

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, 15 January 2019 at 4.00 pm.

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

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, Councillor B Wells and Councillor Mrs Y Woodhead

APOLOGIES FOR Councillor Mrs K Arnold (Committee Member)
ABSENCE:

160 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor F. Taylor declared Personal Interests in agenda Item No. 6 – The New Ritz, 127 Mansfield Road, Clipstone (18/01435/FUL) and Item No. 17 – Gibbet Wood, Brown Wood Lane, Thorney (18/01671/FUL) as he was known to the applicants.

Councillors Mrs M. Dobson and D.R Payne declared a Personal Interest in agenda Item No. 14 – Land to the Rear of 112-118 High Street, Collingham (18/01863/FUL) as they were known to the parents of the applicant.

Councillors D.R. Payne, I. Walker and B. Wells declared Personal Interests in Agenda Item No. 17 – Gibbet Wood, Brown Wood Lane, Thorney (18/01671/FUL) as they were known to the father of the applicant due to service as Members of the Trent Valley Internal Drainage Board.

161 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

162 MINUTES OF THE PREVIOUS MEETING

The Committee considered the minutes of the meeting held on 4 December 2018 and proposed an amendment to Minute No. 155 – Highfields School, London Road, Balderton, Newark (17/00357/FULM & 16/01134/FULM). The minute should read in the paragraphs starting Appeal A and Appeal B unacceptable scheme in planning terms and not acceptable scheme.

Minute No. 140 – Declarations of Interests by Members and Officers, Councillor D R Payne also declared a Personal Interest in agenda item No. 14 – Land to the Rear of 112 – 118 High Street, Collingham, as he was known to the parents of the applicant.

AGREED (unanimously) that subject to the above amendments the minutes of the meeting held on 4 December 2018 be approved as a correct record and signed by the Chairman.

163 ORDER OF BUSINESS

With the agreement of the Committee, the Chairman changed the order of business and Agenda item 11 was taken after Item 5. Item 17 was taken after item 9. The agenda resumed its stated order thereafter.

The Committee was also informed that Agenda items 13 – Balderton Hydro Pool, Gilbert Way, Fernwood (18/02125/FUL) and item 14 – item 14 Marlock Chase, Station Road, Fiskerton (18/01925/FUL) had been withdrawn from the agenda at the applicant's request.

164 SITE OF THE BEARINGS, BOWBRIDGE ROAD, NEWARK ON TRENT (18/00973/FULM)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought the erection of 62 residential dwellings including new vehicular access road and removal of eight TPO trees (TPO N313).

Councillor M Skinner representing Newark Town Council spoke against the application in accordance with the views of Newark Town Council as contained within the report.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the agent. He had advised that the number sequencing was incorrect for the conditions.

Members considered the application and were pleased with the mix and density of houses on the site. The busy main road in front of the site was discussed and the need for the waiting restriction and double yellow lines from the hospital entrance to the fish and chip shop was raised. The Business Manager confirmed that condition 14 dealt with the traffic management works. Concern was raised regarding the two parking courts and it was questioned whether the northern one was needed as houses could be moved forward and car parking provided to the rear of the development. It was felt that there were far too many vehicles to be parked at the front of the development. It was agreed that the Officers and Applicant could address this proposal.

A Member commented on the viability available and whether the results of a hearing currently taking place could be used in support of securing full viability compliance. The Business Manager confirmed that there was material difference in that case and that on the basis that in this case the scheme would significantly over-provide for one of the much needed contributions in the form of affordable housing, a matter which could be weighed in an overall planning balance.

Members also raised concern regarding the residents car park being used by the public and how that would be enforced. The Business Manager confirmed that the car park would not be part of the adopted highway and would be managed by the registered provider who was the applicants for the scheme.

AGREED (unanimously) that full planning permission be granted subject to the

following:

- (i) the conditions contained within the report;
- (ii) discussion on the movement of the parking areas prior to issuing the decision;
- (iii) the signing and sealing of a S106 Planning Agreement to secure:
 - (a) 100% affordable housing provision;
 - (b) Contribution to Education of £148,915; and
 - (c) Maintenance of the communal landscape areas in perpetuity by the Registered Provider.

165 40 WINTHORPE ROAD, NEWARK ON TRENT, NOTTINGHAMSHIRE (18/02080/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site visit, which sought full planning permission for the demolition of the existing dwelling and the erection of two pairs of semi-detached market dwellings.

Councillor M Skinner representing Newark Town Council spoke against the application in accordance with the views of Newark Town Council as contained within the report.

