

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, 9 May 2024 at 4.00 pm.

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

Councillor A Amer, Councillor C Brooks, Councillor L Dales, Councillor P Harris, Councillor J Lee, Councillor K Melton, Councillor E Oldham, Councillor P Rainbow, Councillor S Saddington and Councillor M Shakeshaft

ALSO IN
ATTENDANCE: Councillor L Brazier

APOLOGIES FOR
ABSENCE: Councillor M Spoons, Councillor L Tift and Councillor T Wildgust

142 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.

143 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 J Lee declared an other registerable interest as appointed representative on the Nottingham Fire Authority and Member for Nottinghamshire County Council.

144 MINUTES OF THE MEETING HELD ON 4 APRIL 2024

AGREED that the minutes of the meeting held on 4 April 2024 were approved as a correct record and signed by the Chair.

145 ORDER OF BUSINESS

The Planning Committee Chair advised the Committee that the following two applications had been withdrawn from the agenda, by request from the Agents: Agenda Item 5 – Wild Briars, Goverton, Bleasby, NG14 7FN (23/01960/FUL) and Agenda Item 10 – Oak House, Grassthorpe Road, Sutton On Trent, NG23 6QX (24/00150/HOUSE). The order of business was also changed, Item 7 – E-Centre, Darwin Drive, Sherwood Energy Village, Ollerton, NG22 9GW (23/01857/OUTM) was taken as the first item for decision. The agenda resumed its stated order thereafter.

146 WILD BRIARS, GOVERTON, BLEASBY NG14 7FN - 23/01960/FUL

The application was withdrawn from the agenda by the agent.

147 E-CENTRE, DARWIN DRIVE, SHERWOOD ENERGY VILLAGE, OLLERTON, NG22 9GW - 23/01857/OUTM

The Committee considered the report of the Business Manager – Planning Development, which sought outline permission for proposed Care Home Development for up to 105 En-Suite Resident Accommodations (Use Class C2) all matters reserved except access.

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

Members considered the application acceptable.

Councillor C Brooks entered the meeting during the Planning Officers presentation and in accordance with the Planning Protocol took no part in the debate or vote.

AGREED (unanimously) that Planning Permission be approved subject to the conditions contained within the report and the completion of a Section 106 agreement.

148 GOVERTON HEIGHTS, GOVERTON, BLEASBY NG14 7FN - 23/02058/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the erection of two dwellings with detached garages.

A site visit had taken place prior to the commencement of the Planning Committee, for the following two reasons: that there were particular site factors which were significant in terms of the weight attached to them relative to other factors if they would be difficult to assess in the absence of a site inspection; and 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 a neighbour.

Michele Tierney, public speaker, acted as spokesperson and spoke against the application as contained as representations within the report.

Councillor Michael Coombs representing Bleasby Parish Council, spoke against the application in accordance with the views of Bleasby Parish Council as contained within the report.

Members considered the application and the following concerns were raised: fluvial

and pluvial flooding; over intensification of the site; narrow road serving the site, with the potential of an increase in vehicles; clay base and springs in the area which would result in greater flooding. There was also a lack of knowledge regarding the trees on site and some confusion regarding what trees had been removed or would be retained.

The Senior Planning Officer confirmed that this site was in flood zone 1 which was the lowest rating for flooding. Condition 4 could include “permeable” to be added, which would address concerns in relation to flooding. Condition 6 could include the wording, “that any scheme needed to demonstrate it could mitigate its full impact”.

Members commented on the need for biodiversity net gain, the Chair reminded the Committee that any application prior to April 2024 did not have to comply with that. Members were also reminded that none of the trees on site had Tree Preservation Orders (TPOs) and could therefore be felled.

A Member suggested that a flood mitigation plan be submitted for consideration.

AGREED (with 5 votes For, 5 votes Against and 1 Abstention, the Chair used his casting vote For the application) that Planning Permission be approved subject to the conditions contained within the report and the the inclusion of hard standing to be permeable materials in Condition 4 and strengthening of Condition 6 to include demonstration that any surface water resulting from the development could be fully mitigated and not cause harm elsewhere.

Councillors P Harris and M Shakeshaft left the meeting at this point.

149 LAND OFF CHURCH CIRCLE, BRIAR ROAD, OLLERTON - 24/00281/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought five new dwellings with parking and associate infrastructure.

A site visit had taken place prior to the commencement of the Planning Committee, for the reason that there were particular site factors which were significant in terms of the weight attached to them relative to other factors as they would be difficult to assess in the absence of a site inspection.

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

Members considered the proposal as excellent and would provide good quality homes. Several Members commented upon the tree lined walkway down the side of the development and requested that as many of the Sycamore trees as possible should be retained. It was therefore suggested that Condition 2 & 5 be amended to facilitate the retention of the Sycamore trees on the boundary path where possible.

AGREED (unanimously) that Planning Permission be approved subject to the

conditions contained within the report and the amendment of Condition 2 and 5, to facilitate the retention of the sycamore trees on the boundary path where possible.

150 HEATHCOTES ENRIGHT VIEW, 1 - 4 ENRIGHT CLOSE, NEWARK ON TRENT, NG24 4EB - 24/00064/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the creation of a car park, the erection of a fence and associated works.

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

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

The Business Manager – Planning Development provided an update on the trees and landscape comments which had been omitted from the report. The comments raised concerns regarding the loss of the trees as the tree officer would like them to be retained. It was considered that the tree report needed compliance to British Standard and recommended a condition be attached to enable compliance with this. There were concerns over the close proximity of trees to the fencing, however with appropriate tree planting it was considered that this could be accommodated hence the condition.

