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Dear Councillor

**FULL COUNCIL - TUESDAY, 9TH OCTOBER, 2018**

I now enclose, for consideration the following reports that were unavailable when the agenda was published.

**Agenda No    Item**

12      k)      Planning Committee - 2 October 2018 (Pages 2 - 13)

## 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 October 2018 at 4.00 pm.

PRESENT: Councillor D Payne (Chairman)  
Councillor P Handley (Vice-Chairman)

Councillor Mrs K Arnold, Councillor R Blaney, Councillor Mrs C Brooks,  
Councillor B Crowe, Councillor Mrs M Dobson, Councillor J Lee,  
Councillor Mrs P Rainbow, Councillor F Taylor, Councillor Mrs L Tift,  
Councillor I Walker, Councillor B Wells and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor P Duncan

### 90 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor D.R. Payne, I. Walker and B. Wells declared Personal Interests in Agenda Item No. 5 – Kelham Hall Ltd, Kelham Hall, Main Road, Kelham, Nottinghamshire (17/02071/FULM) as they were Members of the Trent Valley Internal Drainage Board.

### 91 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

### 92 MINUTES OF THE PREVIOUS MEETING

The Committee considered the minutes of the meeting held on 4 September 2018.

AGREED (with 13 votes for and 1 vote against) that the minutes of the meeting held on 4 September 2018 be approved as a correct record and signed by the Chairman.

*(Councillor P. Handley requested that his vote be recorded against the Minutes).*

### 93 ORDER OF BUSINESS

With the agreement of the Committee, the Chairman changed the order of business as follows: Agenda Item No. 8; 10; 12; 11; 14; 15; 5; 6; 7; 13; the agenda resumed its stated order thereafter.

### 94 LAND AT NEW LANE, BLIDWORTH, NG21 0PH (17/02326/FULM)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought 99 new dwellings with associated access, earthworks and other ancillary and enabling works.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from Nottinghamshire County Council Highways.

The Schedule of Communication asked for the amendment of Condition 21 to read:

Prior to the commencement of any development above slab level the Highway works as shown for indicative purposes only on drawing SK006-2B shall be substantially completed. The works will need to be agreed and implemented to the satisfaction of the Local Planning Authority in consultation with the Highways Authority.

Reason: To provide adequate & safe access to the site.

The implications of the need for the TRO towards the junction in terms of the impact on existing businesses and available parking provision weighs negatively in the overall planning balance.

Councillor Bill Bates representing Blidworth Parish Council spoke against the application in accordance with the views of Blidworth Parish Council as contained within the report.

Members considered the application and it was commented that the report indicated that this site in 2010 was unsuitable for the SHLAA, it was questioned why the site was now suitable. The Lane leading up to the development also raised concern as Blidworth did not have a car park and visitors to the shops parked on this road side which made the Lane very narrow and busy. It was felt that if car parking was restricted within this area the shops would not survive. It was also commented that Cycle Route 6 went up the Lane. It was felt that there were other areas of land within Blidworth that were more suitable, without spoiling a beautiful green area. It was further commented that whilst the acreage of the site may be sufficient to take 99 dwellings, the topography of the site was not adequate. The proposed layout of the bungalows adjacent to the bungalows on Marklew Close was considered inappropriate due to the land levels on the site. The arrangement for car parking on the estate was also considered inappropriate, as residents would park on the road side if their parking space was not next to their property. The public footpath which was reported to be well used had been re-routed and previously led to a recreational area in the village. There were no safety measures for children in that area and no play area on that site. The public transport within Blidworth was a limited service terminating at 6pm. Members further questioned who would maintain the green sink hole/drainage area in the centre of the site and the buffer between the bungalows on Marklew Close.

A Member commented that whilst this site was an allocated site, the principle had been established and accepted through the Core Strategy, the detail before the Committee was not acceptable and was not sustainable.

The Business Manager Growth & Regeneration confirmed that the traffic regulation order was a separate process with Nottinghamshire County Council and in the event

that the committee were minded to approve, that process had to be completed before commencement of the development in accordance with a recommended condition.

