



*Castle House  
Great North Road  
Newark  
NG24 1BY*

*Tel: 01636 650000*

[www.newark-sherwooddc.gov.uk](http://www.newark-sherwooddc.gov.uk)

**Wednesday, 8 January 2025**

**Chair: Councillor A Freeman  
Vice-Chair: Councillor D Moore**

**Members of the Committee:**

**Councillor A Amer  
Councillor C Brooks  
Councillor L Dales  
Councillor S Forde  
Councillor P Harris  
Councillor K Melton  
Councillor E Oldham**

**Councillor P Rainbow  
Councillor S Saddington  
Councillor M Shakeshaft  
Councillor T Smith  
Councillor L Tift  
Councillor T Wildgust**

<b>MEETING:</b>	<b>Planning Committee</b>
<b>DATE:</b>	<b>Thursday, 16 January 2025 at 4.00 pm</b>
<b>VENUE:</b>	<b>Civic Suite, Castle House, Great North Road, Newark, NG24 1BY</b>

**You are hereby requested to attend the above Meeting to be held at the time/place  
and on the date mentioned above for the purpose of transacting the  
business on the Agenda as overleaf.**

If you have any queries please contact Catharine Saxton on [catharine.saxton@newark-sherwooddc.gov.uk](mailto:catharine.saxton@newark-sherwooddc.gov.uk).

**AGENDA**

(j) Schedule of Communication

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**Schedule of Communication Received after Printing of Agenda**

Item	Correspondent	Date	Points Raised (Summary)	Officer's Response
<p><b>5. Land to the West of Main Street, Kelham</b></p>	<p>John Hinchliff</p>	<p>14/01/2025</p>	<p>Correspondence received objecting to the proposals on the basis that:</p> <p>That there is another appeal decision highlighting that the use of Grade 2 agricultural land was not justified.</p> <p>The 2024 Planning Inspectorate decision at Lullington, Derbyshire is not mentioned. When BMV land was a consideration in dismissing the appeal</p> <p>Modern BESS facilities do not need to be within 3km of a substation as the applicant claims. They only need to be near the transmission system (overhead cables). Siting the development elsewhere on poorer quality land and connecting to overhead cables would also avoid digging up most of the roads in Averham for underground cabling.</p> <p>Staythorpe C Power Station, its existing infrastructure, substation and transmission network need to be added to the list of cumulative impacts.</p> <p>At this stage I don't know if anyone from the Parish Council will address the committee, the</p>	<p>These matters are addressed in the report.</p> <p>Specifically in relation to other appeal highlighted it should be noted each application is considered on its merits depending upon the facts and degree of the proposals.</p> <p>Other planning authorities have a different and specific policies in respect of not developing on the best and most versatile agricultural land quality. Furthermore, the highlighted appeal from 2023 relies on a Written Ministerial Statement (from 2015) as one of the main consideration of the appeal. This no longer carries significant weight in the decision making process given the change in Government and the publication of more recent planning guidance and policy (as detailed in the NPPF 2024).</p> <p>In relation to the location of the BESS facilities, it is a requirement to consider the proposals that have been submitted and not an alternative form of development. An alternative site assessment is considered it the committee report, but from experience BESS facilities are generally now located as part solar developments given the nature of how the generate power.</p>

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**PLANNING COMMITTEE 16 JANUARY 2025**

**Schedule of Communication Received after Printing of Agenda**

Item	Correspondent	Date	Points Raised (Summary)	Officer's Response
			current chair is John Miller, the landowner for the proposed development. In the absence of a speaker I urge you to read the attached Parish Council comments.	
<b>5. Land to the West of Main Street, Kelham</b>	Mrs Kira Green	14/01/2025	<p>Objects to the proposals on the basis that:</p> <ul style="list-style-type: none"> <li>- The committee reports disregards the cumulative effect of the GNR solar NSIP application which is now at formal consultation stage and includes most of Kelham.</li> <li>- If the proposed Kelham solar plus the GNR both go ahead there will be nothing rural left of the landscape in my beautiful village.</li> </ul>	<p>The cumulative effects of the proposals are already considered within the committee report.</p> <p>The objector indicates that the Great North Road (GNR) Solar Farm should be included in the cumulative assessment but as stated in the report, the initial proposals have not been formally submitted to the Planning Inspectorate and is not therefore a consideration in terms of the cumulative impact. If the application is approved, it would be requirement of the GNR to consider this proposed development in terms of the cumulative effects.</p>
<b>6. Land to the West of Main Street, Kelham</b>	Mr Andrew Fereday	13/01/2025	<p>Objects to the proposals on the grounds that the:</p> <ul style="list-style-type: none"> <li>- Development would be on good quality agricultural land</li> <li>- A46 Bypass flood compensation design still to be concluded</li> <li>- Cumulative effect of developments in and around the parishes of Averham, Kelham and</li> </ul>	<p>This matter already considered in detail in the committee report (para 7.19 – 7.46).</p> <p>In relation to the flood compensation design details, the applicant has removed development from the affected field and has set development back from the public road so that the flood compensation areas would not be affected. The Environmental Agency and National Highway do not object to this approach.</p>

