

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, 10 September 2019 at 4.00 pm.

PRESENT: Councillor R Blaney (Chairman)  
Councillor I Walker (Vice-Chairman)

Councillor L Brazier, 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

ALSO IN ATTENDANCE: Councillor R Crowe and Councillor R Jackson

APOLOGIES FOR ABSENCE: Councillor M Brock (Committee Member)

78 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillors Mrs L Dales, J Lee and I Walker all declared personal interests as they were Council's appointed representatives on the Trent Valley Drainage Board.

Councillor M Skinner declared a personal interest in Agenda Item No. 5 – Land Opposite 26 and 44 Fosse Road, Farndon (18/02363/FULM), as the item had been considered by Newark Town Council Planning Committee which he was a Member; the application had been amended considerably from being considered by the Town Council.

Councillor K Walker declared a personal interest in Agenda Item No. 13 – Diversion of Southwell Footpath 69, as he was a Member of Nottinghamshire County Council.

79 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

80 MINUTES OF MEETING HELD ON 6 AUGUST 2019

AGREED that the minutes of the meeting held on 6 August 2019 be approved as a correct record and signed by the Chairman.

81 LAND OPPOSITE 26 TO 44 FOSSE ROAD, FARNDON (18/02362/FULM)

The Committee considered the report of the Business Manager – Planning Development following a site inspection, which sought the erection of a Mixed-Use Development comprising petrol filling station and associated retail unit and drive through, 1 no. A3 Café/Restaurant with ancillary drive through, 1 no. electric car charging station, 2 no. offices and 103 bed hotel with associated ancillary facilities,

landscaping, flood attenuation lagoon, associated engineering operations (including flood compensation measures) and sustainable drainage system (SuDS) along with associated vehicular and cycle parking and access from Fosse Way and all ancillary works.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the following: Highways England; Councillor Mrs Saddington; Neighbouring comments; SSA Planning on behalf of Farndon Parish Council; Nottinghamshire County Council Highways; and the Agent.

Councillor M Baker, Farndon Parish Council spoke against the application in accordance with the views of Farndon Parish Council, as contained within the report.

Councillor N Mison, local Ward Member for Farndon and Fernwood spoke against the application and commented that the economic benefits did not outweigh other issues including the open break which was against Council policy, impact on the surrounding area and Newark. There had been so many objections to the development which provided a gauge of public opinion. There were other fuel stations on the A46, in close proximity. This development would be against Council policy if approved.

Members considered the application and a Member commented that he had never seen as many objections against an application. Members felt that the economic benefits did not outweigh the open space and that the Committee needed to comply with their policy. The local community's comments should also be taken into consideration.

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

82 LAND OFF LOWER KIRKLINGTON ROAD, SOUTHWELL (18/01363/FULM(MAJOR))

The Committee considered the report of the Business Manager – Planning Development relating to a scheme at appeal which sought a residential development for eighty dwellings.

An application for the above residential development was presented to the Planning Committee on 4 June 2019 for consideration. Members resolved to refuse the application contrary to officer recommendation for four reasons as detailed within the report. The applicant/appellant had now lodged an appeal and had submitted an amended plan to the Planning Inspectorate. This revised plan sought some changes and the report sought the views of the Planning Committee, who were the initial decision makers, on the proposed amendments to inform the appeal.

The amendments incorporated within the revised plan are as follows:

- Re-distribution/dispersal of affordable houses on site. This does not alter the layout or design of the site since the house types remain as previously submitted;

- Provision of 16 dwellings for occupation by householders with at least one member over the age of 55 years only (50 % of which would be DDA – Building Regulations Part M compliant – Category 2: ‘Accessible and Adaptable Dwellings’ as set out within the documents submitted 16 July 2019), in lieu of the explicit provision of bungalows;
- Amendments to the dwelling mix (set out within the submitted table received 16 July 2019);
- There were no amendments to the relevant plots eliminating any triple vehicle tandem parking provision which remained contrary to NCC Highway advice; and
- No amendment had been made to ensure that the public open space was a focal point of the development which was a previous member concern.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from Southwell Town Council and the Planning Case Officer. The Committee was informed of an error in the report from Newark and Sherwood District Council Planning Policy. The comment stated that the amended plan showed a decrease in the total number of bedrooms provided within the affordable housing units from ninety-nine to forty-four, which was incorrect. The amended plan in fact showed a decrease from fifty-one to forty-four.

