

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, 16 January 2025 at 4.00 pm.

PRESENT:

Councillor D Moore (Vice-Chair)

Councillor A Amer, Councillor C Brooks, Councillor L Dales, Councillor P Harris, Councillor K Melton, Councillor E Oldham, Councillor P Rainbow, Councillor S Saddington, Councillor M Shakeshaft, Councillor T Smith, Councillor L Tift and Councillor T Wildgust

ALSO IN

Councillor N Allen

ATTENDANCE:

APOLOGIES FOR

Councillor A Freeman (Chair) and Councillor S Forde

ABSENCE:

The Planning Committee Chair had submitted his apology for absence for this meeting, the Planning Committee Vice-Chair therefore took the Chair for the duration of the Planning Committee meeting.

97     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.

98     DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillors L Dales and K Melton declared an other registrable interest for any relevant items, as they were appointed representatives on the Trent Valley Internal Drainage Board.

Councillor Harris declared an other registrable interest regarding Agenda Item No. 6 – St Stephens, Fosse Road, Brough, Newark, NG23 7QE (24/01603/FUL) and No. 7 - St Stephens, Fosse Road, Brough, Newark, NG23 7QE (24/01603/LBC) as he was a Member of the Diocese Board of Finance who own the building. He confirmed that he would leave the meeting when the two applications were being considered.

Councillor Saddington declared a personal interest regarding Agenda Item No. 5 – Land to the West of Main Street, Kelham (23/01837/FULM(MAJOR)) as she was known to the applicant and family for many years and had nothing to do with the application.

99     MINUTES OF THE MEETING HELD ON 5 DECEMBER 2024

The minutes from the meeting held on 5 December 2024 were agreed as a correct record and signed by the Chair.

The Committee considered the report of the Business Manager – Planning Development, which sought the proposed ground mounted photo voltaic solar farm and battery energy storage system with associated equipment, infrastructure, grid connection and ancillary work.

A site visit had taken place prior to commencement of the Planning Committee, on the grounds 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.

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 local residents and the applicant.

Mrs K Green, local resident, spoke against the application.

Mr J Cooke, agent for the applicant, spoke in support of the application.

Members considered the application, and it was commented that the site visit showed the dangerous position of the access onto the site as the road speed was 50mph. The road had bends which prevented good visibility splays, which would be problematic with traffic turning into the site. It was reported that there had recently been a fatal accident on that stretch of road. Reference was made to a similar application in Derbyshire, which had been refused due to 55% of BEST and most versatile land. The application affected 92% on this land. It was considered that the cumulative impact from two other approved applications at Staythorpe and Averham, which were not yet in situ. It was considered that these three sites taken together represented a large area of land for industrial use in a rural area and change of landscape for the area.

It was further commented that the application sacrificed Grade 2 agricultural land, 92% BMV land which was significant, and which currently had the potential for food production, which was considered as important as green energy production. It was felt that the loss was not outweighed by the benefit and the Planning Committee was seeing an increase in 49.9 megawatts applications.

A Member commented that given the current climate with not much sun or wind questioned whether this form of green energy was adequate given that the main source of energy was from gas. The impact on Kelham bridge through the increase in construction vehicles was raised. Flooding was also raised regarding Averham which was believed to have been caused by removal of soil on the Southern Relief Road, it was questioned whether the change of use may cause further problems. The loss of this green field site for dog walkers was also raised, the only place to walk was along the heavily used A617. A Member commented on the cumulative impact and the industrialisation of the landscape in the area. The impact on heritage assets was also raised and the impact on the listed Kelham Hall and church and two areas of natural

beauty.

A Member commented on the large scale of the application and of this being concerning and that applicant hasn't been more measured in the application. The biggest concerns related to the visual impact for residents and the impact on conservation areas and local listed buildings.

Clarification was sought regarding where the cabling would go and the duration for that work to take place. The Senior Planning Officer confirmed that the cabling would be laid under the public road, which would cause disruption for worst case scenario six months.

The Business Manager – planning Development informed Members that this was an archaeological site and on google earth strip trenches could be seen. It was confirmed that archaeology was still prominent and there was potential to find further settlements which would tell the continued story of Kelham. It was confirmed that detailed conditions would need to be attached regarding this. The heritage point was explained to the Committee and the dilemma with the NPPF which stated the need to weigh up the harm against the potential benefit.

In answer to a Members concern regarding glare from the panels, the Senior Planner confirmed that a glare assessment was not required as the panels would face south away from residential receptors and given that the location of the panels would be set in from the roadside boundary it was considered that the impact on road users would be visible. It was advised that the highway authority nor the Environmental Health Officer did not object to the proposals on that basis. The hedgerows were also taken into consideration and the road was therefore considered far enough away from the site for any potential glare.

A Member commented that whilst digging the road up to lay the cables was better than digging residents' gardens, the cumulative impact from the three sites could have an impact on that area through construction for over eighteen months. It was considered that cumulative impact was a material consideration.

