

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 Monday, 11 November 2024 at 4.00 pm.

PRESENT: Councillor A Freeman (Chair)
Councillor D Moore (Vice-Chair)

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

ALSO IN ATTENDANCE: Councillor N Allen, Councillor S Crosby, Councillor J Hall, Councillor R Holloway, Councillor R Jackson, Councillor J Lee

APOLOGIES FOR ABSENCE: Councillor C Brooks and Councillor T Smith

73 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.

74 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillors A Freeman, 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 K Melton informed the Planning Committee that he was not predetermined on Items 6 - Land Adjacent Hayfield Cottage, Lowfield Lane, Balderton (22/02375/FULM), 7- Land West of Staythorpe Electricity Substation, Staythorpe Road, Staythorpe (24/01261/FULM) and 10 – Land at Greenaway, Rolleston (24/00402/FUL), as he represented Trent Ward.

Councillor D Moore informed the Planning Committee that he had expressed a view in the past regarding Item 6 – Land Adjacent Hayfield Cottage, Lowfield Lane, Balderton (22/02375/FULM), but did not reach the bar of predetermination as coming to the meeting with an open mind willing to listen to the representations and debate before forming a view.

Councillor S Forde commented that he was not predetermined regarding Item 6 - Land Adjacent Hayfield Cottage, Lowfield Lane, Balderton (22/02375/FULM), as he represented Balderton South Ward.

Councillor S Saddington informed the Planning Committee that she represented both villages Balderton and Rolleston, as a Nottinghamshire County Councillor, but was not predetermined on either application: Items 6 - Land Adjacent Hayfield Cottage, Lowfield Lane, Balderton (22/02375/FULM), and 10 - Land at Greenaway, Rolleston

(24/00402/FUL).

Councillor M Shakeshaft declared an other registrable interest in relation to Item 6 – Land Adjacent Hayfield Cottage, Lowfield Lane, Balderton (22/02375/FULM), as he was a Director of Arkwood Development Ltd. He would address the committee as allowed under the constitution but would leave the meeting after he had addressed Committee and would not take part in the debate or vote.

Councillor A Amer informed the Planning Committee that he had wrote a poem regarding Lowfield Lane over a year ago, which had been brought to the attention of Council Officers and confirmed that he was not prejudice or predetermined.

Councillor E Oldham confirmed that she had signed a petition in the past regarding Item 6 - Land Adjacent Hayfield Cottage, Lowfield Lane, Balderton (22/02375/FULM), but was not predetermined.

75 MINUTES OF THE MEETING HELD ON 3 OCTOBER 2024

Minute No. 67 – Robin Hood Retreat Caravan Park, Belle Eau Park, Bilsthorpe, Newark On Trent, NG22 8TY – 24/01146/S73 - Cllr Rainbow noted that the Robin Hood Caravan scheme did not include mention of enforcement action, notably in respect of checking the Register.

AGREED that subject to the inclusion of the above, the minutes of the meeting held on 3 October 2024 were approved as a correct record and signed by the Chair.

76 MINUTES OF THE MEETING HELD ON 14 OCTOBER 2024

Councillor P Harris, informed the Committee that he had submitted his apology to this Planning Committee.

AGREED that subject to the amendment regarding Councillor P Harris apology, the minutes of the meeting held on 14 October 2024 were approved as a correct record and signed by the Chair.

77 LAND ADJACENT HAYSIDE COTTAGE, LOWFIELD LANE, BALDERTON - 22/02375/FULM

The Committee considered the report of the Business Manager – Planning Development, which sought the demolition of the existing cottage and the residential development of 142 new dwellings and creation of new accesses.

A site visit had taken place prior to the commencement of the Planning Committee, on the grounds that there were particular site factors.

Members considered the presentation from the Director of Planning Growth, which included photographs and plans of the proposed development. The Committee would benefit from seeing.

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the agenda from the following:

Local Residents; Nottinghamshire County Council Policy; Newark & Sherwood District Council Conservation; Applicant; Planning Case Officer; and Nottinghamshire Wildlife Trust.

