

## PLANNING COMMITTEE

### Minutes of the virtual meeting held on Wednesday 9<sup>th</sup> December 2020 via Microsoft Teams

**Present:** Councillor D Pidwell (Chair)  
Councillors H M Brand, D Challinor, S Fielding, G Freeman, G A N Oxby, M Richardson, N Sanders, L Schuller and B Tomlinson.

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

(Meeting commenced at 6.30pm)

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.

#### 136. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M Charlesworth and M W Quigley MBE.

#### 137. DECLARATIONS OF INTEREST

##### (a) Members

Councillors D Pidwell and G Oxby declared non-pecuniary interests in Planning Application a1, 19/01663/FUL. They remained in the meeting.

##### (b) Officers

There were no declarations of interest by officers.

The Chair added that regarding the application at a1, 19/01663/FUL, Members of the Committee had been contacted by the organisation Love Worksop as well as the agent of the applicant, both putting their cases forward.

#### 138. MINUTES OF THE MEETING HELD ON 11<sup>TH</sup> NOVEMBER 2020

**RESOLVED** that the minutes of the meeting held on 11<sup>th</sup> November 2020 be approved.

#### 139. MINUTES OF THE PLANNING CONSULTATION GROUP MEETINGS HELD BETWEEN 2<sup>ND</sup> AND 16<sup>TH</sup> NOVEMBER 2020.

**RESOLVED** that the minutes of the Planning Consultation Group meetings held between 2<sup>nd</sup> and 16<sup>th</sup> November 2020 be noted.

#### 140. OUTSTANDING MINUTES LIST

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

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

### **Key Decisions**

None.

### **Other Decisions**

None.

## **141. 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**

None.

### **(c) Planning Applications**

<u>Application No.</u>	<u>Applicant</u>	<u>Location and Proposal</u>
19/01663/FUL	Lidl Great Britain Limited	Land East Of Carlton Road/ Blyth Road, Worksop. Hybrid Application Comprising: (A) Full Planning permission and Conservation Area Consent for Demolition of 2 Dwellings, Erection of Discount Food Store (Class A1) Coffee Shop with Drive Thru (Class A3/A5) 1 Retail Unit, Access, Customer Parking, Landscaping and Associated Works; (B) Outline Planning Permission for up to 71 Residential Units (All Matters Reserved Except Access).

Members were advised that this was a hybrid application with the applicant seeking full planning permission and conservation area consent for the demolition of two dwellings and the erection of a Lidl food store, coffee shop with drive-through and small retail unit. Outline planning permission is also sought for up to 71 houses including the reserved matter of access.

The Planning Development Manager (PDM) presented the report advising that the site lies to the east of Carlton Road/ Blyth Road, between the Worksop and Mr Straw's Conservation Areas (lying partially within the latter) and it is also an area of archaeological interest. The site is adjacent to the junction of the A60 and B6045 roads and the Sheffield to Lincoln railway line lies directly to the south. The site lies within the setting of the grade II listed Signal Box and grade II listed Worksop Stationhouse and outbuildings which are associated with the railway. The site is currently vacant brownfield land, crossed by public footpaths.

Slides were used to show the proposed layout of the site, the elevations of the food store, coffee shop and retail unit, photographs of the current brownfield site as well as the two properties that are proposed to be demolished.

Objections from consultees include the Council's Conservation Team have who have objected due to the harm that would arise to heritage assets and Nottinghamshire County Councillor Gilfoyle.

49 letters of objection and 51 letters of support have been received from members of the public.

Other retailers in the town have also objected to the proposal; Threadneedle Pensions Ltd, who own the Priory Centre, and supermarket chain Asda.

The principle of a residential development on this site is acceptable. However, as the site is outside the town centre boundary the retail development is subject to the sequential and impact tests.

The applicant discounted a number of sites as unsuitable, including the Priory Centre, due to constraints such as poor access, layout and car parking arrangements. However, Threadneedle Pensions Ltd, who own the Priory Centre consider that the applicant has not been sufficiently flexible as they deem the existing site at the Priory Centre to be suitable, available and sequentially preferable.