A vote to approve the application was taken and lost unanimously.

AGREED            Proposer Chair and Seconded Councillor M Shakeshaft  
(unanimously) that contrary to Officer recommendation Planning  
Permission be refused for the following reasons:

- (i)      Loss of BEST and most versatile land;
- (ii)     Cumulative impact of the development; and
- (iii)    Impact on heritage assets.

The wording for the reason of refusal to be delegated to the Business  
Manager - Planning Development.

In accordance with paragraph 18.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

<b>Councillor</b>	<b>Vote</b>
C Brooks	For
L Dales	For
P Harris	For
K Melton	For
D Moore	For
E Oldham	For
P Rainbow	For
S Saddington	For
M Shakeshaft	For
T Smith	For
L Tift	For
T Wildgust	For

Councillor P Harris having declared an other registrable interest, left the meeting at this point.

Councillor A Amer entered the meeting at this point.

101 ST STEPHENS, FOSSE ROAD, BROUGH, NEWARK, NG23 7QE - 24/01603/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the change of use from a place of worship to a dwelling with a single storey side extension.

A site visit had taken place prior to commencement of the Planning Committee, on the grounds 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 read out a number of amendments to the ecology conditions contained within the report as follows:

- Condition 15 to include additional wording for photographic evidence of the installed boxes and any other approved enhancements to be submitted to, and approved by, the Local Planning Authority.
- Condition 19 to be amended to “No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds’ nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority.”
- Condition 22 to be amended to: “No work of any type involving the existing roof structure (including the belfry) shall in any circumstances commence unless the Local Planning Authority has been provided with, a confirmed

receipt of either: A copy of a licence issued by Natural England, pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the approved works to proceed; or a statement in writing from Natural England to the effect that it does not consider that the approved development requires a licence.”

- Condition 23 amended: “The development shall be carried out in accordance with the bat mitigation strategy contained within the Bat Survey Report Revision B dated September 2024 by LM Ecology, or any amended version required by Natural England for the purpose of granting a European Protected Species Mitigation Licence, unless otherwise agreed in writing by the Local Planning Authority. The compensatory bat roost required as part of the mitigation strategy shall be provided prior to first occupation of the dwelling hereby approved and shall thereafter be retained for the lifetime of the development.”
- Added to the informative note for BNG: “The Biodiversity Gain Plan should be submitted via the Planning Portal, as an application for approval of details reserved by condition following grant of planning permission. If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.”

Mr M Cooper, the applicant, spoke in support of the application.

Members considered the application and commented that there would be a high degree of harm to the listed building. The scope of changes to the interior were alarming and the removal of the three stained glass windows was regrettable. The challenge to preserve the building for the future was vital and if the application was refused what would the building be used for. It was recognised that heritage harm could be balanced against the benefits of bringing the building back into use.

It was commented that if Collingham Parish Council were allowed to have a look inside the building that would help them with their knowledge of the building.

Concern was raised regarding the bats and the loss of trees to gain access to the building. The Business Manager – Planning Development confirmed that the retention of the trees was important, and discussions had taken place with the applicant to minimise the loss of trees on site. The engineering element however was difficult to construct the entrance without some tree removal. A small roost of bats had been found in the small belfry. One bat entrance tile was to be included on the south facing roof to compensate for the lost roost and two surface mounted bat boxes in the east and west gables of the conversion were proposed and two tree mounted bird boxes were to be installed within the site.

AGREED (with 11 votes For and 1 Abstention) that Planning Permission be approved subject to the conditions contained within the report as amended in line with changes proposed to conditions 15, 19, 22 and 23, and to the informatives as reported by the Business Manager - Planning Development.

102 ST STEPHENS, FOSSE ROAD, BROUGH, NEWARK, NG23 7QE - 24/01604/LBC

The Committee considered the report of the Business Manager – Planning Development, which sought the internal and external alterations to facilitate use of former place of worship as a dwelling.

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

The Business Manager – Planning Development reminded Members that listed building consent works required consideration of section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Members considered the application acceptable.

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

Councillor P Harris returned to the meeting at this point.

103 NATIONAL PLANNING POLICY FRAMEWORK – IMPLICATIONS ON APPLICATIONS RELATING TO HOUSING DEVELOPMENT

The Committee considered the report of the Director of Planning & Growth, which provided an update on the implication of the updated National Planning Policy Framework and highlighted the standing advice that Planning Policy was providing in relation to housing proposals.

*The Chair indicated that the meeting duration had expired therefore a motion was moved by the Chair and seconded by Councillor Dales to continue the meeting for a further hour.*

AGREED that the report and the standing advice provided by Planning Policy be noted.

104 APPEALS LODGED

AGREED that the report be noted.

105 APPEALS DETERMINED

AGREED that the report be noted.

Meeting closed at 7.35 pm.

Chair