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**Schedule of Communication Received after Printing of Agenda**

Item	Correspondent	Date	Points Raised (Summary)	Officer's Response
			<p>Staythorpe</p> <p>And therefore, the development is contrary to planning policy</p>	<p>The objector indicates that the Great North Road (GNR) Solar Farm should be included in the cumulative assessment but as stated in the report, the initial proposals have not been formally submitted to the Planning Inspectorate and is not therefore a consideration in terms of the cumulative impact. If the application is approved, it would be a requirement of the GNR to consider this proposed development in terms of the cumulative effects.</p>
<p><b>5. Land to the West of Main Street, Kelham</b></p>	<p>Applicant</p>	<p>13/01/2025</p>	<p>Notes for the avoidance of doubt that the finalised layout plans relate to Plan reference HC1002 05 03 REV 4 Site Layout, which includes 1.3ha removed so that there would be no proposed development in any flood mitigation area (associated with the A46 by pass).</p> <p>It would also reduce the affected Best and Most Versatile (BMV) lane affects.</p>	<p>Noted.</p>
<p><b>Land to the West of Main Street, Kelham</b></p>	<p>Applicant</p>	<p>13/01/2025</p>	<p>Notes that the proposed condition number 5 should relate to bridleways and not footpaths as it can be used by cyclists and horses, etc</p>	<p>The condition can be updated to replace the reference to footpaths to bridleway</p>
<p><b>Land to the West of Main Street, Kelham</b></p>	<p>Applicant</p>	<p>13/01/2025</p>	<p>Notes that the proposed condition number 5 restrict access for construction and operation from Broadgate Lane to the north of the site. The applicant highlights that the Trent Valley Drainage Board will still need access to maintain</p>	<p>The condition should therefore be updated as following:</p> <p>There shall be no vehicular or pedestrian access <i>associated with the development hereby</i></p>

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**Schedule of Communication Received after Printing of Agenda**

Item	Correspondent	Date	Points Raised (Summary)	Officer's Response
			<p>their ditches that run through the site. Whilst they agreed to no access for the construction and operation of the proposed development they suggest that the wording be updated to reflects the exiting and future access required for Trent Valley Drainage Board</p>	<p><i>approved</i> into the development site via Broadgate Lane.</p> <p>Reason: To prevent development traffic from using Broadgate Lane for access, or for parking in connection with access, to the proposed development in the interest of residential amenity and highway safety.</p>
<p><b>5. Land to the West of Main Street, Kelham</b></p>	<p>Applicant</p>	<p>13/01/2025</p>	<p>Highlights that there is a typo in condition 14 and should be updated.</p>	<p>Noted, the conditions should be:</p> <p>Notwithstanding the submitted Soil Resources and Management Plan (Land Research Associates Report 1909/3, May 2024), an updated report shall be submitted to and approved by the Local Planning Authority before development commences that shall have regard to the Institute of Quarrying Good Practice Guide for Handling Soils in Mineral Working, British Society of Soil Science Guidance Notes, in particular the note titled 'Benefitting from Soil Management in Development and Construction'. It shall also include:</p> <ul style="list-style-type: none"> <li>a) An assessment of agricultural land and soil resource at the site pre-construction, restoration details of ALC graded agricultural land included in the SMP;</li> <li>b) An aftercare programme which would enable a satisfactory standard of</li> </ul>

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Agenda Page 7				<p>agricultural after-use <i>to be reached</i>;</p> <p>c) Details of how the Agricultural Impact Assessment (Jan 2024) informs the SMP to maintain agricultural production to the same standard after decommissioning;</p> <p>d) The methods by which the applicant intends to restore appropriate affected areas to agricultural use after works including excavations and restoration has finished; and</p> <p>e) Remediation in the event of compaction (inc cultivating, reseeding, draining or irrigating, applying fertiliser, or cutting and grazing the site)</p> <p>Thereafter, the development hereby approved shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure soil quality is suitable maintained of the lifetime of the development and to ensure that its appropriately can be effectively restored to agricultural use, with no change in the agricultural capability (ALC grade) of the land.</p>

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<p><b>5. Land to the West of Main Street, Kelham</b></p>	<p>Colin George</p>	<p>09/01/2025</p>	<p>Objection received on the basis that:</p> <ul style="list-style-type: none"> <li>- The residents of Kelham, and in particular Broadgate Lane would be disproportionately affected by the prospective new solar developments</li> <li>- The village will already be surrounded by the Great North Road (GNR) solar project</li> <li>- It would have considerable detrimental and negative impact on the character and appeal of the area and the value of our properties in the future.</li> <li>- The area along Broadgate Lane offers a public footpath would be destroyed.</li> <li>- Would adversely affect road which are already dangerous.</li> <li>- Should be located elsewhere</li> </ul>	<p>These matters are already covered in the associated committee report particularly the detailed assessment on the landscape and visual impact associated with the proposed development (from para 7.66) together with the assessment on residential amenity (from para 7.165) all of which feeds into the planning balance section (Section 9).</p>