

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 December 2018 at 4.00 pm.

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

Councillor R Blaney, Councillor B Crowe, Councillor Mrs M Dobson,
Councillor P Duncan, Councillor J Lee, Councillor Mrs P Rainbow,
Councillor Mrs L Tift, Councillor I Walker, Councillor B Wells and
Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor Mrs K Arnold, Councillor Mrs C Brooks and Councillor F Taylor

140 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor D.R. Payne, I. Walker and B. Wells declared Personal Interests in Agenda Item No.7 – Land off Allenby Road, Southwell (18/01645/RMAM) as they were Members of the Trent Valley Internal Drainage Board.

Councillors P.C. Duncan and D.R. Payne declared Personal Interests in Agenda Item No. 11 – Land at Main Road, Boughton (18/01499/FULM) as they were Directors of Newark and Sherwood Homes.

Councillor Mrs M. Dobson declared a Personal Interest in agenda Item No. 14 – Land to the Rear of 112-118 High Street, Collingham (18/01863/FUL) as she was known to the parents of the applicant.

141 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

142 MINUTES OF THE PREVIOUS MEETING

The Committee considered the minutes of the meeting held on 20 November 2018 and proposed an amendment to Minute No. 133 – Green park, Tolney Lane, Newark. The minute should include delegated authority be granted to the Business Manager Growth & Regeneration to amend the wording of the conditions.

AGREED (unanimously) that subject to the above amendment the minutes of the meeting held on 20 November 2018 be approved as a correct record and signed by the Chairman.

143 THE OLD MALTINGS, MAIN STREET, FISKERTON, NOTTINGHAMSHIRE (18/01678/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought planning permission, part retrospective - amendment to approved application 17/01793/FUL to change the

existing ancillary annexe to individual dwelling use class c3(a), the addition of two dormer windows and set in own private amenity space with separate access and parking, site access by partial removal of Ileylandii hedge.

Members considered the application acceptable.

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

144 9 CHURCH STREET, SOUTHWELL (18/00664/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought full planning permission for the material change of use from A2 to A3.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from local residents.

Councillor David Martin representing Southwell Town Council spoke against the application in accordance with the views of Southwell Town Council.

Councillor Bruce Laughton Local Ward Member for Southwell also spoke against the application and commented on the considerable impact this change of use would have on the residents of the flat above. The bedroom located to the rear of the flat would be overlooked when seated in the restaurant below. The access to the side of the property was narrow and any deliveries would have to be made at the kerb side potentially on the zig zag area of the road. The noise element would increase due to bottles being thrown into containers to the rear of the property. There would be a security issue to the rear of the property as the public would have access. A substantial tree had also been felled which had affected the amenity value of the residents. All the services for the previous bank ran through the centre of the flats, including the water tanks for the building. If an air conditioning unit was installed, that would be to the side of the lounge in the flat and the noise impact would be unacceptable for the residents.

Members considered the application and it was commented that although the application before Committee was for change of use from A2 to A3 – which was for restaurant and café, Members did not have any detail of the end user and it was questioned how the applicant knew that the business would be open from 7am until 11pm as there was no details of the business contained within the report. It was therefore felt that the application should be refused due to the proposal would result in an adverse impact on the amenity and privacy of adjoining and adjacent neighbouring dwellings by virtue of increase noise, odour and disturbance levels resulting from patrons entering and exiting the building and for the duration of their stay exacerbated by the lack of designated smoking area, extra lighting, background music and tables being sited in the front garden area which would encourage people to congregate.

Other Members commented that finding a use for old buildings was difficult and this building if approval was not granted may stand empty for some time. This building

was an opportunity for the hospitality trade, which could be enjoyed by many people if made available. The residents of the upstairs flat choose to live in the centre of a town where there was likely to be change. Other Members disagreed and felt that residents of the town should be taken into consideration.

AGREED (with 9 votes For and 3 votes Against) that contrary to Officer recommendation planning permission be refused on the grounds that the proposal would result in an unacceptably adverse impact on the amenity and privacy of adjoining and adjacent neighbouring dwellings by virtue of increased comings and goings and associated noise and disturbance levels resulting from patrons entering and exiting the building and for the duration of their stay exacerbated by the lack of designated smoking area, extra lighting, background music and tables being sited in the front garden area which would encourage people to congregate.

The Planning Committee Chairman asked the Business Manager Growth & Regeneration to address the concern raised by the Local Ward Member regarding the felling of the large tree to the rear of the property and ensure that the works undertaken were authorised.

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

145 LAND OFF ALLENBY ROAD, SOUTHWELL (18/01645/RMAM)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought permission for reserved matters to allow the erection of 67 dwellings and associated public open space, landscaping and infrastructure works in line with the outline approval reference 16/02169/OUTM.

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

Southwell Civic Society.

