

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 Thursday, 8 May 2025 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

APOLOGIES FOR ABSENCE: Councillor C Brooks and Councillor T Smith

123 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.

124 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillors L Dales, A Freeman 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 L Dales declared a disclosable pecuniary interest regarding Agenda items 8 – Excepted Applications under the Protocol for Planning Committee and 9 – Excepted Application Report, as the applicant was a family member. Councillor L Dales left the meeting for both reports.

125 MINUTES OF THE MEETING HELD ON 13 MARCH 2025

AGREED that the minutes from the meeting held on 13 March 2025 were agreed as a correct record and signed by the Chair.

126 CHANGE TO THE ORDER OF BUSINESS

The Planning Committee Chair sought Committee approval to change the order of business on the agenda. Agenda Item 7, Smallholding, Rear of 55 Beacon Hill Road, Newark On Trent (25/00512/PIP) would be taken as the first item for decision, the agenda would resume its stated order thereafter.

AGREED that the order of business on the agenda be changed.

127 SMALLHOLDING, REAR OF 55 BEACON HILL ROAD, NEWARK ON TRENT, NG24 2JH - 25/00512/PIP

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission in principle for a residential development of between two and four dwellings following the demolition of agricultural buildings.

A site visit had taken place prior to the commencement of the Planning Committee, for Members as 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 Senior Planning Officer, 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 neighbour.

Mr Stephen Mawson, objector, spoke against the application.

Councillor Lisa Geary, Newark Town Council, spoke against the application.

Mr Anthony Northcote, Agent for the applicant, spoke in support of the application.

Members considered the application and the housing supply targets were considered as the Council had not to date met that housing target. It was commented that the National Planning Policy Framework allowed development when there were existing buildings on the site, a Member considered that bungalows may be acceptable. The adjacent road - Cranwell Close was also taken into consideration as they had also built on back land. A Member commented on the number of proposed dwellings and that up to 4 houses would be an over-intensification of the site. Other Members commented that if the Committee were minded to approve this application it would set a precedent for this area and further applications would be submitted. Members raised concern that the nature reserve was also in close proximity and the proposed development could damage the ecology.

A vote was taken and lost for approval, with 4 votes For and 8 votes Against.

Having attended the meeting during the public speaking, Councillor S Saddington took no part in the debate or vote.

AGREED Proposer Councillor K Melton and Seconder Councillor D Moore (with 9 votes For and 3 votes Against) that contrary to Officer recommendation Planning Permission be refused for the reason: Back land development against Policy DM8 and not in keeping with the area, the scale of the development and development in the open countryside.

In accordance with paragraph 18.5 of the Planning Protocol, as the motion was

against Officer recommendation, a recorded vote was taken.

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

128 FLAGGS FARM, CAUNTON ROAD, NORWELL, NEWARK ON TRENT, NG23 6LB - 24/01810/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the change of use of two former farm storage buildings to storage and distribution (Use Class B8) and associated parking. The application was retrospective.

A site visit had taken place prior to the commencement of the Planning Committee, for Members as 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 Senior Planning Officer, 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 Local Ward Member and Local Residents.

Councillor Penny McQuilkin, Norwell Parish Council, spoke against the application. Mr George Machin agent for the applicant, spoke in support of the application.

Members considered the application and it was commented that this was a distribution centre in a rural location which was unacceptable given the narrow roads which were not suitable for HGV lorries. It was also noted given the large storage areas on site the business was likely to increase in size which again was considered unacceptable. Members questioned the number of lorry movements in the conditioned peak time and the Senior Planning Officer confirmed that a maximum 2 lorry movements would take place in peak hours and that the Highway Authority had not objected to the application because they considered there to be adequate capacity on the local road network. Members considered what could be done in terms of conditions to prevent the business from expanding in the future. The Senior Planning Officer advised that consideration of the application was limited to what was

being proposed and the submitted information had to be taken at face value.

A vote for approval was taken and lost, with 6 votes For and 7 votes Against.

AGREED Proposer Councillor D Moore and Seconded Councillor M Shakeshaft (with 8 votes For and 5 votes Against) that contrary to Officer recommendation Planning Permission be refused for the following reason: Inappropriate development in the open countryside, contrary to Policy DM8 and SP3.

In accordance with paragraph 18.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

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

129 OLD VOLUNTEER PUBLIC HOUSE, 61 CAYTHORPE ROAD, CAYTHORPE - 24/01621/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the change of use of land to form a beer garden to include associated seating and structures, children’s play area and associated car parking which was retrospective and proposed erection of glazed structure and associated landscape and bio-diversity/ecological enhancements.

A site visit had taken place prior to the commencement of the Planning Committee, for Members as 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 Senior Planning Officer, 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 Caythorpe Parish Council and Lowdham Parish Council.

Councillor Ivan Kerry Chair-elect, Caythorpe Parish Council, spoke against the application.

Mr George Machin agent for the applicant, spoke in support of the application.

