

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** broadcast from the Civic Suite, Castle House, Great North Road, Newark, Notts, on Tuesday, 2 March 2021 at 2.00 pm.

PRESENT: Councillor R Blaney (Chairman)
Councillor I Walker (Vice-Chairman)

Councillor L Brazier, Councillor M Brock, Councillor R Crowe, Councillor Mrs L Dales, Councillor Mrs M Dobson, Councillor L Goff, Councillor Mrs R Holloway, Councillor Mrs P Rainbow, Councillor Mrs S Saddington, Councillor M Skinner, Councillor K Walker and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor T Smith (Committee Member)

307 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor M Brock declared a personal interest in Agenda Item No. 9, Norwood Park, Norwood Park Farm, Halam Road, Southwell (20/02472/FUL) as he had discussed this application as a Member of Southwell Town Council.

Councillor Mrs L Dales declared a personal interest as she was the Council's appointed representative on the Trent Valley Internal Drainage Board and Upper Witham Valley Drainage Board.

Councillor I Walker declared a personal interest as he was the Council's appointed representative on the Trent Valley Internal Drainage Board.

Councillors Mrs L Dales, Mrs S Saddington and I Walker informed Committee of a phone call received from the applicant regarding Agenda Item No. 10, Grove Bungalow, Barnby Road, Newark (20/02499/OUTM), the applicant wanted to discuss the planning application and was told by the individual Members, that as they were Members of the Planning Committee they were unable to enter into a conversation regarding this application.

All Members of the Planning Committee declared personal interests in Agenda Item No. 6, Yorke Drive and Lincoln Road Playing Field, Lincoln Road, Newark (20/02484/S73M) as they were Members of the Council.

308 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman informed the Committee that the Council was undertaking an audio recording of the meeting, which would be webcast.

309 MINUTES OF THE MEETING HELD ON 2 FEBRUARY 2021

AGREED that the minutes of the meeting held on 2 February 2021 were approved as a correct record of the meeting, to be signed by the Chairman.

310 LAND NORTH OF HALLOUGHTON, SOUTHWELL 20/01242/FULM

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission for the construction of a solar farm and battery stations together with all associated works, equipment and necessary infrastructure.

Members considered the presentation from the Senior Planning Officer, which included photographs and plans of the proposed development.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the Agent and Interested Parties.

Councillor P Harris – Local Ward Member for Southwell, spoke against the application on the grounds of scale. The proposed scheme would have generated a sizeable contribution of energy. The panels would be 10ft high, with a high hectare, the scale of the proposed solar farm was therefore considered too large and would have a negative impact on the heritage of the area.

Members considered the proposal and commented that the solar farm was on an enormous scale and if it had been any bigger would have been of national infrastructure concern. The solar farm scheme had a life span of forty years and would have an adverse impact for future generations. The scheme would create an industrial landscape and would completely transform the local landscape. The land was considered as precious land and was well used by the local community. If the scheme was allowed it would have a detrimental effect and impact on the mental health of the local community. The scheme was considered too large, intrusive and would have a major impact on the amenity of the area.

A Member commented that whilst this location was not ideal Nottinghamshire was a large rural district and the same problems would occur with other sites within the district. The Council needed to move forward with Governments policy for renewable energy by 2030, if the committee kept rejecting schemes such as this one the Council would not meet the Governments targets. The land when developed using solar panels could still be used for agriculture therefore the full usage of the land would not be lost.

(Councillor M Skinner was not present for the entire duration of the Officer presentation and took no part in the vote).

AGREED (with 11 votes For and 2 votes Against) that planning permission be refused for the reason contained within the report.

311 YORKE DRIVE AND LINCOLN ROAD PLAYING FIELD, LINCOLN ROAD, NEWARK 20/02484/S73M

The Committee considered the report of the Business Manager – Planning Development, which sought permission to vary conditions 8, 24 and 25 attached to

planning permission 18/02279/OUTM to amend the timescale for completion of the conditions.

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

Members considered the proposal acceptable.

AGREED (unanimously) that outline planning permission be approved subject to the conditions and reasons contained within the report.

312 LAND ADJACENT 2 GAINSBOROUGH ROAD, WINTHORPE 20/02279/FULM

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission for the change of use of land for the siting of five holiday lodges, erection of timber decking structures, formulation of new internal access tracks and creation of new vehicular access from Gainsborough Road.

Members considered the presentation from the Senior Planning Officer, which included photographs and plans of the proposed development.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the Agent.

The Schedule of Communication included a recommendation to update numerous conditions with alternative plan references based on the information which had been submitted since agenda print.

Councillor P Smith on behalf of Winthorpe and Langford Parish Council spoke against the application, in accordance with the views of Winthorpe and Langford Parish Council, as contained within the report.

