

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** held in the Civic Suite, Castle House, Great North Road, Newark, Notts, NG24 1BY on Tuesday, 5 March 2019 at 4.00 pm.

PRESENT:

Councillor P Handley (Vice-Chairman)

Councillor Mrs K Arnold, Councillor R Blaney, Councillor Mrs C Brooks, Councillor B Crowe, Councillor Mrs M Dobson, Councillor J Lee, Councillor Mrs P Rainbow, Councillor F Taylor, Councillor Mrs L Tift, Councillor I Walker, Councillor B Wells and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor D Payne (Chairman) and Councillor P Duncan (Committee Member)

208 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor R. Crowe declared a Personal Interest in agenda Item No. 7 – Land at Sunny View, 2 Grassthorpe Road, Sutton on Trent (18/02292/FUL) as the applicant was known to him.

Councillor R.V. Blaney declared a Personal Interest in agenda Item No. 9 – Land To South of Station Road, Rolleston (18/02001/FUL) as he was the church warden within that diocese.

Councillor I. Walker declared a Personal Interest in agenda Item No. 9 – Land To South of Station Road, Rolleston (18/02001/FUL) as he had worked in the past with the farm owner.

209 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman informed the Committee that the Council was undertaking an audio recording of the meeting.

210 MINUTES OF THE PREVIOUS MEETING

AGREED (unanimously) that the minutes of the meeting held on 5 February 2019 be approved as a correct record and signed by the Chairman.

211 FIELD REFERENCE 7600 OFF, NORTH SCARLE ROAD, WIGSLEY, NOTTINGHAMSHIRE (17/02043/FULM (MAJOR))

The Committee considered the report of the Director of Growth & Regeneration, which sought full planning permission to create a fish farm. The fish farm would breed and rear freshwater species of fish to supply the ornamental and sport fishing market. The applicant had advised that once fully operational, at year 6 the facility would be capable of supplying around 11,500kg of live fish per annum.

Members considered the application and some Members felt that the development

was too large, given that the first application in 2008 was a third of the size for the fishing lake. Concern was raised that the site flooded and flood water collected on the road. Concern regarding the number of lorries going onto site was also raised. It was commented that the Parish Council had raised concern regarding dust and noise from the site which would take four years to develop. It was suggested that if the Committee were minded to approve the application the local ward Member would look at the routing plan in conjunction with the Planning Committee Chairman and Director of Growth & Regeneration.

Other Members commented that the development was not large in comparison to Smeaton Lakes. Concerns were raised regarding the proposed volume of material to be removed and the accuracy of those figures given the various comments and proposals from the applicant throughout the life of the application. Concern was also raised regarding inconsistency with the leisure element for sport fishing on-site which was reported as significant within the report. It was questioned whether Highways had been assessed on the leisure use. Concern was also raised regarding the planned phase of construction and the inability to properly phase given the need for the growing ponds.

AGREED (unanimously) that contrary to Officer recommendation planning permission be refused for the following reasons:

- (i) concerns regarding the credibility and enforceability of the amount of material to be removed from site and associated lorry movements;
- (ii) the impact of the sports fishing on-site and whether regard had been had to this in the cumulative assessment of traffic and disturbance impacts;
- (iii) the applicants submission failed to demonstrate that the scheme could be phased appropriately, or its implementation be guaranteed in order to avoid part-completed and avoid visual harmful development; and
- (iv) the inability of the scheme to demonstrate how the scheme passed the sequential flood risk test.

In accordance with paragraph 12.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

Councillor	Vote
Mrs K. Arnold	For
R.V. Blaney	For
Mrs A.C. Brooks	For
R.A. Crowe	For
Mrs M. Dobson	For
P. Duncan	Absent
G.P. Handley	For
J. Lee	For
D.R. Payne	Absent
Mrs P. Rainbow	For
F. Taylor	For

Mrs L.M.J. Tift	For
I. Walker	For
B. Wells	For
Y. Woodhead	For

212 CO OP SUPERMARKET, HIGH STREET, COLLINGHAM, NEWARK ON TRENT, NOTTINGHAMSHIRE, NG23 7LB (18/02236/FUL)

The Committee considered the report of the Director of Growth & Regeneration, which sought planning permission for the change of use of the one large unit from A1 into three independent units, to be used for A1 (Retail), A2 (Professional Services), B1 (Business) and A5 (Hot Food and Takeaway). End users for the units had not been secured.

