

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Wednesday, 22 March 2017 at 4.00pm.

PRESENT: Councillor D.R. Payne (Chairman)

Councillors: R.V. Blaney, R.A. Crowe, Mrs M. Dobson, G.P. Handley, J. Lee, N.B. Mison, Mrs P.J. Rainbow, Mrs S. E. Saddington, Mrs L.M.J. Tift, I. Walker and Mrs Y Woodhead.

ALSO IN

ATTENDANCE: Councillor: Mrs S. Michael.

189. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs A.C. Brooks, D. Batey and B. Wells.

190. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

NOTED that the following Members declared interests in the items shown below:

<u>Member/Officer</u>	<u>Agenda Item</u>
Councillor D.R. Payne	Item 11 & 12 – Springfield Bungalows, Nottingham Road, Southwell (15/01295/FULM & 16/01369/FUL) Non Disclosable Pecuniary Interest as Councillor D.R. Payne’s former business represented the applicant.
Councillor P.J. Rainbow	Item 11 & 12 – Springfield Bungalows, Nottingham Road, Southwell (15/01295/FULM & 16/01369/FUL) Personal interest as a family member uses the Reach service.
All Members of the Planning Committee	Item 14 – Hall Farm House, Church Lane, South Scarle, Newark (17/00140/LBC) Personal interest as the applicant is an elected Member.
Councillors G.P. Handley and D.R. Payne	Item 16 – Land at Gibson Crescent, Balderton (17/00217/FUL) Personal interests as Directors of Newark and Sherwood Homes.

191. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

192. MINUTES OF THE MEETING HELD ON 7 MARCH 2017

AGREED that the minutes of the meeting held on 7 March 2017 be approved as a correct record and signed by the Chairman.

193. ORDER OF BUSINESS

With the agreement of the Committee, the Chairman changed the order of business as follows: Agenda Items 7, 16, 11, 12, 5, 6, 9, 8, 13, 14, 17 and 18.

194. LAND AT LUNARIS, 16 HEMPLANDS LANE, SUTTON ON TRENT (17/00029/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought full planning permission for a single detached two storey, three bedroom dwelling.

Councillor Mrs S.M. Michael, local Ward Member for Sutton-on-Trent, spoke against the application and supported Sutton-on-Trent Parish Council and residents of 16 and 18 Hemplands Lane, Sutton-on-Trent. She felt that the application was over development for the site. The adjacent property No. 16 was a bungalow and the proposed development would prevent light into the lounge area of the bungalow. The two storey brick wall, 8.1 metres away from the bungalow would also be unsightly from the lounge window. The rules regarding boundary lines were also raised. The property only having two parking places was considered unacceptable. The property was also opposite a doctor's surgery which had parking issues and was on a busy main road. It was felt that a modest bungalow may be acceptable.

Members considered the application and some Members commented that the plot was too small to accommodate the proposal and compromised the privacy of the neighbouring bungalow.

Other Members felt that the plot size was adequate and was larger than some of the surrounding properties.

A vote was taken and lost to approve the application, with 5 votes for and 7 votes against.

AGREED (with 7 votes for and 5 votes against) that contrary to Officer recommendation, full planning permission be refused for the reasons of privacy, traffic and highway issues and over intensification.

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

Councillor	Vote	
D. Batey	Absent	
R.V. Blaney	Against	
Mrs C. Brooks	Absent	
R.A. Crowe	For	
Mrs M. Dobson	For	

G.P. Handley	For	
J. Lee	For	
N. Mison	Against	
D.R. Payne	Against	
Mrs P.J. Rainbow	For	
Mrs S.E. Saddington	For	
Mrs L.M.J. Tift	For	
I. Walker	Against	
B. Wells	Absent	
Mrs Y. Woodhead	Against	

195. LAND AT GIBSON CRESCENT, BALDERTON (17/00217/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought planning permission for the erection of a pair of semi-detached, two storey, three bed properties, detailed on the application form to be social rented dwellings.

Councillor Mrs L Hurst, representing Balderton Parish Council, spoke against the application in accordance with the views of Balderton Parish Council, as contained within the report.

A Member asked for the application to be deferred, in order for a site visit to take place.

AGREED (with 11 votes for and 1 vote against) that the application be deferred pending a site visit.

196. LAND TO THE REAR OF LOWFIELD COTTAGES, BOWBRIDGE LANE, BALDERTON (15/01250/OUTM)

The application was withdrawn from the agenda at the Officers request.

(Councillors D.R. Payne having declared a Non Disclosable Pecuniary interest and Mrs P.J. Rainbow, having declared a personal interest, left the meeting for the duration of Minute No. 197 and 198).

Councillor G.P. Handley – Vice-Chairman, chaired the meeting for the duration of Minute No. 197 and 198.

The Business Manager - Growth & Regeneration gave a comprehensive presentation of both applications which Members then debated as individual items.

197. SPRINGFIELD BUNGALOWS, NOTTINGHAM ROAD, SOUTHWELL (15/01295/FULM)

The Committee considered the report of the Deputy Chief Executive, which sought a residential development of thirty eight dwellings and the conversion and extension of existing residential property to form twelve supported living units.

