced to demonstrate that residents will not be put at risk.
- Two fatalities have occurred outside Carr Hill School, most people would have to drive to the school adding more risk of accidents.

Members raised concerns/questions regarding highway safety, the distance to play facilities, the site being outside the development boundary, flooding, drainage and overdevelopment.

In response to questions raised the Development Team Manager advised that the highways authority have assessed the site and do not consider that highway safety is severe enough to refuse permission. Highway also consider the access to be wide enough for two vehicles passing.

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

Voting for taking this course of action:

FOR: None.

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

ABSTAIN: Councillor D G Pidwell.

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

- Highway Safety – narrow road and the severity of the bend for two way traffic.
- Offsite impact on traffic.

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

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
18/00413/OUT	Hallam Land Management Limited and Mr Paul Blagg	Outline planning application with some matters reserved (Approval being sought for access) for an employment-led development of B1/B2/B8 users, together with a pub/restaurant, Drive-thru restaurant and petrol filling station with ancillary convenience store. Land at Shireoaks Common, Shireoaks.

Members were advised that the application sought outline permission with some matters reserved for an employment-led development of B1/B2/B8 users, together with a pub/restaurant, drive-thru restaurant and a petrol filling station with an ancillary convenience store. 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 covers an area of approximately 17.9 hectares and is positioned on the northern side of Shireoaks, approximately 4km to the north-west of Worksop town centre. Existing residential properties and St Luke's primary school lie to the west of the site. A new residential development that is currently under construction lies to the south of the site with the A57 to the east.

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

The Development Team Manager advised Members of comments made by Councillor Pressley, as follows:

- The boundaries of the site need mature trees to enhance the approach to the village.
- Section 106 monies from the development should be used by the woodlands trust on the marina project.
- The development of the public house, drive thru facility and petrol should be built in keeping with the village.
- The entrance from the bypass should be made as attractive as possible with enhanced border treatment.

The Development Team Manager gave a summary of planning issues including flooding, ecology, residential amenity and archaeology.

Councillor Fielding commented that as the Ward Member for Shireoaks she is aware that the community welcome the application and are keen to on having employment land.

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

<u>Application No</u>	<u>Applicant</u>	<u>Proposal</u>
19/00920/FUL	Mr Shaun Gladwin	Erection of a two storey dwelling with attached garage (Resubmission of P.A. 19/00164/FUL). Plot 8 land north of 10 Lound Low Road, Sutton Cum Lound.

Members were advised that the application sought to erect a two storey dwelling with an attached garage. 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.

It was noted that the application is a resubmission of planning application 19/00164/FUL.

The site is currently part of agricultural fields on the edge of the village. The proposed dwelling would be the third dwellings fronting the road in line with adjacent residential properties that also follows this form of development, with existing properties to the side and on the opposite side of the road. A mains drain runs through the site which influences the proposed layout and design on the site.

Members were advised that planning permission was refused for the erection of a two storey dwelling with attached garage on 25 June 2019 due to the design.

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

Councillor John Cough spoke in objection to the application on behalf of the Parish Council, he commented that:

- Despite the officer recommendation the development conflicts with the Neighbourhood Plan.
- The Neighbourhood Plan has been positive.
- Has the location, scale and character of the new build been considered?
- Scale and mass of the dwelling is too large.
- Policy 3 relates to design and layout.
- The development is not in keeping with the area.
- A smaller dwelling is encouraged.
- The development is against the Neighbourhood Plan.
- The dwelling is too imposing and does not respect the neighbouring plot size.

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

- The Parish Council do not oppose to develop on the site as it is a site allocated in the Neighbourhood Plan.
- The site is within the development boundary.
- The development relates to policy 3 and 6.
- Policy 3 contains provisions for the access road.
- Viability is an issues.
- The agent has not determined the effect of LGV and buses.
- Policy 6 relates to infill redevelopment, building lines and boundary treatment area already in the area.
- He fails to see how the property complies with policy 2 as the proposed dwelling is 2 metres from the boundary hedge.
- A smaller dwelling would mitigate this issue.

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

- The site is allocated in the Neighbourhood Plan, there is no problem with the site.
- A drain runs across the site.
- The design is too large, the dwelling is 24 metre from the front to rear.
- The dwelling is out of alignment and out of keeping with the neighbouring properties.
- The application is no different to the previous application.
- Officer have identified that the proposal has been amended to reduce the height of the dwelling – this is not the case.

- The dwelling will have an impact on the neighbouring property as the dwelling is 4metres above the hedge.
- A single storey dwelling in the same footprint of plot 8 would be acceptable.
- The dwelling is not simplified to the local character.
- He asks that the application be rejected.

Members raised questions regarding the height of the property. The Development Team Manger advised that the height of the dwelling has been reduced slightly.

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

Key Decisions

None.

Other Decisions

None.

42. 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 9.20pm).