Councillor D Martin, Southwell Town Council spoke against the erection of traffic lights to the entrance of the development, this was in accordance with the views of Southwell Town Council.

Members considered the application and felt that there was no need for traffic lights at this site, there were no other traffic lights on similar sites in Southwell and traffic lights at this location would be detrimental to the town.

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

Notwithstanding and without prejudice to the previous officer recommendation for approval:

- (a) in the event that the Inspector refuses to accept the amendments shown on the Revised Plan, the Council should defend all the existing reasons for refusal set out on the existing decision notice; and
- (b) in the event that the Inspector accepts the amendments on Revised Plan, then the Council should defend the existing reasons for refusal with the exception of Reason 3 and this should be reflected in the narrowing of the scope of Reason 4, but it should also be made clear as part of the appeal process that the view of Members is that the revised scheme results in additional harm on the grounds of the resultant inappropriate affordable housing mix.

83 SOUTH COLLINGHAM NURSING HOME FLAT, NEWARK ROAD, COLLINGHAM (18/01639/FULM)

The Committee considered the report of the Business Manager – Planning Development following a site inspection which sought an extension to create twenty four extra care apartments, nineteen two-bed and five one-bed, conservatory and relevant ancillary spaces following the demolition of existing single storey extension to the north and courtyard.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the Planning Case Officer, which informed the Committee that the neighbour comments, including eight letters of representation that had been mistakenly omitted from the report.

Members considered the application and the further assisted living was welcomed although concerns were raised regarding the twenty-three car parking spaces which was considered insufficient given the proposed twenty-four units. Some Members considered that the exit into the high street should have a speed limit of 30mph and County Highways should be contacted and asked to extend the current 30mph speed limit. An additional condition should be included to prevent any traffic through Dykes End, other than emergency vehicles. Car parking should not be allowed in front of the main windows to the building where residents would sit. Car parking for the development should be looked at again to find an improved scheme and conditioned.

AGREED (unanimously) that Full planning permission be approved subject to the conditions contained within the report and the following additional conditions:

- (i) A wider access with a filter;
- (ii) Emergency access only through Dykes End;
- (iii) Level of car parking appropriate to apartments for the Nursing Home and the extra care facility, to be determined in consultation with the Ward Members; and
- (iv) No construction traffic through Dykes End.

84 GLEBE FARM, FOSSE ROAD, BROUGH (17/01859/FUL)

The Committee considered the report of the Business Manager – Planning Development which sought a retrospective application for the retention of two static caravans for use as residential accommodation for a permanent agricultural worker in connection with Glebe Farm

Members considered the application and felt that permission for a maximum of three years was sufficient. Members wanted it on record that they would be reluctant to grant further temporary permissions and felt that the applicant would need to be ready at the end of the 3 year temporary period with an application for a permanent dwelling. Concerns were raised regarding the storage of gas bottles between the two caravans and asked that the relevant Officer provide safety advice to the applicant.

AGREED (unanimously) that:

- (a) planning permission be approved for a maximum of three years, subject to the conditions and reasons contained within the report; and
- (b) the relevant Officer provide advice regarding the storage of gas bottles between the static caravans.

85 LAND AT MALKILN CLOSE, OLLERTON (19/00892/FULM)

The Committee considered the report of the Business Manager – Planning Development following a site inspection which sought a development of thirty three affordable dwellings.

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

Members considered the application and one Member felt that the site was not suitable for the proposed development. Wellow Road was considered to be too busy and the additional vehicles associated with the development would increase the volume of traffic. There was no safe crossing on Wellow Road and the local school, GP and dentists were all full to capacity. Other Members considered the site ideal for much needed affordable housing for local people and would tidy the large derelict site.

AGREED (with 11 votes For, 2 Votes Against and 1 Abstention) that planning permission be approved subject to the conditions and reasons contained within the report and the additional condition relating to archaeology.

86 SHERWOOD HOUSE, DALE LANE, BLIDWORTH (15/01330/FUL)

The Committee considered the report of the Business Manager – Planning Development which sought the demolition of an existing factory shop and the erection of six dwellings and all associated works.

Officers verbally reported that the agent had requested amendments to condition 4 and 16 set out within the report which officers considered to be acceptable.

Members considered the application and commented on their disappointment with the viability study regarding the demolition of the existing shop and felt that something could have been achieved with the existing building.

Councillor M Brown was not present for part of the presentation and did not take part in the vote.

AGREED (with 9 votes For and 4 votes Against) that full planning permission be approved subject to the conditions and reasons contained within the report subject to amendments to Conditions 4 and 16 as reported.

