

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, 15 March 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 Thompson, Councillor I Walker, Councillor T Wildgust and Councillor Mrs Y Woodhead

ALSO IN ATTENDANCE: Councillor P Peacock

APOLOGIES FOR ABSENCE: Councillor T Smith (Committee Member) and Councillor K Walker (Committee Member)

120 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

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

The Planning Committee Chairman on behalf of Members of the Planning Committee declared a Non-Registerable Interest regarding Planning Applications Item No. 10 – The Buttermarket, between 27 and 28 Middle Gate, Newark On Trent (21/02589/FUL, and Item No. 11 – 262-268 Yorke Drive, Newark On Trent (22/00114/FUL), the applicant being Newark & Sherwood District Council.

Councillor Mrs P Rainbow informed the Committee that she had received an email as Chairman to the Council from Spalford Parish Meeting, she had read the email but would not allow the content to influence her decision.

121 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.

122 MINUTES OF THE MEETING HELD ON 15 FEBRUARY 2022

AGREED that the Minutes of the meeting held on 15 February 2022 were approved as a correct record and signed by the Chairman.

123 ORDER OF BUSINESS

With the agreement of the Planning Committee, the Chairman changed the order of business on the agenda as follows: Agenda item 7 – Shady Oaks, Eagle Road, Spalford

(21/02528/FUL) to be taken as the first item of business. Agenda item 9 – Shannon Falls, Tolney Lane, Newark (22/00073/S73) to be taken after Agenda item 6. The agenda resumed its stated order thereafter.

124 SHADY OAKS, EAGLE ROAD, SPALFORD - 21/02528/FUL (SITE VISIT: 10.25AM)

The Committee considered the report of the Business Manager – Planning Development, which sought the change of use of land to provide 4 pitches (1 static and 1 touring caravan and two parking spaces on each pitch) hardstanding and associated infrastructure for members of the Gypsy and Traveller community. A site visit took place before the Planning Committee meeting.

Members considered the presentation from the Business Manager – Planning Development, 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 a neighbour and local resident.

Mr P Middleton, on behalf of Spalford Parish Meeting, spoke against the application, in accordance with the views of Spalford Parish Meeting, as contained within the report.

Members considered the application and it was felt that whilst the need to find pitches for members of the gypsy and traveller community was important, this site was considered inappropriate. It was commented that the application was contrary to Council policy, the development would change the character of the hamlet of Spalford and have an impact on the lives of people who reside there. There was a lack of infrastructure in the village, the local school was closing, there were no footpaths around the site and there were problems with the local bus service. The site was also in flood zones 2/3. It was also commented that planning permission had twice been refused previously on this site for a permanent dwelling and dismissed on appeal because of its location in the open countryside.

The legal advisor confirmed that there wasn't a five year pitch supply which could be a significant material consideration, if the Council was minded to attach weight to this, it could indicate justification for a decision contrary to Council policy.

The Chairman provided the Committee with an update on the progress being made to increase the number of pitches available in the district and that a report had been included on the forthcoming weeks Economic Development Committee to address this.

A vote was taken and lost for approval with 1 vote For and 12 votes Against.

AGREED (with 12 votes For and 1 vote Against) that contrary to Officer recommendation, planning permission be refused on the grounds of Council Policy SP8, DM5, DM8 and CP5.

In accordance with paragraph 12.5 of the Planning Protocol, as the motion was against officer recommendation, a recorded vote was taken.

<b>Councillor</b>	<b>Vote</b>
R. Blaney	For
M. Brock	For
R. Crowe	For
Mrs L. Dales	For
L. Goff	Against
Mrs R. Holloway	For
Mrs P. Rainbow	For
Mrs S. Saddington	For
M. Skinner	For
T. Smith	Absent
T. Thompson	For
I. Walker	For
K. Walker	Absent
T. Wildgust	For
Mrs Y. Woodhead	For

125 HILL HOUSE, CHAPEL LANE, EPPERSTONE - 21/02533/FUL (SITE VISIT: 12PM)

The Committee considered the report of the Business Manager – Planning Development, which sought the erection of a replacement dwelling and associated works and landscape enhancements. A site visit took place before the Planning Committee meeting.

Members considered the presentation from the Business Manager - Planning Development, 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 local residents and the applicant.

The Business Manager – Planning Development confirmed that this application had been deferred from the 15 February 2022 Planning Committee pending a site visit. The application had been referred to the Secretary of State who had confirmed that the application would not be called-in. A model of the development was presented to the Committee. A video presentation of the site was provided to the Committee, predominately for those Members that were unable to attend the site visit.

