

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 June 2019 at 4.00 pm.

PRESENT: Councillor I Walker (Vice-Chairman)

Councillor L Brazier, Councillor M Brock, Councillor M Brown, Councillor L Dales, Councillor Mrs M Dobson, Councillor L Goff, Councillor R Holloway, Councillor J Lee, Councillor Mrs P Rainbow, Councillor M Skinner, Councillor T Smith, Councillor K Walker and Councillor Mrs Y Woodhead

APOLOGIES FOR
ABSENCE:

1 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor R Blaney declared a personal interest in Agenda item No. 5 - Playing Field, Elm Avenue, Newark 19/00504/OUTM as a member of the Newark Sports Association. He advised that he had not made any predetermination and was not prejudiced in taking part in the discussion and voting on this application.

Councillor Mrs Dobson declared a personal interest in Agenda Item No. 17 – Land to the rear of 112 – 118 High Street, Collingham 19/00755/FUL as she was a friend of the parents of the applicant.

Councillor M Skinner declared, in relation to Agenda Items No. 5 and 10 (Playing Field, Elm Avenue, Newark 19/00504/OUTM and Site of the Bearings, Bowbridge Road, Newark 19/00681/FULM) that he had been Chairman of the Planning Committee at Newark Town Council when these two items had been considered but he came to this meeting with an open mind and would determine accordingly.

Councillor R Holloway declared a disclosable pecuniary interest in relation to Agenda Item No. 11 – Noble Foods Ltd, The Moor, Bilsthorpe 18/00931/OUTM as her property was near to the application site.

Councillor P Rainbow declared a personal interest in Agenda Items No. 6 - Land off Lower Kirklington Road, Southwell 18/01363/FULM as she knew the original applicant and in Agenda Item No. 19 – Grange Farm, Newhall Lane, Edingley 19/00408/FUL as she knew the applicant.

Councillor P Rainbow also advised that she would participate in the discussion and voting on Agenda item Nos. 7 and 8 – Springfield Bungalow, Nottingham Road, Southwell 19/00689/FUL and 19/00779/FULM give that the principle for the development at the site had been established.

Councillor J Lee declared a personal interest in Agenda item No. 5 - Playing Field, Elm

Avenue, Newark 19/00504/OUTM as a member of the Newark Sports Association and he also advised that he was a District Council representative on the Trent Valley Drainage Board which would be relevant when the body were making comments on applications.

Councillor L Goff declared a personal interest in Agenda item No. 5 - Playing Field, Elm Avenue, Newark 19/00504/OUTM as a member of the Newark Sports Association.

Councillor L Goff also declared an interest in Agenda Item No. 10 - Site of the Bearings, Bowbridge Road, Newark 19/00681/FULM as he had signed the petition which was presented to the Full Council asking for the tress bordering the site to be saved.

2 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman informed the Committee that the Council was undertaking an audio recording of the meeting in accordance with the usual practice.

Councillor P Harris also declared his intention to record part of the meeting.

3 MINUTES OF THE PREVIOUS MEETING

AGREED that the minutes of the meeting held on 2 April 2019 be approved as a correct record and signed by the Chairman.

4 ORDER OF BUSINESS

The Chairman advised that Agenda Item No. 12 – White Post Garage, White Post, Farnsfield 18/02151/FUL and Agenda Item No. 15 – The Shed, Old Epperstone Road, Lowdham 19/00492/FUL had both been withdrawn from the agenda.

5 PLAYING FIELD, ELM AVENUE, NEWARK ON TRENT 19/00504/OUTM

The Committee considered the report of the Director of Growth & Regeneration, following a site inspection, which sought planning permission for the residential development for nine detached houses and associated adopted road, private road and other external works.

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published. One further letter of objection from an interested party had been received. The Planning Case Officer also referred to a live petition that was being signed objecting to the residential development.

Councillor Blaney stated that the application was only being considered by the Committee for transparency given it was a District Council application. If this were not a District Council application the matter would have been delegated given that Newark Town Council were not objecting to the residential development. The Members considered the scale of the proposed development and the current disused

nature of the site.

A vote was taken on deferring the application given the number of objections received and the amount of information that the new Members of the Committee had to consider. This was lost with 5 votes for and 9 against.