87 298 SOUTHWELL ROAD EAST, RAINWORTH (19/01243/FUL)

The Committee considered the report of the Business Manager – Planning Development following a site inspection which sought the demolition of existing buildings and construction of four new terraced town houses.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the Planning Case Officer, which informed Committee of an omission within the report in relation to policies Ra/DC/1 and DM11.

Members considered the application unacceptable.

AGREED (with 11 votes For and 3 Abstentions) that planning permission be refused for the reason contained within the report.

88 FORMER STABLES, ROLLESTON MILL, ROLLESTON (19/01022/FUL)

The Committee considered the report of the Business Manager – Planning Development following a site inspection which sought the conversion and extension of the former stables at Rolleston Mill Farm, Rolleston to residential use including the replacement of existing single storey monopitched stable with new structure to create living accommodation and lightweight glazed link.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the following: Emergency Planner; NCC Highways; and Agent.

Councillor T Hillary, Rolleston Parish Council spoke in support of the application in accordance with the views of Rolleston Parish Council, as contained within the report.

Members considered the application and commented on a previous granted application which included demolition of the new stables which had resulted in not being viable. The applicant had been invited to submit a viability report to be tested but had chosen not to do so. It was suggested that the item be deferred in order for the applicant to be invited again to submit a viability report and consider a more sympathetic application in consultation with the Conservation Officer.

AGREED (with 13 votes For and 1 vote Against) that planning permission be deferred.

89 LAND BETWEEN SHADY LANE AND POTWELL DYKE, LOWER BURGAGE, BURGAGE LANE, SOUTHWELL

The Committee considered the report of the Business Manager – Planning Development following a site inspection which sought the diversion of Southwell footpath 69, land between Shady Lane and Potwell Dyke, Lower Burgage, Burgage Lane, Southwell.

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

AGREED (with 12 votes For and 2 votes Abstentions) that Newark and Sherwood District Council continue to raise an objection to the proposed diversion for the reasons set out in the report.

90 THE PRINCE RUPERT, 46 STODMAN STREET, NEWARK (19/00903/FUL)

The application was withdrawn from the Agenda.

*(Councillor M Brown left the meeting at this point).*

91 LAND AT NORWELL ROAD, CAUNTON (19/01180/OUT)

The Committee considered the report of the Business Manager – Planning Development which sought the erection of two dwellings on land at Norwell Road, Caunton

Members considered the application acceptable.

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

92 FORMER PUBLIC CONVENIENCES, FOREST CORNER, EDWINSTOWE (19/01356/FUL)

The Committee considered the report of the Business Manager – Planning Development which sought the conversion of a store to a Craft Centre Annexe for an additional craft workshop with associated sales and building works associated with the conversion. The application was an amendment to planning permission 15/01060/FUL to insert additional lower and upper windows to the south elevation and alter approved window on east elevation.

Members considered the application acceptable.

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

93 LAND TO FRONT OF 1-7 GLENFIELDS, SOUTHWELL (19/00004/TPO)

The Committee considered the report of the Business Manager – Planning Development which sought confirmation of Tree Preservation Order – TPO N368, for a group of four Whitebeam trees.

Members considered the Tree Preservation Order acceptable.

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. Historically they provide some continuity of trees on the site of a former fruit farm; and
3. They also form a prominent feature within the estate and also provide a positive visual public amenity contribution to the local street scene, being visible from many viewpoints.

94 LAND OPPOSITE 1-10 THE RIDINGS, BULCOTE (19/00003/TPO)

The Committee considered the report of the Business Manager – Planning Development which sought confirmation of Tree Preservation Order – TPO N369.

It was reported that it had been established that a number of trees, but not all on the site, due to health and presence of cavities, warranted protection by Tree Preservation Order (TPO). Discussions had taken place with the applicant and representative from Nottinghamshire County Council where it was agreed to proceed with protection of those trees due to group amenity value. Appendix 2 to the report provided a plan showing the location and species of trees to be protected, including: 7No. Silver Birch; 3No. Oak; 3No. Willow; 2No. Field Maple; 3No. Cherry; 3No. Rowan; 1No. Whitebeam; 1No. Sycamore.

Members considered the Tree Preservation Order acceptable.

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.

95 APPEALS LODGED

AGREED that the report be noted.

96 APPEALS DETERMINED

AGREED that the report be noted.

Meeting closed at 6.57 pm.

Chairman