

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, 2 April 2019 at 4.00 pm.

PRESENT:

Councillor P Handley (Vice-Chairman)

Councillor Mrs K Arnold, Councillor R Blaney, Councillor Mrs C Brooks, 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 R A Crowe, Councillor D R Payne and Councillor F Taylor

ALSO IN
ATTENDANCE:

Councillor R Crowe

In the absence of the Planning Committee Chairman – Councillor D R Payne, Councillor G P Handley chaired the meeting.

234 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillors R V Blaney, P Duncan and J Lee declared Personal Interests regarding agenda Item No. 8 – Yorke Drive and Lincoln Road Playing Field, Lincoln Road, Newark 18/02279/OUTM (Major), as they were members of Newark Sports Association.

Councillor Mrs P J Rainbow declared a Personal Interest on agenda Item No. 7 – Land Adjacent Fish Pond Farm, Main Street, Eakring 18/02159/FUL, as she was known to one of the applicants.

235 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

236 MINUTES OF THE PREVIOUS MEETING

AGREED (unanimously) that the minutes of the meeting held on 26 March 2019 be approved as a correct record and signed by the Chairman.

237 ORDER OF BUSINESS

With the agreement of the Committee, the Chairman changed the order of business and agenda Item No. 8 and 9 were taken after item 5. The agenda resumed its stated order thereafter.

238 1 ELM AVENUE, NEWARK

The Committee considered the report of the Director of Growth & Regeneration,

following a site inspection, which sought planning permission for the change of use from Use Class C3 (Dwelling House) to Use Class C2 (Children's Home).

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published from the following: Litchfields on behalf of Homes2Inspire; and Kabsec Consultancy on behalf of Nottinghamshire Police.

Councillor Roberts informed Committee that whilst he recognised the need for small children's homes similar to this one, he considered the change of use unacceptable as there was not enough outside space, the road would become dangerous from the increase in cars visiting the property and parking on the road outside the property. The garden was considered too small and should have a bright open aspect, not a small plot opposite a cemetery. The current residents of the close should also be considered.

Members considered the application and it was commented that this five bedroom house could currently be used to occupy a large family, as a family home, without any change of use. Members commented on the large institutions that children used to be housed in and welcomed the change in social policy. It was commented that there were seven similar children's homes in Nottinghamshire which had good and outstanding Ofsted ratings, with the exception of one. A Member commented that the house appeared to have been previously a six bedroomed property, given the double doorway into the master bedroom shown on the plan. Two carers would be present at the home and would come and go similar to that of a traditional family. The children would be in full time education and therefore would be at school for the majority of their time. The house was opposite the Newark Sports and fitness centre which was ideal. The residents' concerns were noted. A Member suggested that an additional condition be included regarding the car parking at the front of the property to be retained for the lifetime of the development.

AGREED (with 10 votes For, 1 Against and 1 Abstention) that full planning permission be approved subject to the conditions contained within the report and an additional condition to retain the site frontage for on-site parking only for the lifetime of the development.

239 YORKE DRIVE AND LINCOLN ROAD PLAYING FIELD, LINCOLN ROAD, NEWARK 18/02279/OUTM (MAJOR)

The Committee considered the report of the Director of Growth & Regeneration, following a site inspection, which sought selective demolition and redevelopment of parts of the existing Yorke Drive Estate and the erection of new mixed tenure housing, community and recreational facilities on the adjoining Lincoln Road Playing Field site, resulting in the development of up to 320 homes. The Planning Officer confirmed that the development plan was up to date for decision making purposes with the Amended Core Strategy adopted in March 2019. The site was allocated for development in July 2013 (in the adopted Allocation and Development Management DPD) which was informed by a number of evidence base documents. Decisions must be made in accordance with the Development Plan unless material considerations indicated otherwise. The Planning Officer summarised key consultation responses

received during the lifetime of the application including those from Sport England and neighbours. Considerations in relation to the impact on existing formal and informal open space and proposed provision was drawn to Members attention. The transformational benefits of the proposal supported by both the site allocation and by partner organisations including Homes England was highlighted.

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published from the following: Newark Sports Association; Planning Case Officer; and Nottinghamshire County Council Education.

The Planning Case Officer summarised the proposed contributions and informed Committee of the amendment to the proposed education contribution (reduced based on need) in addition to an amendment to condition 16 (Construction Environment Management Plan) as detailed in the schedule of communication. The officer advised of the need to amend the recommendation to ensure additional delegated officer responsibility be given before a decision was issued to secure a mechanism for ensuring the future retention and maintenance of the noise mitigation measures as required by recommendation (c) given that this needed to be controlled over the lifetime of the development.

Councillor Mrs G Dawn representing Newark Town Council spoke in accordance with the views of Newark Town Council as contained within the report.

Members considered the application as a major project for the authority and welcomed the improvement works to the Bridge ward. A Member raised concern regarding the routing of construction traffic and suggested that construction traffic should not use Lincoln road, as the traffic was already problematic on that road. Access to the site should be diverted through Brunel Drive. It was commented that Daloon had been on the industrial estate for a number of years and provided employment for local people; whilst they could be asked to put filters on their air conditioning it would be unfair to restrict their business use.

