



# NEWARK TOWN COUNCIL

Town Hall, Market Place, Newark, Nottinghamshire, NG24 1DU

Tel: 01636 680333 ~ Fax: 01636 680350

Email: [post@newark.gov.uk](mailto:post@newark.gov.uk) ~ Website: [www.newark.gov.uk](http://www.newark.gov.uk)

## PLANNING COMMITTEE MINUTES

Minutes of the Planning Committee held on Wednesday 31<sup>st</sup> October 2018 in the Council Chamber, Town Hall.

<b>Membership Present:</b>	<b>Councillor</b>	<b>M Skinner (Chairman)</b>
	Councillor	S Haynes (Vice-Chairman) Mrs C Barker-Powell (Ap) M Cleasby Mrs G Dawn (A) Ms H Gent L Goff D Hyde (Ap) D Lloyd T Roberts MBE R Williams
<b>In Attendance</b>	Town Clerk Councillors	Alan Mellor Mrs R Crowe, R A Crowe & P Duncan
<b>Apologies</b>	Cllrs Mrs C Barker-Powell & D Hyde	
<b>Taking Minutes:</b>	Planning Administrator	Mrs J Hempsall
<b>Public:</b>	There was 1 member of the public present.	
<b>Venue:</b>	Council Chamber, Town Hall	

### **PR34/18/19 Minutes**

The Minutes of the last meeting held on Wednesday 26<sup>th</sup> September 2018 were **AGREED** and signed as a true and correct record.

The Town Clerk advised Members that the Minutes of the previous Planning meeting held on 26<sup>th</sup> September, 2018, showed Cllr Roberts MBE as Absent when his apologies had been given. This will be corrected in the Minutes.

**PR35/18/19 Matters Arising**

There were no matters arising.

The Chairman notified Members that The Town Clerk had contacted Newark & Sherwood District Council regarding emotive descriptions for planning applications and how the Planning Committee were concerned about the use of such emotive language to describe an application and questioned whether such wording is appropriate for describing applications. NSDC had replied saying that in terms of formal legislation, they are not able, technically, to change a description of development submitted by an applicant unless they agree in writing to a change. This could be brought up in future training for Planning staff.

**PR36/18/19 Declarations of Interest**

It was **AGREED** to accept Members declarations as and when they arose during the meeting.

**PR37/18/19 Outstanding Planning Applications**

**18/01430/FUL      Park View Caravan Park, Tolney Lane, Newark**

Change of use of former abattoir site and paddock to gypsy and traveller caravan site.

The Town Clerk informed Members that applications for this site had been to Committee previously in 2015, 2016 and 2017 and that all previous applications had been Objected to.

The main issue regarding this application is the risk of flooding and danger to life.

Members decided to **OBJECT** to this application and could see no reason to change their original objection as follows:

- The site should be appropriately landscaped
- There could be a flood risk which could impact significantly on any touring caravans on the site in periods when flooding occurs
- This application should not be in conflict with the Allocations and Development Management Options Report for designating Traveller & Gypsy sites in Newark

If this application were to be Permitted by the District Council, Members of this Committee would like to see relevant boundary environmental screening put in place in order to make it less visible from the A46.

**18/01443/FULM Green Park, Tolney Lane, Newark**

Application for the variation of Condition 1 attached to application 14/01640/FULM; remove/vary conditions 5 and 6 attached to the planning permission granted on appeal at Plots 1-10 Green Park, Tolney Lane. NSDC Ref: 12/00562/FUL.

Cllr D Lloyd informed Members that a temporary 5 year permission had been given previously by the Inspector in the hope that during that 5 year period, an alternative site would be found for the travellers.

Members decided to **OBJECT** to this application and could see no reason to change their original objection as follows:

- There could be a flood risk which could impact significantly on any touring caravans on the site in periods when flooding occurs
- This application should not be in conflict with the Allocations and Development Management Options Report for designating Traveller & Gypsy sites in Newark.

**18/01619/FUL 150 Beacon Hill Road, Newark**

Application for removal/variation of Condition 02 of application 15/02256/FUL: Construction of three new detached dwellings.

**No Objection was raised to this application.**

**18/01667/LBC 19 Bridge Street, Newark**

Installation of shop signage.

**No Objection** was raised to this application but Members would wish to see a condition attached which requires all items for sale being kept within the premises and not on the pavement.

**18/01764/FUL Land at rear of 244 Beacon Hill Road, Newark**

Erection of 1 dwelling and 2 detached garages (one serving 244 Beacon Hill Road and the other serving the new dwelling).

**No Objection was raised to this application.**

**18/01785/FUL**

**Newark Cemetery, London Road, Newark**

Erection of an 8m flag pole at the entrance to the Cemetery.

All Members declared a prejudicial interest in this application.

**No Objection was raised to this application.**

**18/01790/FUL**

**The Tom Mann Pavilion, Devon Park, Newark**

Ground floor side extension to pavilion and siting of storage container within car park.

The Chairman was delighted to see this application as the park is being used more frequently now by youngsters playing sport.

Cllr D Lloyd requested a recorded vote for this item as he intended to Abstain, the voting was as follows:

7 Votes For and 1 Abstention.

**No Objection was raised to this application.**

**18/01817/ADV**

**Newark Odinist Temple, Bede House Court, Newark**

Erection of signage board/notice board outside the Newark Odinist Temple.

**No Objection was raised to this application.**

**18/01822/FUL**

**Coates Store, 65 Beech Avenue, Newark**

Change of use of retail unit to use as a Beauty Salon (Sui Generis).