CLlr Skinner referred to potential changes to site layout which he would wish to come forward at reserved matters stage. However, given the outline nature of the application the principle of the redevelopment of the site was acceptable given it had not been used for many years and that the overall provision in Newark had improved in recent years with the Leisure Centre and Sports and Community Activity Village specifically.

AGREED (with 9 votes for and 5 against) that planning permission be approved subject to the conditions and reasons contained within the report.

6 LAND OFF LOWER KIRKLINGTON ROAD, SOUTHWELL 18/01363/FULM

The Committee considered the report of the Director of Growth & Regeneration, following a site inspection, which sought planning permission for proposed residential development for eighty dwellings on land off Lower Kirklington Road, Southwell.

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published from the applicant's agent; Nottinghamshire County Council as the Highway Authority; and a local resident.

Councillor Martin representing Southwell Town Council spoke objecting to the application in accordance with the Town Council representation within the report. Councillor P Harris as local Ward Member also spoke against the application referring to the concerns of local residents, the proposal for traffic lights and the location of the affordable housing provision on the site.

Members considered the application referring to the inappropriate layout of the site, which was contrary to the Southwell Neighbourhood Plan in terms of housing mix, and the location and design of affordable housing. Concerns were also raised with a traffic lights solution for the access and the intrusive form of development this would create.

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

- (i) the proposal for traffic lights are inappropriate for this transitional site when approaching from open countryside;
- (ii) there is a lack of smaller dwellings or bungalow provision, contrary to the Neighbourhood Plan;
- (iii) the density and layout of the site was inappropriate with a segregation of the affordable housing provision and areas of

tandem car parking.

In accordance with paragraph 12.5 of the Planning Protocol, as the motion was against officer recommendation, a recorded vote was taken.

Councillor	Vote
R. Blaney	For
L. Brazier	For
M. Brock	For
M. Brown	For
L. Dales	For
M. Dobson	For
L. Goff	For
R. Holloway	For
J. Lee	For
P. Rainbow	For
M. Skinner	For
T. Smith	For
I. Walker	For
K. Walker	For
Y. Woodhead	For

7 SPRINGFIELD BUNGALOW, NOTTINGHAM ROAD, SOUTHWELL 19/00689/FUL AND 19/00779/FULM

The Committee considered the report of the Director of Growth & Regeneration, following a site inspection, which sought retrospective planning permission for variation of conditions 2, 3, 4 and 5 of planning permission 16/01369/FUL to allow the new access junction to be constructed wholly within highway land or that owned by the applicant at Springfield Bungalow, Nottingham Road, Southwell. The Committee also considered the application for variation of condition 11 at the same site (19/00779/FULM).

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published. The Planning Case Officer advised of letters of representation received from local residents; a response from the County Council as Highway Authority to address resident's concerns and correspondence from NCNM, BPS Consulting and Browne Jacobson on behalf of the agent.

Councillor D Martin representing Southwell Town Council spoke objecting to both applications in accordance with the Town Council representation within the report. Councillor P Harris as local Ward Member also spoke against the application referring to the inadequate visibility splay, access and pavement provision.

Members considered the issues with access to the site, the visibility splays and the pavement construction which was felt was unsatisfactory in terms of the gradient and camber particularly for disabled and wheelchair users. However, the Committee noted the views expressed by the Highway Authority that the site was safe and accessible.

AGREED (with 10 votes for and 5 against) that both applications be deferred to the next cycle in order to seek clarification of the specific issues of the acceptability of the kerb radii to the site, the gradient of the footpath, the cross fall of the footpath, and the visibility splay measured on site by NCC highways.

8 LAND OFF NORTH GATE, NEWARK 18/01137/OUTM

The Committee considered the report of the Director of Growth & Regeneration, which sought planning permission for the variation of condition 25 attached to planning permission 13/00997/OUTM for the proposed erection of Retail Development Bulky Goods/Open A1/Open A1 Convenience uses and provision of car parking to serve same. The proposed submitted was to allow the use of Unit B as A1 (non-food) at land off North Gate, Newark.

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published from the District Council's retail consultants, Lambert Smith Hampton and also Newark Town Council who were now objecting to the application given the potential adverse impact it may have on the town centre retail economy. The Director of Growth & Regeneration referred to additional condition 28 as set out in the late item schedule.

Members considered the application and the potential impact on the retail economy.

AGREED (with 14 votes for and 1 abstention) that outline planning permission be approved subject to the conditions and reasons contained within the report, including the additional condition 28.

