

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 July 2019 at 4.00 pm.

PRESENT: Councillor R Blaney (Chairman)
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 and Councillor
Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor K Walker (Committee Member)

ALSO IN ATTENDANCE: Councillor R Jackson and Councillor Mrs P J Rainbow

25 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillors R V Blaney and Mrs M Dobson declared a personal interest in Agenda Item No. 11 – 5 Oakdene Cottages, Station Road, Collingham 19/00537/FUL as the applicants were known to them.

Councillors L Dales, J Lee and I Walker declared personal interests in Agenda Item No. 11 – 5 Oakdene Cottages, Station Road, Collingham 19/00537/FUL as they were representatives on the Trent Valley Internal Drainage Board.

26 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

27 MINUTES OF THE PREVIOUS MEETING

AGREED that the minutes of the meeting held on 4 June 2019 be approved as a correct record and signed by the Chairman.

28 FIELD REFERENCE 7600 OFF, NORTH SCARLE ROAD, WIGSLEY, NOTTINGHAMSHIRE 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 at Wigsley from agricultural land as a farm diversification business (resubmission of 17/02043/FULM).

This application was presented for determination at the 4 June 2019 Planning Committee with a recommendation for approval. Members resolved to refuse the

application for the same reasons as previously refused. However following the committee meeting and before the decision was issued, it became apparent that a late item submitted by the applicant was not clearly presented to Members that could have influenced the decision. As such the matter was brought back to the Committee.

Councillor C Thompson representing Wigsley Parish meeting spoke against the application in accordance with the views of Wigsley Parish meeting 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 Applicant.

The Chairman asked whether the noise levels for construction could be controlled by condition. The Interim Business Manager Planning confirmed that acceptable noise levels could be sought through Environmental Health.

Members considered the application and felt that the development was not suitable for that area. It was suggested that if the Committee were minded to approve the application that a construction traffic routing plan should be established. It was further suggested that a noise assessment and ecological report should also be obtained before planning permission was granted.

The Chairman commented that the noise levels could be controlled by condition and agreed with Environmental Health prior to consent and the sports fishing could also be controlled by condition. The construction traffic routing could be agreed with the Local Planning Authority in consultation with the two local ward Members to confirm the routing plan. The Interim Business Manager Planning confirmed that there were a number of conditions which related to ecology.

A vote was taken to approve planning permission, which was lost with 5 votes For and 9 votes Against.

AGREED (with 9 votes For and 5 votes Against) that contrary to Officer recommendation planning permission be refused for the following reasons.

The reasons for refusal of the application 17/02043/FULM in March 2019 had not been addressed, associated concerns about the vehicle movements, concerns regarding its implementation/phasing and impacts upon the landscape and failure to pass the sequential test in respect of flood risk.

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	Against
L. Brazier	For
M. Brock	Against

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	Against
I. Walker	Against
K. Walker	Absent
Y. Woodhead	Against

29 LAND AT MEMORIAL DRIVE, SOUTHWELL 16/01900/FULM

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

30 LOWDHAM CARS, LOWDHAM ROAD, GUNTHORPE 19/00814/FUL

The Committee considered the report of the Director of Growth & Regeneration, which sought permission for the variation of condition 2 and removal of condition 7 attached to planning permission 18/00279/FUL.

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

Councillor Mrs L Jeffery representing Gunthorpe Parish Council spoke against the application in accordance with the views of Gunthorpe Parish Council as contained within the Schedule of Communication.

Councillor R Jackson local Ward Member Dover Beck spoke against the application on the grounds that the amount of cars currently on site was not being enforced. The visitor parking that had been identified was not available and visitors were parking on the pavements creating an obstruction for pedestrians, mobility scooters and pushchairs forcing them onto the road.

Members considered the application and felt that the business had outgrown the site and any future expansion was inappropriate. The fact that the site was also in flood zone three was also taken into consideration. A Member commented that if unrestricted use was granted there would become a saturation point were the business would not have any more storage space and therefore control the amount of cars on site.

