

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Civic Suite, Castle House, Newark on Tuesday, 5 December 2017 at 4.00pm.

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

Councillors: R.V. Blaney, Mrs A.C. Brooks, R.A. Crowe, Mrs M. Dobson, J.D. Lee, N.B. Mison, Mrs P.J. Rainbow, Mrs S.E. Saddington, I. Walker and B. Wells.

145. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Mrs K. Arnold, Mrs L.M.J. Tift and Mrs Y. Woodhead.

146. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

<u>Member/Officer</u>	<u>Agenda Item</u>
Councillors D.R. Payne, I. Walker and B. Wells	All Relevant Items – Personal Interests as the Councillors are Members of the Internal Drainage Board.
Councillor D.R. Payne	Agenda Item No. 12 – Little Hollies, The Close, Averham (17/01193/FUL) Personal Interest as the applicant was a former client.

147. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

148. MINUTES OF THE MEETING HELD ON 7 NOVEMBER 2017

AGREED that the minutes of the meeting held on 7 November 2017 be approved as a correct record and signed by the Chairman.

149. ORDER OF BUSINESS

With the agreement of the Committee, the Chairman changed the order of business and Agenda Item 15 was taken as the first item of decision. The agenda resumed its stated order thereafter.

150. RECREATION GROUND, ELM AVENUE, NEWARK (17/01693/FULM) (MAJOR)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for a new sports and community facility. The existing playing fields and sports facilities are proposed to be altered and supplemented by new sports

playing pitches, cycle track, skate park, tennis courts, multipurpose pitches and provision of alternative route for existing bridleway. Extension of playing pitch areas into vacant land to the east of the current facilities is also proposed. The proposed building will include crèche and pre-school facility, training, offices, music, dance and art studios, sports facilities, changing areas to serve both the internal and external sports, function rooms, café and kitchen.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from Newark Town Council.

The Business Manager Growth & Regeneration informed the Committee that Nottinghamshire County Council Highways Authority had confirmed shortly before the meeting that they were happy with the car parking provision of one hundred and eight additional car parking spaces, subject to a twelve month review or additional parking being provided prior to this date, a realistic prospect set out in the agenda papers given that the Council were proposing additional car parking capacity at this location.

Members considered the application and the Leader of the Council commented that he had been heavily involved in the last three years to bring this scheme forward. This was a long aspiration of the Council and had been included in the Local Plan from 1999 and had been developed when the Council was Labour controlled. Policy R8 in that Local Plan referred to RHP sports grounds which have been in use as a private sports ground since 1931 and played an important part in sports activities in the town. He explained the importance of securing Sports England support. Nott's Wild Life Trust had an objection which had been resolved. A report had been taken to the last meeting of the Policy & Finance Committee which had considered a report from Sustrans regarding the hire of bikes, as the sports ground was adjacent to their linear park. Balderton Parish Council had also undertaken discussions as they were the owners of Balderton lakes and were exploring whether water based activities could be undertaken in addition to fishing on those lakes.

There had been no material objection from any of the relevant bodies and only nine letters of objections had been received from fifty four letters that had been sent to residents and businesses. In planning terms there was no reason for objection. There was recognition that there was work in progress which was included within the conditions. The works would be undertaken by a phased approach. The first phase would be to replace the facilities lost at the old Grove school, which was welcomed as there was a time limit regarding the funds secured for that. Another member commented that this was an important and long-standing aspiration for Newark from the 1980's.

In answer to a Member question regarding fencing it was confirmed that the whole site would be secured from a safeguarding and revenue perspective. The fencing would be 3.5 metres high reducing to 2 metres to the northern boundary. Neighbour concerns had also tried to be addressed regarding the fencing.

The neighbouring Ward Member confirmed that he was happy with the entire development and sought clarification regarding the volume of traffic from the forty one staff cars accessing the site from Elm Avenue and that this would not be used by customers. The Business Manager Growth & Regeneration confirmed that the car park would be controlled in terms of being for staff only. Staff would gain access through a secure gate.

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

151. DOMANCI COTTAGE, BATHLEY LANE, LITTLE CARLTON (17/01989/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought a first floor extension over the existing ground floor side element of the property with internal alterations.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from Nottinghamshire County Council Highway Authority.

