

## PLANNING COMMITTEE – 8 OCTOBER 2019

**Application No:** 19/01307/S73M (MAJOR)

**Proposal:** Application to vary condition 2 attached to planning permission 17/01021/FULM to amend the approved plans as it is the intention to alter the proposed scheme to incorporate additional hotel bedroom suites and other minor changes

**Location:** Kelham Hall Ltd  
Kelham Hall  
Main Road  
Kelham  
Nottinghamshire  
NG23 5QX

**Applicant:** Kelham Hall Construction Ltd - Mr Jonathan Pass

**Agent:** Guy St John Taylor Assoc Arch Ltd - Mrs Cara De Angelis

**Website Link:** <https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PUFLWELBKCG00>

**Registered:** 11.07.2019

**Target Date:** 10.10.2019

**This application is being presented to the Planning Committee in line with the Council's Scheme of Delegation as Averham, Kelham and Staythorpe Parish Council has objected to the application which differs to the professional officer recommendation.**

### The Site

Kelham Hall is composed of two listed buildings, the Grade 1 building which is a mid C19 manor house built by Sir George Gilbert Scott and A. Salvin and the Grade II former monastic buildings built in 1927-9 by Charles Clayton Thompson. The former manor house is a red brick and slate structure with Gothic detailing. The architectural detailing here is quite ornate. The former monastic buildings are built of brick and concrete and are arranged around a courtyard. These buildings are built in the Arts and Crafts style and use typical features like tile detailing, overhanging eaves and leaded lights. In addition the monastic complex includes a chapel, constructed as a large dome. The Dome has stained glass decorative lancet windows.

The gardens primarily to the east of the Hall were designed by the prominent Victorian landscape architect William Andrews Nesfield in 1860 and sit within an earlier landscape. The site has a fascinating and complex history and in 1903 was taken over by the Sacred Mission to become a theological college with an additional wing and chapel added in 1928 by CC Thompson in the Byzantine style. The buildings were later adapted for office use and were occupied by the District Council between 1973 and September 2017.

The Hall and grounds are within the village of Kelham as well as the designated conservation area.

The main access to the site is from the A617 Newark to Mansfield Road. Owing to the proximity of the site to the River Trent, a large proportion of the eastern side of the wider site is within Flood Zones 2 and 3 according to the Environment Agency maps.

### Relevant Planning History

There have been numerous planning and listed building consent applications in relation to the Hall in recent years. Some of these applications were in relation to the sale of the building by the District Council to Kelham Hall Ltd. The most relevant applications to the current application are set out below:

**19/01504/LBC** - Application relating to amendments to the approved conversion into Hotel (17/01022/LBC) to incorporate additional bedroom suites and other minor changes. All in accordance with the Section 73 Application to Vary a Condition relating to the approved planning permission 17/01021/FULM.

*Application pending consideration.*

**19/01136/FUL** - Retrospective application for temporary erection of an events marquee within the Dome Courtyard.

*Application approved 15<sup>th</sup> August 2019.*

**19/00988/LBC** - Revisions and Additional Works In Connection With The Conversion Into Hotel.

*Application pending consideration.*

**17/02071/FULM** - Application for temporary (5 year) permission in relation to improved security and campsite operation, comprising:

Planning Permission for a vehicle security gate to main entrance, estate fencing along driveway and front boundary;

Change of use of sports field for camping and caravanning operation comprising a maximum of 50 pitches;

Planning Permission for mains cabinet;

Retrospective Planning Permission for 8no. electricity distribution boxes;

Retrospective Planning Permission for WC block;

Retrospective Planning Permission for family shower block;

Retrospective Planning Permission for unisex shower block and Elsan Point;

Retrospective Planning Permission for security cameras mounted on 6.5m poles (3 No. in total)

*Application approved by Committee October 2018.*

**17/01021/FULM and 17/01022/LBC** - Conversion of Hall into Hotel and spa. Extensions to Hall to provide hotel restaurant, new Entrance Court to the Dome and an enclosed spa pool. Associated landscaping works to include new entrance gates, driveways, car parks, hotel frontages and the restoration of formal gardens.

*Application approved by Committee October 2017.*

**17/02075/ADV** - Advertisement Consent for new signage (9 No. in total) including illumination as necessary.

*Application approved by Committee October 2018.*

**18/00947/LBC** - 2 No. signs to be fixed on gateposts (one on each) adjacent to The Lodge at the northern boundary of the Kelham Hall site.

*Application approved by Committee October 2018.*

**18/00954/LBC** - Retrospective permission for an electricity distribution box located close to the southern boundary wall (read in conjunction with application ref: 17/02071/FULM).

*Application withdrawn.*

**44840699** - USE GROUNDS FOR (A) CARAVAN AND CAMPING RALLIES AND (B) SHOWS

*This permission was granted in September 1984 relating to the playing field as subject to the current application. It was however conditioned on the basis that, 'The permission shall be exercised by the Newark District Council only' and that 'The 5 and 7 day rallies shall be restricted to a maximum of 50 units at any one time and all units shall be located within the area cross hatched on the attached plan' (the playing field).*

**44871171** - VARIATION OF CONDITION FOR SEVEN NIGHT STAY CARAVAN RALLY FOR 250 UNITS

*This application was approved in 1987 but related solely to 'one caravan rally for a maximum of 250 units to be held between 25<sup>th</sup> September, and 2<sup>nd</sup> October, 1988.'*

### The Proposal

The application has been submitted as a Section 73 application to vary condition 2 of the original permission which stated:

*The development hereby permitted shall not be carried out except in complete accordance with the following approved plans, reference:*

- *Proposed Site Masterplan - M2 Rev. H*
- *Proposed Basement Plan (Dome) - D-01 Rev. A*
- *Proposed Ground Floor Plan (Dome) - D-02 Rev A*
- *Proposed First Floor Plan (Dome) - D-03*
- *Proposed 2nd & 3rd Floor Plans & East Elevation (Dome) D-04*
- *Proposed Elevations (Dome) - D-05 Rev. A*
- *Proposed Section and Visuals (Dome) - D-06 Rev A*