9 SITE OF THE BEARINGS, BOWBRIDGE ROAD, NEWARK 19/00681/FULM

The Committee considered the report of the Director of Growth & Regeneration, which sought permission to vary condition 23 of planning permission 18/00973/FULM to allow amendment of house types to plots 39-42, 23-24 and 43-44 at the site of the Bearings, Bowbridge Road, Newark. The previous application was for the erection of 62 residential dwellings including new vehicular access road and removal of eight TPO trees (TPO N313).

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published. Both Newark Town Council and the County Council as Highway Authority had responded as consultees as well as further local representations.

Councillor R. Blaney referred to the petition received at the Annual Council Meeting and the numbers of trees, shrubs, plants and hedgerow plants which were to be planted to compensate for the regrettable loss of some trees on the site.

AGREED (with 13 votes for and 1 abstention) that full planning permission be granted subject to:

- (i) the conditions contained within the report; and
- (ii) delegated authority being given to the Director of Growth & Regeneration to revise the wording of conditions 3, 9, 13 and 15 should the discharge of condition application reference 19/00663/DISCON be determined before this permission was determined.

(Having declared an interest, Councillor L. Goff left the meeting during this item).

10 NOBLE FOODS LTD, THE MOOR, BILSTHORPE 18/00931/OUTM

The Committee considered the report of the Director of Growth & Regeneration, which sought outline planning permission for up to 136 residential dwellings on the former Noble Foods egg factory site at The Moor, Bilsthorpe. The scheme would provide a mix of house types and sizes including detached properties, semi-detached properties and town houses and public open spaces.

Councillor M Ward representing Bilsthorpe Parish Council spoke objecting to the application referring to the village infrastructure not being able to sustain this increase in houses and subsequent growth in population.

Members considered the application and referred to the issue of CIL not being available to support infrastructure given the relatively low house prices. Councillor R. Blaney did refer to the developer contributions detailed in the report and the Committee noted the scheme was acceptable without the full suite of affordable housing and contributions given the application was for a brownfield site.

Cllr Woodhead made reference to the issues with the wider road network.

AGREED (unanimously) that delegated authority be given to the Director for Growth & Regeneration to grant outline planning permission subject to the conditions contained within the report and the Director negotiating with the applicant to waive the affordable housing element in order to secure meaningful infrastructure contributions, in consultation with the Chairman of the Committee and the Parish Council.

(Having declared an interest, Councillor R Holloway left the meeting during consideration of this item).

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 a further hour.

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

Following this item the Chairman left the meeting leaving Councillor I. Walker as Chairman for the remainder of the meeting.

11 WHITE POST GARAGE, WHITE POST, FARNSFIELD 18/02151/FUL

This application was withdrawn from the agenda.

12 COBBLERS COTTAGE, BRICKYARD LANE, FARNSFIELD 19/00168/FUL

The Committee considered the report of the Director of Growth & Regeneration, following a site inspection, which sought planning permission for the erection of a second storey extension providing two bedrooms above an existing ground floor footprint at Cobblers Cottage, Brickyard Lane, Farnsfield.

Councillor B Laughton as local Ward Member spoke to object to the application referring to the proposed extension effectively doubling the size of the current property which will impact on the amenity of a neighbouring property.

Members considered the application and different options for the proposed extension including a possible cat slide roof.

A vote was taken to refuse the application but this was lost with 4 votes for, 6 against and 4 abstentions.

AGREED (with 8 votes for, 4 against and 2 abstentions) that the application be deferred in order to negotiate a revised design with the applicant with a cat slide roof.

13 SAWMILLS FARM, RUFFORD LANE, OLLERTON 19/00701/FUL

The Committee considered the report of the Director of Growth & Regeneration, which sought planning permission for a replacement dwelling at Sawmills Farm, Rufford Lane, Ollerton. The proposal was for an existing single storey dwelling to be demolished and replaced with a single detached two storey dwelling.

Members considered the application and the representation from Rufford Parish Council objecting to the proposal. Concerns were raised about the design and scale of the proposed new dwelling with the significant increase in square footage. Reference was also made to the fact that the dwelling has only come about through the change of use prior approval process. Cllr Brown commented that the case law is in its infancy.

