

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, 4 September 2018 at 4.00 pm.

PRESENT: Councillor D Payne (Chairman)
 Councillor P Handley (Vice-Chairman)

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

APOLOGIES FOR Councillor Mrs Y Woodhead
ABSENCE:

75 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillors D.R. Payne, I. Walker and B. Wells declared Personal Interests in Agenda Item No. 8 – 37 and 39 Halloughton Road, Southwell, Nottinghamshire (18/01258/FUL) as they were Members of the Trent Valley Internal Drainage Board.

76 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

77 MINUTES OF THE PREVIOUS MEETING

The Committee considered the minutes of the meeting held on 7 August 2018.

AGREED that the minutes of the meeting held on 7 August 2018 be approved as a correct record and signed by the Chairman.

78 ORDER OF BUSINESS

With the agreement of the Committee, the Chairman changed the order of business and Agenda Item No. 7 was taken after Agenda Item No. 11, the agenda resumed its stated order thereafter.

79 OMBUDSMAN DECISION - SOUTH CLIFTON

The Committee considered the report of the Business Manager Growth & Regeneration, which updated the Committee on a recent Ombudsman decision and sought approval for the payment to the complainant of the sum recommended by the Ombudsman by the way of remedy. The Ombudsman's finding was that there had been maladministration and injustice and they recommended the Council pay the sum of £700 to the complainant by way of remedy. The Ombudsman decision was attached to the report. The report also detailed the information relating to the complaint.

AGREED (unanimously) that the Ombudsman finding of maladministration and injustice be accepted and the recommended remedy of payment of £700 to the complainant be approved.

80 11 FRIEND LANE, EDWINSTOWE, NOTTINGHAMSHIRE (18/00139/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought full planning permission for the erection of a single independent detached two bedroom dwelling and a detached single garage.

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published from the Planning Case Officer regarding the correct separation distances between the proposed dwelling and the closet neighbouring dwellings, which were different to those within the report but in any case did not alter the overall Officer recommendation.

Members considered the application and felt that the location was inadequate for the proposed development and would set a precedent for backland development in that area. The impact from this development on the business situated to the south of the property was also raised.

(Councillor P. Duncan entered the meeting during the Officer presentation and took no part in the debate or vote).

AGREED (with 12 votes for and 1 abstention) that planning permission be refused for the reasons contained within the report.

81 37 AND 39 HALLOUGHTON ROAD, SOUTHWELL, NOTTINGHAMSHIRE (18/01258/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought to demolish two semi-detached properties known as 37 and 39 Halloughton Road and erect two detached replacement dwellings with garages within the boundaries of the above properties and garden.

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published from the following: Southwell Civic Society; neighbouring parties; Newark & Sherwood District Council Access and Equalities Officer and Nottinghamshire County Council Highways.

Members considered the application and one Member felt that the application was finely balanced due to the two bungalows which had no significant merit but were situated in the conservation area and to be replaced by two significantly larger properties, which had one additional bedroom and study. Concern was raised regarding whether the properties would appear larger when built than they appeared on the proposed plans.

The Business Manager Growth & Regeneration confirmed the status of the site to the Potwell Dyke in terms of current visual appearance (drawing Members attention to a photograph within the late items schedule) and residents responsibilities for

maintenance given riparian ownership. The proposed hedge was also discussed and it was proposed that the hedge should not be planted within at least 8 metres of the Potwell Dyke. The Business Manager confirmed that the hedgerow was to delineate the boundary and the scheme was conditioned for a boundary, which could explicitly refer to a distance.

A Member commented that he was pleased that the three detached houses would sit side by side; although the houses were higher than the existing. It was also suggested that Officers provide a 4 metre line from the centre line of the dyke as this was a serious level of concern due to the flooding in 2017 and would not want to see a further flooding event. The applicant through an informative should be reminded of riparian ownership duties.

A Member also requested that a further condition be included to prevent the proposed houses being built and the two bungalows not being demolished. It was suggested that the two bungalows be demolished within 6 months on completion of the property to the right of the plan and no occupation of either property until demolition of the bungalows had taken place.

(Councillor J. Lee was not present for the Officer presentation and did not take part in the debate or vote).

AGREED (unanimously) that full planning permission be approved subject to the conditions and reasons contained within the report and the following additional conditions:

- (i) The boundary scheme be located further south in line with NCC comments on distance with a planting and maintenance scheme which would maintain the principle of a wild life corridor. The applicant through an informative be reminded of the right of riparian duties;
- (ii) The two bungalows be demolished before occupation of Plot 39.

