

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, 20 November 2018 at 4.00 pm.

PRESENT:                   Councillor D Payne (Chairman)  
                                  Councillor P Handley (Vice-Chairman)

Councillor Mrs K Arnold, Councillor R Blaney, Councillor Mrs C Brooks,  
Councillor B Crowe, Councillor Mrs M Dobson, Councillor P Duncan,  
Councillor J Lee, Councillor Mrs P Rainbow, Councillor F Taylor,  
Councillor Mrs L Tift, Councillor I Walker and Councillor  
Mrs Y Woodhead

APOLOGIES FOR       Councillor B Wells  
ABSENCE:

127    DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were none.

128    DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman informed the Committee that the Council was undertaking an audio recording of the meeting.

129    MINUTES OF THE PREVIOUS MEETING

The Committee considered the minutes of the meeting held on 6 November 2018.

AGREED               (unanimously) that the minutes of the meeting held on 6 November 2018 be approved as a correct record and signed by the Chairman.

130    ORDER OF BUSINESS

With the agreement of the Committee, the Chairman changed the order of business and Agenda item 7 was taken after item 8, the agenda resumed is stated order thereafter.

The Committee was informed of an urgent item of business to be included on the agenda. The report related to the planning application for Future Fishing Ltd, Hardys Business Park, Hawton Lane, Farndon, which had been appended to the Schedule of Communication and tabled.

131    FORMER NEWARK REGISTRAR OFFICE, NEWARK MUNICIPAL BUILDING, BALDERTON GATE, NEWARK (18/01917/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought additional parking to the rear of the former Municipal Offices including new tarmac surface, drainage, lighting and landscaping and provide additional parking access accessible from London Road car park. The development

would provide 36 additional parking bays including 2 additional disabled parking bays.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from members of the public; the Newark & Sherwood Green Party; and Planning Case Officer. A petition with 712 signatures had been submitted for the application to be refused, the locations of those that had signed the petition had been received from the UK, India, China, Australia and other European countries.

The Business Manager Growth & Regeneration informed the Committee that the proposed car park would provide 36 additional car park spaces which would include 2 disabled parking spaces as there had been some discrepancies within the report.

Members considered the application and it was commented that car parking in Newark Town Centre was very valuable and the current car parks on London Road were heavily used. Balderton Gate had changed over the years and was a modern area and the proposed car park would be of benefit to the public.

A Member raised concern regarding the proposed layout of the car park regarding the disabled parking bays and suggested that the disabled bays be located as close as possible to London Road and the Library. The Business Manager Growth & Regeneration confirmed that this could be amended under a planning condition.

Other Members raised concern regarding the conservation of green areas and trees in the town centre and suggested that if the Committee were minded to approve the application that the car park be an area of grasscrete.

AGREED (with 8 votes For, 5 votes Against and 1 Abstention) that full planning permission is approved subject to the conditions contained within the report and the amendment to the layout of the car park with the disabled car parking spaces being located closer to London Road and the Library entrance.

132 BALDETON WORKING MEN'S CLUB AND INSTITUTE, 69 MAIN STREET, BALDETON (18/01241/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought retrospective planning permission for the retention of the north-western wing and the conversion to a dwelling including external alterations (Unit 4).

The Business Manager Growth & Regeneration informed the Committee that the applicant had appealed to the Planning Inspectorate against non-determination of the application. This meant that the Local Planning Authority was no longer able to decide the outcome of the application; however, officers considered that the views of the Planning Committee should be obtained, in order for them to be taken into account during the consideration of the appeal.

Members considered the application and felt that the failure to demolish the rear wing had impacted on the amenity space of units 1, 2, 3 and 5. Unit 5 would have

over looked amenity space previously but under the proposed application would overlook a two storey building in very close proximity. The retention of the rear wing also created a narrow corridor to units 1 and 2 which was cluttered with wheelie bins. The original planning application included the demolition of the rear wing and it was considered that a breach of condition should be served.

The Business Manager Growth & Regeneration advised the Committee that in the event they were minded to advise PINS that they would have refused the application (if they were still decision-makers) they would also need to consider appropriate enforcement action, either through a Breach of Condition Notice or Enforcement Notice. Taking either route could have implications for residents who have already purchased units 1, 2 and 3.

AGREED (unanimously) that the following actions be undertaken:

- i) inform the Planning Inspectorate of the Planning Committee views , that if the Planning Committee had taken the decision, they would be minded to refuse, on the grounds that the retention of the wing and creation of unit 4 had created a cramped environment and unacceptable level of amenity for units 1, 2, 4, and 5; and
- ii) delegated authority be given to the Business Manager Growth and Regeneration to take appropriate enforcement action, following consultation with legal advisors.