The Council contracted Nexus Planning to conduct an independent assessment which determined that the Priory Centre site is available and suitable for the proposed development. Nexus also concluded that the development would be likely to hinder regeneration of the town centre resulting in an adverse impact on planned investment.

Overall the Council considers that while some constraints may be the cumulative result leads to the conclusion that the site is not suitable and any amendments are likely to have an adverse impact upon the operation of the wider site or that of a food store at the Priory Centre. Given the site is not suitable it is not considered that the proposed food store being outside the town centre would lead to significant adverse impact on existing, committed or planned investment.

The proposed development is considered to have an acceptable impact on the residential amenity of surrounding occupiers with a noise impact assessment also finding the impact of the development to be acceptable.

A new traffic signal controlled junction with Blyth Road will provide access to the site. The proposed access and internal layout arrangements would provide a safe means of access and egress for the site.

The Council's Conservation Team consider the loss of two houses in the conservation area and the public benefits not outweighing the harm caused to the setting of the nearby listed buildings would be unacceptable.

In response to Members' questions prior to the meeting, the PDM advised:

- Although the independent consultant did not consider the applicant to have passed the sequential test, officers had drawn their own conclusions based on the evidence provided;
- Officers consider that there are constraints within the Priory Centre site which make it unsuitable for the development;
- The traffic regulation order would be designed by the Highway Authority and the access point is considered acceptable.

County Councillor Gilfoyle spoke in opposition to the proposal commenting that:

- The impact on Worksop town centre will be considerable and will have a significant adverse impact;
- No clear reason has been given to justify the loss of the two dwellings in Mr Straw's Conservation Area;
- Should permission be granted, the site should ideally be gated with 24 hour CCTV in place and free wifi limited to opening hours in order to prevent crime and antisocial behaviour.

Mr Stephen Dacombe, the manager of the Priory Centre, also speaking on behalf of two local residents, spoke against the proposal. He noted that:

- The Priory Centre has worked with the Council to improve and invest in the Centre, including the submission of a planning application for partial redevelopment for a food store, which will also enhance the viability and vitality of the town centre.
- The proposal is considered to fail the sequential test as the Priory Centre has a suitable site available within the town centre;
- The development will draw shoppers away from other retailers in the town centre and have a detrimental effect on future investment in Worksop;
- The demolition of buildings will have a negative effect on the conservation area.

Jeremy Williams, the agent of the applicant spoke in support of the application. He observed that:

- Planning permission has been granted for retail use previously but was not completed, leaving an unattractive brownfield site, which the proposal will regenerate;
- Around 70 new jobs will be created in addition to jobs generated during the construction of both the Lidl and housing phases;
- Enhanced choice for shoppers in Worksop;
- The site is easily accessible, being close to the train station, on existing bus routes and within walking distance for many;
- The creation of up to 71 new houses including 15% affordable homes, within proximity of existing services in Worksop.

In response to questions from the Committee, the PDM advised that:

- The Council imposes conditions on new developments to include charging points for electric vehicles in houses and the applicant would also have to provide these in the car park. Any new buildings would need to comply with regulations on insulation and energy efficiency;
- The opening hours are based on the noise impact assessment and are acceptable in planning terms;
- The principle of retail on the site was established when planning permission was granted to Tesco. The conditions ensured that should Tesco open a store at the site, the store at Gateford Road must close;
- Any footpaths through the site would be retained subject to diversion orders;
- Should this application be refused, Tesco still have extant planning permission and could continue construction on the site;
- Should the proposed access point fall through then either an alternative would have to be approved or the development cannot be delivered;
- The Highways Authority had some initial concerns over the with the proposal which the applicant has now addressed to their satisfaction;

- The Conservation Team have advised that the demolition of two houses in the conservation area would lead to less than significant harm which is outweighed by the benefits of the scheme in officers' opinion. The owners of the properties have not objected specifically on the grounds that the houses will be demolished;
- There are several constraints on the Priory Centre site which could be overcome individually but collectively render the site unsuitable for the applicant's purposes;
- It is not considered that this development would draw trade away from the town centre, the harm would be the potential loss of future investments;
- Given the results of the noise impact assessment, it was not considered necessary to restrict the opening hours of the coffee shop with drive-through or small retail unit;
- A car parking management scheme, including the requirement for CCTV is proposed to be submitted to the local planning authority.