Members considered the application and whilst some Members considered the proposal acceptable and felt the developer had listened to the previous objections, other Members felt that the scheme did not go far enough to address the previous refusal of over development of the plot with over reliance of hard standing.

A vote was taken for approval and lost with 4 votes For, 9 votes Against and 1 Abstention.

AGREED (with 11 votes For, 1 vote Against and 2 Abstentions) that contrary to Officer recommendation planning permission be refused on the grounds that the amended scheme did not go far enough to address the previous reasons for refusal of over development of the plot with over reliance on hard standing.

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
P. Duncan	Abstention
G.P. Handley	For
J. Lee	For
D.R. Payne	For
Mrs P. Rainbow	For

F. Taylor	Abstention
Mrs L.M.J. Tift	For
I. Walker	For
B. Wells	Against
Mrs Y. Woodhead	For

166 THE NEW RITZ, 127 MANSFIELD ROAD, CLIPSTONE, NG21 9AA (18/01435/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought planning permission for the construction of a three storey block of eight flats on this cleared site.

Members considered the application and the local Ward Member commented on the loss of the previous cinema building which had a distinctive Art Deco facade. The proposed Art Deco design did not replicate the previous cinema. Concern was raised regarding the size of the flats. It was commented that the plot would be better suited for much needed retail units. Car parking was raised as an issue as it was felt that the car parking spaces provided to the rear of the proposal would not be used and that the residents would use the car parking available in front of the neighbouring children's nursery, which would cause parking issues for that business. Concern was raised regarding the Bridleway running through the site and the importance that the Bridleway be kept at the width of three metres and open.

Members sought clarification regarding whether the car parking arrangements could be conditioned. The Business Manager confirmed that the neighbouring Nursery owned the car park in front of the business and the car parking could not be conditioned. An Environmental Management plan could be included into the conditions regarding the management of the building process.

(Councillor F Taylor was not present for the entire Officer presentation and did not take part in the vote).

A vote was taken to refuse planning permission and lost, with 4 votes For and 9 votes Against.

AGREED (with 9 votes For, 4 Against) that planning permission be approved subject to the conditions and reasons contained within the report.

167 LAND AT CLIPSTONE DRIVE, CLIPSTONE, NOTTINGHAMSHIRE (18/01861/FULM (MAJOR))

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought a substitution of plots 138 – 268 (in relation to planning application 16/00139/RMAM and 12/00966/OUTM) with plots 301 – 422, a total of 131 to be substituted with 122 plots and the associated infrastructure.

Councillor P. Peacock Local Ward Member Edwinstowe & Clipstone spoke against the application on the grounds that the single road in and out of the estate given the size of the estate was inappropriate. There was not enough car parking on the estate, including parking on the pavements and the narrow roads. It was reported that an

accident had recently occurred on the road leading into the estate which had resulted in the road being closed with no access or egress for residents for some time. There were no retail/community facilities on the estate or public transport. The children's play park previously agreed two years ago had still not been provided. The Section 106 monies promised through a previous application had been reduced with an £8,000 loss to the community. Concern was also raised regarding the Estate Management fees that were being paid and may be increased each year. The lack of affordable housing was also raised and the need to challenge business viability, with only 4% being provided by this application.

Members considered the application and reiterated what the local Ward Member had reported regarding no community facilities; children's play areas or open green space.

The Business Manager confirmed that whilst retail units had been requested there were no enforcement procedures available to make the developer provide retail units.

Members sought clarification regarding the enforcement of the play area before further planning permission be granted. The Business Manager confirmed that a breach of contract would be pursued regarding the Section 106 agreement and enforcement action would be taken. It was advised that this application had to be considered on its own merits. It was also reported that discussions with local Ward Members and Clipstone Parish Council had taken place regarding securing another entrance to the site, but there were no current proposals.

Members sought clarification regarding whether the houses and the proposed scheme were larger than the previous scheme and whether an increased contribution should be provided. The Business Manager confirmed that he would check the square footage of the houses and if lower would seek the contribution as set out in the report, if larger would pro-rata the contribution on the square footage.

AGREED (with 10 votes For and 4 votes Against) that:

- (i) planning permission be approved subject to the conditions and reasons contained within the report; and
- (ii) subject to the signing and sealing of a Section 106 Agreement to secure the matters outlined in the Developer Contributions section of the report, save for any uplift in contribution required on a per square metre as opposed to per unit basis; and
- (iii) the Business Manager Growth & Regeneration check whether there was an option to pro-rata the contributions based on sq/m of the dwellings.