- *Proposed Basement Plan (Gilbert Scott) - GS-01*
- *Proposed Ground Floor Plan (Gilbert Scott) - GS-02 Rev. B*
- *Proposed First Floor Plan (Gilbert Scott) - GS-03 Rev. B*
- *Proposed Second Floor Plan (Gilbert Scott) - GS-04 Rev. B*
- *Proposed Third Floor Plan (Gilbert Scott) - GS-05 Rev. A*
- *En-suite Pod Details (Gilbert Scott) - GS-10*
- *Proposed Floor Plans (Salvin Wing) - SW-01 Rev. C*
- *Proposed Floor Plans (Salvin Wing) - SW-02 Rev. C*
- *Proposed Elevations 1 (Salvin Wing) - SW-03 Rev. B*
- *Proposed Elevations 2 (Salvin Wing) - SW-04 Rev. B*
- *Proposed Ground Floor Plan (Thompson Wing) - TW-01 Rev. B*
- *Proposed First Floor Plan (Thompson Wing) - TW-02 Rev. B*
- *Proposed Second Floor Plan (Thompson Wing) - TW-03 Rev. B*
- *Proposed Elevations 1 (Thompson Wing) - TW-04 Rev. A*
- *Proposed Elevations 2 (Thompson Wing) - TW-05 Rev. A*
- *Proposed Elevations 3(Thompson Wing) - TW-07 Rev. A*
- *Proposed Gateway Arrangement - SE-01 Rev. A*
- *Handrail 2 - Details - 06 Rev. C*

*Unless otherwise agreed in writing by the local planning authority through the approval of a non-material amendment to the permission.*

*Reason: So as to define this permission.*

The rationale for the application is best described within a Planning Statement dated July 2019. Broadly speaking the application has been submitted to allow a substitution of plan references for changes to the internal arrangements of the building as approved. A number of the amendments require listed building consent and are therefore being dealt with through a separate listed building consent application reference 19/01504/LBC.

The revised plans demonstrate that the development would now deliver a total of 103 hotel bedrooms (as opposed to the original 71 bedrooms plus the 18 bedrooms for manager and staff accommodation which equated to 89). The space for the additional bedrooms would be achieved through no longer providing the staff and Managers accommodation; rearranging the Thompson wing attic level (previously proposed as one large bridal suite); and replacing part of the hotel bar and lobby with three accessible suites on the ground floor of the Thompson Suite. Another notable internal change would be the change of room G32 to additional toilets (which has previously been approved as an office room). Externally, the plans show a new handrail to the external steps on the south elevation of the Dome.

The changes are shown on the following plan references received 10<sup>th</sup> July 2019 unless otherwise stated:

- Proposed Ground Floor Plan (Dome) - D-02 Rev B;
- Proposed Ground Floor Plan (Gilbert Scott) - GS-02 Rev. D (received 20<sup>th</sup> September 2019);
- Proposed First Floor Plan (Gilbert Scott) - GS-03 Rev. C;
- Proposed Second Floor Plan (Gilbert Scott) - GS-04 Rev. C;
- Proposed Third Floor Plan (Gilbert Scott) - GS-05 Rev. B
- Proposed Floor Plans (Salvin Wing) - SW-01 Rev. D;

- Proposed Floor Plans (Salvin Wing) - SW-02 Rev. D;
- Proposed Ground Floor Plan (Thompson Wing) - TW-01 Rev. D;
- Proposed First Floor Plan (Thompson Wing) - TW-02 Rev. D;
- Proposed Second Floor Plan (Thompson Wing) - TW-03 Rev. C;
- Proposed Elevations 1 (Thompson Wing) – TW-04 Rev. B;
- Proposed Elevations 2 (Thompson Wing) - TW-05 Rev. B.

### Departure/Public Advertisement Procedure

Occupiers of 40 properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press.

### Planning Policy Framework

#### The Development Plan

#### **Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)**

Spatial Policy 1 - Settlement Hierarchy

Spatial Policy 3 – Rural Areas

Spatial Policy 7 - Sustainable Transport

Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities

Core Policy 6 – Shaping our Employment Profile

Core Policy 7 – Tourism Development

Core Policy 9 -Sustainable Design

Core Policy 10 – Climate Change

Core Policy 12 – Biodiversity and Green Infrastructure

Core Policy 13 – Landscape Character

Core Policy 14 – Historic Environment

#### **Allocations & Development Management DPD**

DM3 – Developer Contributions and Planning Obligations

DM5 – Design

DM7 – Biodiversity and Green Infrastructure

DM9 – Protecting and Enhancing the Historic Environment

#### **Other Material Planning Considerations**

- National Planning Policy Framework 2019
- Planning Practice Guidance (online resource)
- Historic England Good Practice Advice Notes (notably GPA2 and GPA3)
- Historic England Advice Notes (notably Note 2: making changes to heritage assets)

### Consultations

**Averham, Kelham and Staythorpe Parish Council** – The Averham, Kelham and Staythorpe Parish Council objects to the latest planning application for amendments to the Kelham Planning and would comments as follows:

The latest application seeks to amend the overall number of bed spaces from 83, as stated in the Planning Statement document, to a total of 103. This is an increase in the order of 20% and should be considered as a material change and reviewed accordingly.

The additional bedroom spaces created on the third floor of the Thompson wing have limited headroom, as noted on the proposed drawing, and are less generously proportioned than rooms on the other floors. The additional bed spaces created are a departure from the original concept of "a luxury hotel" and only serve to dilute that original concept.

There are also concerns as to the capability of the existing services infrastructure to cope with the overall number of rooms now proposed.

The additional rooms also raise the issue of the amount of additional damage that will be caused to the structure and fabric of the building in order to supply suitable mechanical and electrical services to those rooms.

The latest drawing indicates a bar and hotel reception located in the Dome reception area. The PC have concerns that this will create problems in relation to noise breakout, frequency of traffic movements and traffic volumes in an area that is located very close to local residences which will occur throughout the day and more importantly at socially unacceptable hours of the day and night.

The latest set of amendments indicate the original layout for the hotel entrance located at the intersection of the Thompson and Gilbert Scott wings. However, the previous set of amendments submitted sought to change the layout to something simpler. The PC would seek clarity as to what is actually being proposed.

In relation to the above there is a concern that there is an attempt to re-locate the main entrance for the hotel from the intersection of the Thompson and Gilbert Scott wings over to an area within the Dome extension. This would be a major departure from the original intent detailed in the planning statement where the major focus for hotel guest arrivals was the Gilbert Scott/Thompson wing entrance arriving via the new access road alighting adjacent to the sunken garden area. Such a change would lead to the problems highlighted in the previous comment.

