

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 November 2021 at 4.00 pm.

PRESENT: Councillor R Blaney (Chairman)

Councillor L Brazier, Councillor M Brock, Councillor R Crowe, Councillor L Goff, Councillor Mrs R Holloway, Councillor Mrs P Rainbow, Councillor Mrs S Saddington, Councillor M Skinner, Councillor T Smith, Councillor I Walker, Councillor K Walker and Councillor Wildgust

ALSO IN ATTENDANCE: Councillor J Lee

APOLOGIES FOR ABSENCE: Councillor Mrs L Dales (Vice-Chairman) and Councillor Mrs Y Woodhead (Committee Member)

63 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor Mrs S. Saddington declared a Non-Registerable Interest in Agenda Item No. 67 – The Bothy, Mill Lane, Caunton (21/01704/FUL) as she had visited the applicant.

Councillor Mrs R. Holloway declared an Other Registerable Interest in Agenda Item No. 69 – Former Noble Foods Ltd., The Moor, Bilsthorpe (21/01503/RMAM) as a Member of Bilsthorpe Parish Council.

64 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman advised that the proceedings were being recorded by the Council and that the meeting was being livestreamed and broadcast from the Civic Suite, Castle House.

65 MINUTES OF THE MEETING HELD ON 5 OCTOBER 2021

AGREED that the Minutes of the meeting held on 5 October 2021 were approved as a correct record and signed by the Chairman.

66 LAND OFF A17, CODDINGTON (20/01452/OUTM)

The Committee considered the report of the Business Manager – Planning Development which sought outline planning permission for the development of a site for distribution uses (Use Class B8) including ancillary offices and associated works including vehicular and pedestrian access, car parking and landscaping. It was noted that the report had been considered and deferred at the previous meeting to allow Officers to push the Agent for a named occupier. Subsequently the applicant had provided additional information as details in the report.

Members considered the presentation from the Business Manager – Planning Development, which included photographs and plans of the proposed development.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda had been published from Fieldsend Associated on behalf of Tritax and Simons Developments; NSDC Planning Policy; Councillor Mrs L. Dales; and Curry's Group Limited.

Councillor D. Armstrong, on behalf of Coddington Parish Council, spoke in accordance with the views of Coddington Parish Council, as contained within the report. He noted that the name of the tenant was still unknown despite the application being deferred at the previous meeting to allow Officers to acquire the information.

Councillor J. Lee, Local Ward Member for Balderton North & Coddington, spoke against the application on the grounds that it would set a precedent for largescale industrial development to take place adjacent to the small village of Coddington. He stated that there were more suitable sites in the Newark area for such development.

It was reported that subsequent to the last meeting of the Committee, a meeting had taken place with the applicant, the Chairman, Vice-Chairman and Planning Officers. The applicant was asked for the name of the occupier but stated that until planning permission was approved an occupier would not sign any agreement and therefore the information was not available.

Members considered the application and reiterated their comments from the previous meeting in relation to it being a speculative development in the open countryside with the loss of green field land and the impact that a development of that size would bring to existing traffic congestion.

The Business Manager advised that prior to submission of the application, the applicant had sought advice from both Highways England and the Highways Department at Nottinghamshire County Council. It was noted that the application was contrary to the Development Plan but would potentially form part of the first phase of the NewLink Business Park. It was further noted that the big box sector was a growing business to support the increase in online shopping. Large scale sites were required to facilitate this, providing onshore storage of goods. Noting that the East Midlands region was attractive to investors in this type of business, the levelling up funding could provide such development in the southern area of the district.

Members proceeded to discuss the economic benefits of the current application together with the uncertainty as to whether the dualling of the A46 would proceed. It was suggested that the development of big box sites would change the landscape of the district and a strategic discussion on the matter should be held at the Local Development Framework Task Group.

A vote was taken to approve planning permission and was lost with 3 votes for, 9 votes against with 1 abstention.

AGREED (by 9 votes for, 3 votes against with 1 abstention) that contrary to Officer recommendations, planning permission be refused on the grounds of the application being contrary to strategic employment policies of the adopted Development Plan and it would have a detrimental visual impact on the character and appearance of the open countryside.

