

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, 24 July 2018 at 3.00 pm.

PRESENT: Councillor D Payne (Chairman)

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

APOLOGIES FOR ABSENCE: Councillor P Handley (Vice-Chairman), Councillor Mrs M Dobson and Councillor Mrs P Rainbow

43 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor P Duncan declared a Personal Interest in Agenda Item No. 5 – Site of Robin Hood Hotel, 1-3 Lombard Street, Newark (18/01020/FULM) as he is the Chairman of the Nottingham Building Preservation Trust.

44 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

45 MINUTES OF THE PREVIOUS MEETING

The Committee considered the minutes of the meeting held on 3 July 2018.

AGREED that the minutes of the meeting held on 3 July 2018 be approved as a correct record and signed by the Chairman.

46 SITE OF ROBIN HOOD HOTEL, 1-3 LOMBARD STREET, NEWARK (18/01020/FULM (MAJOR) AND (18/01021/LBC)

The Committee considered the report of the Business Manager – Growth & Regeneration, which sought to re-develop the site of the Robin Hood into a mixed use scheme of commercial development and a 66 bed hotel. Unlike the previously withdrawn schemes, the current applications sought to retain the façade and some additional walls of the Robin Hood buildings in the development. The design of the current proposal had evolved following pre-application discussions with interested parties including Historic England and Travelodge as the end occupier of the hotel.

As clarified by the submitted Design and Access Statement, the scheme proposed commercial development at ground floor. This took the form of commercial units, a hotel entrance and supporting ancillary hotel spaces. The intermediate, first and second floors provided hotel accommodation and supporting ancillary hotel/commercial spaces. The ground and intermediate floors would contain three commercial units.

The proposed use of these units would be flexible to allow shop (Class A1); financial and professional services (Class A2); café/restaurant (Class A3); and leisure (Class D2) uses. The first and second floors provided a total of 66 beds of hotel accommodation, linen areas and stores.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from a neighbouring party and Historic England.

The Business Manager Growth & Regeneration informed the Committee that Officers had agreed that the revised comments received from the Historic England as detailed in the Schedule of Communication and the revised wording to Condition 3 was appropriate and therefore should be amended to read as follows:

“Prior to commencement of development an updated ‘Historic Fabric to be retained’ plan and associated schedule of works, including structural engineering drawings and method statement shall be submitted to and approved in writing by the Local Planning Authority in consultation with Historic England. The updated ‘Historic Fabric to be retained’ plan shall retain at least the areas shown as ‘Historic Fabric to be retained’ in plan ref. J1565 (08) 113 Rev. B. The details shall include:

- the areas of masonry to be demolished;
- a method statement for ensuring the safety and stability of the building fabric identified to be retained throughout the phases of demolition and reconstruction;
- the arrangements for temporary secure storage of salvage materials; the person or body specialising in this procedure appointed by the applicant; and a timetable for their reinstatement, re-use or disposal; and a detailed methodology for the repair and renovation of the building fabric to be retained. Particular regard should be given to the following item(s): chimney-pieces; cast guttering and hopper-heads; windows containing historic window glass; historic timber beams, joists and rafters. No such features shall be disturbed or removed temporarily or permanently except as indicated on the approved drawings or without the prior approval in writing of the Local Planning Authority. Where appropriate, sound materials/features/fixtures forming part of the building shall be carefully taken down, protected and securely stored for later re-use. During the works, if hidden historic features are revealed they should be retained in-situ unless otherwise agreed in writing with the District Planning Authority. Works shall otherwise be halted in the relevant area of the building and the Local Planning Authority should be notified immediately. The agreed measures shall be carried out in full.

Reason: To ensure that the maximum level of historic fabric to the Listed Buildings is retained as envisaged through the application submission and to ensure that those areas shown as ‘Historic Fabric to be retained’ in plan ref. J1565 (08) 113 Rev. B are retained in any event.”

