



Report to Planning Committee 5 December 2024

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Clare Walker, Senior Planner, 01636 655834

Report Summary			
<b>Application No.</b>	24/00548/FUL		
<b>Proposal</b>	Change of use of land to residential Gypsy/Traveller caravan site comprising 6 pitches each providing 1 static and 1 touring caravan and dayroom.		
<b>Location</b>	The Old Stable Yard Winthorpe Road Newark On Trent NG24 2AA		
<b>Applicant</b>	Messrs Lamb, Smith & Smith	<b>Agent</b>	WS Planning & Architecture
<b>Web Link</b>	<a href="#">24/00548/FUL   Change of use of land to residential Gypsy/Traveller caravan site comprising 6 pitches each providing 1 static and 1 touring caravan and dayroom.   The Old Stable Yard Winthorpe Road Newark On Trent NG24 2AA</a>		

**This report is for information purposes only.**

- 1.1 Members may recall this application was presented to the Planning Committee on 11<sup>th</sup> November 2024 with a recommendation of refusal. Following a site visit and debate at committee, Members resolved to approve this unanimously, and conditions were delegated to officers.
- 1.2 As the application was contrary to the advice of the Environment Agency, clarification was sought regarding the need to notify them of the Council’s intent to issue a permission. However, as the application was a non ‘major’ development there was no such requirement.
- 1.3 Members may recall that Nottinghamshire County Council requested the imposition of two conditions; 1) to upgrade the access verge to the bypass (onto a road maintained by National Highways and officers noted that National Highways did not request such a condition) in order to protect their position as they don’t yet know who would be responsible for the road following the dualling, and 2) to provide a bound internal access road within the site, which as Members will have noted is

already in situ. Officers considered that these highway conditions were unreasonable and not necessary, failing the soundness tests set out in the NPPF. These conditions were not therefore imposed.

1.4 Conditions were shared with the applicant, and they confirmed these are reasonable and achievable for them.

1.5 The following conditions were therefore imposed and the decision was issued on 14<sup>th</sup> November 2024.

**Conditions:**

01

Within 28 days of the date of this permission, a resident of each pitch shall:

- (a) register with the Environment Agency's Floodline; and
- (b) provide the local planning authority with confirmation from the Environment Agency that they have done so.

A resident of each pitch shall maintain their registration with Floodline throughout the life of this permission and shall provide the local planning authority with further confirmation from the Environment Agency that they are registered within 28 days of any written request from the local planning authority for such confirmation.

Reason: In the interests of managing and reducing flood risk in accordance with the aims of Core Policies 5 and 10 of the Newark and Sherwood Amended Core Strategy (2019) and Policy DM5 of the Allocations and Development Management DPD (2013).

02

Within 3 months of the date of this permission, a Flood Management and Evacuation Plan shall be submitted to and be approved in writing by the Local Planning Authority. The approved Flood Management and Evacuation Plan shall be implemented and kept up-to-date for the lifetime of the development.

Reason: In the interest of flood risk management and the safety of future occupiers of the site.

03

The finished floor levels of the mobile homes on each pitch shall be raised by 700mm in line with the levels set out in Table 8.1 of the Flood Risk Assessment by SLR Consulting Limited dated 1st July 2024.

Reason: In the interest of flood risk management and the safety of future occupiers of the site.

04

The voids under the caravans on each pitch shall be kept clear (and not used for storage) at all times, for the lifetime of the development.

Reason: In the interests of ensuring flood storage is not lost, to ensure flow routes are kept clear and to protect the residents' properties from flooding dangers.

05

Within 3 months of the date of this permission, a landscaping scheme shall be submitted to and be approved in writing by the Local Planning Authority. The details shall include full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting) and details of tree planting pits including associated irrigation measures, tree staking and guards, and structural cells. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species and shall focus on the south-western boundary of the site.

Reason: In the interests of biodiversity and visual amenity with particular regard to mitigating the impact on the designated Open Break.

06

The landscaping approved by condition 5 shall be completed during the first planting season following that approval (of condition 5), or such longer period as may be agreed in writing by the local planning authority. Any trees/shrubs which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All tree, shrub and hedge planting shall be carried out in accordance with BS 3936 - 1992 Part 1-Nursery Stock-Specifications for Trees and Shrubs and Part 4 1984-Specifications for Forestry Trees; BS4043-1989 Transplanting Root-balled Trees; BS4428-1989 Code of Practice for General Landscape Operations. The landscaping shall then be maintained for the lifetime of the development.

Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity (and particularly the Open Break) and biodiversity.

07

The pitches hereby permitted shall not be occupied by any persons other than gypsies and travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Reason: To ensure that the site is retained for use by gypsies and travellers only in order to contribute towards the LPAs 5-year housing supply. Planning Application: 24/00548/FUL

08

The numbers of pitches hereby approved by this permission is limited to 6 as shown on drawing number Site Plan as Proposed, drawing no. JOO4777-DD-03.

Reason: To ensure that the provision is made for existing residents only, in the interests of visual amenity and for the avoidance of doubt.

### Informatives

01

The application was considered on the basis of the following plans and documents.

- o Application form
- o Site Location Plan, drawing no. JOO4777-DD-01
- o Site Plan as Existing, drawing no. JOO4777-DD-02
- o Site Plan as Proposed, drawing no. JOO4777-DD-03
- o As Proposed Dayroom, drawing no. JOO4777-DD-04
- o Desktop Review and Assessment Report 1565.DRAR.00, by dBA Acoustics, 12.03.24
- o Planning Statement (and 18 Appendices including topographical survey, Stateley Caravans Acoustic Performance Report and 16 appeal decisions), March 2024
- o Confidential Statement of Personal Circumstances
- o Flood Risk Assessment Rev 00, by SLR dated 1st July 2024
- o Foul Drainage Justification, submitted 13th September 2024
- o STW Assets Plan, submitted 13th September 2024
- o Rebuttal to EA objection, 7th October 2024
- o Further comments on EA position by agent, 22nd October 2024

02

The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at [www.newark-sherwooddc.gov.uk/cil/](http://www.newark-sherwooddc.gov.uk/cil/)  
The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

03

This application is exempt from mandatory Biodiversity Net Gain as it was made prior to the date when it came into effect and in any event because it is retrospective.

04

This application has been the subject of discussions during the application process. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accord Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

## BACKGROUND PAPERS

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Application case file.

Committee Plan - 24/00548/FUL