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

Councillor	Vote
R. Blaney	For
L. Brazier	For
M. Brock	Abstain
R. Crowe	For
Mrs L. Dales	Absent
L. Goff	For
Mrs R. Holloway	For
Mrs P. Rainbow	For
Mrs S. Saddington	For
M. Skinner	For
T. Smith	Against
I. Walker	For
K. Walker	Against
T. Wildgust	Against
Mrs Y. Woodhead	Absent

67 THE BOTHY, MILL LANE, CAUNTON, NG23 6AJ (21/01704/FUL)

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission for the erection of a 3 bedroom detached dwelling. It was noted that the report had been considered and deferred at the previous meeting to allow discussion to be held with Environmental Health on what mitigation measures would be desirable to compensate for the drainage impact to the surrounding area.

Members considered the presentation from the Business Manager – Planning Development, which included photographs and plans of the proposed development.

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

The Business Manager advised that the report had been updated since the last meeting to provide Members with information in relation to the alleged removal of trees within the Conservation Area and issues surrounding drainage. She advised that the trees had formed part of a different application and permission had been granted for their removal. In relation to the drainage issues, Environmental Health had advised that it would be for building regulations to ensure how the appropriate drainage and sewerage systems were installed. It was recommended that the applicant be informed via an informative that they would need to engage with building regulations and specialist drainage engineers should planning permission be granted and subsequently implemented.

In considering the application a Member commented on the open ditch which ran alongside the road, stating that it carried sewage; it was open to the elements which could lead to overflowing; and the sides of the ditch were not reinforced which could

lead to collapse. The Business Manager advised that proposed Condition 10 would ensure the provision of satisfactory means of foul sewage/surface water disposal for the proposed development.

AGREED (with 11 votes for, 1 vote against with 1 abstention) that full planning permission be approved subject to the conditions and reasons contained within the report.

68 LAND AT GREEN PARK, TOLNEY LANE, NEWARK ON TRENT, NG24 1DA (21/00891/S73M)

The Committee considered the report of the Business Manager – Planning Development which sought planning permission for the variation of Condition 1 of Planning Permission 18/01443/FUL to amend the temporary permission to permanent. The application had been considered by Planning Committee at its meeting on 7 September 2021 where it was resolved to grant a temporary permission, subject to a re-notification with the Environment Agency at their request. The matter was reported back to Committee as the Agency continued to object.

Members considered the presentation from the Planning Case Officer, which included photographs and plans of the proposed development. The Planning Case Officer updated Members, stating that the Agency continued to object.

Members considered the application and commented that traveller sites had been situated on Tolney Lane for many years and that the travellers were aware of the associated flood risks for the site. A Member commented that additional sites were needed to allow the travellers to move to alternative locations. Another Member commented on his concerns for the safety of the emergency services should they be required to attend to evacuate the occupants should flooding occur.

The Chairman referred to the comments of the Environment Agency who had acknowledged the challenges faced in finding suitable alternative sites. He added that a consultation had recently been completed by the Council to source alternative sites, the outcome of which was awaited.

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

Having declared an interest, Councillor Mrs Holloway left the meeting during the following item and did not take part in any discussion or voting thereon.

69 FORMER NOBLE FOODS LTD, THE MOOR, BILSTHORPE (21/01503/RMAM)

The Committee considered the report of the Business Manager – Planning Development which sought planning permission for the erection of 136 No. dwellings.

Members considered the presentation from the Business Manager – Planning Development which included photographs and plans of the proposed development.

A schedule of communications was tabled at the meeting which detailed

correspondence received after the Agenda was published by the Agent.

Councillor M. Ward, on behalf of Bilsthorpe Parish Council, spoke in accordance with the views of Bilsthorpe Parish Council as contained in the report. She commented that should the application be successful, that consideration be given to what conditions could be put in place to mitigate the effects of three planning permissions being developed simultaneously. In response, the Business Manager advised that conditions could not be applied retrospectively to applications already granted but that Officers could liaise with the developers of all three sites to highlight the parish council's concerns.

In considering the application, Members commented that they hoped that the CCG would acknowledge the pressure which would be placed on the doctors' surgery by the development of some 360 additional dwellings in the area.

AGREED (by 11 votes for, 1 vote against with 1 abstention) that reserved matters approval be given subject to the conditions and reasons contained within the report and subject to the amendments set out in the late representations.

Councillor Brazier left the meeting at 17:21 hours.

70 LAND AT SHANNON FALLS, TOLNEY LANE, NEWARK ON TRENT, NG24 1DA (21/01900/FUL)

The Committee considered the report of the Business Manager – Planning Development which sought retrospective planning permission for use of land at Shannon Falls, Tolney Lane as a Gypsy and Travellers' site for the erection of amenity blocks and associated works.

