

## **PLANNING COMMITTEE**

### **Minutes of the Meeting held on Wednesday, 14th October, 2020 at virtually through MS Teams**

Present: Councillor D G Pidwell (Chair)

Councillors:	S Fielding	H M Brand
	D Challinor	G Freeman
	G A N Oxby	M W Quigley MBE
	M Richardson	N J Sanders
	L Schuller	

Officers in attendance: E Hinsley, J Krawczyk, J Lavender and S Wormald.

(The meeting opened at 6.30 pm).

The Chair welcomed all to the virtual Planning Committee and explained that councils have been enabled to hold virtual meetings in order to allow business to be conducted while maintaining social distancing due to the outbreak of Covid-19. He then introduced Members and Officers by doing a roll call. The Chair outlined that in the event of the livestream failing or Members losing connection the meeting would be adjourned to allow the connection to be re-established. He also reminded participants to take appropriate safety precautions from their place of livestreaming.

#### **117 APOLOGIES**

There were apologies for absence from Councillors Charlesworth and Tomlinson.

#### **118 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS**

##### **118a Members**

A non-pecuniary declaration of interest was made by Councillor Richardson for Planning Application 20/00497/RES. She remained in the meeting.

##### **118b Officers**

There were no declarations of interest by officers.

(Councillor Quigley joined the meeting at 6:35pm).

#### **119 MINUTES OF THE MEETING HELD ON 16 SEPTEMBER 2020**

**RESOLVED** that the minutes of the meeting held on 16<sup>th</sup> September 2020 be approved.

#### **120 MINUTES OF PLANNING CONSULTATION GROUP MEETINGS HELD 7 AND 21 SEPTEMBER 2020**

**RESOLVED** that the minutes of the Planning Consultation Group meetings held between 7<sup>th</sup> September 2020 and 21<sup>st</sup> September 2020 be noted.

#### **121 OUTSTANDING MINUTES LIST**

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

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### 122 REPORT(S) OF THE HEAD OF REGENERATION

#### 122a Public Interest Test

(Ms B Alderton-Sambrook, Head of Regeneration, has deemed that all Items on the Agenda are not confidential)

#### 122b Appeal(s) Decision

None.

#### 122c Planning Applications and Associated Items

<u>Application No</u>	<u>Applicant</u>	<u>Location and Proposal</u>
20/00497/RES	SUTTON CL Ltd	Gate Cottage And Land To South Lound Low Road, Sutton Cum Lound Reserved Matters Application for the Approval of Appearance, Landscaping, Layout and Scale for Erection of 33 No Dwellings with Associated Highways, Parking and Open Space Following Outline Application 17/00300/OUT

The Committee was advised that the application sought approval for appearance, landscaping, layout, and scale for erection of 33 dwellings with associated highways, parking and open space following outline application 17/00300/OUT, which was allowed on appeal.

The site at Gate Cottage and land south of Lound Low Road, is made up of three parcels of land within the existing village with a public footpath running along the eastern boundary. There are residential properties to the north and west, Sutton Primary School and residential properties to the south and agricultural fields to the west. The site is of archaeological interest and is within the setting of the grade I listed St Bartholomew's Church. There is also a silver birch tree on site that is subject to a Tree Preservation Order.

Access to the site has already been granted from Lound Low Road which will extend into the site forming a cul-de-sac. Areas of open space will be provided adjacent to the entrance and to the eastern side of the development. It is proposed to erect 33 dwellings, all of which would be two storeys in height. The development would comprise a mixture of semi-detached and detached dwellings and would include eight 3-bedroom homes and 25 4-bedroom homes. Four of the proposed 3-bedroom dwellings would be delivered as affordable low-cost market homes.

Slides were used to show the proposed layout, dwelling designs, current site photographs and visuals of the scheme once completed.

Consultee comments were appended to the report. Of note, Nottinghamshire Wildlife Trust has raised concerns that the ecological report is out of date and that the development does not mitigate the loss of habitat areas.