Members considered the application and disagreed that the proposed development would be good for the village and surrounding settlement. The primary concern regarding the proposed site was the access, which competed with a bus stop and school entrance which were both opposite the proposed site entrance. The road was used for car parking for the school twice a day for drop-off and collection. The road into the village was very narrow with an existing traffic problems including speeding. It was considered that this development would exasperate the traffic problems already in place. Potential noise nuisance from the site was also raised. It was also commented that the proposed site was adjacent to the village envelope which should be protected from development creep. The development did not support rural regeneration and there were no existing buildings on the proposed site. Members also raised concern regarding the removal of four metres of hedgerow and the installation of an access gate, which had been undertaken without planning permission.

Given the lack of objection from the Highways Authority it was considered unreasonable to resist the application on highways safety grounds. It was discussed that the application was contrary to Core Policy 7 and Policy DM5 in that the

development would disrupt the rural character of the site and was in the wrong location.

A vote was taken and lost to approve planning permission with 2 votes For and 12 Votes Against.

AGREED (unanimously) that contrary to Officer recommendation planning permission be refused on the grounds of Core Policy 7 and Policy DM5 – location, character and context.

In accordance with paragraph 12.5 of the Planning Protocol, as the motion was against officer recommendation, a recorded vote was taken.

Councillor	Vote
R. Blaney	For
L. Brazier	For
M. Brock	For
R. Crowe	For
Mrs L. Dales	For
Mrs M. Dobson	For
L. Goff	For
Mrs R. Holloway	For
Mrs P. Rainbow	For
Mrs S. Saddington	For
M. Skinner	For
T. Smith	Apology for absence
I. Walker	For
K. Walker	For
Mrs Y. Woodhead	For

313 LAND OFF MAIN STREET, BALDERTON 20/01405/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought material change of use of land for stationing of caravans for residential occupation with associated development, new access, hard standing and utility block. This application was part retrospective.

The application had been previously presented at the 3 November 2020 Planning Committee. Members at that meeting resolved to approve the application for a temporary period of three years, subject to the completion of a S106 legal agreement within three months of the date of the Planning Committee to secure two off-site footways either side of Hollowdyke Lane, failure to do so would result in a refusal on highway safety grounds.

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

Councillor Mrs L Hurst on behalf of Balderton Parish Council spoke against the application, in accordance with the views of Balderton Parish Council, as contained

within the report.

Members considered the proposal and raised concern regarding the suitability of the location due to the close proximity with the A1 and East Coast main line and the impact from pollution and noise that would have on the health and wellbeing of the family.

AGREED (with 9 votes For, 4 votes Against and 1 Abstention) that planning permission be approved for a temporary period of three years subject to the following:

- (a) the conditions and reasons contained within the report, set out within Appendix A; and
- (b) the completion of a section 106 legal agreement within 6 months of the date of this Planning Committee (failure to do so would result in a refusal on the grounds that the scheme fails to secure a safe vehicular to/from the site), to secure details of the width, position, radii and construction of the access and to secure a bound material for the access for a distance of 5m into the site.

314 NORWOOD PARK, NORWOOD PARK FARM, HALAM ROAD, SOUTHWELL 20/02472/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought consent for the change of use of land to site a Charcoal Retort to support the existing firewood business.

Members considered the presentation from the Senior Planning Officer, which included photographs and plans of the proposed development.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from Southwell Civic Society.

Councillor P Harris – Local Ward Member Southwell, spoke in support of the application in principle however had reservations regarding some of the Environmental Health advice as contained within the report. Concerns were raised regarding conditions 06, 08 and 11. It was commented that many residents would not know the Ringelmann Shade assessment and how to make a complaint as referred to in the conditions. He urged the Committee to tighten up the regulations in order to control pollution emissions.

Members considered the proposal and raised concern regarding the history of the business and the use of Ring Kilns which created a strong toxic smoke when burning charcoal overnight and asked that Planning Enforcement look at this operation. The Chairman commented that Ring Kilns were unauthorised and Environmental Health could also provide enforcement. It was further commented that the content of the conditions were self-managing and there needed to be a way of measuring what was being emitted rather than self-management. It was suggested that an additional condition be included taking the advice of the Environmental Health Business Unit

regarding the clear and definable monitoring of emissions, in consultation with the three ward Members.

(Having declared a Personal Interest Councillor M Brock took no part in the debate or vote and turned off his camera and muted himself in accordance with Council protocol, for the duration of this item).

AGREED (with 12 votes For and 1 vote Against) that:

- (a) planning permission be approved subject to the conditions and reasons contained within the report; and
- (b) advice be taken from the Environment Health Business Unit, regarding an additional condition for clear and definable monitoring of emissions by the Business Manager - Planning Development in consultation with the three local Ward Members (Councillors M Brock, P Harris and Mrs P Rainbow) and confirmation by the Planning Committee Chairman, Vice-Chairman and Business Manager – Planning Development.

