

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, 18 January 2022 at 4.00 pm.

PRESENT: Councillor R Blaney (Chairman)
Councillor Mrs L Dales (Vice-Chairman)

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 T Thompson, Councillor I Walker, Councillor K Walker, Councillor T Wildgust and Councillor Mrs Y Woodhead.

ALSO IN ATTENDANCE: Councillor S Haynes

The Chairman welcomed Councillor T Thompson to her first meeting of the Planning Committee.

89 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor R Blaney declared an Other Registerable Interest in Agenda Item No. 12 – Community Hall, Easthorpe, Southwell (21/02410/FUL), as he was a Trustee of the charity who was the applicant.

Councillors Mrs L Dales, I Walker and K Walker declared Registerable Interests as Council appointed representatives on the Trent Valley Internal Drainage Board and Upper Witham Valley Drainage Board.

90 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.

91 MINUTES OF THE MEETING HELD ON 6 DECEMBER 2021

AGREED that the Minutes of the meeting held on 6 December 2021 were approved as a correct record and signed by the Chairman.

The Chairman informed the Committee of an urgent late item of business which would be considered after agenda item 12, entitled 'Kilvington Lakes, Kilvington – 20/02420/S73M'.

92 STAUNTON INDUSTRIAL ESTATE, ALVERTON ROAD, STAUNTON IN THE VALE - 21/02386/FULM (MAJOR)

The Committee considered the report of the Business Manager – Planning Development, which sought the erection of commercial storage units and erection of new office with associated parking, the application was a resubmission.

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

Members considered the application and it was felt that if the Committee were minded to approve the application a band of trees should be planted between the property and the pond and downward lighting to prevent light pollution and an obvious mass within the open countryside. A Member commented that there was no reason for this business to be in the countryside, creating more traffic and reducing quality agricultural land and would be more suited in one of the districts allocated sites. A Member commented that he remained uncomfortable about the application, but had noted that alternative sites had been explored. Another Member commented that long established estates such as this one should be supported in the open countryside. A Member raised concern with the additional information presented to support the application given that the areas sought for alternatives sites were greater than the existing and proposed floor areas combined.

A vote was taken to approve planning permission and lost with 6 votes For and 9 votes Against.

AGREED (with 9 votes For and 6 votes Against) that contrary to Officer recommendation planning permission is refused on the grounds that the development was not small scale or considered to be a proportionate increase of the existing business and that Members were not persuaded that the development requires a rural location as per the previous reason for refusal.

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
M. Brock	Against
R. Crowe	For
Mrs L. Dales	For
L. Goff	For
Mrs R. Holloway	For
Mrs P. Rainbow	Against
Mrs S. Saddington	For
M. Skinner	For
T. Smith	Against
T. Thompson	For
I. Walker	Against
K. Walker	Against
T. Wildgust	Against
Mrs Y. Woodhead	For

93 SPRINGFIELD BUNGALOW, NOTTINGHAM ROAD, SOUTHWELL - 21/01899/S73M

The Committee considered the report of the Business Manager – Planning Development which sought the variation of Condition 2 attached to 19/01828/FULM to allow the erection of a single storey plant room and 3no. air-source condensing units to the east (side) elevation of the building approved under 19/01828/FULM for the erection of 12 units of living accommodation for assisted living following the demolition of the existing bungalow.

Members considered the presentation from the Director – Planning & Growth, which included photographs and plans of the proposed development.

Members considered the application acceptable.

AGREED (unanimously) that planning permission is approved subject to the sealing of a S106 Legal Agreement and the conditions and reasons contained within the report.

94 WOODLANDS LIVERY, BECKINGHAM ROAD, CODDINGTON, NEWARK ON TRENT - 21/02210/FUL

The Committee considered the report of the Business Manager – Planning Development which sought the change of use of land for the siting of 3 no. holiday lodges and creation of a wildflower meadow

Members considered the presentation from the Senior Planning Officer, 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 the Planning Case Officer.