**NSDC Conservation** – The applications relate to amendments to the approved conversion of Kelham Hall into a Hotel (approved under 17/01022/LBC) to incorporate additional hotel bedroom suites and other minor changes, which are also covered, in planning terms, by the above Section 73 Application to vary a condition relating to the approved planning permission 17/01021/FULM.

To help streamline my report I include at the end, for completeness, the historical background to the site and the legislative background taken from earlier Kelham Hall consultation responses, but this does not need repeating in a committee report if it is already within your report elsewhere.

While the proposals look like the whole scheme is being applied for again, the principle of the previous approvals is accepted and I focus therefore only on the new or revised elements of the overall scheme (which for guidance the annotation for new elements are shown in a bubble on the plans). In summary these are:

1. Changing the use of some rooms from manager's/staff accommodation to additional bedrooms and other new hotel rooms created
2. Rearrangement of the attic of the Thomas Wing attic from one large Bridal Suite to a number of hotel rooms
3. 3 fully accessible suites on the ground floor of the Thompson Wing
4. Alteration to some ensuite layouts in already approved hotel bedrooms
5. Fire proofing
6. Additional WCs in the Gilbert Scott wing
7. Modification to balustrades to main stair and tower stairs
8. Modification of ramp within Carriage Court
9. New handrails to steps on south elevation of Dome
10. 2 new external soil and vent pipes in Gilbert Scott Wing

I note the removal of the proposal to alter the wallpaper in the Gilbert Scott Drawing Room, so this item no longer comprises part of the proposed works. We have received a revised plan for this on 19<sup>th</sup> Sept 2019.

### *Summary*

I have no objection to these applications which are the result of productive on site meetings and negotiations.

In the main the proposals comprise minor alterations which do not alter the level of impact on significance.

In some cases the works proposed are actually improvements, by the removal of modern infill and the replacement of modern fire doors with more suitable solutions.

The alterations to create more hotel bedrooms has required more ensuites and I am satisfied that the plans have been carried out as sensitively as possible. There is one room in which there is more harm than previously approved, but balanced against the impact on the whole building, the net gain of hotel bedrooms, this being the only realistic solution that could be submitted here and other benefits in listed building terms brought about by this application, I think this is balanced in terms of harm and gain.

#### *1. Changing the use of some rooms from manager's/staff accommodation to additional bedrooms*

The change from Manager's Accommodation 1 to hotel bedrooms is within a modern wing and will have no impact on significance.

The alterations in the Salvin Wing to create more hotel bedrooms has generally been done with no net harm. The plans have changed with regards to rooms F66 and F67 and while the position of the ensuite is now somewhat awkward in F66 the general arrangement of F67 is now better than previously approved, so this generally balances out. There is some minor harm from the division of room F46 in the Salvin wing to create ensuites, but the fireplace would not be physically damaged and the adjacent, and larger room, would be preserved in terms of features and proportions. I agree with the Agent that there isn't really a better solution here. I accept that there is a public benefit to the provision of hotel rooms, in addition the Salvin Wing, while older, is remarkably plain in terms of architectural detail and no features are being lost, so the level of impact is low. Against the whole scheme I think this harm is limited and acceptable.

Other hotel bedrooms are being created by not removing the floor to create the open plan reception. This revised proposal is now a less intrusive plan and is supported. I have no objection to the room approved as a house keeping room being used for further hotel accommodation.

*2. Rearrangement of the attic of the Thomas Wing attic from one large Bridal Suite to a number of hotel rooms*

This has been carefully worked around the striking arrangement of exposed trusses and brick arches and is an acceptable layout which both preserves and better reveals (through strategic removal of inappropriate or modern partitions) the plan form and architectural features.

*3. 3 fully accessible suites on the ground floor of the Thompson Wing*

This changes the approved bar and lounge rooms into accessible bedrooms, the layout of which is acceptable.

*4. Alteration to ensuite layout in already approved hotel bedrooms*

The general principle of inserting ensuites has been agreed and a pod type arrangement has also been found to be generally effective. This modification now includes using this pod as a central feature and room divider in some larger rooms. This will give plenty of 'breathing space' around architectural features and is acceptable.

Elsewhere, specific requests about re-using doors have been incorporated.

One of the principal areas of alteration is within the Thompson wing and the latest revised (Rev D) proposed plans are the result of positive pre-application discussion and modification. The need to revise the scheme is accepted, in terms of drainage issues, and the proposed scheme represents a compromise of an arrangement to respect the various architectural features in the rooms and provide adequate level and quality of accommodation. In the end different arrangements had varying pros and cons and the scheme as now modified represents a good compromise I am happy with. While I accept door positions are moved, the age and complexity of the architecture in this wing is such that this can be accommodated without harm, while the features within the rooms are respected. The position of the new external S&VP on the Thompson wing look like fairly natural additions.

Overall I find the revised ensuite arrangement to be an acceptable alteration to the building to bring about an acceptable new use

*5. Fire and sound proofing*

I note their submission headers this as both fire *and* sound proofing, but talking to the Agent I understand the sound proofing measures are actually to be dealt with through DOC on the earlier application. In addition, some of the fire proofing methods also forms part of this DOC; as such I am concentrating only on the new elements submitted in this application.

In terms of fire protection a variety of mechanisms are suggested and I am content that these, overall, form the least intrusive ways of delivering fire compliance and I agree that, in this particular building, avoiding a sprinkler system would be for the best. The scheme includes fire



signage, fire alarm system and CCTV, for which I cannot readily find any information and will need to be dealt with by condition, being acceptable in principle, subject to details.

Perhaps the most controversial element to deliver fire compartmentation is the installation of new fire doors, and of those required the most sensitive are in the Gilbert Scott wing, which would see a new fire door inserted into decorative arched openings. This has been carefully looked at on site and the proposal would scribe around, but cause no physical damage to, the decorative masonry. The technique used here would be similar to that already approved for an upper floor separation around decorative capitals. The actual doors have been carefully designed to complement their specific surroundings and will, in themselves, be attractive. The position of a door within these arches is also a natural one, such an arrangement having been done by Gilbert Scott in other arches. The provision of new fire doors also brings about some improvements by the much appreciated replacement of existing but inappropriately designed fire doors.

