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Thursday, 8 December 2022

Dear Member,

Please find attached the Schedule of Communication to be considered at the 8 December 2022, Planning Committee.

Yours sincerely

Catharine Saxton
Democratic Services Officer

Schedule of Communication Received after Printing of Agenda

Item	Correspondent	Date	Points Raised (Summary)	Officer's Response
5 22/01331/FUL Land Adj to Fosse Road, Farndon	Flood Risk Assessment Author – Mr	6 th December 2022	<p><i>In my opinion the increase at 3mm (as stated by the author) is still an increase in flood zone 2 and within an area comprising of more vulnerable development (residential) of both two storey and single storey dwellings, where the impact would be put upon them. This is contrary to the NPPF and the PPG and is therefore not acceptable.</i></p> <p>However, for a proposed dwelling in Fiskerton which was in Flood Zone 3, so worse than your proposal, I produced analysis in my FRA, and it showed that the increase was 4mm, 1mm more than your proposal, and this was accepted by the Environment Agency, and they removed their objection.</p> <p>Also in my recent email I confirmed that the average depth of flooding on the access road was 150mm, with the maximum depth being 300mm adjacent to Fosse Road. So if there are still concerns over the loss of floodplain storage we could leave the access road at existing land levels and accept that in extreme circumstances there could be 300mm depth of water, which would be considered as being safe, to travel through.</p>	<p>The comments are noted however they do not change the recommendation or the narrative for the recommendation to Members. Leaving the access road, which is in Flood Zone 2, at the existing ground level would still result in land occupied within the floodplain without any sufficient land compensation or permeability. The NPPF (para 164) is clear that the development should be safe for its lifetime, without increasing flood risk elsewhere. The PPG latest update from August 2022 states where increases occur, mitigation should be provided within the FRA.</p> <p>The EA have not raised an objection to the proposal subject to the imposition of a condition, however the LPA assessment against the PPG does not differ given this late information.</p> <p>Other developments which have been allowed in FZ2 should only be considered on a case by case basis and I do not consider it sets a precedence in this case.</p>
Agenda Page 2 22/01527/FUL Lurcher Farm Farn, Mansfield Road, Farnsfield	Agent	02.12.2022	<p>BS5837 Arboricultural Report & Impact Assessment prepared by Anderson Associates (Ecology & Arboriculture) Ltd dated December 2022 submitted for consideration</p> <p>Officer acknowledged receipt and queried how the applicant intends to address the report recommendations. Answers in red below:</p> <p><u>Summary of Recommendations</u></p> <p><input type="checkbox"/> Ideally adjust the proposed drive to avoid the RPA of G1. If this isn't possible, limit the extent of works in the RPA as</p>	<p>The submitted tree report and follow-up responses do not change the officer recommendation to refuse this application, albeit the wording of Reason for Refusal 2 is recommended to be slightly revised.</p> <p>Specialist advice has also been sought from the Council's Tree & Landscape Officer and their comments are as follows:</p> <ol style="list-style-type: none"> 1. It is presumed bund noted within group G1 is existing, not proposed, noting the changes to road layout from 2019 ariel

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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Agenda Page 3</p>			<p>much as practicable and avoid cutting into the existing bund. Undertake further investigations to determine if need hand dug construction.</p> <p><input type="checkbox"/> Protect the retained trees by installing protective barrier fencing around RPAs and crowns which act as work exclusion zones. Barrier fencing to be erected as per standard protocol for RPAs.</p> <p><input type="checkbox"/> Use hardstanding areas where possible for storage of plant and materials as well as providing a site for parking, deliveries, mixing materials, welfare facilities etc. The proposed parking and immediate drive area can act as a hard standing area for the above.</p> <p><input type="checkbox"/> Any new utilities should be designed to avoid RPAs where possible. Contractor informed to follow this instruction.</p> <p><input type="checkbox"/> Tree works should be carried out by a suitably qualified arborist in accordance with best practice. No tree works proposed. Arborist to be brought in if any works needed within RPAs.</p> <p><input type="checkbox"/> New tree planting could be integrated into the scheme as an enhancement. To be considered if planners deem necessary.</p>	<p>photography.</p> <p>2. Red/blue line plan, it is noted the poplar trees (G1) are under the sites ownership but excluded from the application site, this excludes them from planning conditions not allowing protection and retention should permission be granted.</p> <p>3. G1 is considered visually important, unfortunately due to past pruning, works around trees base, the tree health, they are not considered a reasonable long-term retention, as such screening from this aspect should not be regarded. Should permission be granted a landscaping condition is suggested to allow a viable screen to be established and a TPO to ensure its long-term retention.</p> <p>4. Drawing 21-2327.(02)-102</p> <ol style="list-style-type: none"> a. access road appears to go through G1 requiring the removal of all trees to facilitate the new access road, this is in contradiction to the tree survey. b. Notation on drawing shows existing tree central to drive way, tree not shown on tree survey. c. Car parking area is placed directly into retained hedgerow G2. d. Sleeper retaining wall noted to south of drawing, this acknowledges level changes but does not show the underlying engineering works or impact on retained trees.