Councillor David Martin representing Southwell Town Council spoke against the application in accordance with the views of Southwell Town Council.

Members considered the application and commented that the site was a prominent gateway to Southwell and was likely particularly during winter months that views of the dwellings rear gardens i.e. washing lines and other paraphernalia would be seen particularly at the pinch point of the buffer zone, in the North West corner of the site. It was suggested that the open space from the opposite corner be moved to this point and/or the dwellings be re positioned to front the road. Members therefore requested that the item be deferred in order for the Case Officer to seek improvements to the site layout.

AGREED (unanimously) that item be deferred in order for the Case Officer to seek improvements to the site layout. The site was a prominent gateway to Southwell and was likely particularly during winter months that views of the dwellings rear gardens i.e. washing lines and other paraphernalia would be seen particularly at the pinch point of the buffer zone, in the North West corner of the site. It was suggested that the open space from the opposite corner be moved to this point and/or the dwellings be re positioned to front the road.

146 LAND TO THE REAR OF THE RED LION, SOUTHWELL ROAD, THURGARTON (18/01907/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought planning permission for the erection of three dwelling houses with revised access arrangements.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the following: Neighbours; Nottinghamshire County Council Highway Authority; and Agent.

Councillor Roger Jackson Local Ward Member Dover Beck spoke in support of the application and informed the Committee that Thurgarton Parish Council had voted unanimously in support of the development. He commented on the long history of applications for this site going back to the 1990's. The plot had been granted planning permission for four bedroom bungalows, before it was designated a conservation village. The proposed development would tidy up this area of land and would provide three bedroom houses to encourage young people into the village and also provide homes for residents of the village to down size.

Members considered the application and felt that the development was too over developed and impacted on neighbouring properties. Due to the land levels Plot 7, the most northerly plot would be built on the public footpath and the rear window would overlook into the private amenity area of the neighbouring barn. Members felt that the design of the properties was acceptable; two properties would however be more amenable.

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

147 ACACIA VILLAS, 7 MAIN STREET, GUNTHORPE, NOTTINGHAMSHIRE (18/01357/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought planning permission for a two-storey extension to the side of an existing dwelling and the formation of a new vehicle/pedestrian access along Main Street with the hard surfacing of the forecourt.

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

Councillor Roger Jackson Local Ward Member Dover Beck spoke in support of the application. The proposed extension would enhance the look of the property. The current housing arrangement means that the surrounding houses were all overlooked, however obscure glazing could be used to prevent and further overlooking. The neighbouring properties were in support of the development.

Members considered the application and whilst taking into account the potential overlooking issue they felt that the proposed extension was sympathetic to the design of the current property and would enhance the property and make good use of the available land. It was suggested to prevent any further overlooking that the window over the back door be obscure glazed.

AGREED (with 10 votes For, 1 vote Against and 1 Abstention) that contrary to Officer recommendation full planning permission be approved, subject to reasonable conditions as delegated to Officers.

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

148 LAND ADJACENT 1 OAK AVENUE AND 10 SYCAMORE ROAD, OLLERTON

(18/01795/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 pair of semi-detached houses.

Members considered the application and felt that the application had a detrimental effect on two sets of houses and was such a small parcel of land.

AGREED (with 11 votes For and 1 Abstention) that full planning permission be refused for the reasons contained within the report.

149 LAND AT MAIN ROAD, BOUGHTON (18/01499/FULM)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought planning permission for the proposed extra-care residential development for the elderly, consisting of 30 one bedroom flats, 10 two bedroom bungalows and associated shared facilities.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from Severn Trent which suggested an additional condition, reason and informative as follows:

“Condition - The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason –To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

Suggested Informative

Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.”

Members considered the application and whilst Members welcomed this development concern was raised regarding car parking. It was suggested that an informative note be included to provide signage for visitor parking. Members also requested softer boundary screening rather than the two metre fencing, to create a softer relaxation space.

AGREED (unanimously) that planning permission be approved subject to the following:

- (i) the conditions contained within the report,
- (ii) the additional condition, reason and informative, as proposed by Severn Trent, as above;
- (iii) the information to the applicant regarding car parking visitor signage; and
- (iv) the softer boundary screening.

150 LAND OFF MAIN STREET, CODDINGTON (18/00799/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 nine dwellings; six of the dwellings would have detached garages.

Councillor David Armstrong representing Coddington Parish Council spoke against the application in accordance with the views of Coddington Parish Council as contained within the report.

Members considered the application and felt that the proposed development was not right for the site. The proposals created overlooking for existing neighbours due to the land levels, plot 1 should be a bungalow, plot 4 sat in isolation and plot 5 was tucked away with poor outlook. It was also commented that the Arms Houses had significant heritage value and should be protected.

AGREED (unanimously) that the item be deferred in order for Officers to negotiate a reduction in the size and scale of the scheme more in line with Coddington Parish Councils suggestions.