The South Stair Screen will see significant modification by the erection of an inner screen behind the historic decorative screen. However, this will screen from view the staircase behind, which was in itself a revision to the original architectural intention of this area and which sits somewhat clumsily over other architectural detail. The decorative element of the historic screen will remain on view from the formal room and as such I do not think there will be any harm from this element.

Generally, details have been submitted but there is still a level of decorative detail not yet submitted for some of the doors, so this should be conditioned.

#### *6. Additional WCs in the Gilbert Scott wing*

These are to be created within a room which is part of the modified area of the building, originally earmarked to be a staircase, and then infilled, as such it has decorative elements but somewhat clumsily executed by this historic change of plans. I do not think the proposal to divide up this room into toilets will be harmful. It is necessary to under-draw this (non-decorative) ceiling and this is to be raked back to ensure the stone window surrounds are not visually compromised – this detail should be conditioned.

#### *7. Modification to balustrades to main stair and tower stairs*

The existing historic balustrades are proportioned such as there is a genuine topple hazard which needs to be addressed. In more recent times an additional railing system has been added to the main Gilbert Scott staircase which, while functional, is not visually successful and detracts from the current aesthetic charm. The proposed solutions are well conceived and based on real examples from the Gilbert Scott St Pancras Station. The solution is actually a fine mesh screen, which does not disrupt any of the strong vertical or horizontal elements of the existing railings, does not compete in terms of decorative detail and from a distance is quite permeable, reducing its impact. This new proposal will bring about an improvement to the current arrangement. We have got details of these so no conditions are needed, unless they wish to be able to vary the final detail slightly.

#### *8. Modification of ramp within Carriage Court*

The modification of this ramp involves retaining the ramp itself but removing the timber paneled screen and podium. These are not historic installations but were associated with the Council's

former use of this room, and are of no historic interest. There is no objection to this proposal but any final modifications required to 'tidy up' the existing ramp should be conditioned.

#### *9. New handrails to steps on south elevation of Dome*

As part of this proposal there has been a shortening of a modern bar, which has no impact on significance and better reveals the significance of this area.

In order to safely reuse the external steps from the Narthex of the Dome I am happy that simple hand rails are installed. These will not look out of character and will improve accessibility. Details have been submitted so no need to condition unless they want the ability to vary slightly.

#### *10. 2 new external soil and vent pipes in Gilbert Scott Wing*

I accept that the new SVPs are required and necessary. I also accept that there would be an unacceptable amount of architectural and aesthetic disruption to locate these internally. The external position has been carefully identified to group the new SVPs with existing pipes, to minimise the sense of additional clutter. It is felt best to mirror the existing arrangement of how the pipes go around or through the stone string courses, so that the new pipes 'hug' the profile of the building and match those already there. There is limited harm to actual fabric, but with every effort made to minimise the impact. Overall this is acceptable and will have a very limited impact on the overall significance. Some details still need to be confirmed so please do condition.

#### **Conditions needed**

- New S&VPs and any external alterations required to accommodate these
- Exact configuration or amendments to the ramp in the Carriage Court following removal of the timber screen and podium
- Decorative joinery details for new fire screen doors
- Details of the suspended ceiling for the new WCs in the Gilbert Scott wing
- Details of fire signage, fire alarm system and CCTV for the fire protection
- Joinery details of any new doors required for which we do not currently have joinery details, for example ensuite doors

#### **Details agreed as part of this app but which they may need to vary**

- New handrails to south elevation of Dome
- New handrails to internal staircases.
- Details of fire protection

**Historic England** – Thank you for your letter of 10 July 2019 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

**Newark Civic Trust** – No comments received.

**Notts Building Preservation Trust** – No comments received.

**Joint Community Joint Amenity Society** - No comments received.

**NSDC Archeological Advisor** - The proposed amendments to this application do not alter out original advice.

**NCC Highways Authority** – No comments received.

**NCC Flood** – Thank you for inviting Nottinghamshire County Council as the Lead Local Flood Authority (LLFA) to comment on the above application, we have reviewed the application which you consulted us with on the 30 Jul 2019.

As a statutory consultee the LLFA should only be consulted on major developments with regards to surface water drainage.

Having considered the scale of this application the LLFA believes it is not required to respond to this application, as such, we will not be making any bespoke comments.

However as a general guide the following points are recommended for all developments:

1. The development should not increase flood risk to existing properties or put the development at risk of flooding.
2. Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location.
3. SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.
4. Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (eg culverting / pipe crossing) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council.

**One letter of representation has been received which repeats the Parish Council comments listed in full above.**

#### Comments of the Business Manager

#### Principle of Development

An application under Section 73 is in effect a fresh planning application but should be determined in full acknowledgement that an existing permission exists on the site. This Section provides a different procedure for such applications for planning permission, and requires the decision maker to consider only the question of the conditions subject to which planning permission was granted. As such, the principle of the approved development cannot be revisited as part of this application.

An application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. In determining such an application the local planning authority is only able to consider the question of the conditions subject to which planning permission should be granted, and—

- (a) if the authority decides that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, the authority shall grant planning permission accordingly, and
- (b) if the authority decides that planning permission should not be granted subject to the same conditions as those subject to which the previous permission was granted, the authority shall refuse the application.

The NPPF is clear that any new permission should set out all conditions related to it unless they have been discharged and that it cannot be used to vary the time limit for implementation which must remain unchanged from the original permission.

The current application relates to the plan condition to show revised internal works to those approved. Although these works would not require planning permission (with listed building consent being sought separately) they would affect the extant permission in that they would amount to a hotel with a greater bedroom offer. This in turn may affect material planning considerations such as the heritage impact or the impact of the development on the highways network. Moreover, the extant permission was assessed on the basis of a balancing exercise between heritage harm and public benefit. This balancing exercise needs to be applied again in the context of the current submission to ensure that any potential additional harm is weighed appropriately against any potential additional benefits. There will be elements of the appraisal below which remain unchanged since the time of considering the extant permission and therefore the direct repetition of the 2017 Committee Report, where included, is shown through italicized text.