Member considered the application and whilst there was no objection to the change of use apart from the A5 (hot food and takeaway). The current fish and chip shop was commented upon which was in front of the proposed units. The need for a further takeaway was considered not necessary and by not granting that use would prevent obesity and environmental problems. It was further commented that this site was ideal for commercial use as it had a large car park to support the shops. It was suggested that one unit be limited to A5 use. It was further suggested that the A5 use be conditioned out of the planning permission.

AGREED (with 12 votes For and 1 Abstention) that planning permission be approved subject to the conditions and reasons contained within the report and an amendment to condition 4 which would exclude the ability to accommodate an A5 use on the grounds that this would lead to an unacceptable concentration of such a use (alongside the existing chip shop) which was likely to give rise to unhealthy eating and environmental issues by reason of littering and the comings and goings of patrons.

213 LAND AT SUNNY VIEW, 2 GRASSTHORPE ROAD, SUTTON ON TRENT (18/02292/FUL)

The Committee considered the report of the Director of Growth & Regeneration, which sought planning permission for the erection of one three-bedroom detached dwelling and a detached workshop/outbuilding to the rear of Sunny View.

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published from the Agent.

Councillor Mrs S Michael local ward Member for Sutton on Trent spoke in support of the application and also in support of Sutton on Trent Parish Council. She commented that there had been no objections from neighbouring properties. The Lead Local Flood Authority would not be making comments in relation to flood risk as it fell outside of the guidance set out by Government. It was commented that due the land levels three quarters of the site was above the flood level and only a four metre length would flood. Back land development policy DM5 was quoted, Members were informed that this site was the former site of a coal store and had never been the garden of Sunny View. The conservation area was one of mixed development and contained numerous back land development, as in the character of the conservation

area, setting a precedent for back land development. The removal of the Sycamore tree was due to the height and spread and was not visible from the front of the site. The applicants ran two successful businesses in Sutton on Trent and the proposed application incorporated a workshop, office/study for those businesses and would allow them to stay in the village.

Members considered the application and it was suggested that the application be deferred to allow negotiations to take place regarding bringing the proposed dwelling further forward in order to save the Sycamore tree. Other Members commented on the spectacular trees in that area and the re-siting of the development may have an impact on those trees. Concern was also raised regarding the application being back land development with part of the access in a flood zone.

The Director of Growth & Regeneration asked Members to consider whether the suggested negotiations with the applicants regarding the design and siting of the units would be helpful. If the proposed changes did not resolve the sequential test and flooding issue, that would not be helpful to the applicants. If the dwelling was moved forward there would still be harm from a planning prospective as there would be privacy issues for the host dwelling Sunny View and would likely have a greater impact in the conservation area.

A vote was taken and lost to defer the application, with 6 votes For, 6 votes Against, 1 Abstention and the Chairman exercising his casting vote against deferral.

AGREED (with 6 votes For, 5 votes Against and 2 Abstentions) that planning permission be refused for the reasons contained within the report.

214 LAND ADJACENT TU PARE, LOW STREET, ELSTON (18/01891/FUL)

The Committee considered the report of the Director of Growth & Regeneration, which sought planning permission for the erection of one affordable dwelling.

Members considered the application and some Members considered the dwelling acceptable given that the dwelling was in alignment with the neighbouring dwellings, was not intrusive and provided affordable housing. Other Members commented that the proposal would have significant impact on the open countryside and harm views from within the conservation area was not acceptable.

AGREED (with 7 votes For, 4 votes Against and 2 Abstentions) that planning permission be refused for the reasons contained within the report.

215 LAND TO SOUTH OF STATION ROAD, ROLLESTON (18/02001/FUL)

The Committee considered the report of the Director of Growth & Regeneration, which sought the change of use from grazing land to burial ground.

Councillor Mrs Salter representing Rolleston Parish Council spoke in support of the application in accordance with the views of Rolleston Parish Council.

Members considered the application and it was commented that this small parcel of

land which was adjacent to the current church yard would provide a burial ground for the residents of Rolleston for up to 200 years. It was considered a basic human right to be buried where a resident had worshipped and lived.