AGREED (with 9 votes for and 5 against) that contrary to officer recommendation, planning permission be refused on the grounds that the replacement dwelling was too large in terms of scale and size.

In accordance with paragraph 12.5 of the Planning Protocol, as the motion was against officer recommendation, a recorded vote was taken.

Councillor	Vote
R. Blaney	Not present
L. Brazier	Against
M. Brock	For
M. Brown	For

L. Dales	For
M. Dobson	For
L. Goff	Against
R. Holloway	For
J. Lee	For
P. Rainbow	For
M. Skinner	For
T. Smith	For
I. Walker	Against
K. Walker	Against
Y. Woodhead	Against

14 THE SHED, OLD EPPERSTONE ROAD, LOWDHAM 19/00492/FUL

This application was withdrawn from the agenda.

15 FIELD REF: 7600, NORTH SCARLE ROAD, WIGSLEY 19/00551/FULM

The Committee considered the report of the Director of Growth & Regeneration, which sought planning permission for the creation of a fish farming facility from agricultural land as a farm diversification business off North Scarle Road, Wigsley. The application was a resubmission of 17/02043/FULM which had been refused by the Committee in March 2019.

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published from the applicant submitting additional supporting information. The Planning Case Officer also referred to a later letter from Nottinghamshire County Council advising of the removal of 2.5 tonnes of soil from the site as part of the proposal.

Members considered the application and the objection made by Wigsley Parish Meeting. Concerns were expressed about the proposals for permanent buildings and noise and vehicle movements. It was also considered that some of the environmental issues had not been addressed following the previous refusal of permission.

AGREED (with 13 votes for and 1 abstention) that contrary to officer recommendation planning permission be refused on the following grounds:

- (i) that the reasons for refusal of the application 17/02043/FULM in March 2019 had not been addressed;
- (ii) the extent of the material being removed from the site;
- (iii) concerns about vehicle movements; and
- (iv) the loss of agricultural land.

In accordance with paragraph 12.5 of the Planning Protocol, as the motion was against officer recommendation, a recorded vote was taken.

Councillor	Vote
R. Blaney	Not present
L. Brazier	For
M. Brock	For
M. Brown	For
L. Dales	For
M. Dobson	For
L. Goff	For
R. Holloway	For
J. Lee	For
P. Rainbow	For
M. Skinner	For
T. Smith	Abstain
I. Walker	For
K. Walker	For
Y. Woodhead	For

16 LAND TO THE REAR OF 112 - 118 HIGH STREET, COLLINGHAM 19/00755/FUL

The Committee considered the report of the Director of Growth & Regeneration, following a site inspection, which sought planning permission for the erection of a dwelling on land to the rear of 112 – 118 High Street, Collingham. The application was a re-submission of 18/01863/FUL which had been refused by the Committee in January 2019.

Members considered the application and largely welcomed the application welcoming the design and having the view that it would not be visible.

AGREED (unanimously) that planning permission be approved contrary to officer recommendation, subject to the imposition of appropriate conditions being 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
R. Blaney	Not present
L. Brazier	For
M. Brock	For
M. Brown	For
L. Dales	For
M. Dobson	For
L. Goff	For
R. Holloway	For
J. Lee	For
P. Rainbow	For
M. Skinner	For
T. Smith	For
I. Walker	For
K. Walker	For

Y. Woodhead	For
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In accordance with Rule No. 30.1, the Chairman indicated that the meeting had been ongoing for a further hour so a motion was required to be proposed and seconded to extend the meeting by another hour.

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

17 11 MAYPOLE ROAD, WELLOW 19/00473/FUL

The Committee considered the report of the Director of Growth & Regeneration, which sought planning permission for a two storey rear extension, detached annex accommodation in the rear garden and associated works at 11 Maypole Road, Wellow.

Members considered the proposal for the annex which fell outside the scheme of delegation to officers and the Parish Council had raised an objection to this element.

AGREED (with 9 votes for, 4 against and 1 abstention) that planning permission be approved subject to the conditions and reasons contained within the report.

18 GRANGE FARM, NEWHALL LANE, EDINGLEY 19/00408/FUL

The Committee considered the report of the Director of Growth & Regeneration, following a site inspection, which sought planning permission for the demolition and replacement of an existing dwelling and the refurbishment and conversion of a traditional stone barn building to form two holiday let accommodation units at Grange Farm, Newhall Lane, Edingley. The proposal also incorporated the partial demolition of a portal building and the demolition of a partially collapsed outbuilding.