It was also recommended that recommendation 3 be revised as detailed within the Schedule of Communication.

The Chairman informed the Committee that the application was before them due to

the objection from the Society of Outstanding Buildings and the application would have to be referred to the National Planning Casework Unit for them to decide if the application should be called in for determination by the Secretary of State.

Members considered the application and a Member commented that the Council needed to be clear that paragraphs 132 and 134 of the National Planning Policy Framework (NPPF) had been applied to determine whether there was substantial harm. It was also confirmed that Historic England had withdrawn their objection, but the Society for the Protection of Ancient Buildings (SPAB) had not. Members felt that as the Robin Hood had been converted to a hotel 50 years ago a return to a hotel was welcomed as there was a shortage of them within the town centre. The improvements to the adjacent car park was also discussed which would offer twenty-four hour parking and would help the night time economy. It was commented that Newark's listed buildings provided added value to the town. The proposed application was a vital gateway to the town and would enhance the street scene.

AGREED (unanimously) that subject to conformity with the newly revised National Planning Policy Framework (NPPF), to be assessed by way of compliance statement published by the Business Manager, Growth and Regeneration:

- (a) both full planning permission and listed building consent be approved subject to the conditions and reasons contained within the report, with the change to Condition 3 as contained above and in the schedule of communication;
- (b) the applications be referred to the National Planning Casework Unit for them to decide if the application should be called in for determination by the Secretary of State; and
- (C) approval of the applications are subject to a signed Section 106 agreement to ensure that:
  - both 18/01021/LBC and 18/01020/FULM are linked such that no development granted by the consents shall commence until a contract for the construction of the development approved by the permission has firstly been submitted to and approved in writing by the local planning authority; and
  - to secure the overnight parking arrangements with the adjacent NCP car park.

47 LAND NORTH AND EAST OF EXISTING FERNWOOD DEVELOPMENT, FERNWOOD, NEWARK (18/00526/RMAM)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought reserved matters for the entire site and details 1,050 dwellings, public open space, sports provision, allotments and associated infrastructure. The reserved matter included the appearance, layout, landscaping and scale of all matters. This was all of the matters reserved at outline stage.

The Committee was informed that this was the largest detailed application to date that the Authority had received.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the following: Fernwood Parish Council; the Applicant and the Planning Case Officer. The Business Manager Growth & Regeneration informed the Committee that the outstanding objection from Cadent Gas had been lifted following the printing of the Late Items Schedule.

Councillor Mrs M Weale, representing Fernwood Parish Council spoke against the application in accordance with the views of Fernwood Parish Council, although it was commented that they were not against development.

The Business Manager Growth & Regeneration informed the Committee that the management of the site, which would be controlled through a Section 106 agreement, was not a matter for debate for this application. Condition 12 was also requested to be deleted as lighting was not required. Additional conditions were requested regarding street furniture, hard landscaping and those necessary to resolve issues associated with a Highway Safety Audit undertaken by the applicant to the request of NCC Highways Authority.

Members considered that the car parking provision on site was acceptable and that the sports facilities could potentially be passed over to the Parish Council to be managed. A Member commented that the Community and Activity village was in close proximity to the development, which was run by the YMCA. It was suggested that Fernwood Parish Council could contact them regarding sports development.

AGREED (with 11 votes For and 1 vote Against) that Reserved Matters be approved subject to the conditions and reasons contained within the report, with the removal of condition 12 and the imposition of additional conditions to control the provision of street furniture and hard landscaping for all public areas and subject to either (a) NCC Highways confirming they are satisfied with the Highway Safety Audit or (b) that the affected plots are deleted from the approval. Subject to conformity with the newly revised National Planning Policy Framework (NPPF), to be assessed by way of compliance statement published by the Business Manager, Growth and Regeneration.