133 GREEN PARK, TOLNEY LANE, NEWARK (18/01443/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought planning permission for the variation of condition 1, to make the temporary permission permanent, attached to planning permission 12/00562/FUL granted on appeal at Plots 1-10 Green Park, Tolney Lane (PI Ref: APP/B3030/C/12/2186072 and APP/B3030/A/12/2186071) (Change of use from paddock to gypsy and traveller residential caravan site - retrospective).

Councillor Mathew Skinner representing Newark Town Council spoke against the application in accordance with the views of Newark Town Council as contained within the report. Councillor Skinner informed the Committee that Newark Town Council had made an error in their comments regarding the boundary screening to make the site less visible from the A46, as recommended for Planning Application 18/01430/FUL – Park View Caravan Park, Tolney Lane, Newark, which should have been included for this application.

Members considered the application and it was commented that the Council was currently undertaking work regarding the number of pitches the Council was required to have, which would be included on completion into the Planning Core Strategy.

The Business Manager and Members were clear that there was clearly a flood risk, including to life. Members and the Business Manager equally noted that this level of risk had not changed since the Planning Inspectorate had considered it to allow a

temporary 5 year planning permission. There remained no other alternative sites with planning permission and Members therefore considered that the application was acceptable for a further temporary period only. It was not appropriate for the site to become permanent.

AGREED (unanimously) that planning permission be granted on a temporary basis for a further 3 years until 30 November 2021, subject to no comments being received which would raise additional material planning considerations to those already considered within the report and subject to the conditions and reasons contained within the report.

134 PARK VIEW CARAVAN PARK, TOLNEY LANE, NEWARK (18/01430/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought planning permission for the change of use of the former abattoir site and paddock to gypsy and traveller caravan site.

Councillor Mathew Skinner representing Newark Town Council spoke against the application in accordance with the views of Newark Town Council as contained within the report. Councillor Skinner informed the Committee that Newark Town Council had made an error in their comments regarding the boundary screening to make the site less visible from the A46, which should have been included for Application 18/01443/FUL – Green Park, Tolney Lane, Newark and not for this application.

Members considered the application and it was commented that the site was very close to the entrance to Tolney Lane, it could be argued therefore that the risk was lower at this site in terms of evacuation. The Environment Agency comments regarding the risk associated with this site being 'significant' were noted. Members commented that work was being undertaken regarding the availability of traveller sites within the district and on completion would be included into the Planning Core Strategy. In light of that work being undertaken and in being mindful of the decision earlier on the agenda, it was considered that a further three years temporary permission would be acceptable.

A Member sought clarification that the Council had formulated a flood plan warning and evacuation plan. The Business Manager Growth & Regeneration confirmed that the Business Unit Community Safety had formulated the correct plans, which were as robust as they could be given the very clear constraints and challenges of the area.

AGREED (unanimously) that planning permission be granted on a temporary basis for a further 3 years until 30 November 2021 subject to the conditions and reasons contained within the report.

135 THE OLD STABLES, CRAB LANE, NORTH MUSKHAM (18/01450/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought planning permission for the erection of one, two bed

bungalow and one, three bed bungalow.

Members considered the application acceptable.

AGREED (with 11 votes For, 1 vote Against and 2 Abstentions) that planning permission be approved subject to the conditions and reasons contained within the report.

136 FUTURE FISHING LTD, UNIT 17, HARDYS BUSINESS PARK, HAWTON LANE, FARNDON, NG24 3SD

The Committee considered the urgent report of the Business Manager Growth & Regeneration, which sought Committee approval for delegated authority to be granted to the Business Manager Growth & Regeneration, to frame the conditions such that they were appropriate to either a retrospective use, should Officers conclude that a retail warehouse club was being undertaken, or an unlawful use, should Officers conclude that A1 retail was being undertaken.

The reason for the urgency item was to ensure there was no delay in issuing a decision (or any associated challenge in terms of an appeal against non-determination) as a result of ongoing enforcement investigation which may require the need to reframe planning conditions.

AGREED (unanimously) that the wording to secure the intent of the conditions relating to Future Fishing Ltd, as agreed at the 6 November Planning Committee, be delegated to the Business Manager Growth & Regeneration.

137 APPEALS LODGED

There were none.

138 APPEALS DETERMINED

There were none.

139 EXCLUSION OF THE PRESS AND PUBLIC

There were none.

Meeting closed at 6.40 pm.

Chairman