Councillor D Poole representing Edingley Parish Council spoke in support of the application referring to the near derelict site of the existing property and this application would benefit the local economy.

Members considered the application and made reference to the structural survey which had recommended demolition of the existing building and how the proposal would support rural regeneration. Cllr Rainbow commented that the bowing of the existing building was clearly evident on site.

Members acknowledged the benefit of additional overnight tourism to the District.

The Committee also considered the proposed design and visual impact of the new dwelling. Councillor Skinner commented that the proposed dwelling was not necessarily in keeping with the barn conversion and Cllr Dobson also stated that the proposed replacement design should be more in keeping with the existing dwelling.

AGREED (with 10 votes for and 4 against) that contrary to officer recommendation planning permission be approved subject to appropriate conditions being imposed (specifically not to condition the removal of permitted

development rights).

In accordance with paragraph 12.5 of the Planning Protocol, as the motion was against officer recommendation, a recorded vote was taken.

Councillor	Vote
R. Blaney	Not present
L. Brazier	For
M. Brock	Against
M. Brown	For
L. Dales	For
M. Dobson	Against
L. Goff	For
R. Holloway	For
J. Lee	For
P. Rainbow	For
M. Skinner	Against
T. Smith	For
I. Walker	For
K. Walker	For
Y. Woodhead	Against

19 LAND ADJACENT TO FORMER WHITE LION PUBLIC HOUSE, MAIN STREET, BLIDWORTH 19/00571/FUL

The Committee considered the report of the Director of Growth & Regeneration, which sought permission for the variation of condition 2 attached to planning permission 17/02149/FUL to amend the approved plans to allow changes to the boundary and location of the retaining wall at land at the former White Lion Public House, Main Street, Blidworth.

Members considered the application and as the local Ward Member, Councillor Y Woodhead advised she could not support the proposal and referred to the Parish Council objection.

AGREED (with 12 votes for, 1 against and 1 abstention) that planning permission be approved subject to the conditions and reasons contained within the report.

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

The Committee considered the report of the Director of Growth & Regeneration, which sought planning permission for the 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 Fox Inn Public House, Main Road, Kelham.

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published from a neighbour raising concerns.

Members considered the application and the potential for increased noise outside of the premises. Given that they considered it was appropriate to request the applicant to erect notices advising patrons to be mindful of residents of neighbouring properties.

AGREED (unanimously) that full planning permission be approved subject to the conditions contained within the report and subject to requesting the applicant to display appropriate notices to respect the residential area.

21 CONFIRMATION OF TREE PRESERVATION ORDER - TPO N366

The Committee considered the report of the Director of Growth & Regeneration, concerning 12 individual trees on land at Priory Farm, Nottingham Road, Thurgarton which were protected by virtue of their location within the designated conservation area.

A S211 notification was submitted on 5 December 2018 to remove a total of 17 trees from the site, including a mixture of species including Ash, Horse Chestnut, Norway Spruce, Scots Pine and Sycamore. Those trees were shown to be retained in planning permissions granted for further development at the site.

Due to the number of trees proposed for removal, the Local Authority's tree officer undertook a site visit to assess the works. During the site visit, it was established that a number of trees warranted protection by Tree Preservation Order (TPO). Further discussion took place with the applicant and it was agreed with the owner to proceed with the protection of those trees.

AGREED (unanimously) that the Tree Preservation Order be confirmed for the following reasons:

1. The trees on site appear to be in good health and structural condition and provide a mature setting for the locality;
2. They provide valuable screening of the site to neighbouring properties;
3. They also form a prominent feature within the site, and also provide a positive visual public amenity contribution to the local street scene, being visible from many viewpoints; and
4. It is considered that the trees could be at risk from future development.

22 LOCAL DEVELOPMENT FRAMEWORK TASK GROUP

The Committee were asked to nominate three Members of the Planning Committee to sit on the Local Development Framework Task Group.

AGREED (unanimously) that Councillors R. Blaney, M. Skinner and T. Smith be appointed as the Planning Committee representatives on the Local Development Framework Task Group for 2019/20.

23 APPEALS LODGED

AGREED that the report be noted.

24 APPEALS DETERMINED

AGREED that the report be noted.

Meeting closed at 8.58 pm.

Chairman