315 GROVE BUNGALOW, BARNBY ROAD, NEWARK 20/02499/OUTM

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission for the residential development of ten dwellings, following the removal of Grove Bungalow and existing outbuildings.

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

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from local residents and Nottinghamshire County Highways Authority.

Councillor Mrs J Olson on behalf of Newark Town Council spoke against the application, in accordance with the views of Newark Town Council, as contained within the report.

Members considered the application and were pleased regarding the reduction of units to ten and the resolved drainage issue. Concern was raised regarding the narrow stretch of road, importance of the common toad and unfavourable problem of the open break between Newark and Balderton. Other Members commented that due to the reduction in units the development was no longer over-intensive. Nottinghamshire Wildlife Trust had commented that they were satisfied that there would be no negative impact on wildlife species.

The Business Manager - Planning Development commented that the report identified protection for the common toad. The open break was also protected and the application would not go ahead unless the Section 106 was in place. Taking on board Members concerns, if the Committee were minded to approve planning permission, consideration could be given to Condition 9 and how this might be tightened, if

delegated authority was provided to the Business Manager – Planning Development to action at a later date.

AGREED (with 10 votes For and 4 votes Against) that outline planning permission be approved subject to the following:

- (a) conditions and reasons contained within the report, subject to the amendment of Condition 9;
- (b) delegated authority be granted to the Business Manager Planning Development to tighten the wording of Condition 9 if appropriate; and
- (c) the completion of a section 106 legal agreement within four months of the date of this Planning Committee (failure to do so would result in a refusal on the grounds that the scheme fails to secure an appropriate drainage scheme and developer contributions):

Summary of Matters to be secured via a s.106 Agreement	
Bus Stop Infrastructure	£13,000 for 2 new bus stops on Barnby Road
Community Facilities	£1,384.07 per dwelling (£13,840.70)
Children’s Play Space	£927.26 per dwelling (£9272.60)
SUDS/drainage features	To be maintained for the lifetime of the development and that drainage strategy be implemented on third party land (with relevant land owners joining in) prior to any other development being carried out on the site
Monitoring contributions for all contributions will also be sought along with appropriate standard triggers for all	As per SPD

316 THE LILACS, FRONT STREET, SOUTH CLIFTON 20/02156/HOUSE AND 20/02157/LBC

The Committee considered both reports together for applications 20/02156/HOUSE and 20/02157/LBC of the Business Manager – Planning Development, which sought planning permission for the removal of a timber fence to Front Street, extend wall by six courses and remove existing piers.

Members considered the presentation from the Senior Planning Officer, which included photographs and plans of the proposed development.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the local ward Member.

Members commented that the proposed wall had a cumulative effect with the other high walls on the street and created a corridor effect, which was considered not acceptable. It was suggested that the application be deferred to allow Officers to negotiate with the applicant a reduction in the height of the wall to a course of four bricks rather than the proposed six.

AGREED (unanimously) that the applications be deferred to allow Officers to negotiate with the applicant a course of four bricks rather than the six as proposed in the planning application. Delegated authority be provided to the Business Manager – Planning Development in consultation with the Planning Committee Chairman and Vice-Chairman to approve the application if the reduction in the brick course can be agreed.

317 REVIEW: SCHEME OF DELEGATION

The Committee considered the report of the Director for Growth and Regeneration which had also been presented to Councillor's Commission on 25 February 2021.

The amendments to the Scheme of Delegation as set out within the Appendix, as contained within the report, would be reported to Full Council on 9 March 2021, together with any additional comments received.

It was reported that the current Scheme of Delegation (SoD), which formed part of the Council's Constitution setting out a set of criteria for committee and officer decisions was reviewed late 2019. A number of changes were made to delegation arrangements and it was agreed that a further review would take place over the following twelve months and a report presented of the outcome. The purpose of the report was to set out the findings of the review, which highlighted both positive and negative impacts as a result of the amendments. The report made a number of recommendations as a result of the amendments and requested that Members considered amending the SoD in line with the concluding recommendations.

AGREED that Planning Committee accepts the changes to the Scheme of Delegation as detailed within the report and the changes be referred to Full Council for approval.

These changes summarised were:

- Refer Applications for Minor Dwellings to Ward Members when the Town/Parish Council has objected and the Officer recommendation is for Approval and if request received, present application to Planning Committee; and
- Greater Clarity (i.e. planning reasons) from Member within Referral Requests; and
- Amend the Scheme of Delegation as set out within Appendix 1 to the report.

In addition, changes would be made to the weekly list of planning applications to include a link to the planning application and for the case officer's name and phone number to be included.

318 APPEALS LODGED

AGREED that the report be noted.

319 APPEALS DETERMINED

AGREED that the report be noted.

Meeting closed at 4.41 pm.

Chairman