AGREED (unanimously) that contrary to Officer recommendation full planning permission be refused for the following reasons:

Notwithstanding the site being allocated for development, the proposals advanced represent a heavily compromised scheme, the various elements of which would have an unacceptable cumulative impact, representing an unsustainable form of development which tips a balance determinatively in planning terms.

Those compromises are the lack of ability to meet required developer contributions, detrimental impacts on neighbouring residential amenity (to properties on Marklew Close), a poor layout and design and negative impacts upon the highway network.

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

<b>Councillor</b>	<b>Vote</b>
Mrs K. Arnold	For
R.V. Blaney	For
Mrs A.C. Brooks	For
R.A. Crowe	For
Mrs M. Dobson	For
P. Duncan	Absent
G.P. Handley	For
J. Lee	For
D.R. Payne	For
Mrs P. Rainbow	For
F. Taylor	For
Mrs L.M.J. Tift	For
I. Walker	For
B. Wells	For
Mrs Y. Woodhead	For

95 LAND AT ENFIELD COURT, HARBY, NOTTS (18/01217/OUT)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought the demolition of the existing barn, erection of 4 No. dwellings and associated carports/garages.

Councillor Mrs C. Nolan, Chairman of Harby Parish Council, spoke in support of the application in accordance with the views of Harby Parish Council as contained within the report.

Members considered the application appropriate and felt that small developments

like this were necessary in small villages, to keep villages alive and support local schools. There were ample facilities available and a car sharing scheme run by the villagers.

AGREED (unanimously) that contrary to Officer recommendation full planning permission be granted subject to reasonable conditions delegated to the Business Manager Growth & Regeneration.

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

<b>Councillor</b>	<b>Vote</b>
Mrs K. Arnold	For
R.V. Blaney	For
Mrs A.C. Brooks	For
R.A. Crowe	For
Mrs M. Dobson	For
P. Duncan	Absent
G.P. Handley	For
J. Lee	For
D.R. Payne	For
Mrs P. Rainbow	For
F. Taylor	For
Mrs L.M.J. Tift	For
I. Walker	For
B. Wells	For
Mrs Y. Woodhead	For

96 3 COUNCIL HOUSES, HIGH STREET, HARBY, NOTTS, NG23 7EB (18/01382/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought full planning approval for the erection of 1 No. market dwelling on land currently used as amenity space for no. 3 Council House. The proposal sought to provide a detached two storey 4 no. bedroom dwelling with a detached double garage with one bay serving the new dwelling and the other for the use of occupiers of no. 3 Council House.

Councillor Mrs C. Nolan, Chairman of Harby Parish Council, spoke in support of the application in accordance with the views of Harby Parish Council as contained within the report.

Members considered the application and it was commented that the design was good and was in character with the neighbouring cottages.

AGREED (unanimously) that contrary to Officer recommendation, full planning permission be granted, subject to reasonable conditions delegated to the Business Manager Growth & Regeneration.

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

<b>Councillor</b>	<b>Vote</b>
Mrs K. Arnold	For
R.V. Blaney	For
Mrs A.C. Brooks	For
R.A. Crowe	For
Mrs M. Dobson	For
P. Duncan	Absent
G.P. Handley	For
J. Lee	For
D.R. Payne	For
Mrs P. Rainbow	For
F. Taylor	For
Mrs L.M.J. Tift	For
I. Walker	For
B. Wells	For
Mrs Y. Woodhead	For

97 BALDERTON WORKING MEN'S CLUB AND INSTITUTE, 69 MAIN STREET, BALDERTON (18/01241/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought the retention of the north-western wing and the conversion to a dwelling including external alterations (Unit 4) (Retrospective).

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

Members considered the application and it was felt that the applicant had disregarded the previous planning permission. Members commented that if consent was granted for this application the previous consent granted would not be able to be completed. The removal of the northern wing had not been undertaken, which would allow amenity space. The conditions did not specify the rendering of the breeze block wall to the rear of the building. Members considered the site to be a mess and sought deferral in order for the Planning Case Officer to discover the legal position regarding non-compliance with the approved plan on the previously approved permission and then potential discussions with the applicant regarding possible reduction of the scheme elsewhere on the site to compensate for the loss of amenity space.