AGREED (with 13 votes For and 1 Abstention) that:

- (a) contrary to Officer recommendation full planning permission be refused on the grounds of over-intensification and design/layout and its impact on the green belt; and

- (b) enforcement action be undertaken to control the site to maximum fifty cars.

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	Abstention
I. Walker	For
K. Walker	Absent
Y. Woodhead	For

31 MANOR FARM BARN, BECK STREET, THURGARTON 19/00708/FUL

The Committee considered the report of the Director of Growth & Regeneration, which sought planning permission for the addition of four roof lights over the kitchen area.

Councillor R Jackson local Ward Member Dover Beck spoke in support of the application on the grounds that the barn was not listed and was attached to the man house which had seventeen existing roof lights. The roof lights on the barn would not be visible from the road and would improve the light in the kitchen area as the light was restricted from the main house into the kitchen. It was commented that Manor Farm had got a satellite dish, TV aerial, security lights which did not improve the visual impact of a Grade 2 listed building. The new development to the side of Manor Farm Barn had six buildings all with roof lights.

The applicant asked and it was agreed by the Chairman that a number of photographs be circulated to the Committee.

Members considered the application and a Member commented that the new build on Priory Farm was not listed, this application was listed and whilst it was a nice to have, it was not a need to have and this barn was the conservation of an agricultural building. Other Members felt that the roof lights would not detract away from the character and appearance of the conservation area.

AGREED (with 10 votes For and 4 votes Against) that contrary to Officer recommendation full planning permission be approved subject to reasonable conditions.

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

32 MANOR FARM BARN, BECK STREET, THURGARTON 19/00709/LBC

The Committee considered the report of the Director of Growth & Regeneration, which sought planning permission for the addition of four roof lights over the kitchen area.

Members considered the application as contained within the above minute.

AGREED (with 10 votes For and 4 Against) that listed building consent be approved for the reasons contained within the report, subject to reasonable conditions.

33 5 PLANTATION COTTAGES, MAIN STREET, EPPERSTONE 19/00246/FUL

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

34 TECTOR LTD, 27 WOODHILL ROAD, COLLINGHAM, NEWARK 19/00242/FUL

The Committee considered the report of the Director of Growth & Regeneration, which sought outline planning permission for the demolition of existing buildings and subsequent erection of up to 16 dwellings with associated highway access off Woodhill Road.

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

Members considered the application and one Member commented that there was no problem in principle with the development of the site; the concern was protecting the layby. It was requested that the local bus company be contacted to check that the size of the layby was significant for their needs. Sixteen properties would increase car parking, which would spill out and may restrict the access to the layby.

The Senior Planning Officer confirmed that the clearway order prevented any parking in that layby. At present there was no order of clearway on the current layby as there was no existing threat. Nottinghamshire County Council would monitor that over twelve months and if the layby was being used for parking they would enforce that.

Another Member commented that the brown field site was not large enough for sixteen dwellings and asked that be reduced to ten. It was commented that the Parish Council had objected to this development and that part of the site was in a flood zone. It was further commented that the layby would only accommodate two small sized buses and therefore would not future proof the service offered should more people be encouraged to use public transport.

The Chairman commented that the application was for outline planning permission and was a maximum of sixteen dwellings. It was also confirmed that Nottinghamshire County Highways had raised no objection in respect of the access.

A vote was taken to refuse the application on the grounds of traffic, impact and access, which was lost with 6 votes For, 7 votes Against and 1 Abstention.

AGREED (with 8 votes For, 4 votes Against and 2 Abstentions) that outline planning permission be approved subject to the conditions contained in the report and the signing and sealing of a S106 agreement to agree all matters set out within table 1 of the report.

35 5 OAKDENE COTTAGES, STATION ROAD, COLLINGHAM 19/00537/FUL

The Committee considered the report of the Director of Growth & Regeneration, following a site inspection, which sought planning permission for a new two storey house with built in garage, new driveway from the existing access off Station Road to be shared with the existing house.

Members considered the application and felt that the design was not suitable in a conservation area and too many trees would be removed.

AGREED (with 13 votes For and 1 Abstention) that full planning permission be refused for the reasons contained within the report.