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Sutton Parish Council has objected to the proposal and District Councillor Rob Boeuf has also raised concerns. 70 letters of objection and two letters of support have also been received

The matters to be considered were the proposed appearance, layout, scale and landscaping of the development as the Planning Inspectorate had already allowed outline planning permission on appeal against the Council's decision to refuse. Houses are proposed to be of a simple, contemporary design, finished with red brick and pantile roofs which is considered to be acceptable in the context of the surrounding area. The layout is also considered to be in keeping with the local area and the scheme would not have a detrimental impact on surrounding occupiers. The access point has been approved off Lound Low Road, forming a new cul-de-sac which is considered to be a safe access arrangement. The development would require the removal of 23 trees which would be replaced by 24 trees of mixed species.

A key concern has been the diversion of the main sewer, however the developer will be required to enter into an agreement with Severn Trent Water to connect and undertake works to the existing sewer in order to ensure that these will not cause any negative impact for surrounding residents.

The impact of the development on habitats and protected species has also been cause for concern, especially on any potential badgers on the site. On allowing the appeal the inspector stated that the site was found to provide a limited habitat. Should badgers be found to be present on the site the developer would be legally required to close down any sett using a qualified ecologist in conjunction with the appropriate licensing from Natural England.

In response to questions submitted by Members in advance of the meeting the Planning Development Manager advised that the developer demonstrated that there would be no increased flood risk and the County Council are satisfied with the detailed drainage strategy provided. Members were advised that conditions could be imposed to connect the site to the right of way and to include charging points for electric vehicles. Clarification on the categories of trees was also provided.

Angela Close, Chair of Sutton Cum Lound Parish Council spoke in objection on the following grounds:

- The site is too small for such a large development;
- The impact on drainage on an already strained system;
- The increase in traffic around the site access and egress will only worsen a dangerous stretch of road;
- The outline planning concept alluded to around 27 houses which has now increased to 33;
- This site was not identified as a preferred option in the Neighbourhood Plan.

Monica Hockenhull, a member of the public spoke against the proposal on the following grounds:

- Contrary to the Planning Inspector's report, Sutton Cum Lound is rural rather than suburban;
- The site is already surrounded by houses on three sides, adding more on the fourth would produce a sense of homogeneousness;
- Lack of available amenities such as, a doctor's surgery, bank, post office or library etc.

Councillor Rob Boeuf, local Member for Sutton objected to the proposal on the following grounds:

- The sewage system is already running close to capacity and requires regular maintenance, this same sewer serves both Sutton Cum Lound and Barnby Moor as well as the local primary school;
- Although there are green spaces proposed on site, the houses are tightly packed together;
- The access and egress point for the development is unsafe;

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- The threat to wildlife and biodiversity.

Members raised questions and concerns relating to:

- Clarification on the number of dwellings proposed;
- Whether there are any restrictions should badgers be found to be present;
- The responsibility for drainage with road maintenance being split between the Council and residents;
- Have the concerns of Nottinghamshire Wildlife Trust been addressed?
- The mix of dwellings and lack of bungalows proposed on the development;
- Could a condition be imposed to prevent work beginning until an agreement between the developer and Severn Trent Water be reached;
- The number of affordable homes;
- What would happen if development on the site began only for the sewerage system to become overloaded?
- Highways safety regarding the access and egress point;
- Whether the impact on wildlife and biodiversity could be mitigated in any way;
- Whether the need for smaller houses was taken into account;
- Whether the right of way could be linked into the development;
- The location of the nearest play area.

(The meeting was adjourned at 7:09pm due to technical problems. The meeting recommenced at 7:19pm).

The Planning Development Manager advised that:

- The original outline planning permission was all matters reserved which meant that the number of dwellings was not fixed at that point;
- Should badgers be found on the site, an ecologist would be legally required to close the sett and replace it elsewhere. Natural England would need to be notified who would then grant a license;
- The majority of the road, including drainage, will be adopted and maintained by the Highways Authority with private driveways being the responsibility of the residents of the six houses that they serve;
- Nottinghamshire Wildlife Trust were concerned that the ecological appraisal is now out of date, however on appeal, the Planning Inspector considered that the impact would be acceptable without imposing any further surveys or conditions. A bat survey has been carried out and found that no bat roosts were present on site at present;
- The mix of housing includes eight 3-bed semi-detached properties with the remainder being 4-bed detached houses;
- It is a legal requirement that the developer have an agreement to divert the sewer so it is unnecessary to add this as a condition;
- The affordable housing provision is a 25% proportion, in this case four dwellings have been designated for affordable housing, with a financial contribution to the Council making up the remainder;
- All works must be carried out in accordance with the sewer authority requirements, which are designed so as to protect the public sewer system;
- The Highways Authority considered the impact to be acceptable based on a worst case scenario figure of 45 houses on the site;
- A condition requiring a scheme of ecological and biodiversity enhancements could be imposed;