82 FORMER GARAGE SITE, THORPE CLOSE, CODDINGTON, NOTTINGHAMSHIRE (18/00413/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought full planning permission for the demolition of an existing garage court and the erection of one bungalow. There were ten garages on the site which were proposed to be demolished.

Members considered the application and whilst one Member felt that the site was not suitable for the development and would cause further problems regarding car parking and the potential loss of the bus service should the roads become further congested with parked vehicles. Other Members considered that the scheme was good and the access position for neighbouring properties had been addressed.

AGREED (with 13 votes for and 1 vote against) that planning permission be

approved subject to the conditions and reasons contained within the report.

83 LAND AT THE WATER TOWER, GOLDSTRAW LANE, FERNWOOD (18/00474/FULM)
(MAJOR)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought full planning permission for the conversion of the existing tower and new build development to provide a total of thirteen residential units.

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published from the following: Neighbour; Fernwood & Newark residents; and Newark & Sherwood District Council Community Facilities Manager.

Councillor N. Mison, local Ward Member for Farndon & Fernwood spoke in support of the application and commented that the water tower had not been used for 50 years and the use had been unresolved for 20 years. He felt that the water tower should be retained; it was a land mark that could be seen from the A1 and railway line when entering Newark. The proposed scheme would retain the Art Deco style. The car parking had not been too bad on the morning of the site inspection; neighbouring residents had however raised concern regarding the extra car parking the scheme may incur. He felt that there were car parking and viability issues which were presented in the report.

Members considered the application and felt that the water tower was a local land mark and would like to see it retained and developed. Residents' concerns regarding car parking had been shown within the schedule of communication, which they felt could be overcome. It was suggested that the wide footpaths could be reduced to allow for parallel parking on the road side. It was also suggested that the retention and maintenance of the clock could be included within a condition should the committee be mindful to approve the application. It was further suggested that the Parish Council be asked to reduce the footpaths to allow for the required three additional car parking spaces or if the footpaths had not been transferred to Nottinghamshire County Council, the work could be suggested to the developer.

AGREED (with 11 votes for 2 votes against and 1 abstention) that contrary to officer recommendation full planning permission be granted subject to appropriate conditions to be considered by the Business Manager Growth & Regeneration.

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

84 FUTURE FISHING LTD, UNIT 17, HARDYS BUSINESS PARK, HAWTON LANE, FARNDON (18/01118/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought full planning permission to retain the existing building and use as a Sui Generis Retail Warehouse Club with ancillary B1 (Business) and B8 (Storage and Distribution) uses. The application is retrospective in nature and the building has been in situ since May 2016 according to the planning application forms.

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published from the Agent, the letter was attached in full at appendix 1 of the schedule.

Members considered the application and felt that a full investigation of the site was required to ensure that all the units had authorised use.

AGREED (unanimously) that the item be deferred to allow the whole site to be looked at by the Planning Authority in order to understand any wider issues that would relate to the determination of this current scheme.

85 PARK FARM, MAIN STREET, CARLTON ON TRENT (18/00698/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought to vary the plans condition attached to the planning permission 06/01847/FUL to vary the approved plans.

Members considered the application acceptable.

AGREED (unanimously) that planning permission be approved subject to the conditions and reasons contained within the report.

86 LAND AT ENFIELD COURT, HARBY, NOTTS (18/01217/OUT)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought outline planning permission for the erection of four market dwellings consisting of two semi-detached and two detached properties, on land formerly used for agriculture but which now appeared to be for storage. All matters were reserved apart from the access.

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published from the Agent, a Technical Note had been added as appendix 3 to the schedule.

Councillor Mrs Rose representing Harby Parish Council spoke in support of the application in accordance with the views of Harby Parish Council

Members considered the application and it was commented that the proposed development would complete Enfield Close and the removal of the metal framed structure would benefit the village. It was also commented that there was a market for properties in Harby, a thriving school and whilst there was not a bus service, the locals had established a car share scheme with two neighbouring villages. A member raised the issue that the aerial photographs were out of date and therefore it was difficult to gain an understanding of site factors. The Chairman proposed that a site visit should take place as a site visit had not previously been undertaken as it was felt that the Officer recommendation of refusal was down to policy issues and not site factor issues.

A vote was taken for approval but was lost with 6 votes for and 8 votes against.

AGREED (unanimously) that the item be deferred pending a site visit.

87 APPEALS LODGED

AGREED that the report be noted.

88 APPEALS DETERMINED

AGREED that the report be noted.

89 EXCLUSION OF THE PRESS AND PUBLIC

There were none.

Meeting closed at 6.11 pm.

Chairman