Councillor D Armstrong, on behalf of Coddington Parish Council, spoke against the application, in accordance with the views of Coddington Parish Council, as contained within the report.

Members considered the application and it was felt that the lodges should only be used for tourist accommodation and inhabited for no longer than 28 days. One Member commented on recent appeals that had been allowed for developments of a similar nature. Members requested that the exact wording of condition 5 be checked for robustness and any required changes were delegated to the Business Manager – Planning Development. The Director of Planning & Growth confirmed that a register of occupants should be retained by the site manager as per the requirements of the recommended condition 4.

AGREED (with 13 votes For and 2 votes Against) that planning permission is approved subject to the conditions and reasons contained within the report and subject to the exact wording of condition 5 being checked for robustness and any required changes delegated to the Business Manager – Planning Development.

The Committee considered the report of the Business Manager – Planning Development which sought alterations to No.81 Lincoln Road and the erection of a new dwelling.

Members considered the presentation from the Director of Planning & Growth, 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 the Planning Case Officer.

Councillor J Kellas, Local Ward Member for Bridge spoke against the application and also spoke on behalf of Councillor S Haynes, also Local Ward Member for Bridge, who was in attendance at the meeting, on the following grounds: loss of amenity to neighbours; infringe on the privacy of the neighbouring bungalows; back land development; lack of access for emergency services; risk of potential crime; and concerns of the neighbouring residents. The two Local Ward Members also supported Newark Town Council's objection.

Members considered the application and it was felt that the proposal for the new dwelling was over intensification of back land development that was harmful to the character of the area. Additionally, it would set a precedent for future development with the potential to further erode and harm the character of the area. It was suggested that the boundary fence should be re-instated. Members however had no concern regarding the extension to the existing property, No. 81 and suggested that an informative be included to the applicant stating that if the applicant wanted to pursue the extension to the existing property, they could do so on a separate application.

Another Member confirmed that he saw no material objection for this application. A precedent had already been established which could be seen on the plan north of the site. The privacy of neighbouring properties and amenity was also challenged. The driveway was narrow but it was stated that the fire brigade were trained to work on properties at a distance.

A vote was taken to approve planning permission and lost with 4 votes For, 10 votes Against and 1 Abstention.

AGREED (with 10 votes For, 4 votes Against and 1 Abstention) that contrary to Officer recommendation planning permission be refused on the grounds of over intensification of development due to the back land nature of the development which was out of character with the area and a precedent likely to be repeated.

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
M. Brock	Abstention
R. Crowe	For
Mrs L. Dales	For
L. Goff	For
Mrs R. Holloway	For
Mrs P. Rainbow	For
Mrs S. Saddington	For
M. Skinner	Against
T. Smith	For
T. Thompson	For
I. Walker	Against
K. Walker	Against
T. Wildgust	Against
Mrs Y. Woodhead	For

96 THE RUSTIC CRUST PIZZERIA, MAIN STREET, FARNSFIELD - 21/02396/S73

The Committee considered the report of the Business Manager – Planning Development which sought to remove condition 8 of planning permission 19/00208/FUL to allow the takeaway of hot food.

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

Members considered the application and concern was raised regarding the volume of traffic on Main Road and the number of cars parked on Main Road, due to this being a heavily populated residential area, with car parking problems. Members suggested that a temporary permission of twelve months be imposed in order for traffic movement to be monitored as the Country moved out of the pandemic and daily life moved back to pre-pandemic. An additional condition also be included attaching the planning permission to the business and condition 11 restricting how the takeaway be operated to not be included.

AGREED (unanimously) that:

- (a) delegated approval be granted to the Business Manager - Planning Development, to allow temporary planning permission for twelve months in order for traffic movement to be monitored; and
- (b) omission of condition 11.

97 THE BUTTERMARKET, 27 MIDDLE GATE, NEWARK-ON-TRENT - 21/02462/LBC

The Committee considered the report of the Business Manager – Planning Development which sought the removal of the existing in-filled wall within the Buttermarket First Floor Atrium and provision of new access doors.