The Chairman informed the Committee that the Local Ward Member Councillor R Jackson had sought permission to speak on the application, but had been injured that morning and had to submit an apology.

Members considered the application and it was felt that the dwelling was bold, ambitious, green and sustainable and had many architectural merits, thus forming the very special circumstances required to grant planning permission in the Green Belt.

AGREED (with 12 votes For and 1 Abstention) that planning permission be approved, subject to the conditions contained in the report, having been referred to the Secretary of State who had confirmed that the application would not be called-in.

126 FIELD REFERENCE NUMBER 8890, MANSFIELD ROAD, EDWINSTOWE - 21/02094/OUTM (SITE VISIT: 11.20AM)

The Committee considered the report of the Business Manager – Planning Development, which provided an outline application for the development of up to 50 dwellings (including affordable housing), open space, children’s play space and associated infrastructure, including a new access off Mansfield Road, with all matters reserved. A site visit took place before the Planning Committee meeting.

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 following: neighbouring parties; NHS Nottingham and Nottinghamshire CCG; Agent and an anonymous objection.

Parish Councillor Mrs C Brooks, on behalf of Edwinstowe Parish Council, spoke against the application, in accordance with the views of Edwinstowe Parish Council, as contained within the report.

Councillor P Peacock, local Ward Member (Edwinstowe and Clipstone) spoke against the development as contained within the report.

A Member sought clarification regarding the site being an allocated site within the district council’s development plan with all matters reserved and whether the site could be de-allocated.

The Senior Planning Officer confirmed that as the site was allocated within the district council’s development plan, full regard would need to be given. There was a procedure to de-allocate sites however any appeal decision if the Planning Committee were minded to refuse the application would be taken before the process to de-allocate a site would have finalised as that process was lengthy.

Members considered the application and it was felt that whilst the scale of development in Edwinstowe appeared excessive as highlighted by the local Ward Member and Parish Councillor in attendance, Members had to consider that this was an allocated site within the district council’s development plan which had been approved by the Council.

AGREED (with 11 votes For, 1 vote Against and 1 Abstention) that planning permission be approved subject to the conditions contained within the report and the completion of a S106 Agreement as detailed within the report.

127 SHANNON FALLS, TOLNEY LANE, NEWARK - 22/00073/S73

The Committee considered the report of the Business Manager – Planning Development, which sought to remove condition 2 from planning permission 18/02167/FUL to allow the existing temporary use to become permanent. Change of use of scrubland for the siting of 8 touring caravans and associated amenity block for gypsy travellers.

Members considered the presentation from the Business Manager – Planning Development, 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 applicant. The applicant understood that their planning application for permanent use was likely to be refused permission on grounds of flood risk. They had therefore confirmed that they would wish that a grant of a further temporary permission would be considered instead.

The Business Manager – Planning Development confirmed to the Committee that the recommendation in the report was refusal for permanent planning permission. The applicant had sought permission for a further three year temporary permission. The Planning Officers recommendation had therefore changed to approval for temporary approval for three years.

Members considered the application for further temporary approval for three years acceptable.

AGREED (unanimously) that planning permission be approved subject to temporary approval for three years and subject to the existing conditions contained in the Schedule of Communication.

128 SOUTHWELL RACECOURSE, STATION ROAD, ROLLESTON - 22/00168/S73M

The Committee considered the report of the Business Manager – Planning Development, which provided an application for variation of condition 4 to allow greater flexibility for the use of lighting attached to planning permission 19/01824/S73M, which varied planning permission 17/01268/FULM; erection of 55 directional lighting columns.

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 commented that there was no increase in race meetings per year as that was capped at eighty. The lighting erected in 2019 had not resulted in light intrusion to any surrounding properties. There would be an increase from twenty to up to forty meetings when the floodlights could potentially be used which would be subject to the measures set out in existing traffic management plan. The Committee therefore saw no planning grounds to refuse the application.

AGREED (unanimously) that planning permission be approved subject to the conditions contained within the report.

129 THE BUTTERMARKET, BETWEEN 27 AND 28 MIDDLE GATE, NEWARK ON TRENT - 21/02589/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the change of use of the first floor atrium and old pub area of the Buttermarket from Sui Generis to Mixed Use (Uses Classes E(a), E(b), E(g(i)), F1(a) and F2(b)).

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.

130 262 - 268 YORKE DRIVE, NEWARK ON TRENT - 22/00114/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought full planning permission to demolish four properties, last used as dwellhouses.

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 planning permission be approved subject to the conditions contained within the report.

131 APPEALS LODGED

AGREED that the report be noted.

132 APPEALS DETERMINED

AGREED that the report be noted.

Meeting closed at 6.20 pm.

Chairman