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- It was felt that these proposed dwellings would better reflect the character of the area than more numerous modest houses and would also have less of an impact of the surrounding infrastructure;
- A condition could be imposed requiring details of how the right of way would be linked to the development;
- The closest play facilities are at the village hall further along the road. Improvements to these facilities are proposed.

**RECOMMENDATION:** Grant reserved matters approval subject to conditions.

**COMMITTEE DECISION:** Grant reserved matters approval subject to conditions, to further include:

- An ecological and biodiversity enhancement scheme;
- The installation of electric vehicle charging points in each property;
- That the rights of way connect with the development;
- That no development shall take place above damp proof course of any dwelling until an agreement has been reached with Severn Trent Water regarding the precise details of the diversion of the adopted sewer.

(Councillor Brand left the meeting at 8:03pm).

<u>Application No</u>	<u>Applicant</u>	<u>Location and Proposal</u>
20/00696/COU	Bassetlaw District Council	Bridge Court, Bridge Place, Worksop Change of use from Class A (Comprising A1 shops & Retail Outlets, A3 Food and Drink, A4 Drinking Establishments, A5 Hot Food and Take Away) and Sui Generis (Night Club) to Class D1 Non-Residential Institution

The Committee was advised that the application proposed a change of use of Bridge Court from a mixed use Class A to a Class D1 use.

Bridge Court is located at the junction of Bridge Place and Watson Road in Worksop Town Centre. It is within the primary shopping area boundary but outside Worksop Conservation Area, although as the boundary runs along Watson Road, is within its setting. Watson Road is also the main thoroughfare for traffic north to south.

The proposal is to use the building as an educational institution with NHS courses being provided to mature students, along with digital, business and enterprise courses. The site will be part of a university backed campus, and course providers have advised that likely numbers attending at Bridge Court is: six classrooms with 20 students each, totalling 120 students; one support staff for each of three providers; four facilities management staff and two catering staff associated with the café. 40 covers also included in café which would be ancillary to the proposed use of the building for educational purposes.

Slides were used to show the position of the site within Worksop town centre and current floorplans and photos of the building.

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Consultee comments were appended to the report and it should be noted that the Highways Authority have not objected to the scheme having received further clarification on the proposed use of the building.

One letter of objection was received from Royal Mail due to concerns regarding access to their depot which is in close proximity to the site. These concerns have been fully acknowledged, inappropriate construction management could result in disruption to businesses and road users. It is considered that the impact can be made acceptable by imposing a condition necessitating a construction management plan detailing the routing of construction vehicles, contractor parking and delivery arrangements.

The proposal is considered to be acceptable in this town centre location, making a significant positive effect on the local economy. There are no plans to make any changes to the building's exterior, however by bringing this vacant site back into use it is felt that this would improve both the vitality and visual amenity of the building and the surrounding area. The highways impacts of the proposal are also considered to be acceptable as there are a number of car parks in the vicinity as well as the bus and train station, all of which are within walking distance.

Members raised questions regarding whether the building will be affected by any flooding. The Planning Development Manager responded that a flood risk assessment is not required as the application is for a change of use. However, the Council, Nottinghamshire County Council and the Environment Agency are all involved in a separate, ongoing project looking at reducing flooding in Worksop town centre. Members also suggested an alternative drop off point and commented that this will help reduce fly tipping around the building.

Members also observed that this will increase footfall in the town centre and could also potentially provide workers for Bassetlaw District General Hospital

**RECOMMENDATION:** Grant subject to conditions.

**COMMITTEE DECISION:** Grant subject to conditions.

### 123 ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

As there was no other business to discuss the Chair thanked everyone for their attendance and contributions and closed the meeting.

(The meeting closed at 8.18 pm).