Councillor D Martin, representing Southwell Town Council, spoke against the application in accordance with the views of Southwell Town Council, as contained within the report.

The Business Manager - Growth & Regeneration proposed a change to the recommendation and asked that the S106 agreement include the detail regarding the Management Company, the Business Manager – Growth & Regeneration to determine the wording in consultation with the Leader of the Council and Planning Committee Vice-Chairman. The condition/clause in the S106 should be changed so that should any of the 12 Reach units not come forward a default contribution of £50,000 for each undelivered unit would be required.

Members considered the application and the local ward Member commented that it was likely that the S106 agreement would provide for a Management Company. In respect of this although the S106 agreement may provide pointers as to the Management Company, he felt that it needed noting that neither this Authority, nor himself and the Leader of the Council's involvement could provide any ongoing guarantees as to the ongoing management or performance of the Management Company. Such matters and related matters would be between the buyers, the sellers and their various legal representatives. The following points were also raised:

- Not a critical site for achieving Southwell's housing requirements;
- Highways not adopting the site, which included adopting streets, road signs etc. appeared to be new;
- The Town Councillor spoke regarding the landscape buffer which appeared to have shrunk, Policy P02 – indicated that this should be enhanced as per the original application;
- Ground water, no-one understood to date how the water flowed;
- Complex arrangements for the transfer of Springfield Bungalow;
- The Management Company was comprehensive regarding how the whole operation would be managed;
- There was no track record for potential implications for buyers in terms of what they would have to pay; and
- This was a site not required to meet the housing figures for Southwell and should not be developed.

A Member commented on the Management Company agreement and suggested that within a year of the last house being built, that occupiers have the right to self-manage the site. Other Members urged for as much clarity as possible for the S106, so that purchasers have the information and can make an informed decision. It was suggested that given there were thirty eight properties, a time span of five years should be provided and then the option to self-manage.

After listening to the debate it was further suggested that after the first house is built the residents have the right to self-manage after one year. The Business Manager - Growth & Regeneration confirmed that a form of wording would be included into the S106 agreement to act as a trigger for the self-management provisions.

It was further commented that the 'Reach' bungalows did not have enough space in front of them, given their use for people with disabilities. Halloughton Road was renowned for flooding.

AGREED (with 9 votes for and 1 abstention) that full planning permission be granted subject to the following:

- (a) the conditions contained within the report; and
- (b) the signing and sealing of a Section 106 Planning Agreement to secure the provision of Springfield Bungalow being gifted to the Reach Project (including relevant pay back clause(s)), on-site affordable housing (2 no. units) and developer contributions for open space, community facilities, education and transport enhancements. Including the detail regarding the Management Company, the wording to be agreed by the Business Manager – Growth & Regeneration in consultation with the Planning Committee Chairman, Vice-Chairman and the Leader of the Council.

198. SPRINGFIELD BUNGALOWS, NOTTINGHAM ROAD, SOUTHWELL (16/01369/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for the alteration of the existing vehicular access to include the installation of kerb radii and the provision of a visibility splay which would measure 2.4m x 43m to serve the land to the rear of Springfield Bungalow.

Councillor D. Martin, representing Southwell Town Council, spoke against the application in accordance with the views of Southwell Town Council, as contained within the report.

Members considered the matters of land ownership and rights of way and highway adoption.

AGREED (with 8 votes for and 2 abstentions) that full planning permission be approved subject to the conditions contained within the report.

199. LAND AT QUIBELL ROAD, NEWARK (17/00003/FUL)

The application was withdrawn from the agenda at the Officers request.

200. LAND AT TRIUMPH ROAD, EAKRING, NOTTINGHAMSHIRE (16/01679/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought full planning permission for the erection of a terrace of five dwellings arranged around a front courtyard accessed from Triumph Road.

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

Members considered the application and it was commented that whilst this was a sympathetic development and met the needs of the community, it was felt that it was in the wrong place and would harm the environment.

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

201. THE OLD BARN, MAIN STREET, EDINGLEY (16/02081/FUL & 16/02082/LBC)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought planning permission for the erection of a single storey extension to create an additional living room and bedroom.

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

Members considered the application and felt that the proposal was acceptable.

AGREED (with 10 votes for and 2 abstentions) that contrary to Officer recommendation, full planning permission be approved, subject to appropriate 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
D. Batey	Absent
R.V. Blaney	For
Mrs C. Brooks	Absent
R.A. Crowe	For
Mrs M. Dobson	Abstention
G.P. Handley	For
J. Lee	For
N. Mison	For
D.R. Payne	For
Mrs P.J. Rainbow	For
Mrs S.E. Saddington	For
Mrs L.M.J. Tift	For
I. Walker	For
B. Wells	Absent
Mrs Y. Woodhead	Abstention

202. LAND ADJOINING BRAEMAR FARM, STATION ROAD, COLLINGHAM (16/01476/RMAM)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought reserved matters approval in respect of Phase 1, which related to the infrastructure phase. This included the provision of new accesses to the highway, spine road, footpath, foul and surface water drainage and associated strategic landscaping.