Councillor Roger Jackson Local Ward Member, Dover Beck, spoke against the application.

Members considered the application and felt that the glass structure and car parking was inappropriate development in the green belt as there were no very special circumstances demonstrated. The Environment Agency had submitted their advice that the development should not happen at this location as the site was in flood zone 3B. Another Member commented on the application being retrospective and the Environment Agency being clear in their response regarding the flood zone, however local people had not seen flooding on that location in the past. The pub was considered attractive with a garden available for families. A Member commented on the noise pollution and felt that the proposals would intensify that problem. It was also noted that the majority of letters of support were from outside Caythorpe, whilst concerns raised had been received from local residents. Members commented that they would not want the pub to close as this was a good community facility. The Planning Committee Chair commented that the reason for refusal was flooding and asked that the issue of the green belt be included as an additional reason for refusal.

AGREED (unanimously) that Planning Permission be refused for the reasons contained within the report, with the additional wording, inappropriate development in the green belt.

Councillor S Saddington left the meeting at this point.

Having declared a disclosable pecuniary interest on the following two items, Councillor L Dales left the meeting at this point.

130 EXCEPTED APPLICATIONS UNDER THE PROTOCOL FOR PLANNING COMMITTEE

The Committee considered the report of the Director – Planning & Growth, which sought Planning Committee approval for additional wording for insertion into the Protocol for Planning Committee to provide clarification on existing provisions for dealing with Officer, Member and Council applications.

Additional wording for insertion to the Protocol for Planning Committee:

“6.6 For the avoidance of doubt, Member, Officer and Council applications which are Excepted Applications from the referrals process (paragraph 8.2 of this Protocol) should be dealt with under delegated powers by officers and a report for noting will be presented to the Planning Committee for transparency.”

AGREED that the additional wording at 6.6 of the appendix contained within the report and as above, for insertion to the Protocol for Planning Committee, be approved.

131 EXCEPTED APPLICATION REPORT

The Committee considered the report of the Director – Planning & Growth, which

informed the Committee of a Lawful Development Certificate and Section 211 Notice (works to trees in a conservation area) submitted by a Member which were excepted application types which did not require a decision by the Planning Committee.

The Local Planning Authority (LPA) had received a Section 211 Notice (25/00497/TWCA) and a Certificate of Lawfulness (25/00152/LDCP) for a property in South Scarle. The applicant was related to a District Councillor. The tree works involved minor management works to silver birch, cherry, leylandii and holly trees. The Certificate asked whether planning permission was required to install solar panels on the roof of the house.

Trees in a conservation area that were not protected by a Tree Preservation Order (TPO) were protected by the provisions in section 211 of the Town and Country Planning Act 1990. Those provisions required people to notify the LPA, using a 'section 211 notice', 6 weeks before carrying out certain work on such trees, unless an exception applies. The work may go ahead before the end of the 6-week period if the LPA gave consent. That notice period gave the authority an opportunity to consider whether to make an Order on the tree. Where tree works were minor and affecting trees which were not prominent within a conservation area, as was the case here, the LPA would not normally issue a TPO.

The General Permitted Development Order allowed for renewable energy on domestic properties without planning permission, even in conservation areas. Class A of Part 14 allowed for this. This includes solar panels, ground source heat pumps, wind turbines, air source heat pumps and more. You do not need to submit for planning permission as Class A was your permission. You can simply go ahead subject to one or two restrictions for solar panels. If you are in a conservation area for example, you cannot install PVs on a wall facing a highway or on a flat roof without first obtaining prior approval. In this case, officers had determined that planning permission was not required. A Lawful Development Certificate was the only legal means of confirming whether a particular proposal was lawful.

AGREED that the report be noted.

Councillor L Dales returned to the meeting at this point.

132 APPEALS LODGED

AGREED that the report be noted.

133 APPEALS DETERMINED

The Business Manager – Planning Development informed the Planning Committee that an additional appeal had been received after the publication of the agenda. There would be a Public Inquiry regarding the Kelham application, which would take place 21 October 2025 at 10am and would include six sitting days over a two-week

period.

AGREED that the report be noted.

134 QUARTERLY PLANNING ENFORCEMENT ACTIVITY UPDATE REPORT

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 for a further hour.

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 fourth 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 January 2025 – 31 March 2025.

The Business Manager – Planning Development provided an update regarding Gypsy, Roma and Traveller (GRT) encampments that had settled over the Bank Holiday, including one in Weston on the 18 April 2025. An enforcement notice had been served on 24 April and an injunction secured on 25 April 2025, which would expire December 2026. The other site was located in Balderton and had ten pitches.

A Member commented that there had been no feedback regarding the Development Plan review which had been submitted to the Planning Inspectorate and was concerned that this left the Council vulnerable. There was also no Planning enforcement cover over a weekend, it was suggested that a seven-day week be introduced regarding this. The Planning Chair confirmed that he would address the Development Plan with the relevant Portfolio Holder.

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

Meeting closed at 7.42 pm.

Chair