**RECOMMENDATION OF THE HEAD OF REGENERATION** – Grant subject to conditions and the execution of a S106 agreement/unilateral undertaking

Voting for taking this course of action:

**FOR:** Councillors Challinor, Fielding, Freeman

**AGAINST:** Councillors Brand, Oxby, Pidwell, Richardson, Sanders, Schuller and Tomlinson

**ABSTAIN:** None

**COMMITTEE DECISION** – Refuse planning permission.

The decision of the Committee was to refuse planning permission for the following reasons:

- The impact on town centre investment;
- The demolition of two dwellings within the conservation area;
- The impact on traffic in the area.

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

(Cllr Brand left the meeting after giving her reasons for refusal).

<u>Application No.</u>	<u>Applicant</u>	<u>Location and Proposal</u>
20/00959/OUT	Fenton & Bromley Developments Ltd	Land Adjacent, Yew Tree Road, Elkesley. Outline Planning Application with all Matters Reserved Except for Access - Construction of up to 33 Houses and 6 Apartments, a Commercial Unit with Flexible Class B1/A1/A2/A3/A5 Use, a Retail Unit with Class A1 Use, Public Open Space and Associated Works.

The Committee considered an application which sought outline planning permission with all matters reserved for the construction of up to 33 houses, six apartments, a commercial unit, a retail unit, public open space and associated works.

The site is a Greenfield and lies to the west of Yew Tree Road in Elkesley, with the existing residential development of Headland Road to the west, the primary school to the south and the A1 to the north. The site is currently vacant and overgrown with scrub.

Slides were used to show the position of the site within Elkesley, the indicative layout, and current photographs.

It is proposed to provide vehicular access from the existing access on Coal Pit Lane. The indicative layout shows that the street network will continue through the development and will include footpaths to both sides of the road.

The Highways Authority have noted that the scheme should provide a vehicular connection through to Yew Tree Road and the Wildlife Trust have commented that hedgerows should be retained and reinforced.

Elkesley Parish Council have raised no objections to the proposal, however one letter of objection has been received from a member of the public.

This site was allocated for residential and retail development in Elkesley's Neighbourhood Plan and therefore the overall principle of development is considered to be acceptable.

The ecological impact assessment undertaken by the applicant concluded that there would be no significant impact on biodiversity. The scheme requires the removal of a number of trees, however all those required to be removed are of low arboricultural value.

Beth Evans, the agent of the applicant spoke in support of the application and commented:

- The proposed development has been mindful of the requirements set out in the Neighbourhood Plan;
- The scheme will provide 39 dwellings with 25% of these designated as affordable housing;
- The inclusion of apartments above the commercial unit will provide an opportunity for first time buyers;
- The applicant is open to adding another access point from Yew Tree Road as requested by the Highways Authority;
- Green and open spaces have been included with landscaping retaining and enhancing as much of the original trees and hedgerows as possible;
- Footpaths will be included to link the site with the surrounding residential area;
- No objections have been received from the Council's consultees (besides the Highways Authority).

Members commended the applicant for taking the Neighbourhood Plan into consideration.

In response to questions from the Committee, the PDM advised that previous applications for planning permission on the site were refused prior to the Neighbourhood Plan being adopted on the grounds that housing was not required; the Highways Authority are satisfied that access to the site is safe; the housing mix has not yet been decided, this will be considered at reserved matters stage; the Tree Officer considered the tree assessment to be robust but had not yet been able to visit the site, this will be required at reserved matters stage.

**RECOMMENDATION OF THE HEAD OF REGENERATION** – Grant outline planning permission subject to conditions and the completion of a S106 agreement/unilateral undertaking.

**COMMITTEE DECISION** – Grant planning permission.

142. 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 ended at 8:35pm).