AGREED (unanimously) that the item be deferred in order for the Planning Case Officer to discuss improvements to the site with the developer.

98 CRANE COTTAGE, 38 MAIN STREET, FARNDON, NEWARK ON TRENT, NOTTINGHAMSHIRE, NG24 3SA (18/01508/FUL) AND (18/01509/LBC)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought full planning permission for the installation of a clock tower at the end of the hipped roof of the single storey

garage, the application was a resubmission of an application refused in June 2018. Application 18/01508/FUL and 18/01509/LBC were considered together.

Application 18/01509/LBC sought listed building consent.

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

Councillor N. Mison, local Ward Member for Farndon & Fernwood spoke in support of the application on the grounds of less than substantial harm. The level of support from the local community was high, with 89 letters of support and also the support of Farndon Parish Council. The clock tower would provide a facility to the public. He felt that the local knowledge and support outweighed any harm. The clock tower would be an asset to Farndon and five roads came into one at this point and would become a central feature for the village.

Members considered the application and whilst some Members thought that the clock tower was nice and was an improvement to surrounding aeries and chimneys, other Members considered the clock tower a monstrosity and out of character and the comments of the Conservation Officer should be taken on board. It was further suggested that if the Committee were minded to approve the application the clock should not be illuminated.

AGREED (with 7 votes for and 7 votes against, the Chairman used his casting vote in support of the application ) that: contrary to Officer recommendation, full planning permission and listed building consent be granted, subject to the following:

- (i) the clock shall not being illuminated; and
- (ii) reasonable additional conditions delegated to the Business Manager Growth & Regeneration.

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

<b>Councillor</b>	<b>Vote</b>
Mrs K. Arnold	For
R.V. Blaney	Against
Mrs A.C. Brooks	Against
R.A. Crowe	For
Mrs M. Dobson	Against
P. Duncan	Absent
G.P. Handley	For
J. Lee	For
D.R. Payne	For
Mrs P. Rainbow	Against
F. Taylor	Against
Mrs L.M.J. Tift	Against
I. Walker	For
B. Wells	Against

Mrs Y. Woodhead	For
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99 LAND AT REAR 37 EASTHORPE, SOUTHWELL, NG25 0HY (18/01360/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought the variation of condition 2 attached to planning permission 17/0189/FUL to amend the approved plan so to raise the internal floor level, door and window cill level and installation of external steps.

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 acceptable.

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

100 KELHAM HALL LTD, KELHAM HALL, MAIN ROAD, KELHAM, NOTTINGHAMSHIRE, NG23 5QX (17/02071/FULM)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought temporary (5 year) permission in relation to improved security and campsite operation, comprising:

- Planning Permission for a vehicle security gate to main entrance, estate fencing along driveway and front boundary;
- Change of use of sports field for camping and caravanning operation comprising a maximum of 50 pitches;
- Planning Permission for mains cabinet;
- Retrospective Planning Permission for 8no. electricity distribution boxes;
- Retrospective Planning Permission for WC block;
- Retrospective Planning Permission for family shower block;
- Retrospective Planning Permission for unisex shower block and Elsan Point;
- Retrospective Planning Permission for security cameras mounted on 6.5m poles (3 No. in total).

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from Averham, Kelham & Staythorpe Parish Council.

Members considered the application and the comments of Averham, Kelham & Staythorpe Parish Council regarding the effluent disposal and run off were discussed. Members felt that the report had not addressed this matter adequately. An email from the neighbouring farmer which had been placed on the public planning file had indicated that the effluent treatment plant that had been put in place was for domestic use and effluent was leaking onto the land of the adjacent field. The comments of the Trent Valley Internal Drainage Board were read out which stipulated that there must not be any surface water run-off. A Member suggested that the design should be agreed by the Local Authority and an appropriate condition requiring surface water run-off and effluent disposal be in agreement with the Local Authority,



Lead Local Flood Authority and that the planning permission should not get consent until that was complied with. The time period of five years was also considered too long and it was suggested that be reduced to three years to enable the assessment that the delivery of a high quality hotel and spa was progressing before any agreement to an extension of time.