Mr D Kay, local resident, spoke against the application.

Councillor J Buxton representing Balderton Parish Council spoke against the application.

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

Councillor M Shakeshaft, spoke in support of the application.

Having declared an other Registrable Interest, Councillor M Shakeshaft left the meeting after speaking to the Committee at this point.

Councillor J Hall Local Ward Member spoke against the application.

Councillor J Lee adjoining Ward Member was neutral when speaking on the application.

Members considered the application and concern was raised that the site if developed may exacerbate the problem of flooding for the surrounding area as this area currently acts as a flood plain. There may be a traffic management issue on the proposed narrow roads with parking issues. Concerns were raised regarding Biodiversity and also bats that were in situ. Bat boxes would be put on the side of houses, however it was reported they were not necessarily affective, and the bats may not stay in that location. Hedgehogs would also be disturbed. Another Member commented on the work that the applicant had achieved to date working with Ward Members, campaigners and officers and the report before the Committee was a consequence of that input. It was felt that hearing all the concerns the applicant perhaps hadn't gone far enough in terms of protecting wildlife/species. Balderton already lacked services, by increasing the housing would have a greater impact on the village. It was commented that the design of the houses on the proposed site was not in keeping with adjoining neighbouring properties.

The Chair commented that this was an allocated site and thanked officers for their hard work in presenting the proposed final plan, which had been sensitive to many of the concerns raised. There had been no statutory objections. 140 metres of hedgerow would be removed; however, 300 metres would be replaced. The 10% affordable housing was an issue when 30% was a local policy requirement and it was felt that the applicant should have gone the extra mile regarding affordable housing and scattering it across the site, not just in one location. Other Members commented that 10% affordable homes was not good enough and expected an exemplar site.

A Member further commented that this was an allocated site since 2013 and was part of the Newark Urban Area. The Planning Committee did not set policy and could not amend that. Strong material reasons would be required to be submitted or if taken to appeal would be granted on appeal. Housing was needed within the district, with the district shortly being required to find 730 houses as part of the new Governments

planning reforms and housing targets. Nottinghamshire County Council had raised no objection to this application. A Member commented on the electricity substation that was 800 metres downstream which served the whole of Newark and commented that if that flooded there would be a major power problem.

A Member commented on the £108,000 to be allocated to a demand responsive bus service. There was a bus service already operational 300 metres from the site. If a demand responsive service was put in place it would be likely that the bus services currently operational would collapse. It was suggested that the £108,000 should be used for community benefit should that be the Committee resolution.

The Director of Planning Growth confirmed that the £108,000 allocated to the bus service could be changed and contributed to community benefit.

A Member commented that the proposal was better than it was previously but that the delivery of affordable housing was poor and that there was no pepper potting.

It was moved and seconded that a recorded vote be taken.

AGREED (with 6 votes For, 4 votes Against and 2 Abstentions) that Planning Permission be approved subject to the following:

- (i) conditions contained within the report with an amendment to condition 4 – Require the offsite ecological provision to be identified and secured (via the S106) prior to the commencement of development; and
- (ii) any Section 106 to reallocate £108,000 from bus services, £108,000 to community facilities.

A Member requested that a recorded vote was taken.

Councillor	Vote
A Amer	Against
L Dales	For
S Forde	Abstention
A Freeman	For
P Harris	Against
K Melton	Against
D Moore	For
E Oldham	Against
P Rainbow	For
S Saddington	Abstention
L Tift	For
T Wildgust	For

The Chair indicated that the meeting duration of three hours had expired therefore a motion was moved by the Chair and seconded by the Vice-Chair to continue the meeting. A motion was voted on without discussion to continue for a further hour.

Councillor M Shakeshaft returned to the meeting at this point.

78 LAND WEST OF STAYTHORPE ELECTRICITY SUBSTATION, STAYTHORPE ROAD, STAYTHORPE - 24/01261/FULM

The Committee considered the report of the Business Manager – Planning Development, which sought the infrastructure associated with the connection of battery energy storage system to National Grid Staythorpe electricity substation and associated works.

