

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Thursday, 15 February 2024 at 4.00 pm.

PRESENT: Councillor A Freeman (Chairman)
Councillor D Moore (Vice-Chair)

Councillor C Brooks, Councillor L Dales, Councillor P Harris, Councillor J Lee, Councillor K Melton, Councillor E Oldham, Councillor P Rainbow, Councillor M Spoons, Councillor L Tift and Councillor T Wildgust

ALSO IN

ATTENDANCE: Councillor L Brazier, Councillor T Wendels

APOLOGIES FOR ABSENCE: Councillor A Amer, Councillor S Saddington and Councillor M Shakeshaft

108 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Chair informed the Committee that the Council was undertaking an audio recording of the meeting and that it was being live streamed.

109 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

The Chair advised the Committee of other registerable interests declared on behalf of Councillors L Dales, A Freeman and K Melton as appointed representatives on the Trent Valley Internal Drainage Board for any relevant items.

Councillor T Wildgust declared an other registerable Interest in Application Item Nos. 7 & 8 – 34 Manvers View, Boughton, NG22 9HJ (23/02091/FUL & 23/02094/ADV) as he was a member of the strategic oversight group. He would speak as ward Member but would leave the meeting during the debate and vote.

Councillor J Lee declared an other registrable Interest as appointed representative on the Nottingham Fire Authority and Member for Nottinghamshire County Council.

110 MINUTES OF THE MEETING HELD ON 18 JANUARY 2024

AGREED that the minutes of the meeting held on 18 January 2024 were approved as a correct record and signed by the Chair.

111 31 RIDGE HILL, LOWDHAM, NG14 7EL - 23/01650/HOUSE

The Committee considered the report of the Business Manager – Planning Development, which sought the proposed front and rear extensions.

A site visit had taken place prior to the commencement of the Planning Committee, for the reason the impact of the proposed development was difficult to visualise.

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

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the agenda from the Planning Officer. The Planning Committee was asked to strike through and delete the small paragraph of four lines toward the bottom of page 18 of the report. Condition 1 also required deletion as the development had already commenced on site.

Councillor T Wendels, local Ward Member for Lowdham spoke against the application on the grounds of overbearing impact on neighbouring dwellings and their garden areas; over shadowing and loss of light; over looking and loss of privacy; the extension was too big for the plot and not in keeping with the neighbourhood; and rain water run off and flooding implications.

Councillor P Harrison, Chair of Lowdham Parish Council, spoke against the application in accordance with the views of Lowdham Parish Council as contained within the report.

Members commented that they agreed with the local Ward Member and felt that the overbearing nature of the extension was apparent when on the site visit. They were concerned with the removal of the lawn to hardstanding which would exuberate the problem of flooding in that area.

A vote was taken and lost for Approval with 1 vote For and 10 votes Against.

Councillor M Spoor entered the meeting during the debate and in accordance with the Planning Protocol, as he had missed the Officer presentation took no part in the vote.

Moved by Chair and Seconded by Vice-Chair

AGREED (with 10 votes For and 1 vote Against) that contrary to Officer recommendation, full planning permission be refused due to its scale resulting in an overbearing impact and loss of amenity in relation to light to the occupiers of 32 Ridge Hill, contrary to policy DM5.

In accordance with paragraph 13.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

Councillor	Vote
C Brooks	For
L Dales	For
A Freeman	For
P Harris	For
J Lee	For
K Melton	For
D Moore	For
E Oldham	For
P Rainbow	For

L Tift	For
T Wildgust	Against

112 FOXGLOVES, MAIN STREET, EDINGLEY - 23/01338/LBC

The Committee considered the report of the Business Manager – Planning Development, which sought a retrospective application for a small open porch and installation of composite doors.

A site visit had taken place prior to the commencement of the Planning Committee, for the reason that the impact of the proposed application was difficult to visualise.

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

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the agenda from the Applicant.

Councillor D Poole, Chair of Edingley Parish Council, spoke in support of the application in accordance with the views of Edingley Parish Council as contained within the report.

The local Ward Member commented that this was a retrospective application, which was a genuine mistake as the applicant had not been advised that they needed listed building consent. The building was basic in design with a rainwater run off from the barn, which was the reason the porch was constructed to protect the fabric of the building. An oak door had been replaced as it had rotted, and the porch had been built. The porch was considered a small structure which did not have any impact. Domestic features had been added to a neighbour’s property, the buildings had been turned into residential properties and to survive changes had to be made. A Member commented that a change of mortar would be more in keeping with the barn and considered the porch appropriate, however felt the composite doors were not appropriate. Other Members commented that this was a listed building, and the porch was incongruous, and barns do not have porches.

AGREED (with 6 votes For and 6 votes Against, the Chair used his casting vote in support of Refusal) that Listed Building Consent be Refused for the reason contained within the report.

113 34 MANVERS VIEW, BOUGHTON, NG22 9HJ - 23/02091/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the change of use from residential to Community Hub including associated alterations.

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

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the agenda from the applicant.

The local Ward Member informed the Committee that the Community Hub would

provide a safe centre for users. The Hub was currently occupied however there were other void properties on the estate as people did not want to move there. The Hub would improve the safety and wellbeing for residents which was considered essential.

Councillor T Wildgust having declared an Other Registerable Interest left the meeting during the debate and vote.

A Member raised concern that this would be the loss of a Council house which was not acceptable given the high volume of people waiting for Council accommodation.

Other Members commented that this area was in the top 10% of a most deprived areas in Nottinghamshire. People did not want to move to this estate, there were void properties available, the loss of one unit was irrelevant and the Hub would make the estate safer and more desirable. The long-term plan was to provide support to residents and improve the estate, the aim was then for the property to be able to return to residential. A community day of action was also suggested to improve the condition of the estate.

