

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, 14 March 2024 at 4.00 pm.

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

Councillor L Dales, Councillor P Harris, Councillor K Melton, Councillor E Oldham, Councillor P Rainbow, Councillor S Saddington, Councillor M Shakeshaft, Councillor M Spoons, Councillor L Tift and Councillor T Wildgust

ALSO IN
ATTENDANCE: Councillor L Brazier

APOLOGIES FOR
ABSENCE: Councillor A Amer, Councillor C Brooks and Councillor J Lee

122 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.

123 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.

124 MINUTES OF THE MEETING HELD ON 15 FEBRUARY 2024

AGREED that the minutes of the meeting held on 15 February 2024 were approved as a correct record and signed by the Chair.

125 SUBMISSION OF THE SECOND PUBLICATION AMENDED ALLOCATIONS & DEVELOPMENT MANAGEMENT DPD

The Committee considered the report of the Director – Planning & Growth relating to the latest position of the submission of the second publication Amended Allocations & Development Management DPD.

The second publication Amended Allocations & Development Management DPD, September 2023 was submitted to the Secretary of State on the 18 January 2024. An Inspector had been appointed and the Local Authority were in the hands of the Inspectorate in relation to timescales for the Examination. It was reported that now the Plan had been submitted, the plan did in part, gain greater weight in the decision-making process. Reference was made to this document and relevant policies within reports to Planning Committee as well as those reports prepared for delegated

decisions.

AGREED that the report be noted and the Planning Committee have consideration to this in decision-making.

Councillor E Oldham entered the meeting at this point.

126 LAND OFF MILL GATE, NEWARK - 23/02117/S73M (MAJOR)

The Committee considered the report of the Business Manager – Planning Development, which sought the variation of conditions 3, 4, 5, 6, 8, 15, 16, 17, 19, 21 and 24 as per submitted schedule attached to planning permission 20/01007/S73M. Variation of conditions 4, 5, 6, 8, 19 and 24 attached to planning permission 17/01586/FULM to amend the approved plans.

The original proposal was: 12/00301/FULM – Mixed use development comprising demolition of two former industrial buildings, the erection of 11 dwellings, erection of private health facilities, extension to existing Marina comprising new moorings and creation of a wildlife park. Demolition of two industrial buildings.

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

Members considered the presentation from the Business 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 Newark Town Council.

The Senior Planning Officer asked the Planning Committee to consider an amendment to condition No. 21, to allow tree and hedgerow removal during bird breeding season subject to having first been inspected by a suitably qualified ecologist and their recommended mitigation measures being implemented in full.

Members considered the application and raised concern regarding the easement for the access road; the tree that would need to be felled to allow the access road; and the increase in flooding in that location, particularly the gardens behind the constructed retaining wall. A Member also asked whether a condition could be put in place for the large tree proposed to be felled to be used to feed saproxylic beetles, as it was considered that the planning process should consider environmental issues. The Senior Planning Officer confirmed that the tree to be removed had already been approved and a condition was already imposed to undertake a replacement tree plan. A condition regarding what to do with the felled tree was considered not reasonable.

AGREED (with 10 votes For, 1 vote Against and 1 Abstention) that Planning Permission be approved subject to the conditions contained within the report and the amendment to condition 21.

127 77C ETON AVENUE, NEWARK ON TRENT, NG24 4JH - 24/00082/S73

The Committee considered the report of the Business Manager – Planning Development, which sought variation of condition 2 and 8 attached to planning permission 22/01591/FUL to amend the approved plans and amend the wording in condition 8.

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

Members considered the application acceptable.

AGREED (unanimously) that Planning Permission be approved subject to the conditions contained within the report.

128 PLANNING CONSTITUTION REVIEW

The Committee considered the report of the Director – Planning & Growth relating to a review of the Planning Committee Scheme of Delegation to Officers with suggested amendments. A review of public speaking for Planning Committee. A review of the Protocol for Members on dealing with planning matters.