A site visit had taken place prior to the 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; and the proposal was particularly contentious, and the aspects being raised could only be viewed on site.

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 following: Planning Case Officer; NCC Highway Authority; Applicant; Averham, Kelham and Staythorpe Parish Council; The Environment Agency; Local Residents; Newark & Sherwood District Council Tree & Landscape Officer.

Ms P Hall, local resident, spoke against the application.

Councillor J Allan representing Averham, Kelham and Staythorpe Parish Council spoke against the application.

Mr M Noone, agent for the applicant, spoke in support of the application.

The Chair informed the Committee that the end of the consultation period was one day after this Planning Committee, the applicant had asked for the application to be considered at the November Planning Committee. If any new material planning consideration were raised before the deadline on the 12 November 2024, the application would be forwarded back to the 5 December 2024 Planning Committee. Officers explained how highway concerns had been addressed in late items and that there was precedence for determining planning applications prior to the completion of consultation when trying to fit into a committee cycle.

Members considered the application and concern was raised regarding making a decision before the consultation period had ended. Members commented that the application should not be determined without all relevant highway information. Concern was also raised regarding the closure of the bus stop and the access onto the site which may damage the pavements from construction vehicles. Concern was raised about perceived pressure being put on officers in the highway department furthermore. It was therefore suggested that the application be deferred to the 5 December 2024 Planning Committee.

The Business Manager – Planning Development informed the Committee that this was not a statutory consultation but was undertaken due to the lay-by being closed. It was felt that a full re-consultation was not required. The key summary points were read out.

AGREED (unanimously) the application be deferred to the 5 December 2024 Planning Committee, in order for the consultation period to end.

79 THE OLD STABLE YARD, WINTHORPE ROAD, NEWARK ON TRENT, NG24 2AA - 24/00548/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the change of use of land to residential Gypsy/Traveller caravan site comprising six pitches each providing one static and one touring caravan and dayroom.

A site visit had taken place prior to the 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 Director of Planning Growth, which included photographs and plans of the proposed development.

Ms W Mounsey, resident, spoke in support of the application.

Members considered the application, and it was commented that this site had not flooded during the last two major recent storms, which was contrary to the advice of the Environment Agency. The site was well kept, the residents had lived on site with the existing noise environment for six years. Members considered this a settled community and raised concern regarding where they would go if planning permission was not granted. It was suggested that if the Committee was minded to approve planning permission, conditions could be applied to include residents (now and in the future) signing up for the Environment Agency early warning scheme and an evacuation plan be established. There should be no expansion of the site further than the six plots and a red line be drawn on the plan around the site to prevent any further expansion. It was commented that the site was noisy, however the residents had chosen to live on that site as do others in similar situations. The children were in local schools and had flourished in a stable environment.

The Director of Planning Growth commented that if the Planning Committee were minded to approve the application, that conditions be reported to a future meeting for awareness. The Council also had a duty to notify the Environment Agency if they went against Officer recommendations*.

*Following the Committee it has been clarified that the Council as the LPA only need notify the Environment Agency for major planning application where there was a resolution to grant consent contrary to their advice. There was therefore no requirement to notify the EA.

A vote was taken to refuse Planning Permission which was unanimously lost.

AGREED (unanimously) that contrary to Officer recommendation Planning Permission be approved to allow permanent residency for a maximum of six plots, conditions regarding this be reported to a future Planning Committee for approval.

In accordance with paragraph 13.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

Councillor	Vote
A Amer	For
L Dales	For
S Forde	For
A Freeman	For
P Harris	For
K Melton	For
D Moore	For
E Oldham	For
P Rainbow	For
S Saddington	For
M Shakeshaft	For
L Tift	For
T Wildgust	For

During the debate of this item, the Chair indicated that the meeting duration had expired therefore a motion was moved by the Chair and seconded by the Vice-Chair to continue the meeting. A motion was voted on with one objection, to continue for a further hour.