#### *Impact on Heritage Assets*

*As the application concerns designated heritage assets of a listed building and the conservation area, sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') are particularly relevant.*

*The duties in s.66 and s.72 of the Listed Buildings Act do not allow a local planning authority to treat the desirability of preserving the settings of listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area, it must give that harm considerable importance and weight.*

It is notable that heritage policy has evolved since the extant permission was granted through the publication of the 2019 NPPF and the adoption of the 2019 Amended Core Strategy. Nevertheless the overall thrust of the policy retains the intention to conserve and enhance the historic environment.

Noting that an extant permission exists on the site, it has already been accepted that the conversion to a hotel and spa facility would amount to a level of heritage harm. The key assessment here is whether the revised plans amount to more harm than the extant scheme. In reaching this judgement, I have taken on board the comments from the Conservation Officer (as listed in full above) repeated in part for completeness:

“I have no objection to these applications which are the result of productive on site meetings and negotiations.

In the main the proposals comprise minor alterations which do not alter the level of impact on significance.

In some cases the works proposed are actually improvements, by the removal of modern infill and the replacement of modern fire doors with more suitable solutions.”

Paragraph 196 of the NPPF 2019 states:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

The end use of the hotel and spa facility has already been accepted and indeed the public benefits of this use were debated as part of the determination for the extant permission noting that the scheme offers the opportunity to support a rural community as well as contribute towards the tourism offer and subsequently nighttime economy within the District.

The revised plans demonstrate the provision of additional hotel bedrooms and suites in favour of large areas which were previously approved as staff accommodation. I have nothing to suggest that the inclusion of the staff accommodation would be fundamental to the success of the business (and indeed through this submission it appears that the contrary would be the case) and therefore do not object to their replacement in principle. The additional hotel offer will only serve to enhance the overall benefits of the end use (including through the provision of accessible suites at ground floor) and therefore the scheme as revised offers additional public benefits. Provided that these do not amount to harm in respect to other matters (as discussed in further detail below) then the benefits of the additional hotel rooms should be attributed positive weight in the heritage balance required by Paragraph 196.

Notwithstanding the above, it is also material to note that since the approval of the extant permission, the applicant has submitted further applications for permission of a temporary nature including a camping and caravanning use and the erection of a marquee. Whilst these have been approved (on a temporary basis) they were clearly not presented at the time of the original determination and have in themselves created greater heritage harm connected to the conversion of the building (by virtue of them being submitted to support the works approved and affecting the buildings listed setting).

Conservation colleagues have identified one room (F46) where the creation of an en-suite would impose additional harm against the extant permission. However, it is accepted that this is the only realistic solution for that room and equally that there are other additional benefits in heritage terms against the extant permission (for example room F67 where the proposed en-suite is actually better configured). The revised plans are now also less intrusive in terms of the extant scheme which would have created an open plan area in the reception.

Given that the overall net heritage harm is not worse than the extant position, and indeed that the additional hotel rooms would create an added public benefit, the heritage harm in this case would again (and indeed even more so than the extant position given the added tourism benefit) be outweighed by the public benefit. The revised plans are therefore considered acceptable in

heritage terms (subject to the revision of conditions where appropriate).

### Impact on Highways

Spatial Policy 7 indicates that proposals should minimise the need for travel, through measures such as travel plans or the provision or enhancement of local services and facilities and provides that proposals should be appropriate for the highway network in terms the volume and nature of traffic generated and ensure the safety, convenience and free flow of traffic using the highway are not adversely affected; and that appropriate parking provision is provided. Policy DM5 echoes this.

The proposal as revised would amount to an additional 32 hotel bedrooms being provided. This clearly has the potential to affect parking demand. The extant application was approved on the basis of evidence within a Parking Analysis received during the life of the previous application (13<sup>th</sup> September 2017).

This document applied an occupancy rate of 71% which amounted to a need for 56 parking spaces (based on 79 hotel rooms). The revised proposal would therefore presumably increase this requirement to 73 spaces. The staff requirement is stated as being 63 spaces and restaurant requirement would be 12 which in total would amount to a parking need of 148 spaces (notwithstanding a separate need for events which was discussed at length in the original submission but would remain unaffected by the changes to the internal arrangements sought here).

The approved 'main' car park would provide spaces for 160 vehicles which would allow for the increase in hotel rooms without detrimentally affecting parking provision. The proposal therefore remains compliant with Spatial Policy 7.

### Impact on Flood Risk

*Parts of the site are located within Flood Zones 2 and 3 according to the Environment Agency maps. Flood Zone 3 primarily affects the east of the site (immediately adjacent to the River Trent) whilst the extent of Flood Zone 2 affects the majority of the existing building as well as the northern extremes of the site where the main car park is situated.*

Although the revised proposal would introduce a greater number of hotel rooms and suites, these would in part be a replacement of staff accommodation and therefore materially no different in flood risk terms. Given that the NPPF does not require the application of the Sequential or Exception Tests for change of use applications (paragraph 164) and that conditions in relation to drainage and the originally submitted FRA can (and will) still be imposed, I see no reason to resist the current Section 73 application on flood risk grounds.

### Impact on Amenity

Policy DM5 requires a consideration of the development impact on neighbouring amenity which was debated at the time of the extant approval determination.

*It is acknowledged that Kelham Hall is an established building at the edge of the village. Nevertheless there are residential properties in close proximity to the site which warrant consideration in respect of the additional amenity impacts that will be inevitably arise from the proposed development. Notably, the residents of Home Farm Close as well as the properties on*

*Blacksmith Lane both to the north of the development site. I note that a number of the comments received during the consultation of the application relate to potential amenity concerns.*

*Having carefully considered the overall context of the proposals I do not consider that the change of use proposed would create amenity impacts which would be significantly detrimental to neighbouring amenity. The formalisation of the use presented has been done so on the basis that the proposals will allow a more efficient operation of the end use. For example, at the present time, there is not necessarily the appropriate facilities to allow events to operate within the confines of the building and thus on occasion there may have been an increased disruption externally such as an overspill from the Dome area of the building. The comprehensive delivery of a hotel and spa facility presents the opportunity to better control and regularize the use of the building. I appreciate that there will inevitably be some level of disturbance through noise (notably vehicular movements within the site) but I do not anticipate that this will amount to a nuisance worthy of refusal or indeed warrant the submission of a noise report. In order for the end use to operate efficiently as a hotel and function suite, there will have to be a degree of internal control over the level of activities taking place in order to ensure the hotel remains an attractive facility for guests. With this in mind, and taking into account the separation distances between the residential curtilages and the existing building as well as the established existing use, I have not identified detrimental amenity impacts which would amount to the application being contrary to Policy DM5.*

In the context of the entire scheme, it is not considered that the additional hotel rooms (again noting their replacement of staff accommodation in some cases) would be perceivable in neighbouring amenity terms.