The Business Manager – Planning Development confirmed that other properties had been looked at, taking into consideration the need to have an end of row property and nearby car parking to have the least impact on neighbours, the proposed property was considered the best option.

AGREED (with 10 votes For and 1 vote Against) that full planning permission be approved subject to the conditions contained within the report.

114 34 MANVERS VIEW, BOUGHTON, NG22 9HJ - 23/02094/ADV

The Committee considered the report of the Business Manager – Planning Development, which sought the display of three fascia signs.

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

Members considered the application acceptable.

Having declared an Other Registerable Interest Councillor T Wildgust remained out of the room for the duration of this item.

AGREED (with 10 votes For and 1 Abstention) that Advertisement Consent be approved subject to the conditions contained within the report.

Councillor T Wildgust came back to the meeting at this point.

115 AIR AND SPACE INSTITUTE NEWARK (ASI), GREAT NORTH ROAD, NEWARK ON TRENT, NG24 1BY - 23/02240/ADV

The Committee considered the report of the Business Manager – Planning Development, which sought permission for the signage on the facades of the ASI building and within the Car Park 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 circulated prior to the meeting which detailed correspondence received following publication of the Agenda from Newark Town Council stating no objection.

Members considered the application acceptable.

AGREED (unanimously) that Advertisement Consent be approved subject to the conditions and submission of the more detailed plan as contained within the report.

116 PLANNING APPLICATION VALIDATION CHECKLIST

The Committee considered the report of the Director – Planning & Growth which provided an update on the review of the adopted Planning Application Validation Checklist prior to undertaking consultation.

It was reported that legislation sets out that a local list was required to be published on a Council’s website and reviewed every 2 years. Whilst the checklist was previously reviewed within the last 12-months, there had been some quite significant changes introduced, most notably biodiversity net gain on 12 February 2024 and therefore it was considered prudent to review the checklist at an earlier stage. This also allowed other amendments that had come into effect, particularly with the introduction of new application types (mainly prior approval) to be included.

The checklist, attached at Appendix 1 to the report, was similar to the one adopted from April 2023. It had been updated under delegated authority, to provide clarification regarding preliminary bat roost assessments in December. There were also suggested changes taken as part of this review in relation to flooding, and minor suggested amendments such as sections and finished floor levels.

It was proposed that the amended checklist was consulted upon for a minimum of 8-weeks with Members, Parish and Town Councils and statutory consultees. Details would be provided on the Council’s website enabling developers and interested stakeholders to respond, as well as applicants and their agents, residents through planning application receipt and notification letters. However, in relation to biodiversity net gain, it was proposed that these amendments were adopted by Planning Committee immediately with the consultation enabling a review of the requirements set out and presented to Members in due course, following the consultation. It was not anticipated that there would be any challenge to this due to our requirements reflecting what was set out in legislation.

AGREED (unanimously) that:

- (a) the contents of the accompanying validation checklist are noted;
- (b) the requirements as set out under ‘Biodiversity Net Gain’ and associated application types come into effect immediately; and

- (c) the draft updated Planning Application Validation Checklist (as set out at Appendix A to the report) be approved for an 8-week public consultation with statutory consultees, District Councillors and Town/Parish Councils, applicants/developers and neighbours, along with any changes required to the Biodiversity Net Gain section.

117 BIODIVERSITY NET GAIN, ANCIENT WOODLANDS AND LEVELLING-UP AND REGENERATION ACT 2023

The Committee considered the report of the Director – Planning & Growth which briefed Members on the new statutory instruments and commencement of parts of the Levelling-up and Regeneration Act.

The Government had issued on 17 January 2024, five statutory instruments with a further one on 18 January relating to Biodiversity Net Gain. Additionally, a further statutory instrument was published on 25 January 2024. This was the Levelling-up and Regeneration Act 2023 (Commencement No. 2 and Transitional Provisions) Regulations 2024 as well as a Consultation Direction The Town and Country Planning (Consultation) (England) Direction 2024.

There were a number of statutory instruments relating to biodiversity net gain, which was a complex area and a highlighted summary was provided within the report. A report had also been presented to Cabinet in January 2024 relating to biodiversity net gain.

AGREED that the report be noted and the Planning Committee be aware of the contents of the documents when considering planning applications.

118 APPEALS LODGED

AGREED that the report be noted.

119 APPEALS DETERMINED

AGREED that the report be noted.

120 DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

The Committee considered the report of the Director – Planning & Growth relating to the performance of the Planning Development Business Unit over the three-month period October to December 2023. In order for the latest quarter's performance to be understood in context, in some areas data going back to October 2021 was provided. The performance of the Planning Enforcement team was provided as a separate report.

AGREED that the report be noted.

121 QUARTERLY PLANNING ENFORCEMENT ACTIVITY UPDATE REPORT

The Committee considered the report of the Business Manager – Planning Development updating Members as to the activity and performance of the planning enforcement function over the third quarter of the current financial year.

The report provided Members with examples of cases that had been resolved, both through negotiation and via the service of notices and provided detailed and explanations of notices that had been issued during the period covered 1 October 2023 – 31 December 2023.

The schedule of communication provided an update by the Planning Officer regarding an incorrect photograph included in the agenda. The photograph within the report displayed an incorrect elevation. The correct photograph was provided in the schedule of communication. Schedule C: provided examples of breaches resolved without formal action.

AGREED that the contents of the report and the ongoing work of the planning enforcement team be noted.

Meeting closed at 6.19 pm.

Chair