Members considered whether archaeological works were necessary given the cost involved. The Parish Council representative had indicated that the Church had given their word that if any archaeological find was discovered whilst the ground was being prepared for burial, they would stop work and notify the relevant authority. It was suggested that Officers take forward and encourage academic or other voluntary groups to look at archaeology for this site on an informal basis, but this should not be a planning condition or informative.

AGREED (unanimously) that contrary to Officer recommendation planning permission be approved.

In accordance with paragraph 12.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

Councillor	Vote
Mrs K. Arnold	For
R.V. Blaney	For
Mrs A.C. Brooks	For
R.A. Crowe	For
Mrs M. Dobson	For
P. Duncan	Absent
G.P. Handley	For
J. Lee	For
D.R. Payne	Absent
Mrs P. Rainbow	For
F. Taylor	For
Mrs L.M.J. Tift	For
I. Walker	For
B. Wells	For
Y. Woodhead	For

(Councillor F. Taylor left the meeting at this point).

216 LAND TO THE REAR OF THE STABLES, KIRKLINGTON ROAD, HOCKERTON, SOUTHWELL (19/00041/FUL)

The Committee considered the report of the Director of Growth & Regeneration, which sought full planning permission for the erection of two x 3 bedroom dwellings on land rear of Highgate and would involve the creation of a new access to serve the development from Kirklington Road.

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published from the Applicant and Agent.

A Member sought clarification regarding the two properties that had been granted

planning permission and whether they were in the village envelope. The Planning Case Officer confirmed that the dwellings to the North and West had both been determined as within the village envelope.

Members considered the application and concern was raised regarding massing within that development and one member felt that just one unit would have been preferable. Another Member commented on the ménage was located in the countryside and was open. The ménage had been allowed but should not be built upon.

AGREED (with 11 votes For and 1 vote Against) that planning permission be refused for the reason contained within the report.

217 BROOKLYN, LOWER KIRKLINGTON ROAD, SOUTHWELL (19/00084/RMA)

The Committee considered the report of the Director of Growth & Regeneration, which sought reserved matters approval for three dwellings on this site where outline permission had been granted upon appeal. Matters to be considered were the appearance, landscaping, layout and scale.

All three dwellings were two storey and detached and set out in a linear arrangement of development in depth served off a private access drive from Lower Kirklington Road.

Members considered the application and it was commented that this development was not liked from the application stage and was granted on appeal. One Member commented they did not like the design of the houses and others felt that given their substantial size and scale the internal configuration could easily be converted to larger units that would not meet the need or mix for Southwell.

A vote was taken to approve planning permission and lost with 6 votes For and 6 votes Against.

AGREED (with 6 votes For, 5 votes Against and 1 Abstention) that planning permission be refused contrary to officer recommendation on the basis that the units were too easily converted to larger units that would not meet the need/mix of Southwell.

In accordance with paragraph 12.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

Councillor	Vote
Mrs K. Arnold	For
R.V. Blaney	Against
Mrs A.C. Brooks	For
R.A. Crowe	Against
Mrs M. Dobson	For
P. Duncan	Absent

G.P. Handley	Abstention
J. Lee	For
D.R. Payne	Absent
Mrs P. Rainbow	Against
F. Taylor	Absent
Mrs L.M.J. Tift	For
I. Walker	Against
B. Wells	Against
Y. Woodhead	For

218 ANNUAL REPORT DETAILING THE EXEMPT REPORTS CONSIDERED BY THE PLANNING COMMITTEE

The Committee considered the report of the Chief Executive listing the exempt items considered by the Committee for the period 6 March 2018 to date.

The Committee agreed that the reports considered on the 3 July and 24 July 2018, relating to Residential Development at Epperstone Manor, Main Street, Epperstone, should both remain confidential.

The Committee also agreed that the report considered on the 2 October 2018, relating to Future Fishing Ltd, Unit 17, Hardy's Business Park, Hawton Lane, Farndon, should remain confidential.

AGREED (unanimously) that:

- (a) the reports considered on the 3 July and 24 July 2018, relating to Residential Development at Epperstone Manor, Main Street, Epperstone, should remain confidential and exempt; and
- (b) the report considered on the 2 October 2018, relating to Future Fishing Ltd, Unit 17, Hardy's Business Park, Hawton Lane, Farndon, should remain confidential and exempt.

219 APPEALS LODGED

AGREED that the report be noted.

220 APPEALS DETERMINED

AGREED that the report be noted.

Meeting closed at 6.16 pm.

Chairman