48 LAND AT FERNWOOD SOUTH, NOTTINGHAMSHIRE (16/00506/OUTM)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought outline planning for a phased residential development of up to 1,800 dwellings; a mixed use Local Centre of up to 0.75ha to include up to 535sqm of A1 food retail (not exceeding 420sqm) and non-food retail (not exceeding 115sqm), A3 food and drink uses (not exceeding 115sqm), D1 community uses (not exceeding 1,413sqm); sports pavilion up to 252sqm; primary school (2.2ha) with school expansion land (0.8ha); formal and informal open space including sports

pitches, pocket parks, structural landscaping/greenspace and drainage infrastructure; principal means of access, internal roads and associated works. All other matters to be reserved.

Members considered that the application was acceptable.

AGREED (unanimously) that: Outline planning permission be approved subject to the completion of an associated Section 106 agreement; and the finalisation of conditions in substantive accordance with those Appended through Appendix 4 as contained within the report and subject to conformity with the newly revised National Planning Policy Framework (NPPF), to be assessed by way of compliance statement published by the Business Manager, Growth and Regeneration.

49 NEWARK WORKING MEN'S CLUB, 13 BEACON HILL ROAD, NEWARK (18/00125/FULM)  
(MAJOR)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought full planning permission for the conversion and change of use of the former working men's club to 8 residential apartments and the erection of 8 new build dwellings within its grounds; totalling 16 dwellings. Car parking for 19 vehicles was now proposed on-site having been amended from 16 in an attempt to address highway concerns. A pedestrian access route was also proposed via a passageway at the north-west corner of the site linking the site to Lindum Street to the north.

Following the last meeting of the Planning Committee where the Committee resolved to grant planning permission, which was contrary to Officer recommendation, comments from Nottinghamshire County Council (NCC) transportation team were received on 10 July 2018. NCC had been consulted in January 2018 and that represented their first comments. The Business Manager Growth & Regeneration had very clearly expressed that this was unacceptable, unfortunately such comments did need to be considered in an overall planning balance given that the planning permission had not to date been issued pending completion of the Section 106.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the applicants agent and NCC (Transport & Travel Services Response).

The applicant had requested confirmation that the facing bricks for the new build dwelling were the Weinberger Oast Russet. The applicant had been advised that should planning permission be granted by the Committee, that officers would recommend that this would be a good quality brick that would be acceptable. The suggested conditions were recommended to reflect this and were appended to the schedule of communication as Appendix A.

Members considered the application and felt that it was unacceptable for a public body to take six months to submit their comments and approved the application, contrary to Officer recommendation, subject to the additional condition contained within the schedule of communication.

AGREED (unanimously) that: contrary to Officer recommendation, planning permission be approved subject to the conditions contained in the report and the schedule of communication and subject to conformity with the newly revised National Planning Policy Framework (NPPF), to be assessed by way of compliance statement published by the Business Manager, Growth and Regeneration.

The Business Manager Growth & Regeneration informed the Committee that the revised National Planning Policy Framework (NPPF) had been published that afternoon and requested that delegated authority be granted to allow officers to review and prepare a compliance statement to confirm that the applications before Committee remained in accordance with the NPPF dated 24 July 2018. Only if the revised NPPF raises new material planning considerations would the application need to go back before the Committee.

50 APPEALS LODGED

There were none.

51 APPEALS DETERMINED

There were none.

52 EXCLUSION OF THE PRESS AND PUBLIC

That, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 3 and 5 of part 1 of Schedule 12A of the Act.

53 RESIDENTIAL DEVELOPMENT AT EPPERSTONE MANOR, MAIN STREET, EPPERSTONE 05/01839/FULM, 07/00244/FULM AND 08/01841/FULM

The Committee considered the exempt report of the Business Manager – Growth & Regeneration in relation to Residential Development at Epperstone Manor, Main Street, Epperstone (05/01839/FULM, 07/00244/FULM and 08/01841/FULM).

(Summary provided in accordance with 100C(2) of the Local Government Act 1972.)

Meeting closed at 5.05 pm.

Chairman