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<p>Agenda Page 4</p>				<p>5. G2 conifer hedge close proximity to Western aspect of property not protectable as such they should not be considered as long-term retention.</p> <p>6. G3 appears to be located on a spoil heap, given poor stability to mature trees, and thus not a suitable for long-term retention.</p> <p>7. Levels - proposed North elevation clearly shows ground level changes (estimated at 1-2m).</p> <p>8. Site photos, these show trees not shown on tree survey.</p> <p>9. Contaminated soil, it is noted that there is the potential for soil contamination on site, this can require the removal of contaminated material within the RPA of retained trees.</p> <p>In brief, the tree survey appears not to have identified all existing trees, not acknowledged ground level changes, contaminated soils and contradicts the submitted drawings. It is suggested the proposal will require the removal of the majority of trees immediate to / adjacent to the dwelling (within 10m). The submitted red line plan does not allow sufficient room for reasonable landscape mitigation, giving open views of the property from key public view points.</p> <p>In light of the Tree & Landscape Officer's comments, it is recommended that the second reason for refusal is amended as follows (strikethrough text used to represent parts of</p>

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Agenda Page 5				<p>the reason no longer required and bold text used to indicate new wording):</p> <p>02 The Development Plan outlines that where a site contains or is adjacent to features of natural importance, such as trees and hedges, proposals should take account of their presence and wherever possible incorporate or enhance them as part of the scheme of development, as this can help integrate new development into the existing landscape. In the absence of a BS 5837:2012 compliant tree survey, The Local Planning Authority considers the proposal submitted tree survey report and impact assessment has failed to take account of the presence of all features of natural importance and potential changes in levels. Furthermore, the submitted tree survey report suggests that trees the proposal is reliant upon for screening purposes will not be retained in the long term. The proposal therefore fails to and maximise opportunities for conserving existing trees on site. Furthermore, it has not been demonstrated that root protection areas of trees and hedgerows would not be indirectly harmed by the development, which could result in a negative impact upon the rural character and biodiversity of</p>

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				<p>the area. In addition, a bat roost has been identified within the building to be demolished, but it is unclear, from the submission, whether a Natural England Bat Mitigation Licence would be granted as not all the derogation tests have been demonstrated to be passed.</p> <p>The proposal is therefore fails to duly consider impacts on the natural environment and is contrary to the Development Plan namely, Core Policy 12 (Biodiversity and Green Infrastructure) of the adopted Newark and Sherwood Amended Core Strategy DPD (adopted March 2019) and Policies DM5 (Design) and DM7 (Biodiversity and Green Infrastructure) of the adopted Allocations & Development Management DPD (adopted July 2013) as well as the NPPF and The Conservation of Habitats and Species Regulations 2017, which are material planning considerations.</p>
<p>22/01527/FUL Lurcher Farm Barn, Mansfield Road, Farnsfield</p>	<p>Officer</p>	<p>07.12.2022</p>	<p>Amendment to Committee Report at Agenda Page 28: The developer must also apply to the LPA for a determination as to whether prior approval is required for:</p> <ul style="list-style-type: none"> • The provision of adequate natural light in all habitable rooms of the dwellinghouse 	<p>Members of the committee should note this was omitted in error.</p>
<p>6</p>	<p>Officer</p>	<p>07.12.2022</p>	<p>Impact on amenity of future occupiers</p>	<p>The proposed new dwelling would be sited adjacent to a working farmyard with a large</p>