168 LAND TO THE REAR OF THE CROFT, GREAT NORTH ROAD, CROMWELL (18/01833/OUT)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought outline planning permission with all matters reserved for the erection of one detached two-storey four bedroom dwelling with garage.

Members considered the application acceptable.

AGREED (with 9 votes For, 4 votes Against and 1 Abstention) that contrary to Officer recommendation outline planning permission be approved 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	For
Mrs A.C. Brooks	Against
R.A. Crowe	For
Mrs M. Dobson	For
P. Duncan	For
G.P. Handley	For
J. Lee	For
D.R. Payne	For
Mrs P. Rainbow	For
F. Taylor	Against
Mrs L.M.J. Tift	Against
I. Walker	For
B. Wells	Against
Mrs Y. Woodhead	Abstention

169 LAND ADJACENT ROEWOOD LODGE, BLEASBY ROAD, THURGARTON (18/02056/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought full planning permission for the erection of a detached two storey dwelling with a detached double garage. The proposal was an amendment to a previously approved extant application which approved a similar development in a similar position on site.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the agent regarding a plan showing existing ground and finished floor levels in respect of condition no. 5. The Planning Case Officer recommended that Condition 5 be deleted and the plan details provided by the agent be added into condition 2 for compliance.

Councillor R. Jackson local Ward Member Dover Beck spoke against the application as he considered the proposal very intensive for the size of the plot, which had been the garden to the previous house. Planning permission had been refused in 2015 and it was felt that the applicant was trying to slowly seek consent for the original application considered in 2015. Thurgarton Parish Council had submitted their objection, as they were looking for small two bedroom properties for starter homes or for the elderly to downsize.

Members considered the application and it was felt that whilst the site could accommodate the size of the property proposed, the master bedroom suite would occupy half of the floor space and could be sub divided and the internal arrangements

changed. It was felt that the Thurgarton Neighbourhood Plan was clear and that the prosperous community was seeking to become a more balanced community.

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

The property was too large compared with the dwelling type required by Thurgarton and not in accordance with Thurgarton Neighbourhood Plan.

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

170 GIBBET WOOD, BROWN WOOD LANE, THORNEY (18/01671/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought full planning permission for the erection of a rural workers dwelling in the form of a detached two-storey dwelling located approximately 115m to the SE of the poultry unit it was intended to serve.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from Nottinghamshire County Council Highways and the agent.

Councillor Day representing Thorney Parish Council spoke for the siting of the application to be closer to the woodland, in accordance with the views of Thorney Parish Council as contained within the report. The Council's Legal advisor sought clarification from Councillor Day following a comment made that Councillor Day had declared a pecuniary interest at the Thorney Parish Council. Councillor Day confirmed that he was in attendance at the Planning Committee to represent the views of Thorney Parish Council and that he had no financial interest in the application.

Members considered the application and it was commented that the proposed

building should be in close proximity to the agricultural buildings. Agricultural dwellings acted as gatehouses with one access and egress in the event of the site being required to shut down. It was further commented by another Member that the proposed siting was so minor in distance that it would have no impact.

AGREED (with 12 votes For and 2 votes Against) that this item be deferred pending a site visit.

171 COURT COTTAGE, CHAPEL LANE, FARNSFIELD, NG22 8JW (18/02018/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site visit, which sought full planning permission for the demolition of the existing bungalow and the erection of a detached two storey flat roof dwelling with an attached flat roof garage.

Members considered the application acceptable.

(Councillor J Lee was not present for the Officer presentation and took no part in the vote).

AGREED (unanimously) that Planning permission be granted subject to the conditions contained within the report.

172 RULE NO. 30 - DURATION OF MEETINGS

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

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

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

The Committee considered the report of the Business Manager Growth & Regeneration, following a site visit, which sought full planning permission for the erection of a four bedroom two storey dwelling with an integral garage on the land to the rear of 112-118 High Street, Collingham.

Members considered that the application was not acceptable given the distance to the neighbouring property to the North of the site, which would be 10 metres in distance from the windows.

AGREED (with 12 votes For and 2 votes Against) that full planning permission be refused for the reasons contained within the report with the exception of the reason for refusal in relation to highway safety.

Councillor J Lee left the meeting at this point.

174 BALDERTON HYDRO POOL, GILBERT WAY, FERNWOOD (18/02125/FUL)

The application was withdrawn from the agenda at the applicant's request.