The Parish Council comments listed in full above make reference to the hotel entrance changing through the current submission. For clarity, the originally approved plans have always included a separate reception area in the Dome extension proposed. The understanding is that this allows for a separate entrance for guests to attend events within the Dome. Given the extant position, the concerns raised by the Parish in respect to amenity impacts of this arrangement have already been debated and it would not be reasonable to resist the current application purely on this basis.

### Planning Balance and Conclusion

The proposal relates to an existing permission to allow the conversion of Kelham Hall to a spa and hotel facility with associated functions. The changes largely relate to internal revisions which would create additional hotel accommodation which would increase the public benefit of the overall site offer. Having re-applied the balance required by paragraph 196 of the NPPF the public benefits would continue to outweigh any identified heritage harm and the development will ultimately bring the listed buildings into a long term viable use.

For ease of reference the conditions as originally imposed are listed in full below (in the recommendation section) with ~~striketrough~~ text used to represent parts of the condition no longer required and underlined text used to indicate new wording. The conditions have been reworded where details have been provided through the discharge of conditions.

### **RECOMMENDATION**

**That planning permission is approved subject to the conditions and reasons shown below:**

## Conditions

01

The development hereby permitted shall not begin later than ~~three years from the date of this permission.~~ 20<sup>th</sup> October 2020.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans, reference:

- Proposed Site Masterplan - M2 Rev. H
- Proposed Basement Plan (Dome) - D-01 Rev. A
- Proposed Ground Floor Plan (Dome) - D-02 Rev ~~A~~B
- Proposed First Floor Plan (Dome) - D-03
- Proposed 2nd & 3rd Floor Plans & East Elevation (Dome) D-04
- Proposed Elevations (Dome) - D-05 Rev. A
- Proposed Section and Visuals (Dome) - D-06 Rev A
- Proposed Basement Plan (Gilbert Scott) - GS-01
- Proposed Ground Floor Plan (Gilbert Scott) - GS-02 Rev. ~~B-D~~
- Proposed First Floor Plan (Gilbert Scott) - GS-03 Rev. ~~B-C~~
- Proposed Second Floor Plan (Gilbert Scott) - GS-04 Rev. ~~B-C~~
- Proposed Third Floor Plan (Gilbert Scott) - GS-05 Rev. ~~A-B~~
- En-suite Pod Details (Gilbert Scott) - GS-10
- Proposed Floor Plans (Salvin Wing) - SW-01 Rev. ~~E~~D
- Proposed Floor Plans (Salvin Wing) - SW-02 Rev. ~~E~~D
- Proposed Elevations 1 (Salvin Wing) - SW-03 Rev. B
- Proposed Elevations 2 (Salvin Wing) - SW-04 Rev. B
- Proposed Ground Floor Plan (Thompson Wing) - TW-01 Rev. ~~B-C~~
- Proposed First Floor Plan (Thompson Wing) - TW-02 Rev. ~~B-C~~
- Proposed Second Floor Plan (Thompson Wing) - TW-03 Rev. ~~B-C~~
- Proposed Elevations 1 (Thompson Wing) - TW-04 Rev. A
- Proposed Elevations 2 (Thompson Wing) - TW-05 Rev. ~~A-B~~
- Proposed Elevations 3(Thompson Wing) - TW-07 Rev. A
- Proposed Gateway Arrangement - SE-01 Rev. A
- Handrail 2 - Details - 06 Rev. C;

Unless otherwise agreed in writing by the local planning authority through the approval of a non-material amendment to the permission.

Reason: So as to define this permission.



03

Prior to any upgrades associated with fire protection and sound insulation a full specification of works, including technical drawings if required, shall be submitted and approved in writing by the LPA. The works shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing with the LPA.

Reason: To preserve the special interest of the listed building.

04

~~Prior to the erection of any infill walls within Room F31 and notwithstanding the details shown on drawing number GS-03 Rev. B (Gilbert Scott Wing: Proposed First Floor Plan), further details of the proposed treatment of columns and capitals, including technical drawings if required, shall be submitted and approved in writing by the LPA. The works shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing with the LPA.~~

The infill walls within room F31 shall be carried out in accordance with plan reference 'Detail – F31 First Floor Plan – As existing and proposed' drawing no. A5.03 Rev. A and Paraloid B72 Product Data Sheet' unless otherwise agreed in writing with the local planning authority.

Reason: To preserve the special interest of the listed building.

05

~~Prior to the fitting out of Room F42 and notwithstanding the details shown on drawing number GS-03 Rev. B (Gilbert Scott Wing: Proposed First Floor Plan), further details of the proposed treatment of the feature thought to be a dumb waiter, including technical drawings if required and a photographic record of its current appearance, shall be submitted and approved in writing by the LPA. The works shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing with the LPA.~~

~~Reason: To preserve the special interest of the listed building.~~

06

05

No works shall be commenced in respect of the features identified below, until details of the design, specification, fixing and finish in the form of drawings and sections at a scale of not less than 1:10 have been submitted to and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing with the LPA.

- External windows including roof windows, doors and their immediate surroundings, including details of glazing and glazing bars (for the avoidance of doubt including where openings are being blocked);
- Structural glazing including frame and glass;
- Treatment of window and door heads and cills;
- Treatment of the junction between any additional built form and the existing building;

- Configuration or re-configuration of any staircases and their associated features and joinery work;
- Treatment of any existing or proposed fireplaces;
- Configuration of any en-suite accommodation;
- Verges and eaves;
- Decorative string courses or brick work including bond;
- Gates, gate piers and flanking walls;
- Rainwater goods;
- Coping;
- Extractor vents;
- Flues;
- Meter boxes;
- Airbricks;
- Bat boxes (including integrated boxes);
- Soil and vent pipes;
- Decorative joinery details for any new doors;
- Details of suspended ceiling in the Gilbert Scott wing;
- Exact configuration of the ramp in the Carriage Court;

Reason: To preserve the special interest of the listed building.