Members considered the application and it was commented that the applicants were a young couple with a family, who would like to remain in the village of their choice. The property was currently one bedroom and one box room and there was no other affordable housing for sale in the village at that present time. The Parish Council were in support of the application and it was felt that the village needed growth from young families.

Members commented that as the cottage was semi-detached the extension would look unbalanced due to the adjoining property. Other Members felt that the extension would be a significant improvement to the property. A Member raised concern regarding the availability of affordable housing in small villages and felt that this was another house that would become unaffordable should it be put up for sale.

AGREED (with 7 votes for, 4 votes against and 1 abstention) that contrary to Officer recommendation, planning permission be granted subject to reasonable conditions delegated to 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	Absent
R.V. Blaney	Against
Mrs A.C. Brooks	Against
R.A. Crowe	For
Mrs M. Dobson	Abstention
G.P. Handley	For
J. Lee	For
N. Mison	For
D.R. Payne	Against
Mrs P. Rainbow	For
Mrs S.E. Saddington	For
Mrs L.M.J. Tift	Absent
I. Walker	For
B. Wells	Against
Mrs Y. Woodhead	Absent

152. PLUM TREE COTTAGE, BATHLEY LANE, LITTLE CARLTON, NEWARK (17/02007/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought a householder application for a proposed extension to the existing garage to form first floor office/hobby room and gym on the ground floor.

Members considered the application and it was commented that there were no large houses for sale in the village. Young people should be encouraged to stay in the villages to keep the facilities running. A Member commented that if the small properties within villages kept increasing in size there would not be any affordable housing for young people to purchase. The extension was for a hobby room/gym and it was therefore felt that the application was unacceptable.

Other Members felt that the location and general aspect was acceptable and the roof height would not cause any issues as the property was not in close proximity to other properties.

AGREED (with 7 votes for and 5 votes against) that planning permission be refused on the grounds contained within the report.

153. TRENT FARMHOUSE, NORWELL ROAD, NORWELL WOODHOUSE (17/01888/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought a householder application for a proposed two storey rear extension.

Councillor Mrs H. Moreno, representing Norwell Parish Council spoke in support of the application in accordance with the views of Norwell Parish Council as contained within the report.

Members considered the application and it was commented that young families were needed in small villages, Norwell Woodhouse had just two young families residing there and were needed to keep the facilities running. The application was not in a conservation area and it was felt that there was no reason to refuse the application. Other Members commented that this was a five bedroom, three bathroom property and the proposals would triple the size of the property. It was commented that if the application was approved it would be an abuse of the planning policies in place. It was also commented that there were other large houses available on the market in the area.

A Member commented on the creep of the gravel drive into the paddock area which should be enforced. It was however commented that the development was in a tucked in position and the footprint would be contained within the redline as indicated on the plans and would be a quality extension.

AGREED (with 10 votes for, 1 vote against and 1 abstention) that planning permission be refused on the grounds contained within the report.

154. 1 TENTERS COTTAGE, TENTERS LANE, EAKRING (17/01780/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought full planning permission for the refurbishment and extension of the existing 1 Tenter's Cottage, the demolition and replacement of 2 Tenter's Cottage and the erection of two additional semi-detached properties.

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

(Councillor J. Lee was not present for the presentation of this item and took no part in the debate or vote).

Members considered the application was acceptable.

AGREED (with 10 votes for and 1 vote against) that full planning permission be approved subject to the conditions and reasons contained within the report.

155. LAND AT CINDER LANE, OLLERTON (16/01102/OUTM) (MAJOR)

The application was withdrawn from the agenda.

156. 42 HIGH STREET, EDWINSTOWE (17/01508/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought planning permission for three holiday cottages; this was a re-submission for previous approved planning application 10/00203/FUL.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the Planning Case Officer regarding an incorrect site plan included in the Planning Committee Agenda. The correct site plan was tabled to Members at the Planning Committee.

Members considered the application and the local ward Member commented that car parking was a problem within the Village. The car park to the rear of the site was well used by the doctor's surgery and library and parking on the High Street was limited to one hour. It was also confirmed that no special permission had been granted by Edwinstowe Parish Council, for allocated car parking spaces within the public car park for the three holiday cottages, as suggested within the report. It was also felt that there was ample B&B's within the village and holiday lets that had vacancies, there was therefore no need at the present time for this development. Concern was raised regarding the amenity space for the proposed application as the small courtyard would be shared with five properties, not just the three holiday lets. The Chains located outside of the proposed development were asked to remain should the Committee be minded to approve the application as they were of historic importance and had been used by a former prison within the village. It was confirmed that the Historical Society could support that information.