175 MARLOCK CHASE, STATION ROAD, FISKERTON (18/01925/FUL)

The application was withdrawn from the agenda at the applicant's request.

Councillor B Wells left the meeting at this point.

176 FIELD REFERENCE NUMBER 8708, GRAVELLY LANE, FISKERTON (18/02002/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought an extension to an existing agricultural building for an open fronted three bay hay store.

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

Members considered the application and commented that the large building was being used as a general store and not as an agricultural store. There was no evidence of vehicular movement.

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

177 LAND AT NEWARK & NOTTS SHOWGROUND, FOSSE ROAD, WINTHORPE (18/02020/FULM)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site visit which sought full planning permission for the retrospective change of use of the land for a training centre for the construction industry including commercial and agricultural plant and equipment.

Members considered the application and clarification was provided by the Business Manager that the site was not in the open countryside. It was also confirmed that the use would be temporary and the equipment could be moved. Members suggested that temporary three year permission be granted. The Business Manager also confirmed that the access road would be surfaced for the first five metres.

AGREED (unanimously) that temporary planning permission be approved for a term of three years, subject to the conditions contained within the report.

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

The Committee considered the report of the Business Manager Growth & Regeneration, which sought an application 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.

Members considered the application and clarification was provided that the speed

limit of 30 mph would be reduced on the road entering the site. The exiting bus stops would be up graded to 'real time provision'. A Member commented on his disappointment that plots 49 and 50 along Allenby Road had not been deleted. Concern was also raised regarding the maintenance of the rural hedge and an additional condition was suggested regarding the maintenance and height of the hedge.

AGREED (with 9 votes For and 3 Abstentions) that reserved matters approval be granted subject to the conditions contained within the report and an additional condition in respect to the maintenance of the existing hedge.

179 8 PADDOCK CLOSE, EDWINSTOWE (18/02013/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site visit, which sought an application for the proposed front, rear and side extension with internal alterations, new alternative vehicular access with new drop kerb, the application was a re-submission of 18/00374/FUL.

Members considered the application acceptable; the extension had been reduced from two storeys to one which had alleviated any impact on neighbours.

(Councillor G.P. Handley was not present for this item).

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

180 151 KIRKLINGTON ROAD, RAINWORTH (18/01699/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site visit, which sought a single side extension that would feature a small front projection and a fully hipped pitched roof as well as a porch.

Members considered the application acceptable.

(Councillor G.P. Handley was not present in the meeting when the presentation and debate took place and returned to the meeting whilst the vote was being taken, but took no part in the vote).

AGREED (with 10 votes For and 1 Abstention) that full planning permission be approved subject to the conditions contained within the report.

181 LAND ADJACENT BRAMLEY HOUSE, BURNMOOR LANE, EGMANTON (18/02194/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought planning permission for the erection of a four bedroom dwelling.

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

Council.

Members considered the application acceptable subject to the removal of permitted development rights.

AGREED (unanimously) that full planning permission be approved subject to the conditions contained within the report and the removal of permitted development rights.

182 FORMER RUFFORD COLLIERY, RUFFORD COLLIERY LANE, RAINWORTH (18/01966/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought the variation of condition 4 attached to planning permission 17/00732/FUL to extend the time period from 25 years to 30 years.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the Planning Case Officer. The first paragraph with the proposal section of the report should be omitted from the report published in the agenda as that did not relate to the application.

Members considered the application acceptable.

AGREED (unanimously) that the variation of condition 4 of planning permission 17/00732/FUL to extend the service life of the plant from 25 years to 30 years be approved, subject to the conditions contained within the report.

183 APPEALS LODGED

AGREED that the report be noted.

184 APPEALS DETERMINED

AGREED that the report be noted.

185 QUARTERLY ENFORCEMENT ACTIVITY UPDATE REPORT

The Committee considered the report of the Business Manager Growth & Regeneration, which presented the quarterly planning enforcement performance for the second quarter of 2018, from 1 October to 31 December 2018. The report provided an update on cases where formal action had been taken. It also provided case studies which showed how the breaches of planning control had been resolved through negotiation.

Members questioned the enforcement action taken place regarding the Balderton Working Men's Club and asked for the conditions regarding that site to be checked, as it was thought that the side of the club should be kept clear of any intervention/fence/foliage.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) the conditions for the Balderton Working Men's Club to be checked, as it was thought that the side of the club should be kept clear of any intervention/fence/foliage.

186 EXCLUSION OF THE PRESS AND PUBLIC

There were none.

Meeting closed at 7.56 pm.

Chairman