The comments of the Highway Authority was received just prior to the Committee meeting and Members were provided with a copy of these comments which confirmed that the submitted drawings were generally acceptable with any minor details to be agreed under a Section 38 Agreement should permission be granted. No specific conditions were suggested.

Members considered the application and concern was raised regarding the location of the swale next to the road and footpath. It was also felt that the development may form a rat run. A cul-de-sac design was suggested as an improved road network.

The Business Manager - Growth & Regeneration was asked to comment on expectations for future phases in terms of design and layout, who confirmed that this proposal would set the scene for the minimum expectations for what development should achieve.

AGREED (with 10 votes for, 1 vote against and 1 abstention) that reserved matters be approved, subject to the conditions contained within the report.

203. PHASE 2 LAND OFF STATION ROAD/SWINDERBY ROAD, COLLINGHAM (16/01807/RMAM)

The Committee considered the report of the Deputy Chief Executive, which sought reserved matters approval for forty dwellings, together with associated parking/garages, internal roads and an area of public open space to the south.

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

A Member commented that this would have been an opportunity to have achieved something special with the design for this development and felt disappointed with the proposal. It was noted that Collingham Parish Council also shared the same view.

Members also raised concern regarding the use of a Management Company and requested that a deed of variation be included into the Section 106 agreement, stating that the Management Company be offered to the residents after a period of five years.

The Business Manager - Growth and Regeneration confirmed that the options for the levels of engagement could be researched; a defined timetable for residents to take over maintenance of the internal roads however would be difficult to impose.

AGREED (with 10 votes for and 2 abstentions) that reserved matters be approved subject to the following:

- (a) the signing and sealing of a Deed of Variation to secure the future maintenance of the internal roads within this phase through a management company; and
- (b) the conditions contained within the report.

204. HALL FARM, SCHOOL LANE, EAST STOKE (16/01772/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for the conversion, alteration and extension of existing agricultural buildings to form two dwellings, the demolition of existing buildings and the erection of three new houses.

Members considered the application and felt that the proposal was acceptable.

AGREED (unanimously) that full planning permission be approved, subject to the conditions contained within the report and any other reasonable conditions as recommended by the Highways Authority.

205. HALL FARM HOUSE, CHURCH LANE, SOUTH SCARLE, NEWARK (17/00140/LBC)

The Committee considered the report of the Deputy Chief Executive, which sought listed building consent to erect stud wall divisions within two existing attic rooms, to create two bedrooms, each assessed off a newly created corridor and each with an en suite.

The application had been referred for determination by the Planning Committee as the applicant was a Member of Newark and Sherwood District Council.

Members considered the application and felt that the proposal was acceptable.

AGREED (unanimously) that listed building consent be approved, subject to the conditions and reasons contained within the report.

206. ANNUAL REPORT DETAILING THE EXEMPT REPORTS CONSIDERED BY THE PLANNING COMMITTEE

The Committee considered the report of the Deputy Chief Executive listing the exempt items considered by the Committee for the period 5 April 2016 to date.

The Committee agreed that the report considered on 5 April 2016 relating to Highfield Appeal Information, should remain confidential.

The report considered on 4 October 2016 regarding The Plough, Main Street, Coddington, should remain confidential.

The report deferred from the 7 March 2017 Planning Committee, relating to Forge House, Westgate, Southwell, should also remain confidential.

The Committee were also advised of Enforcement Case No. 12/00400/ENF, relating to Land off Moor Lane, South Clifton, Nottinghamshire, which had been considered at the 7 July 2015 Planning Committee. This report had been considered for the previous Annual Report period 2015/16, at the 5 April 2015 Planning Committee, where it was agreed that the report should remain confidential. The Chairman advised the Committee that as legal proceedings were still being undertaken regarding this enforcement action, the report should remain confidential.

AGREED that:

- (a) the report considered on 5 April 2016 – Highfield Appeal Information and the report considered on 4 October 2016 – The Plough, Main Street, Coddington, remain confidential and exempt;
- (b) the report deferred on 7 March 2017 - Forge House, Westgate, Southwell, remain confidential and exempt; and
- (c) the report considered on 5 April 2015 - Enforcement Case No. 12/00400/ENF, relating to Land off Moor Lane, South Clifton, Nottinghamshire, remain confidential and exempt.

207. EXCLUSION OF THE PRESS AND PUBLIC

AGREED that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of this item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

208. FORGE HOUSE, WESTGATE, SOUTHWELL (ENFORCEMENT CASE No. 16/00222/ENF)

The Committee considered the report of the Deputy Chief Executive. The Planning Committee had refused the application at 25 January 2017 meeting. The Planning Committee were therefore asked to consider the enforcement options available, which were detailed within the report.

(Summary provided in accordance with 100C(2) of the Local Government Act 1972).

The meeting closed at 7.00pm