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

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

Councillor J Lee left at this point.

37 LAND TO THE REAR OF 8 MAIN STREET, SUTTON ON TRENT 19/00868/FUL

The Committee considered the report of the Director of Growth & Regeneration, following a site inspection, which sought planning permission for the erection of four dwellings and associated garages, the application, was a re-submission of 18/00599/FUL.

Members considered the application and some Members felt that the development was not suitable for bungalows being in flood zone 2 and had poor access. Other Members considered the layout with the court yard good, but felt that the access was poor. The need for bungalows was also commented upon for an ageing society and also for people with disabilities. Some Members considered that the comments of the Strategic Housing Officer on page 182 of the agenda cast doubt on whether those with a preference for bungalows would actually be able to afford these bungalows and felt that the need therefore may not be met. Consequently it was felt that the sequential test in terms of flood risk should not be restricted to just the village of Sutton-on-Trent.

AGREED (with 8 votes For, 2 votes Against and 3 Abstentions) that contrary to Officer recommendation the application be refused on the basis that very limited weight should be attached to housing 'preference' in the Housing Needs Survey, given the date of the survey and that the market housing was unlikely to be affordable. Given the limited weight it attached to the survey it followed that the sequential test had not been passed in terms of flood risk.

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

38 LAND TO THE REAR OF 15 CHEYNE DRIVE, BILSTHORPE 19/00768/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

new single storey bungalow with existing access and driveway from Archers Drive and erection of a new boundary wall.

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

Members considered the application not appropriate in accordance with the Officer recommendation.

AGREED (with 12 votes For and 1 Abstention) that planning permission be refused for the reasons contained within the report.

39 UPDATE NOTE - PLANNING APPLICATION 18/00931/OUTM - NOBLE FOODS BILSTHORPE

The Committee considered the report of the Director of Growth & Regeneration, which informed Members regarding the Noble Foods application for up to 136 dwellings which had been considered at the meeting of 4 June 2019. Members resolved to approve the application but subject to delegated negotiations in respect to revising the affordable housing offer (10%) to other contributions.

For a scheme of 136 dwellings, 10% affordable housing would amount to 14 affordable units. There was a recent appeal decision in our District (February this year) which had accepted that it was reasonable to use a unit figure of £46,000 per affordable unit. That gave an overall contributions pot of £644,000 instead of the 10% affordable housing.

Following discussions between officers and the Parish Council to establish priorities etc, officers had provisionally apportioned contributions towards the following:

- Education - £332,195.29 (full amount request);
- Community Facilities (village hall including heritage museum) - £188,233.52 (full amount requested);
- Open Space (outdoor sport facilities) - £100,329.92 (full amount requested);
- Bus Stops (as requested by NCC Highways) - £17,000 (full amount requested);
- Libraries - £6,062 (full amount requested).

The above would total £643,820.73 and thereby almost exactly meet the starting point for contributions above. The residual amount of £179.27 would go towards monitoring fees associated with the legal obligation. The only required contributions missing from the above list was affordable housing and health. It was worthy of note that there was another scheme in the village (Land at Oldbridge Way approved for 113 dwellings) with recent reserved matters approval (18/01971/RMAM) that had an associated legal agreement which secured health provision. The advice of Officers was

therefore that the monies associated with the other application (acknowledging that this was completely separate to the current determination) would meet the healthcare provision shortfall in the village.

The above approach had been accepted by the agent acting on behalf of the applicant and therefore Section 106 was being drafted on this basis by the Council's solicitors.

The Local Ward Member thanked the Committee for the outcome of this application as it had a good outcome for Bilsthorpe.

AGREED (unanimously) that the report be noted

40 APPEALS LODGED

AGREED that the report be noted.

41 APPEALS DETERMINED

AGREED that the report be noted.

42 QUARTERLY ENFORCEMENT ACTIVITY UPDATE REPORT

The Committee considered the report of the Director of Growth & Regeneration, which presented the quarterly planning enforcement performance for the quarter, from 1 January to 31 March 2019. 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.

AGREED (unanimously) that the report be noted.

Meeting closed at 6.56 pm.

Chairman