80 LAND AT HIGHFIELDS, GONALSTON LANE, EPPERSTONE - 23/02141/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the change of use of agricultural field to dog exercise area, construction of hardstanding, fence and gates.

A site visit had taken place prior to the 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; and the proposal was particularly contentious, and the aspects being raised could only be viewed on site.

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 a local resident.

Mr N Iliffe, local resident, spoke against the application.

Councillor P Bracegirdle representing Epperstone Parish Council spoke against the

application.

Mr A Worrall, applicant spoke in support of the application.

Members considered the application, and it was commented that there was scope for ten sessions per day for exercising dogs. This was considered a long time to live with barking dog noise for the adjoining neighbour who had reported experiencing harm from this business.

A Member commented that this site was in open countryside and farm animals could be grazing in that field making noise. Another Member commented that farm animal noise was different from persistent dog barking and raised concern regarding the noise and amenity for the neighbouring property. Members also raised concern regarding the narrow lane that would be used to access the site. Members considered whether the use could be controlled through conditions.

A vote was taken to approve Planning Permission and lost with 12 votes Against and 1 Abstention.

AGREED (with 11 votes For and 2 Abstentions) that contrary to Officer recommendation Planning Permission be refused on the grounds of impact on residential amenity and the noise from barking dogs.

In accordance with paragraph 13.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

Councillor	Vote
A Amer	For
L Dales	For
S Forde	Abstention
A Freeman	For
P Harris	For
K Melton	For
D Moore	For
E Oldham	For
P Rainbow	For
S Saddington	Abstention
M Shakeshaft	For
L Tift	For
T Wildgust	For

During the debate of this item, the Chair indicated that the meeting duration had expired therefore a motion was moved by the Chair and seconded by the Vice-Chair to continue the meeting. A motion was voted on with two objections to continue for a further hour.

81 LAND AT GREENAWAY, ROLLESTON - 24/00402/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the demolition of two bungalows and erection of five

dwellings including parking provision and amenity spaces.

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

Mr C Baillon-Saunders, local resident, spoke against the application.

Councillor R Steele representing Rolleston Parish Council spoke against the application.

Members considered the application, and it was commented that the Council was seeking to put housing on land which was used by the village hall. There was also an issue with foul waste and tankers were used to clear the sewers to prevent flooding problems. The village hall was considered a huge asset to the village and the removal of this land for houses would create an issue for car parking at the village hall and a traffic issue as visitors would park on the roadside, which may affect the viability of the village hall. It was further commented that the ownership of the land had not been sorted out and a bat survey had not been undertaken.

The Business Manager – Planning Development advised that the lead ecologist had confirmed that the existing bungalows to be demolished were not likely to be suitable for bats.

A vote was taken and lost to approve planning permission with 2 votes For and 11 votes against.

AGREED (with 11 votes For and 2 votes Against) that contrary to Officer recommendation Planning Permission be refused on the grounds of loss of community facility and highway issues including the loss of parking facility.

In accordance with paragraph 13.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

Councillor	Vote
A Amer	For
L Dales	For
S Forde	For
A Freeman	For
P Harris	For
K Melton	For
D Moore	For
E Oldham	For
P Rainbow	Against
S Saddington	For
M Shakeshaft	For
L Tift	For
T Wildgust	Against

82 APPEALS LODGED

AGREED that the report be noted.

83 APPEALS DETERMINED

AGREED that the report be noted.

84 QUARTERLY PLANNING ENFORCEMENT ACTIVITY UPDATE REPORT

The Committee considered the report of the Business Manager – Planning Development updating Members as to the activity and performance of the planning enforcement function over the second quarter of the current financial year.

The report provided Members with examples of cases that had been resolved, both through negotiation and via the service of notices and provided detailed and explanations of notices that had been issued during the period covered 1 July 2024 – 30 September 2024.

AGREED that the contents of the report and the ongoing work of the planning enforcement team be noted.

Meeting closed at 9.40 pm.

Chair