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22/01527/FUL Lurcher Farm Barn, Mansfield Road, Farnsfield				<p>agricultural building, which officers understand is used for storing grain and agricultural machinery. As part of the previous prior approval application the case officer noted that the level of agricultural activity surrounding the site does not appear to be significant and whilst there would be some vehicle movement and activity associated with the adjacent use, this would not be to a level that would cause significant issues of noise and disturbance to future occupiers of the proposed new dwelling, whether related to the existing farm business or not.</p> <p>Based on the previous assessment, it is considered that future occupiers would be aware of the close relationship with the adjacent working farmyard and therefore potential adverse impacts on amenity of future occupiers would not be a reason in itself to refuse the application.</p>
22/01858/S73M and North of Balloughton, Southwell	Agent	30.11.2022	Proposed photomontages showing the addition of the two Point of connection (POC) masts and omission of one pylon (see Appendix A) from VP4 (from PRow 209/74/1) at Years 1 and 5 of the proposed development.	These photomontages reinforce the Officer Annotation on the photomontage of VP4 shown in the Committee Report at Agenda Page 47 and therefore support the assessment as detailed in the report.
22/01858/S73M Land North of	Agent	30.11.2022	The Agent would like Members to be aware of the following points to support the reasoning behind the need for the POC masts proposed: "A number of technological advancements have been made	Noted. Most of these points are covered in the Committee Report and do not alter the Officer's assessment.

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Halloughton, Southwell			<p>since the original planning application was lodged, which transform the way new connections to the high voltage electricity distribution network are delivered.</p> <p>Point of connection (POC) masts, which have only very recently been introduced to the UK market, allow for safer, faster and more affordable connections to the grid and offer a significantly improved method of connection to the grid for both District Network Operators (DNOs) and renewable energy developers.</p> <p>The key benefits include:</p> <ul style="list-style-type: none"> • Significantly reduced circuit outage times for installation as the existing pylon does not need to be replaced. The POC masts are erected alongside the existing overhead line resulting in only one outage requirement to connect it to the overhead line. Traditional pylon replacement methods of connection require two outage periods of longer duration • Improved safety during construction – reduced time spent working at height • Removes the need for crane/heavy lifting operations as a hydraulic ram is utilised instead • Considerable cost savings against traditional methods – no requirement to replace or modify existing towers • Removes the need for temporary diversions saving time, money and reducing risk • Minimal environmental impact – screw anchor foundations negate the need for deep excavations – typically saves more than 30 tonnes of concrete • Speed of completion, taking less than 20-weeks from concept to completion • Low maintenance as it's fully galvanised, with a design life 	

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			of 40-years.”	
8 22/00874/HOUSE Meadow Farm Greaves Lane Edingley NG22 8BL	Agent	2 nd December 2022	Request for application to be determined at committee without the amendments submitted 21st November 2022.	Noted. Awaiting reasoning and what exactly the agent wishes to be considered.
8 22/00874/HOUSE Meadow Farm Greaves Lane Edingley NG22 8BL	Agent	5 th December 2022	Design Document submitted for consideration by the Planning Committee. The conclusion states that whilst the applicants appreciate that to commence work prior to a decision being granted is a risk, this was seen as a calculated risk due to the positive feedback from the case officer.	Noted. In summary, Section “1.0 Design” discusses the difference between a PD scheme with the scheme as built. Officer response to the ‘Compliant with PD’ section is outline in red below. – The rear extension could be built, but up to 3m off the original rear wall <i>Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.</i> <i>A.3 Development is permitted by Class A subject to the following conditions:-</i> <i>(a) would the materials used in any exterior work (other than materials used in the construction of a conservatory) be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse</i> The materials used in the exterior work are oak timber cladding. Therefore this element does not comply with Condition A.3 (a) and would not constitute permitted development if built to