Councillor L Geary representing Newark Town Council, spoke against the application in accordance with the views of Newark Town Council as contained within the report.

Members considered the application and were disappointed that some of the trees would need to be felled. The Business Manager – Planning Development explained that trees had to be of a certain standard to be protected and whilst the Planning Team would like to see all trees retained, sometimes that was not possible. Replacing tall mature trees with similar trees was also unlikely to be possible as it was understood they did not survive, a compromise would be somewhere between the two.

A Member suggested that Condition 8 regarding maintenance of planting be amended to ten years as five years was too short a time period.

A Member commented that a stronger policy was required regarding trees to try and retain as many trees as possible. The Chair confirmed that could be discussed at the Planning Policy Board.

Councillor S Saddington arrived at the meeting during the Officer presentation and in accordance with the Planning Protocol took no part in the debate or vote for this application.

AGREED (with 8 votes For) that Planning Permission be approved subject to the conditions contained within the report subject to the amendment to Condition 8 to replace the period of five years to “**ten years** of being planted die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other or similar size and species.”

151 OAK HOUSE, GRASSTHORPE ROAD, SUTTON ON TRENT, NG23 6QX - 24/00150/HOUSE

The application was withdrawn from the agenda by the agent.

152 NEWARK CASTLE, CASTLE GATE, NEWARK ON TRENT - 24/00403/LDO

The Committee considered the report of the Business Manager – Planning Development, which sought a Local Development Order (LDO) to enable and control filming at Newark Castle.

The Business Manager – Planning development requested a small amendment to the definition of the Castle to include “and all below ground archaeology”.

A consultation had been undertaken for a period of 28 days and the results of the consultation were contained within the report.

Members considered the application, and one Member raised concern regarding the Castle being closed for long periods of time when filming was taking place for residents and the disruption to the town. He requested that the Planning Committee should make the decision on a case-by-case basis and not allow the Heritage, Culture and the Arts Portfolio Holder to take responsibility.

The Business Manager – Planning Development confirmed that consent through a contract would still be required for each event, and they would have to comply with Planning and any criteria set by Heritage, Culture and the Arts.

Other Members commented on the benefits from tourism that this would bring to the district and considered the Order acceptable.

AGREED (with 9 votes For and 1 Against) to adopt the Local Development Order (LDO) as set out in the report with the amendment to the definition of the wording regarding the Castle, subject to Secretary of State approval and apply to Historic England for the relevant schedule monument consent.

153 PALACE THEATRE, 16 - 18 APPLETON GATE, NEWARK ON TRENT - 24/00404/LDO

The Committee considered the report of the Business Manager – Planning Development, which sought the Local Development Order (LDO) to enable and control filming at the Palace Theatre and National Civil War Centre.

A consultation had been undertaken for a period of 28 days and the results of the consultation were contained within the report.

Members considered the LDO acceptable.

AGREED (with 9 votes For and 1 vote Against) to adopt the formal Local Development Order (LDO) as set out in the report, subject to Secretary of State approval.

154 APPEALS LODGED

AGREED that the report be noted.

155 APPEALS DETERMINED

AGREED that the report be noted.

156 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 January to March 2024 as well as providing an overview of the performance and achievements across the financial year. In order for the latest quarter's performance to be understood in context, in some areas data going back to January 2022 was provided. The performance of the Planning Enforcement team was provided as a separate report.

AGREED that the report be noted.

157 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 fourth quarter of the previous financial year and a review of the financial year as a whole.

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 January 2024 – 31 March 2024; financial year 1 April 2023 – 31 March 2024.

The Planning Committee Chair thanked the Planning Enforcement team for all the work they had achieved over the year.

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

158 PLANNING COMMITTEE ANNUAL REPORT 2023-2024

The Committee considered the report of the Director – Planning & Growth relating to the performance of the Planning Committee.

The report advised that all Planning Committee meetings had been held at Castle House. All meetings commenced at 1600 hours on a Thursday. An Extraordinary meeting was held in November.

Newark & Sherwood District Council's Planning Committee sat on twelve occasions throughout the municipal year 2022- 2023, one more than 2023. The Committee undertook twenty-three official site visits, as part of seven meetings. This was one more site visit than the previous municipal year but the same number of meetings.

The Planning Committee considered sixty-four planning applications over the eleven meetings. This was six more applications than 2022/23. Thirty-two applications were granted in line with officer recommendation; nineteen applications were refused in line with officer recommendation; three applications were granted contrary to officer recommendation; nine applications were refused contrary to officer recommendation; one was withdrawn from the agenda; and of the sixty-four, one was deferred for negotiation or further information.

Throughout the municipal year Newark & Sherwood District Council received two appeal decisions in respect of decisions made by the Planning Committee.

Out of the two, one of the appeals were allowed (i.e. granted) by the Inspector and one was dismissed (refused) supporting the decision of the Committee.

Of the appeals one of these had been recommended for approval by Officers but overturned by Committee; and one had been recommended by Officers to be refused. The report also detailed the allowed appeal. A list of the variety of reports considered by the Planning Committee was also detailed in the report.

AGREED that the report be noted.

This was the last meeting on the Planning Committee for Councillor J Lee as he was coming off this Committee, the Chair thanked Councillor J Lee for his valued contribution whilst serving on the Planning Committee.

Meeting closed at 6.57 pm.

Chair