Members considered the presentation from the Planning Case Officer, which included photographs and plans of the proposed development.

A schedule of communications was tabled which detailed correspondence received after the Agenda had been published from the Applicant; the Agent; and NCC Highway Authority.

The Planning Case Officer informed Members that works had already commenced and that the site was currently partially occupied. She also informed Members that additional plans had been submitted showing a visibility splay and swept paths. This had resulted in the Highways Authority raising no objections, subject to the imposition of 2 conditions. The recommendation to Members had therefore been amended to remove the second reason for refusal.

In considering the report a Member commented that the occupants of the sites knew the associated risks of living within a flood plain, adding that better alternative sites were needed. Another Member agreed with this, noting that the site was not subject to flash flooding and that it was possible to safely evacuate prior to flood water levels rising. A Member queried what, if any, building works could be carried out to mitigate

flooding. The Case Officer advised that the site was located within a functional floodplain and therefore waters should be able to flow freely. Any mitigation works would merely disperse the waters and worsen the situation on adjacent sites.

The Chairman noted that the Council had investigated whether it was possible to raise the level of the road or provide an alternative access towards the A46, which would be extremely costly.

Members commented that if the application was for temporary permission, it would provide time for alternative sites to be sought, noting that to grant a permanent permission would put residents at risk. In response to where the families had lived previously, it was noted that they had moved to Shannon Falls from other sites on Tolney Lane.

The Chairman advised that the results of the consultation new site availability for gypsy and travellers was awaited and alternative sites may be identified therefrom, and that these would not be located in Flood Zone 3.

AGREED (by 7 votes for with 3 votes against) that planning permission be refused in line with the reasons contained within the report with the omission of the second reason for refusal.

71 LAND NEXT TO 53 PHILIP ROAD, NEWARK ON TRENT, NG24 4PD (21/02176/FUL)

The Committee considered the report of the Business Manager – Development Planning which sought planning permission for the demolition of existing outbuildings, the creation of 2 parking spaces with associated dropped kerbs, the relocation of an outbuilding to the rear garden of No. 55, a proposed one detached dwelling with 2 parking spaces with associated dropped kerbs, with secure storage for 2 bicycles (resubmission).

Members considered the presentation from the Business Manager – Planning Development which included photographs and plans of the proposed development.

A schedule of communications was tables at the meeting which detailed correspondence received after the Agenda had been published from Newark Town Council.

Members considered the application to be acceptable.

AGREED (unanimously) that planning permission be approved subject to the conditions and reasons contained within the report and subject to no new material planning considerations being raised that had not been considered before the expiry of the consultation period on 3 November 2021.

Councillor R. Crowe left the meeting at 17:50 hours.

72 HAMILTONS BUTCHERS, MAIN STREET, FARNSFIELD, NEWARK ON TRENT, NG22 8EF (21/01386/FUL)

The Committee considered the report of the Business Manager – Planning Development which sought retrospective planning permission for the retention of an external canopy and food serving counter operating in connection to an existing butchers.

Members considered the presentation from the Planning Officer which included photographs and plans of the proposed development.

Members considered the application noting the reasons for the Officer’s recommendation of refusal and noted the comments of the Conservation Officer in relation to the canopy not being in keeping with a barn and that it was situated in the Farnsfield Conservation Area.

A vote was taken to refuse planning permission which lost unanimously.

AGREED (unanimously) that contrary to Officer recommendation that planning permission be approved subject to the following additional conditions:

- To remove the canopy in the event the food counter use ceases;
- The hours of operation to be the same as the butchers shop; and
- The food counter to remain ancillary to the butcher’s shop and not create an independent facility.

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

Councillor	Vote
R. Blaney	For
L. Brazier	Left the meeting
M. Brock	For
R. Crowe	Left the meeting
Mrs L. Dales	Absent
L. Goff	For
Mrs R. Holloway	For
Mrs P. Rainbow	For
Mrs S. Saddington	For
M. Skinner	For
T. Smith	For
I. Walker	For
K. Walker	For
T. Wildgust	For
Mrs Y. Woodhead	Absent

73 APPEALS LODGED

AGREED that the report be noted.

74 APPEALS DETERMINED

AGREED that the report be noted.

75 DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

AGREED that the Development Management Performance report be noted.

76 QUARTERLY ENFORCEMENT ACTIVITY UPDATE REPORT

AGREED that the Quarterly Enforcement Activity Update report be noted.

Meeting closed at 6.15 pm.

Chairman