The following comments were raised:

A Member objected to public speaking, on the grounds that delaying consideration of schemes at committee would not speed up decision making. Concerns were also raised regarding those too scared to speak at committee and that this would disadvantage them.

The Local Planning Authority should lobby to allow retention of extension of time (EOT) where used properly as it could improve schemes. Concern was also raised about public speaking due to inequality of those who may not be professionally represented etc, and would like all ward Members to be able to speak rather than one. The maximum length of agenda should also be considered.

More flexibility over adjacent ward Members being able to speak. Would like 10-minute break if meeting goes over 4 hours. Disappointed by weight of Parish Council diminished and concerned that professional agents could speak and wanted it de-professionalised. Pointed to paragraph 9.2 of report in respect of pre-app engagement and Southwell Neighbourhood Plan (SNP) which required that officers consider (rather than should).

It was suggested that adjacent ward Members to be able to speak where a development within a certain distance and/or where it had significant impacts (additional of word or).

A Member was in support of public speaking but raised concern about unintended consequences.

It was suggested that a limit of 4 hours with exception of extending and wanted heart strings to be listened to.

It was further commented that Members should express themselves more concisely to cut committee length or have a separate planning day.

A review to take place within 6 months rather than at 6 months.

The Chair suggested the following amendments:

- regarding ward Members, that more than 1 could speak if their views were in opposition,
- amending amendment regarding adjoining ward Member and for them to identify material planning considerations impacts upon their Ward:
 - (a) Para 8.3 insert e: For referrals by Adjoining Ward Members where the application, in their opinion, would have a material planning impact on the whole or part of their ward (refer paragraph **Error! Reference source not found.**) the referral request shall include a reason or reasons as to how the application will have a material planning impact on their Ward.
- 9.2 must rather than should,
- Review within 6 months rather than at 6 months.

AGREED (with 11 For and 1 Against) that subject to the above amendments:

- (a) the amended Scheme of Delegation to Officers;
- (b) changes to the Protocol on Planning Committee (including its title) to facilitate public speaking arrangements, clarification in relation to late representations and other minor amendments come into effect on the 8 April 2024;
- (c) the amendments to the Scheme of Delegation to Officers come into effect on the 8 April 2024;
- (d) that the changes in the Protocol for Planning Committee relating to public speaking would be in effect for Planning Committee meeting to be held on 9 May 2024;
- (e) the suggested amendments to the 'Newark & Sherwood Local Development Framework, Statement of Community Involvement' in relation to public speaking are noted; a report will be presented to Cabinet seeking approval prior to consultation;
- (f) a review of public speaking is undertaken within 6-months of operation.

129 CHANGES TO VARIOUS PERMITTED DEVELOPMENT RIGHTS: CONSULTATION

The Committee considered the report of the Director – Planning & Growth relating to a consultation by the Government and the proposed response to be made.

On 13 February 2024, the Department for Levelling Up, Housing and Communities commenced a consultation on Changes to various permitted development rights. The consultation ran for 8 weeks from the 13 February and would end 9 April 2024.

Councillor P Rainbow left during the discussion of this item.

AGREED (unanimously) that:

- (a) the content of the report and the proposal for further permitted development rights be noted; and
- (b) the draft Council response as Appendix 1 to the report be endorsed.

130 APPEALS LODGED

AGREED that:

- (a) the report be noted; and
- (b) Planning Committee Members be informed of the dates of the two hearings noted once fixed.

131 APPEALS DETERMINED

AGREED that the report be noted.

132 PERMITTED DEVELOPMENT RIGHTS: COMMERCIAL, BUSINESS AND SERVICES USES TO DWELLINGHOUSES

The Committee considered the report of the Director – Planning & Growth relating to the latest permitted development rights.

On 13 February 2023, the Government issued an amendment to an existing permitted development right, which came into force on the 5 March 2024. The amendment related to Class MA – commercial, business and service uses to dwellinghouses of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

AGREED (unanimously) that the contents of the report and the permitted development right changes be noted.

Meeting closed at 5.32 pm.

Chair