A Member sought clarification that the holiday lets would remain holiday lets given the high demand for tourism in this area and also felt that the car park may be dominated by the lets given that it was a free public car park. The Business Manager Growth & Regeneration confirmed that there was a condition within the planning permission that the flats remain as Holiday lets.

Further concern was raised regarding the amenity space and whether that would be large enough for families to have barbecues in the summer months.

(Councillor N.B. Mison left during the presentation of this item. Councillor J. Lee was not present for the duration of the presentation and did not take part in the debate or vote).

A vote was taken and lost to refuse planning permission with 5 votes for and 5 votes against, on the grounds of amenity space and overlooking.

AGREED (with 5 votes for, 5 votes against and the Chairman using his casting vote in favour of granting the application) that full planning permission be approved subject to the conditions and reasons contained within the report.

157. LAND TO THE REAR OF 37 & 39 HALLOUGHTON ROAD, SOUTHWELL (17/00771/FUL)

The application was withdrawn from the agenda.

158. LITTLE HOLLIES, THE CLOSE, AVERHAM (17/01193/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought the demolition of a garage and creation of a five bedroom house with detached double garage, formation of a new driveway for the existing dwelling, Little Hollies.

The application was deferred from the 7 November 2017 Planning Committee, to allow officers to request street scene elevations to show differing heights of neighbouring dwellings.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from Averham, Kelham & Staythorpe Parish Council and a Neighbour.

Members considered the application and a Member commented that the property had been elevated upwards to create a second floor to achieve five bedrooms. The height level was greater than that of the adjacent properties. Concern was raised regarding the impact to the street scene, not unlike the unintended impacts which had been experienced in a previously granted planning permission at Rolleston. On paper the height of the building appeared acceptable as that before the Committee, when the property was built the impact in height could be seen. With that in mind the Member requested that the application be refused as the application looked to be shoe horned into the plot, in terms of width and mass, its spacing between dwellings was contrary to that prevalent in the street, and there would be a perception of an over-bearing impact from the development.

(Councillor D.R. Payne took no part in the discussion or vote).

AGREED (with 10 votes for and 1 abstention) that contrary to Officer recommendation full planning permission be refused on the following grounds:

Cramped appearance of the development and disproportionate impact on street scene given width, mass, and siting and impact on neighbouring amenity.

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	Absent
R.V. Blaney	For
Mrs A.C. Brooks	For
R.A. Crowe	For
Mrs M. Dobson	For
G.P. Handley	For
J. Lee	For
N. Mison	Absent
D.R. Payne	Abstention
Mrs P. Rainbow	For
Mrs S.E. Saddington	For
Mrs L.M.J. Tift	Absent
I. Walker	For
B. Wells	For
Mrs Y. Woodhead	Absent

(Councillor R.V. Blaney left the meeting at this point).

159. 22 HIGH STREET, SUTTON ON TRENT (17/01300/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought planning permission for the sub-division of the application dwelling into two independent dwellings, one three bedroom dwelling and one two bedroom dwelling.

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

160. LAND OFF MILL LANE, NORTH CLIFTON (17/01564/FUL)

The Committee considered the report of the Deputy Chief Executive, which was a resubmission and sought the erection of a single log cabin and access road for use as tourist accommodation.

Members considered the application and felt that as ecology had been brought to their attention the item should be deferred pending submission of protected species and tree surveys and to also enable a site visit to take place. Members also sought clarification regarding how the applicant could justify a tourism need.

AGREED (unanimously) that the item be deferred pending submission of protected species and tree surveys and to enable a site visit. The Planning Committee would also like to be advised further on how the applicant could justify a tourism need.

(Councillor B. Wells left the meeting at this point).

161. RULE NO.30 – DURATION OF MEETINGS

In accordance with Rule No. 30.1, the Chairman indicated that the time limit of three hours had expired and a motion was proposed and seconded to extend the meeting by one hour.

AGREED (unanimously) that the meeting continue for a further one hour.