It was further suggested that the wording within the conditions referring to units be strengthened. Reference to 'units' under condition 1 and other references under conditions 7, 8 and 9, there was no mention of whether they were touring or static. It was suggested that wherever units/camping/caravanning was referred to, should be clarified as touring only and vehicles logged not just people with maximum number of days.

A Member commented that the proposed gates were not in keeping with the Hall.

*(Councillor D.P. Payne, I. Walker and B. Wells declared their Personal Interests during the discussion as they were Members of the Trent Valley Internal Drainage Board).*

AGREED (unanimously) that temporary planning permission be approved subject to the conditions and reasons contained within the report and the following amendments to the conditions:

- (i) Condition to be attached to ensure no further development until a scheme is submitted no later than 3 months from the date of permission confirming arrangements for surface water runoff and effluent disposal to be agreed in consultation with Nottinghamshire County Council (Lead Local Flood Authority) and Trent Valley Internal Drainage Board;
- (ii) Temporary consent for 3 years and not 5 as applied for to enable assessment that the delivery of a high quality hotel and spa is progressing before any agreement to an extension of this period; and
- (iii) References to 'units' in condition 1 and other references under conditions 7, 8 and 9 to be amended to make it clear that these references are to tents or touring caravans used. Condition 7 & 9 should be amended to make it clear that pitches must not be occupied by the same person(s)/tent/touring caravan for a total period exceeding 28 days in any calendar year and that the register in condition 7 should record not only names of person(s) but also details of the tent/touring caravan present.

101 KELHAM HALL LTD, KELHAM HALL, MAIN ROAD, KELHAM, NOTTINGHAMSHIRE, NG23 5QX (17/02075/ADV) AND (18/00947/LBC)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought advertisement consent for new signage (9 No. in total) including illumination as necessary, application 17/02075/ADV.

The Committee also considered application 18/00947/LBC which sought 2 No. signs to be fixed on gateposts (one on each) adjacent to The Lodge at the northern boundary of the Kelham Hall Site.

Members considered the application and sought clarification regarding what the signs would be made of and whether the existing vinyl banner would also be removed which was shown on the Planning Case Officers photographs attached to the timber gates.

The Business Manager Growth and Regeneration confirmed that the signs would be solid aluminium with vinyl covering. Members commented that they required the signs to be solid in every respect. The Business Manager confirmed that this could be actioned by condition and confirmed that the vinyl banner was not part of the application and would be required to be removed.

Members noted in the Planning Officers photographs a Pay and Display machine had been erected without planning permission and asked that a letter be sent to the applicant requesting that a planning application be submitted to regularise this matter.

AGREED (unanimously) that:

- (a) advertisement consent be granted subject to the conditions contained within the report and an additional condition requiring signs being solid in every respect (no loose vinyl); and
- (b) Listed Building Consent be approved subject to the conditions contained within the report.

102 LAND OFF NORTH GATE, NEWARK ON TRENT (18/01137/OUTM)

This item was withdrawn from the agenda.

103 APPEALS LODGED

AGREED that the report be noted.

104 APPEALS DETERMINED

AGREED that the report be noted.

105 EXCLUSION OF THE PRESS AND PUBLIC

That, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 of part 1 of Schedule 12A of the Act.

106 RULE NO. 30 - DURATION OF MEETINGS

In accordance with Rule No. 30.1, the Chairman indicated that the time limit of three hours has expired and a motion was proposed and seconded to extend the meeting by a further half an hour.

AGREED (unanimously) that the meeting continue for a further half an hour.

107 HARDYS BUSINESS PARK

The Committee considered the exempt report of the Business Manager – Growth & Regeneration in relation to Hardys Business Park, Hawton Lane, Farndon, NG24 3SD.

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

Meeting closed at 7.25 pm.

Chairman

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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