~~07~~

**06**

No works shall be commenced in respect of the materials identified below until samples of the materials identified below have been submitted to and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing with the LPA.

Facing Materials;

Roofing Materials;

For the avoidance of doubt this includes, bricks; cladding; render; plinths; coping; roof and ridge tiles; finish of swimming pool structure and ply coverings.

Reason: To preserve the special interest of the listed building.

~~08~~

~~No works shall be commenced in respect of landscaping until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:~~

- ~~• a schedule (including planting plans and written specifications, including cultivation and other operations associated with plant and grass establishment) of trees, shrubs and other plants, noting species, plant sizes, proposed numbers and densities. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species;~~
- ~~• an implementation and phasing programme which for the avoidance of doubt shall include the reinstatement of the formal parterre;~~

- ~~existing trees and hedgerows, which are to be retained pending approval of a detailed scheme, together with measures for protection during construction;~~
- ~~details of planting pits including irrigation measures, tree staking and guards, and structural cells (as appropriate);~~
- ~~proposed finished ground levels or contours;~~
- ~~means of enclosure;~~
- ~~car parking layouts and materials;~~
- ~~other vehicle and pedestrian access and circulation areas;~~
- ~~hard surfacing materials;~~
- ~~minor artefacts and structures for example, furniture, play equipment, refuse or other storage units, signs, lighting etc.);~~
- ~~proposed and existing functional services above and below ground (for example, drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.);~~
- ~~retained historic landscape features and proposals for restoration, where relevant.~~

~~Reason: In the interests of visual amenity and biodiversity and to preserve the setting of designated heritage assets.~~

09

07

All hard and soft landscape works shall be carried out in accordance with the following plans as agreed through the discharge of condition request reference 19/00945/DISCON in relation to application 17/01021/FULM including the approved implementation and phasing plan:

- Parterre Significance & Proposals for Restoration;
- Parterre Plant Schedule Rev A;
- Drawing A7.21A Parterre Proposed Plan;
- Drawing A7.22A Parterre Planting;
- Drawing A7.23 Rev A Parkland Restoration (received 16<sup>th</sup> August 2019);
- Drawing A7.24 Proposed Tree Pit Detail;
- Tree Schedule PARKLAND;
- Drawing A7.02 Masterplan Showing Phasing of External Works;
- A7.25 Existing Trees – Scheme For Protection;
- A7.26 Proposed Means of Enclosure;
- A7.12 New Drive & Overflow Carpark;
- A7.14 Proposed Gilbert Scott Frontage (page 1 of 2);
- A7.15 Proposed Gilbert Scott Frontage (page 2 of 2);
- A7.20 Proposed Landscaping to Dome Courtyard;
- Castor Bollard Luminaires Product Data Sheet;
- A7.27 Play Equipment;
- Mapmatic drawings: 1907 Rev1 Topo Survey (Sheets 1 & 2) showing existing above ground services;
- Collins Hall Green drawing: F553, showing existing drainage runs;
- Golpla Technical Brochure received 2<sup>nd</sup> September 2019;
- Golpla Demarcation Parking Bays and disabled demarcation received 2<sup>nd</sup> September 2019;
- Breedon Golden Amber Gravel received 2<sup>nd</sup> September 2019;
- A7.25 Existing Trees – Scheme For Protection;

The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority. If within a period of 7 years from the date of planting any tree, shrub, hedgerow or replacement is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place. Variations may only be planted on written consent of the LPA.

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

~~010~~

**08**

The reinstatement of the formal parterres shall be completed (in accordance with details that must be first agreed under condition **8 6**) during the first planting season following the occupation of the use hereby approved unless otherwise agreed in writing by the LPA.

Reason: In the interests of securing the heritage benefits identified as part of the overall planning balance.

~~011~~

**09**

The developer shall give the local planning authority 14 days notice prior to the occupation of the use hereby permitted and access shall be afforded at all reasonable times to allow the Council's Conservation Officer, or other person or body nominated by the local planning authority, for the purpose of inspecting the works or recording the building by making measure drawings or taking photographs. Access shall be afforded during works and upon completion.

Reason: To allow to make provisions to monitor conditions relating to the secured heritage benefits of the scheme. For the avoidance of doubt this includes the reinstated of the formal parterre.

~~012~~

**010**

No external works shall commence until a written scheme of Archaeological investigation (WSI) has been submitted to and approved by the LPA in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

~~013~~

**011**

No works shall be commenced in respect of re-pointing, until details of the extent of re-pointing have been submitted to and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing with the LPA. For the avoidance of doubt this shall include any works within the red line application site.

Reason: To preserve the special interest of the listed building and setting of designated heritage assets.

~~014~~

**012**

No works shall be commenced in respect of pointing, until a sample panel showing the bond, mortar mix and pointing technique to be used for re-pointing and new pointing has been provided on site for inspection and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing with the LPA. For the avoidance of doubt this shall include any works within the red line application site.

Reason: To preserve the special interest of the listed building and setting of designated heritage assets.

~~015~~

**013**

No works shall be commenced in respect of any repairs other than strict like for like repair works until a methodology for undertaking repair work has been submitted to and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing with the LPA. For the avoidance of doubt this shall include any works within the red line application site.

Reason: To preserve the special interest of the listed building and setting of designated heritage assets.

~~016~~

**014**

~~No works shall be commenced in respect of the infilling of the sunken garden, until details of a programme of recording has been submitted to and approved in writing by the local planning authority. The recording works shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing with the LPA.~~

The development shall be carried out in line with the Written Scheme of Investigation: Archaeological Topographical Survey dated July 2018 in respect to the sunken garden.

Reason: To ensure that features of archaeological and historic landscape interest are properly examined and recorded.

~~017~~

**015**

Prior to the installation of any external plant including mechanical extract or refrigeration units, a scheme detailing the precise specification in relation to noise output and any proposed means of mitigation shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed scheme shall be implemented prior to the plant or equipment being brought into use.

Reason: In the interests of protecting surrounding amenity.

~~018~~

**016**

The development shall be carried out in accordance with Section 5 of the bat survey report undertaken by RammSanderson dated August 2017 specifically the consideration of fauna suitable for bat habitat in any landscaping scheme; the installation of integrated bat boxes and the reduction of external lighting.

Reason: In order to protect biodiversity in the District in accordance with the aims of Core Policy 12 of the Newark and Sherwood Core Strategy (2014~~9~~).