151 WHARF COTTAGE, CARLTON FERRY LANE, COLLINGHAM (18/01688/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought planning permission for the erection of a garage building with a residential annexe above.

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

The Committee was informed that reason No.2 would not be sustained at appeal and should be removed from the reasons for refusal.

The Committee considered the application and felt that as the footprint for the annex was larger than that of the hoist dwelling it was considered that the development was too large for the plot.

Councillor J. Lee left the meeting during the Officers presentation and took no part in the vote on his return.

AGREED (unanimously) that planning permission be refused for reason 1 contained within the report.

152 LAND TO THE REAR OF 112-118, HIGH STREET, COLLINGHAM (18/01863/FUL)

The application was deferred pending a site visit.

153 LAND WEST OF WATERFIELD WAY, CLIPSTONE (18/00509/FULM) (MAJOR)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought full planning permission for the erection of 71 dwellings, structural landscaping, open space provision and access roads.

Members considered the application and felt that this was the final stage to complete this development.

A Member sought clarification as to whether there would be a Management Company responsible for this development and if so that the correct terminology be included within the planning conditions. The Business Manager Growth & Regeneration confirmed that a meeting had taken place with the Management Company and Member of Parliament for Sherwood last week which sought to control the nature of the management.

AGREED (unanimously) that full planning be approved subject to the conditions contained within the report and the completion and engrossment of a S106 Agreement to secure the required level of commuted sum payments and infrastructure provision on the wider site (as set out in the Phase 2 S106 requirements table contained within the report) and the inclusion of the terminology used for the Management Company in the Councils most recent S106 agreements (such as at Allenby Road) in the relevant condition.

154 1 TENTERS COTTAGE, TENTERS LANE, EAKRING (18/01965/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought the variation of condition 3 attached to planning permission 16/00883/FUL to alter the rear window to a French door and install a Franklyn Juliet Balcony

Members considered the application acceptable.

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

155 HIGHFIELDS SCHOOL, LONDON ROAD, BALDERTON, NEWARK ON TRENT (17/00357/FULM & 16/01134/FULM)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought ratification to defend the Councils position regarding the appeal of the following schemes. Both planning applications were refused by the

Planning Committee, which was contrary to Officer recommendation:

- (a) Residential development comprising 95 no. dwellings and associated infrastructure, including the removal 26 No. TPO trees.
- (b) Residential development comprising 89 dwellings and associated infrastructure, including the relocation of the school access, car parking area and sports pitches, the provision of a Multi-Use Games Area (MUGA) and the removal of 8 TPO trees (Resubmission of 14/01964/FULM)

The Planning Committee were asked to answer the questions posed on the acceptability of each appeal set in paragraph 6.2 of the report and contained below:

Appeal A (95 unit scheme) – does a 15 % affordable offer, when balanced alongside all other material planning considerations, including identified harm by reason of ecology and tree loss, result in an acceptable scheme in planning terms? and

Appeal B (89 unit scheme) – does a 15 % affordable offer, when balanced alongside all other material planning considerations, including identified harm by reason of the impacts of the MUGA, result in an acceptable scheme in planning terms?

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the applicant/appellant and the Planning Case Officer.

AGREED (unanimously) that:

- (a) the Council should defend the position set out in Appendix A included in the report, for both appeals at the appeal hearing in January 2019; and
- (b) the Planning Committee answered Yes to both questions posed on the acceptability of each appeal set out in paragraph 6.2 of the report and as above.

156 APPEALS LODGED

AGREED that the report be noted.

157 APPEALS DETERMINED

AGREED that the report be noted.

158 BURTON JOYCE CAR CENTRE, OLD MAIN ROAD, BULCOTE (17/01729/FULM)

The Committee considered the urgent report of the Business Manager Growth & Regeneration, which sought Committee approval for delegated authority to be granted to the Business Manager Growth & Regeneration, to frame the pre-

commencement conditions (namely No.3 materials, No.10 surface water and No.16 piling risk assessment) to allow demolition and site preparation works to take place at the site prior to the submission of a formal discharge of condition application.

The reason for the urgency item was to ensure there was no delay in issuing a decision.

The Committee was also provided with an update regarding the viability appraisal, planning officers and the viability consultant had met with the applicants for the scheme to discuss the contributions towards planning obligations. The outcome of the meeting was that following clarification over land acquisition costs, the agreed amount of £200,000 for planning considerations quoted within the committee report was justified and accurate, which meant that the viability conclusions presented to Members were sound.

AGREED (unanimously) that the wording to secure the trigger point for a discharge of conditions application be delegated to the Business Manager Growth & Regeneration.

159 EXCLUSION OF THE PRESS AND PUBLIC

There were none.

Meeting closed at 7.28 pm.

Chairman