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<p>Agenda Page 10</p>				<p>the PD dimensions.</p> <p><i>(b) would any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse be:-</i></p> <p><i>(i) obscure-glazed, and</i></p> <p><i>(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed;</i></p> <p><i>The existing upper floor windows are not obscurely glazed and therefore do not comply with condition A.3(b) and would not constitute permitted development if built to the PD dimensions.</i></p> <p><i>(C) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, would the roof pitch of the enlarged part, so far as practicable, be the same as the roof pitch of the original dwellinghouse.</i></p> <p><i>The existing roof pitch of the original dwelling is approximately 56.91 degrees. The two storey rear extension is approximately 43.4 degrees and therefore, even if built to PD dimensions, would not comply with condition A.3 (c).</i></p> <ul style="list-style-type: none"> <i>– The front porch could be built, but with a max ridge of 3m and a total GEA of 3m</i> <p><i>The porch is already built beyond the permitted</i></p>

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<p>Agenda Page 11</p>				<p><i>limits. The application now proposes no amendments to this element meaning the porch is <u>not</u> PD.</i></p> <ul style="list-style-type: none"> <i>– The cladding of the former garage could be done under PD as this is similar to the horizontal boarded garage door that it replaces.</i> <p><i>Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.</i></p> <p><i>A.3 Development is permitted by Class A subject to the following conditions:-</i></p> <p><i>(a) would the materials used in any exterior work (other than materials used in the construction of a conservatory) be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse</i></p> <p><i>Replacing a garage door with cladding as the external facing material would not be classed replacing 'like for like' as the two elements are separate entities. The converted garage space, with the external cladding, therefore does not comply with condition A.3 (a) and is not permitted development.</i></p> <ul style="list-style-type: none"> <i>– The proposed detached garage complies with PD</i> <p><i>Agreed. As stated within the Officer's Report.</i></p> <ul style="list-style-type: none"> <i>– The side extension complies with PD rules</i>

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Agenda Page 12				<p><i>Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.</i></p> <p><i>A.3 Development is permitted by Class A subject to the following conditions:-</i></p> <p><i>(a) would the materials used in any exterior work (other than materials used in the construction of a conservatory) be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse</i></p> <p><i>Again, the oak timber cladding as the external material is not considered to be of similar appearance to the existing dwellinghouse which was red facing brick. This element of the proposal therefore is not permitted development as it does not comply with condition A.3 (a).</i></p> <p><i>It is also worth noting that all windows and doors have been replaced, as stated within the Officer's Report. These windows and doors are not considered to be of 'similar appearance' and therefore this adds another element as to why the unauthorised elements (apart from the proposed detached garage) are not permitted development.</i></p> <p>Officer recommendation remains unchanged.</p>
8 22/00874/HOUSE	Agent	6 th December 2022	Plans to now be considered as part of the application: - Proposed Elevations, ref 19.183 S03.03 Rev C. Received 6 th December 2022.	Noted. The committee is now to consider the scheme

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Meadow Farm Greaves Lane Edingley NG22 8BL			<ul style="list-style-type: none"> - Proposed Garage Floor Plans and Elevations, ref 19.183 S03.04. Received 6th December 2022. - Proposed Site Location Plan, ref 19.183 S03.05. Received 6th December 2022. - Proposed Floor Plans, ref 19.183 – S03.01 Rev C. Received 6th December 2022. - Proposed Elevations, ref 19.183 S03.02 Rev C. Received 6th December 2022. - Proposed Site Location and Block Plan, ref 19.183 S03.04. Received 6th December 2022. - Proposed and PD Comparison, ref 19.183 S03.07. Received 6th December 2022. - Design Statement, ref 19.183. <p>As the scheme is largely built out, the agent and applicant would rather try and get an approval through committee due to the financial implications any changes will have. The agent also believes the proposal is acceptable and in keeping with the surroundings.</p>	<p>as built, without the amendments proposed (as submitted on the 21st November 2022). Please disregard the Proposal sections referencing 'Front Elevation Now Proposed' and 'Rear Elevation Now Proposed'.</p> <p>Officer recommendation remains unchanged.</p>



Camera make & model - Canon 5D Mark III
 Lens make & focal length - Canon EF 50mm, f/1.4 USM
 Date & time of photograph - 23/08/2019 @ 13:33
 OS grid reference - 468611, 352455

Viewpoint height (AOD) - 78m
 Distance from site - 123m
 Projection - Cylindrical
 Sheet Size - A1

Visualisation Type - Type 1
 Horizontal Field of View - 75°
 Height of camera AGL - 1.5m
 Page size / Image size (mm) - 841 x 297 / 820 x 240