~~019~~

**017**

The development shall be carried out in accordance with Section 6 of the Preliminary Ecological Appraisal and Bat Building Assessment undertaken by RammSanderson dated May 2017 specifically the enhancement recommendations within Section 6.5.

Reason: In order to protect biodiversity in the District in accordance with the aims of Core Policy 12 of the Newark and Sherwood Core Strategy (2014~~9~~).

~~020~~

**018**

~~No part of the development shall be brought into use until bin storage facilities have been provided for the development in accordance with design, siting and materials details, which have been first submitted to and approved in writing by the local planning authority. The bin storage facilities shown on plan reference Drawing A5.21 Bin Storage Details shall be provided prior to the commencement of the use in accordance with the approved details and retained for the lifetime of the development unless otherwise agreed in writing by the local planning authority.~~

Reason: To ensure that adequate bin storage is provided for occupiers in the interests of residential and visual amenity.

~~021~~

**019**

~~No works shall be commenced in respect of the installation of external lighting until details of such lighting have been submitted to and approved in writing by the LPA. For the avoidance of doubt, this should include details of both freestanding lighting and lighting attached to the building and associated structures. The details shall include location, design, means of attachment where relevant, levels of brightness and beam orientation, together with measures to minimise overspill and light pollution. The lighting scheme shown on plan reference Bollard lighting proposed for both the Dome Courtyard and Gilbert Scott Frontage (ref. drawings A7.20, A7.14 and A7.15 respectively, all submitted for Condition 8(h)) shall ~~thereafter~~ be carried out in accordance with the approved details and the measures to reduce overspill and light pollution retained for the lifetime of the development unless otherwise agreed in writing by the local planning authority.~~

Reason: In the interests of visual and residential amenity

~~022~~

~~No external works shall take place until a scheme for protection of the retained trees/hedgerows has been agreed in writing with the District Planning Authority. This scheme shall include:~~

- ~~a. A plan showing details and positions of the ground protection areas.~~
- ~~b. Details and position of protection barriers.~~
- ~~c. Details and position of underground service runs and working methods employed should these runs be within the designated root protection area of any retained tree/hedgerow on or adjacent to the application site.~~
- ~~d. Details of any special engineering required to accommodate the protection of retained trees/hedgerows (e.g. in connection with foundations, bridging, water features, surfacing).~~
- ~~e. Details of working methods to be employed for the installation of drives and paths within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.~~
- ~~f. Details of working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the root protection areas of any retained tree/hedgerow on or adjacent to the application site.~~
- ~~g. Details of any scaffolding erection within the root protection areas~~
- ~~h. Details of timing for the various phases of works or development in the context of the tree/hedgerow protection measures.~~

~~Reasons: To preserve and protect existing trees and new trees which have and may have amenity value that contribute to the character and appearance of the conservation area and setting of the listed building.~~

~~023~~

**020**

The following activities must not be carried out under any circumstances.

- a. No fires to be lit on site within 10 metres of the nearest point of the canopy of any retained tree/hedgerow on or adjacent to the proposal site.
- b. No equipment, signage, fencing etc shall be attached to or be supported by any retained tree on or adjacent to the application site,
- c. No temporary access within designated root protection areas without the prior written approval of the District Planning Authority.
- d. No mixing of cement, dispensing of fuels or chemicals within 10 metres of any retained tree/hedgerow on or adjacent to the application site.
- e. No soak- aways to be routed within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- f. No stripping of top soils, excavations or changing of levels to occur within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- g. No topsoil, building materials or other to be stored within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- h. No alterations or variations of the approved works or protection schemes shall be carried out without the prior written approval of the District Planning Authority.

Reason: To preserve and protect existing trees and new trees which have and may have amenity value that contribute to the character and appearance of the conservation area and setting of the listed building.

~~024~~

**021**

The spa and hotel use hereby permitted shall not be operational until the parking areas are provided in accordance with the approved plan (Drawing M2 Rev. H). The parking areas shall not be used for any purpose other than parking of vehicles.

Reason: To ensure that adequate parking provision is made for the proposed development.

~~025~~

**022**

The spa and hotel use hereby permitted shall not be operational until a scheme of implementation in accordance with details as contained within the Travel Plan carried out by Aecom and dated August 2017 has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details. For the avoidance of doubt the scheme shall include the details of appointment and job description of the Travel Plan Coordinator in line with Section 2.

Reason: In the interests of sustainable transport and to ensure the development takes the form agreed by the authority and thus results in a satisfactory form of development.

~~026~~



## 023

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and Proposed Masterplan, Revision 'G', dated 22/08/2017 and the following mitigation measures detailed within the FRA:

3. Finished floor levels for the Dome extension (existing) are set no lower than the existing levels.
4. Finished floor levels for the Dome extension (proposed) are set no lower than 12.70 metres above ordnance datum (mAOD) as described in Table 4, paragraph 3.1.2.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

## 027

## 024

The development hereby permitted shall not be occupied until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority in consultation with NCC Flood Team and Trent Valley Internal Drainage Board. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage and to minimise the risk of pollution.

### Notes to Applicant

#### 01

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.

#### 02

This application has been the subject of pre-application discussions and has been approved in accordance with that advice. 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 accordance with Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

03

Historic England has produced guidance entitled 'Understanding Historic Buildings A Guide to Good Recording Practice' outlining the levels of recording. This document is available on Historic England's website or by contacting the District Planning Authority.

04

The applicant is advised that any advertisement may require advertisement consent.

05

The conditions set out above comprise part of the planning approval and must be fully complied with in each case. Failure to comply with the terms of these conditions or failure to comply with the approved plans could render your development unauthorised.

It is very important that work does not take place on site before the relevant conditions requiring the prior approval of plans or the completion of works prior to commencement, have been fully discharged by the Local Planning Authority.

If any of the conditions are unclear or you would like further information regarding our requirements, please do not hesitate to contact the case officer for your application.

#### BACKGROUND PAPERS

Application case file.

For further information, please contact Laura Gardner on extension 5907.

All submission documents relating to this planning application can be found on the following website [www.newark-sherwooddc.gov.uk](http://www.newark-sherwooddc.gov.uk).

**Lisa Hughes**  
**Business Manager Planning Development**

# Committee Plan - 19/01307/S73M