162. WIRTGEN GROUP HOUSE, GODFREY DRIVE, WINTHORPE (17/01727/ADV)

The Committee considered the report of the Deputy Chief Executive, which sought approval for the installation of two internally illuminated pylon signs; one internally illuminated building sign and six flagpoles to be erected at the Wirtgen Group House site.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from Winthorpe with Langford Parish Council.

Members considered the application and the local Ward Member commented that Winthorpe and Langford Parish Council had commented that the signage was over excessive; six flags were over the top. It was also requested that the illuminated sign on the top of the building be non-illuminated. It was therefore confirmed that the following would be acceptable: two totem signs, a non-illuminated sign on top of the building and one flag.

Other Members commented that the area was a built up area with similar illuminated signs and was not within the open countryside. The six flags represented the six groups that were involved with the business. The illuminated sign could be conditioned through hours of illumination. Other Members agreed that the six flags would be excessive especially when the site was developed as more businesses may want a similar arrangement and the cumulative affect would be excessive.

AGREED (with 6 votes for and 3 votes against) that split advertisement consent be granted as follows and subject to the conditions contained within the report.

Split Decision as follows:

Approve:

(i) the 2 no. totem sign; and

(ii) the signage to the top of the building subject to condition that is non illuminated and to the standard advertisement conditions

Refuse flagpoles for following reason:

The cumulative impact of the proposed flagpoles together with the signage would result in unnecessary clutter of signage at the application site to the detriment of the amenity of the site and its wider rural setting.

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	Absent
R.V. Blaney	Absent
Mrs A.C. Brooks	For
R.A. Crowe	Against
Mrs M. Dobson	For
G.P. Handley	For
J. Lee	Against
N. Mison	Absent
D.R. Payne	Against
Mrs P. Rainbow	For
Mrs S.E. Saddington	For
Mrs L.M.J. Tift	Absent
I. Walker	For
B. Wells	Absent
Mrs Y. Woodhead	Absent

163. LAND NEAR WOODLANDS BARN, MILL LANE, SOUTH CLIFTON (17/01812/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for the erection of a four bedroom two storey dwelling that would front onto Moor Lane.

Members considered the application and felt that the design was not exceptional, the application was refused in 2013 and within that time period there had been no change to the planning policies. They therefore considered that nothing had changed from 2013 and the application should be refused.

AGREED (unanimously) that the application be refused for the reasons contained within the report.

164. APPEALS LODGED

AGREED that the report be noted.

165. APPEALS DETERMINED

AGREED that the report be noted.

(Councillor I. Walker left the meeting at this point).

166. PLANNING ENFORCEMENT UPDATE

The Committee considered the report of the Deputy Chief Executive, which updated Members on planning enforcement matters. The report provided a snap shot on the general volumes of cases received and dealt with. Schedule A to the report outlined the enforcement activity during the previous months. Schedule B provided a more detailed position statement on formal action and prosecutions during the last two months.

Members sought clarification regarding the following: 60% of all of the enforcement cases turn out to be non-cases; the numbers provided showed a build-up of cases received to cases closed. What were the figures today regarding the cases open and what the target number was? The Business Manager Growth & Regeneration confirmed that there had been three hundred outstanding cases, today's figures showed two hundred and forty three outstanding cases. There were three Officers dealing with those cases.

Members commented that a decision needed to be made as to whether a further Enforcement Officer should be employed to reduce the number of outstanding enforcement cases and also to send a message to offending parties.

AGREED that the report be noted.

167. EXCLUSION OF THE PRESS AND PUBLIC

AGREED (unanimously) that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 3 & 5 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

168. ENFORCEMENT MATTERS

The Committee considered the report of the Deputy Chief Executive which updated the Planning Committee regarding the legal agreements associated with Planning Application 05/01839/FULM, 07/00244/FULM, 05/01839/FULM and 08/01841/FULM – Residential development at Epperstone Manor, Main Street, Epperstone.

Members were informed of the ongoing residential development at Epperstone Manor, which had been under construction for many years, having slowed down significantly during the recession. All dwellings were nearing completion. The report informed the Committee that there had been a long and complex planning history regarding the site, the relevant parts were detailed within the report. The development had progressed to such a stage that Section 106 triggers had been hit and required actions from the developer, in terms of payments or transfer of land. The report outlined suitable action that could be undertaken and sought Committee authorisation.

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

The meeting closed at 7.47pm