



Report to Planning Committee 9 May 2024

Director Lead: Matt Lamb, Planning & Growth

Lead Officer: Lisa Hughes, Business Manager – Planning Development, x5565

Report Summary	
Report Title	Planning Committee Annual Report 2023-2024
Purpose of Report	To provide Members with information of the performance of Planning Committee.
Recommendations	That Members note the contents of this report.

1.0 Background

1.1 All Planning Committee meetings have been held at Castle House. All meetings commenced at 1600 hours on a Thursday. An Extraordinary Meeting was held in November.

2.0 Proposal/Options Considered and Reasons for Recommendation

Facts, Planning Applications and Reports:

2.1 Newark & Sherwood District Council’s Planning Committee sat on 12 occasions throughout the municipal year 2023- 2024, one more than 2023. The Committee undertook 23 official site visits, as part of 7 meetings. This is 1 more site visit than the previous municipal year but the same number of meetings.

Planning Applications:

2.2 The Planning Committee considered 64 planning applications over the 11 meetings. This is 6 more applications than 2022/23.

- 32 applications were granted in line with officer recommendation;
- 19 applications were refused in line with officer recommendation;
- 3 application was granted contrary to officer recommendation;
- 9 applications were refused contrary to officer recommendation;
- 1 was withdrawn from the agenda; and
- Of the 64, one was deferred for negotiation or further information.

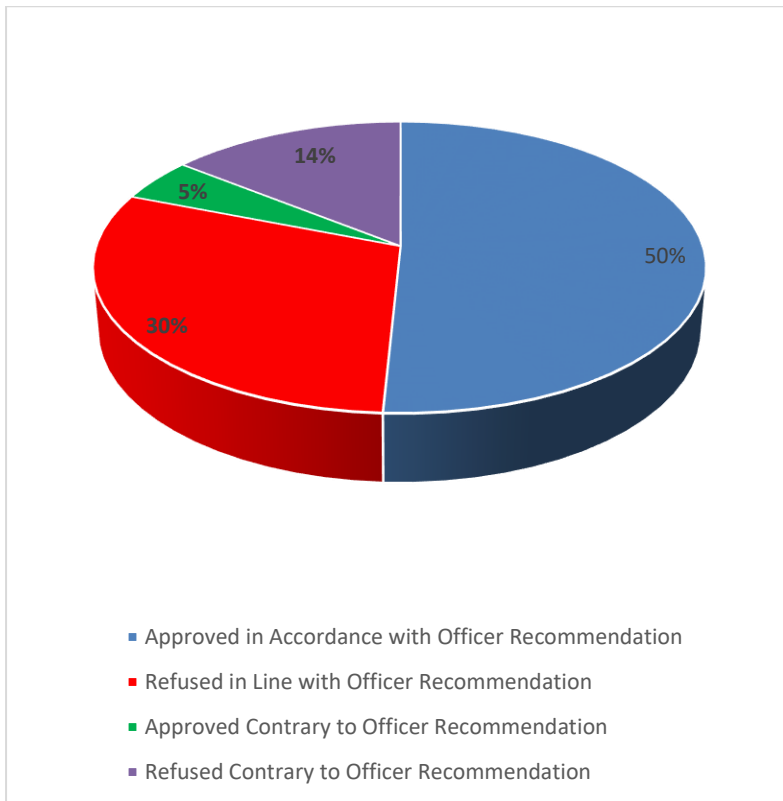


Chart 1: How applications were determined

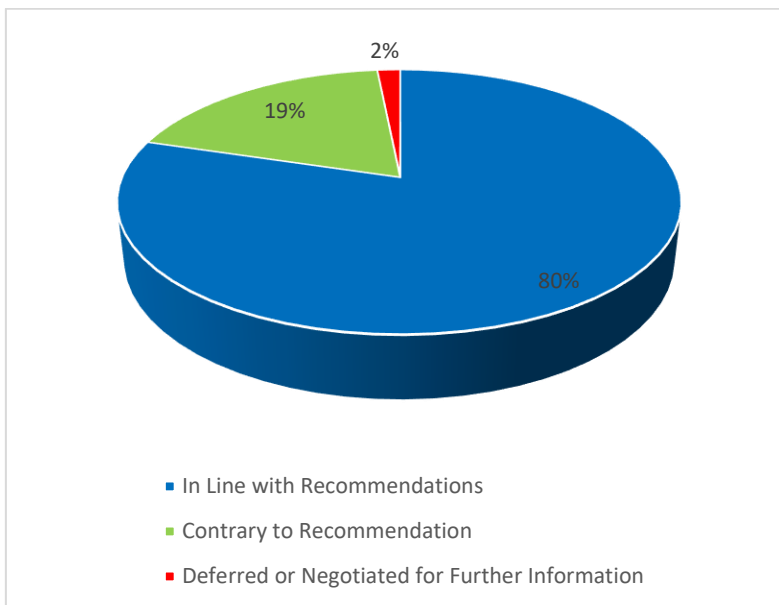


Chart 2: Percentage of Decisions in Accordance with or Contrary to Officer Recommendation

Appeals Decisions:

- 2.3 Throughout the municipal year Newark & Sherwood District Council received 2 appeal decisions in respect of decisions made by the Planning Committee.
- 2.4 Out of the two, 1 of the appeals was allowed (i.e. granted) by the Inspector and 1 was dismissed (refused) supporting the decision of the Committee.
- 2.5 Of the appeals:
 - 1 of these had been recommended for approval by Officers but overturned by Committee; and
 - 1 had been recommended by Officers to be refused.