AGREED (with 9 votes For and 3 votes Against) that outline planning permission be granted subject to the following:

- (a) the conditions contained within the report;
- (b) the further bat emergence surveys as required by the submitted Ecology Reports being undertaken before the decision notice is issued, with delegated officer responsibility for consideration the implications of the results, mitigating them appropriately and adding ecology related conditions should they be required; and
- (c) the Officer receiving confirmation from the Applicant before the decision notice is issued that the noise mitigation works at Daloon have been satisfactorily completed in accordance with the Memo dated 15.02.2019 Mitigation Options Regarding Services Noise from Daloon Foods and that delegated officer

responsibility is given to ensure an appropriate mechanism for securing its future retention and maintenance is undertaken before the decision notice is issued.

240 LAND OFF HUTCHINSON ROAD, NEWARK 19/00192/RMA

The Committee considered the report of the Director of Growth & Regeneration, following a site inspection, which sought planning permission for variation of condition 01 to be varied to include for Drawing No. 1B/31/2017 Site Plan Revised and 03 to be varied to include for the revised boundary treatments shown on the above drawing attached to planning permission 17/01573/RMA.

Councillor D Lloyd 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 it was commented that Officers had made it clear when the outline permission was approved in 2015 and reserved matters in 2017 that the boundaries should be retained. The conditions were made clear to the developers at that time. Members confirmed that enforcement procedures be delegated to the Director of Growth and Regeneration.

Councillor J Lee was not present for the entire Officer presentation and took no part in the debate or vote.

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

- (i) that the loss of previously existing hedgerow and approved new hedgerow boundary treatments and its replacement with close boarded timber fencing would be unacceptable to the appearance and amenity of the site when viewed from Hutchinson Road and the biodiversity of the area; and
- (ii) Enforcement action to be delegated to the Director of 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	Apology
Mrs M. Dobson	For
P. Duncan	For
G.P. Handley	For
J. Lee	Took no part in the vote
D.R. Payne	Apology
Mrs P. Rainbow	For

F. Taylor	Apology
Mrs L.M.J. Tift	For
I. Walker	For
B. Wells	For
Yvonne Woodhead	For

241 FOX INN PUBLIC HOUSE, MAIN ROAD, KELHAM 18/01414/FUL

The Committee considered the report of the Director of Growth & Regeneration, following a site inspection, which sought retrospective change of use of vacant land to pub garden and permission for the placement of timber modular play equipment in the pub garden and alterations to the existing access points to the public house.

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

Members considered the location and scale of the proposed equipment not acceptable given the close proximity to a neighbouring property. Concern was also raised regarding the position of the car park adjacent to the play equipment and suggested fencing around the beer garden and any play equipment for safety purposes.

AGREED (unanimously) that the application be deferred for discussions regarding location and scale of proposed play equipment, position of parking spaces adjacent to play equipment and potential fencing around the equipment for safety purposes.

Councillor Mrs C Brooks left during the debate of the above item.

242 LAND ADJACENT FISH POND FARM, MAIN STREET, EAKRING 18/02159/FUL

The Committee considered the report of the Director of Growth & Regeneration, which sought planning permission for the conversion and extension of existing outbuilding to form one dwelling and the erection of four further dwellings.

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published from the following: Eakring Parish Council; the agent; and agent for a neighbour.

The Planning Officer informed the Committee of a suggested additional condition for the erection of a fence to provide privacy from units 4 and 5.

Members considered the application and the local ward Member commented that she was grateful that the plans had been amended and moved away from the boundary to Fish Pond Farm, although there was an issue with the proposed four bed roomed dwellings as they were not needed in Eakring. It was suggested that the fence be erected before the works commence. Concern was also raised that the windows to the eastern boundary were not obscure glazed and there was potential overlooking on the adjacent property, it was therefore suggested that an additional condition be added to alleviate that. Another Member suggested that a wall be built along the eastern boundary instead of the fence but acknowledged that this may not be viable. Another Member suggested that the most

appropriate means of enclosure would be semi-mature soft hedgerow.

AGREED (with 8 votes For, 1 vote Against and 2 Abstentions) that planning permission be approved subject to the following:

- (i) conditions contained within the report; and
- (ii) the condition attached on the late items schedule be amended to so that it relates only to the boundary to the rear of cart shed (Unit 4) and an additional condition that the bathroom and utility room windows on east elevation of cart shed (Unit 4) to be obscurely glazed and retained for the lifetime of the development.

243 APPEALS LODGED

AGREED that the report be noted.

244 APPEALS DETERMINED

AGREED that the report be noted.

The Chairman, Councillor G P Handley, thanked all Members and Officers for their work over the past four years. He stated that the Planning Committee had achieved a great deal during the life of the Council and that it was to be applauded.

Meeting closed at 7.05 pm.

Chairman