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

Members considered the application acceptable.

AGREED (unanimously) that Listed Building Consent is granted subject to the conditions contained within the report.

98 THE BUTTERMARKEt, 27 MIDDLE GATE, NEWARK-ON-TRENT - 21/02470/LBC

The Committee considered the report of the Business Manager – Planning Development which sought provision of a general access staircase within the Buttermarket atrium leading from ground floor to the first floor mezzanine level.

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

Members considered the application acceptable.

AGREED (unanimously) that Listed Building Consent is granted subject to the conditions contained within the report.

99 COMMUNITY HALL, EASTHORPE, SOUTHWELL - 21/02410/FUL

Having Declared an Other Registerable Interest, Councillor R Blaney left the meeting for the duration of this item. Councillor Mrs L Dales took the Chair.

The Committee considered the report of the Business Manager – Planning Development which sought the change of use of the community hall to one dwelling including the erection of an extension and external alterations.

Members considered the presentation from the Director of Planning & Growth, which included photographs and plans of the proposed development.

Members considered the application and it was felt that as the building was so small it wasn't adequate for the use of a community facility and as confirmed within the report wasn't being used. The building required regular use in order to prevent it from falling into disrepair which would be achieved through a change of use to residential use. A Member raised concern that the hall had been used as a polling station in the past and was concerned that this local facility would be lost. The Director of Planning & Growth confirmed that an alternative venue would be found for the purpose of a polling place.

(Having declared an Other Registerable Interest, Councillor R Blaney left the meeting for the duration of this item and took no part in the vote).

AGREED (with 13 votes For and 1 vote Against) that planning permission is approved subject to the conditions and reasons contained within the report.

Councillor R Blaney returned to the meeting.

100 KILVINGTON LAKES, KILVINGTON - 20/02420/S73M

The Committee considered the report of the Business Manager – Planning Development which sought to remove conditions 19 and 20 attached to planning permission 14/02023/FULM and conditions 17 and 18 attached to planning permission 19/01097/FULM (Ref: APP/B3030/W/19/3239439).

Members were informed regarding an appeal that had been lodged and were asked to ratify the broad statement of case which officers intended to submit. Given the timetable for submission of the Council’s case, imposed by The Planning Inspectorate that week, had not allowed for the matter to be brought to the 15 February 2022, Planning Committee and hence the matter was presented as an urgent item.

Members considered the presentation from the Director of Planning & Growth, 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 the Clinical Commissioning Group on behalf of the NHS and a letter from the RPS Group.

Members considered the proposal acceptable.

AGREED (unanimously) that the broad statement of case outlined in the report be endorsed.

101 AMENDMENTS TO THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT ETC.) (ENGLAND) (AMENDMENT) (NO.3) ORDER 2021

The Committee considered the report of the Director – Growth & Regeneration which provided an update to Members on a recently published Statutory Instrument SI 2021 No. 1464 - The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 3) Order 2021 extends permitted development rights for pubs, cafes and restaurants.

The Government had published a Statutory Instrument (SI 2021 No. 467) on 14 April 2021 providing for moveable structures within the curtilage of certain buildings including public houses, restaurants and historic visitor attractions. This relaxation was for a temporary period of time to facilitate businesses continuing to operate during the Covid-19 pandemic. These rights had now become permanent, however some were subject to other limitations whilst there had also been expansion. The relevant ones for Newark and Sherwood District Council were summarised within the report.

Due to the pandemic, permitted development rights were also introduced in 2020 allowing emergency development by either a local authority or health service body to take place without permission. This right (Part 12A of Schedule 2) had been utilised within the District e.g. with the PCR testing station previously at Castle House and now at the NCC depot. This temporary right had been extended until 31 December 2022.

AGREED (unanimously) that :

- (a) Members note the contents of the report; and
- (b) further changes to legislation will be reported to Members.

102 APPEALS LODGED

AGREED that the report be noted.

103 APPEALS DETERMINED

AGREED that the report be noted.

Meeting closed at 5.57 pm.

Chairman