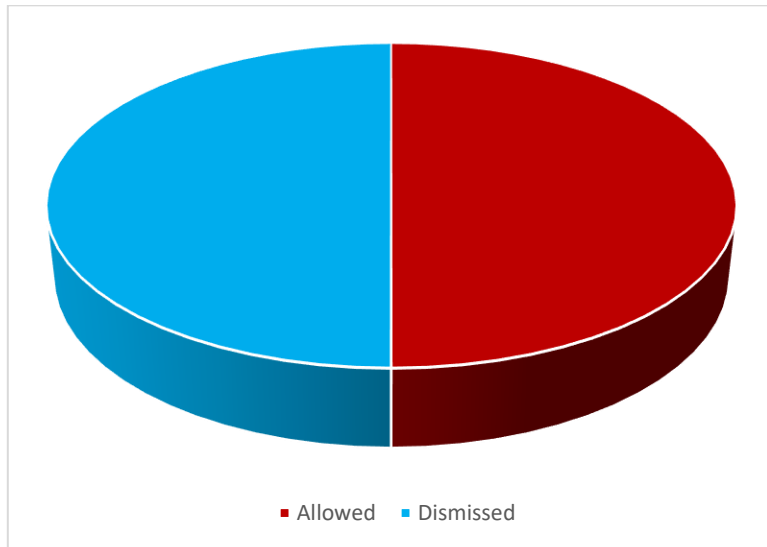


Chart 3: How Appeals were Determined

The allowed appeal was:

App No.	Address	Proposal
22/02248/FUL	11 Station Road, Collingham	Erection of New Dwelling; Alteration of Existing Dwelling; Demolition of Existing Garage and Shed and Erection of New Garaging

2.6 Members will also be aware from quarterly performance reports that when an appeal is made either party, the Council or the Appellant may seek costs if unreasonable behaviour is deemed to have taken place. In addition, the Inspector may also make an award of costs without an application by either party. Planning Practice Guidance details the types of behaviour that may lead to an award of costs by local planning authorities, appellants, statutory consultees and interested parties. No costs have been awarded against the Council over the preceding 12-months.

Additional reporting

2.7 In addition to planning applications the Committee also received a significant variety of reporting on the following matters. A summary of the changes is provided below. Further information may be found by reading the respective month's committee reports.

Legislative updates

2.8 August 2023 – Permitted Development Rights – new rights in relation to recreational campsites and film making - Statutory Instrument 2023 No. 747 ([The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) Order 2023](#))

2.9 January 2024 - Permitted Development Rights – for solar energy increasing the rights particularly for buildings within conservation areas, extensions to schools, colleges, universities, prisons and hospitals as well as rights in relation to telecom masts and antennas - Statutory Instrument 2023 No. 1279 ([The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) \(No. 2\) Order 2023](#))

2.10 February 2024 – Biodiversity Net Gain (BNG). The BNG legislation comprises:

- [The Biodiversity Gain Site Register Regulations 2024 \(legislation.gov.uk\) \(SI 2024 No. 45\)](#)
- [The Biodiversity Gain Site Register \(Financial Penalties and Fees\) Regulations 2024 \(legislation.gov.uk\) \(SI 2024 No. 46\)](#)
- [The Biodiversity Gain Requirements \(Exemptions\) Regulations 2024 \(legislation.gov.uk\) \(SI 2024 No. 47\)](#)
- [The Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024 \(legislation.gov.uk\) \(SI 2024 No. 48\)](#)
- [The Biodiversity Gain \(Town and Country Planning\) \(Consequential Amendments\) Regulations 2024 \(legislation.gov.uk\) \(SI 2024 No. 49\)](#)
- [The Biodiversity Gain \(Town and Country Planning\) \(Modifications and Amendments\) \(England\) Regulations 2024 \(legislation.gov.uk\) \(SI 2024 No. 50\)](#)

2.11 This legislation includes a number of different matters relating to the introduction of BNG. One of the key aspects is the introduction of mandatory BNG for major developments submitted on or after the 12th February and for non-major for applications submitted on or after the 2nd April.