VIEWPOINT 4 - EXISTING VIEW
View from PRoW bridleway 209/74/1, looking south



Camera make & model - Canon 5D Mark III
Lens make & focal length - Canon EF 50mm, f/1.4 USM
Date & time of photograph - 23/08/2019 @ 13:33
OS grid reference - 468611, 352455

Viewpoint height (AOD) - 78m
Distance from site - 123m
Projection - Cylindrical
Sheet Size - A1

Visualisation Type - Type 3
Horizontal Field of View - 75°
Height of camera AGL - 1.5m
Page size / Image size (mm) - 841 x 297 / 820 x 240

VIEWPOINT 4 - PHOTOMONTAGE VIEW (YEAR 1)
 View from PRow bridleway 209/74/1, looking south



Camera make & model - Canon 5D Mark III
Lens make & focal length - Canon EF 50mm, f/1.4 USM
Date & time of photograph - 23/08/2019 @ 13:33
OS grid reference - 468611, 352455

Viewpoint height (AOD) - 78m
Distance from site - 123m
Projection - Cylindrical
Sheet Size - A1

Visualisation Type - Type 3
Horizontal Field of View - 75°
Height of camera AGL - 1.5m
Page size / Image size (mm) - 841 x 297 / 820 x 240

VIEWPOINT 4 - PHOTOMONTAGE VIEW (YEAR 5)
 View from PRow bridleway 209/74/1, looking south

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6 22/01527/FUL Lurcher Farm Barn, Mansfield Road, Farnsfield	Agent	02.12.2022	<p>Further to yesterday's circulation of late items. A further revision of the second reason for refusal is suggested for clarity.</p> <p>In addition, an additional plan is attached which relates to the consultation response from the Tree/Landscape Officer</p>	<p>The Development Plan outlines that where a site contains or is adjacent to features of natural importance, such as trees and hedges, proposals should take account of their presence and wherever possible incorporate or enhance them as part of the scheme of development, as this can help integrate new development into the existing landscape. In the absence of a BS 5837:2012 compliant tree survey, The Local Planning Authority considers the proposal submitted tree survey report and impact assessment has failed to take account of the presence of all features of natural importance and potential changes in levels which will likely have impact on landscaping and the row of conifers to the west in particular. Furthermore, the submitted tree survey report suggests that the proposed drive should be adjusted to avoid the root protection area of G1 (row of poplar) trees on which the proposal is reliant upon for screening purposes cannot be retained in the long term. The scheme fails to provide sufficient space within the application site for any mitigation planting required to overcome these concerns. The proposal therefore fails to and maximise opportunities for conserving existing trees and landscaping on and off site. Furthermore, it has not been demonstrated that root protection areas of trees and hedgerows within the vicinity would not be indirectly harmed by the development, which could result in a negative impact upon the rural character and biodiversity of the area. In addition, a bat roost has been identified within the building to be demolished, but the application has failed to demonstrate how it meets and/or passes the derogation tests required under the Conservation of Habitats Species Regulations 2017 it is unclear, from the submission, whether a Natural England Bat Mitigation Licence would be granted as not all the</p>

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				<p>derogation tests have been demonstrated to be passed.</p> <p>The proposal is therefore fails to duly consider impacts on the natural environment and is contrary to the Development Plan namely, Core Policy 12 (Biodiversity and Green Infrastructure) of the adopted Newark and Sherwood Amended Core Strategy DPD (adopted March 2019) and Policies DM5 (Design) and DM7 (Biodiversity and Green Infrastructure) of the adopted Allocations & Development Management DPD (adopted July 2013) as well as the NPPF and The Conservation of Habitats and Species Regulations 2017, which are material planning considerations.</p>

Figure 3: Tree Constraints Plan

- Key**
- T1 Tree Ref
 - Stem Line
 - A Category Tree
 - B Category Tree
 - C Category Tree
 - U Category Tree
 - Root Protection Area

Title
Lurcher Farm, Farnsfield - Tree Constraints Plan

Drawing Ref. 0068/01/TCP
Revision 01

Date
2nd December 2022

Illustrated in accordance with BS5837:2012
Trees in relation to design, demolition and construction - Recommendations.

Note: Tree positions approximate as no topographical plan available.