2.12 February 2024 – [The Levelling-up and Regeneration Act 2023 \(Commencement No. 2 and Transitional Provisions\) Regulations 2024](#). This introduced the ability for the government to provide statutory development management policies, introduce legislation for Street Development Orders as well as other, more minor to Planning Development, changes.

2.13 February 2024 – Ancient Woodland – [The Town and Country Planning \(Consultation\) \(England\) Direction 2024](#) introduced the requirement to refer applications to the Secretary of State before granting permission if the development affects an Ancient Woodland and cannot be adequately mitigated.

Government Consultations

2.14 April 2023 - Consultation on permitted development rights concerning 1) permitted development rights relating to recreational campsites, 2) renewable energy, 3) electric charge vehicle points and 4) film-making. The details of the consultation were set out in [Permitted development rights: supporting temporary recreational campsites, renewable energy and film-making](#).

2.15 September 2023– Consultation on [Additional flexibilities to support housing delivery, the agricultural sector, businesses, high streets and open prisons; and a call for evidence on nature-based solutions, farm efficiency projects and diversification](#). This was a consultation on many different aspects:

- Changes to certain permitted development rights that allow for the change of use to dwellinghouses.
- Changes to certain permitted development rights that allow agricultural diversification and development on agricultural units.
- Changes to certain permitted development rights that allow for non-domestic extensions and the erection of new industrial and warehouse buildings.
- Changes to the permitted development right that allows for the temporary use of land to allow markets to operate for more days.

- Changes to the existing permitted development right that allows for the erection, extension or alteration of schools, colleges, universities, hospitals, and closed prisons to also apply to open prisons.
- The application of local design codes to certain permitted development rights.

- 2.16 January 2024 – Consultation on Street Votes Development Orders – this consultation proposals enabling owners of dwellings within a ‘street’ to be able to come together and propose development that will be permitted via a Development Order which will mean that a planning application to the local planning authority would not be required, in effect the Order would define ‘permitted development. [Street vote development orders](https://www.gov.uk/government/consultations/permitted-development-rights-supporting-temporary-recreational-campsites-renewable-energy-and-film-making-consultation/permitted-development-rights-supporting-temporary-recreational-campsites-renewable-energy-and-film-making-consultation)<https://www.gov.uk/government/consultations/permitted-development-rights-supporting-temporary-recreational-campsites-renewable-energy-and-film-making-consultation/permitted-development-rights-supporting-temporary-recreational-campsites-renewable-energy-and-film-making-consultation>.
- 2.17 March 2024 - Permitted Development Rights Consultation - [Changes to various permitted development rights: consultation - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/permitted-development-rights-supporting-temporary-recreational-campsites-renewable-energy-and-film-making-consultation/permitted-development-rights-supporting-temporary-recreational-campsites-renewable-energy-and-film-making-consultation). This consultation had a number of proposed changes for householders, demolition and rebuild, EV charging and heat pumps.

Other Matters

- 2.18 July 2023– Update to the [Planning Enforcement Plan](#) - the changes principally related to advertisements and our proactive approach to unauthorised adverts.
- 2.19 January 2024 - De-listing Notification from Historic England for Old Hall Cottage of Main Street, Kneesall.
- 2.20 January 2024 – Update to the [National Planning Policy Framework](#) (NPPF) and Written Ministerial Statement (WMS) [‘The Next Stage in Our Long Term Plan for Housing Update’](#). The changes to the NPPF related to plan making , ‘beautiful’ development, permitting mansard roofs, design codes, insertion of text to require ‘...significant weight to the need to support energy efficiency...’ and availability of land for food production. The WMS highlighted the role of beauty, increased performance in terms of the speed of decision-making including the possibility of removing extension of time agreements for householders, the financial support given to local planning authorities and overturns by planning committees and the advice to Inspectors to consider the award of costs against the council in such circumstances.
- 2.21 February 2024 – Planning Application Validation Checklist – this proposed amendments to the checklist, primarily following the introduction of mandatory biodiversity net gain but also some minor amendments.
- 2.22 March 2024 – Constitution Review including the introduction of public speaking. A detailed review of the Scheme of Delegation to Planning Officers and the Planning Protocol for Members was undertaken. Amendments were made to each in order to permit public speaking as well as to try and ensure that the planning application process is fair and equitable to all.
- 2.23 March 2024 – Development Plan Update. This report set out that the Planning Policy & Infrastructure team has submitted the [Second Publication Amended Allocations &](#)

[Development Management DPD, September 2023](#) to the Planning Inspectorate for consideration. Details of when this is to be examined is awaited.

- 2.24 Further changes are expected for 2024/25 following the publication of the Levelling-up and Regeneration Act 2023 but also as a result of some of these many consultations and proposals.

3.0 Implications

- 3.1 In writing this report and in putting forward recommendations officers have considered the following implications; Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

Background Papers and Published Documents

Planning Committee Agendas – April 2023 – March 2024