**No Objection was raised to this application.**

**18/01823/FUL**

**Land adjacent to Newark Nether Weir, Quibells Lane, Newark**

Proposed new intake on the riverbank just upstream of Nether Lock Weir, adjacent to an existing British Sugar abstraction and protected by a 150mm bar, screen and floating boom. An Archimedes Screw turbine within a new concrete channel bypassing the weir, a short tailrace channel returning the flow to the toe of the weir, also modifying a highways drainage outfall, a powerhouse building, 5.25m x 5.6m in plan, enclosing the gearbox, generator and control panel, a brush-type eel-pass within a protective steel enclosure, fitted to the external wall of the Screw channel, a set of armoured

power cables laid 900m from the hydro control shed back along the access track to the switchboard at King's Marina.

**No Objection was raised to this application.**

**18/01830/FUL**

**12-14 Bridge Street, Newark**

**&**

Proposed new shopfront and undertaking of internal fit-out works.

**18/01831/LBC**

**No Objection was raised to this application.**

**18/01846/FUL**

**1B Nicholson Street, Newark**

Householder application for proposed single storey rear extension (revised application).

**No Objection was raised to this application.**

**18/01900/FUL**

**Papa John's Pizza, 2 Bar Gate, Newark**

Change of use of existing first floor office (A2 use class) into a single flatted dwelling.

**No Objection** was raised to this application providing a condition could be attached to ensure that adequate space was provided for 'wheelie bins' so that they are not stored on the public highway.

**18/01917/FUL**

**Former Newark Registrar Office, Newark Municipal Building, Balderton Gate, Newark**

Proposed 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 will provide 36 additional parking bays and 2 additional disabled parking bays.

Cllr D Lloyd declared a prejudicial interest in this application and left the room for the discussion.

Cllrs T Roberts MBE, P Duncan, Mrs R Crowe & R A Crowe, all declared a non-prejudicial interest in this application.

The Chairman hoped that if this proposal was to go ahead, that lighting would be increased accordingly due to the current levels of anti-social behaviour in the area.

**No Objection was raised to this application.**

Cllr D Lloyd returned to the meeting.

**18/01920/FUL 'Baith' Barnby Road, Newark**

Householder application for formation of new access to serve existing dwelling.

**No Objection was raised to this application.**

**18/01933/LBC Pilgrim Cottage, 7-9 Mill Gate, Newark**

Retrospective works to repair damaged purlin.

**No Objection was raised to this application.**

**PR38/18/19 Notice of NSDC Planning Decisions**

The Committee **NOTED** the District Council Planning Decisions received since the last meeting.

**PR/39/18/19 Urgent Decision Taken Under The Scheme of Delegation**

**18/01615/FUL – Barnby Road Primary & Nursery School, John Gold Avenue, Newark**

New School Sports Hall for school use and community use outside of school hours (Amended Description)

and

**Revised Plans**

Cllr T Roberts MBE declared a prejudicial interest in this application and left the room.

Members **NOTED** the decision taken under the Scheme of Delegation and the further amended application was considered and **No Objection was raised.**

Cllr T Roberts MBE returned to the meeting.

**PR40/18/19 Miscellaneous Applications**

**a. Notification of Appeals/Hearings**

**16/01134/FULM – Highfields School, London Road, Balderton, Newark**

**&**

**17/00357/FULM – Highfields School, London Road, Balderton, Newark**

Members **NOTED** that the appeals for the above two applications are to be heard at a Hearing at Castle House, Great North Road, Newark on 8<sup>th</sup> January 2019 commencing at 10am for 1 day.

**The Appellants submitted two additional documents as part of the appeal process. The documents are as follows:**

**Valuation Report (received 30.10.2018)**

**Viability Analysis Update (received 30.10.2018)**

**16/01134/FULM** Members considered the above additional information and decided to retain their original objections below:

Residential development comprising 89 dwellings and associated infrastructure, including the relocation of the school access, car parking area and sports pitches, the provision of a Multi-Use Games Area (MUGA) and the removal of 8 TPO trees. (Re-submission of 14/01964/FULM).

- (i) It will result in the loss of green/open space between Newark and Balderton and a total loss of 8 high value trees within the TPO for the site, with lesser native replacements in gardens which offer no permanence of planting.
- (ii) The biodiversity statement is now outdated and needs revisiting and the ecological barriers within the site (width, height and location) are insufficient for ecology and inappropriate for privacy screening. The traffic impact assessment has not been updated or reviewed to take into account the southern urban extension including Fernwood and predictable traffic volume increases on London Road. The proposed Travel Plans and 5% traffic reduction target are not thought to be a meaningful or realistic means of addressing concerns. It is iterated that the original TIA was not thought appropriate for assessing impacts at peak time.
- (iii) Reassurance is sought that there will be a planning condition requiring a full archaeological management plan which, in turn, is endorsed by Nottinghamshire County Council.
- (iv) The development remains over-intensive with inappropriate boundary treatments to mitigate

noise and the loss of privacy (both to existing premises and 'new' neighbours), especially for 27 London Road, Nos 31 & 33 Glebe Park and 11a The Woodwards, whereupon rear parking (contested by NCC Highways) will increase noise levels adjacent to existing premises. As such, it is contested that the application mitigates the specific comments made by the Inspector in the Appeal hearing with regard to noise and privacy/overlooking to existing *and* new residents.

- (v) The proposed MUGA cannot be made available for meaningful community use due to the need to mitigate light pollution and noise and so is not considered to be of community value and does not mitigate for the loss of open space/play. Further, the acoustic barrier now proposed still causes noise pollution (open windows and trickle vents), as supported by Sport England and will negatively impact on visual and landscape amenity, not least due to the varying land levels and massing of the proposed boundary treatment to the MUGA.

Assurance is sought for planning conditions to maintain access for existing residents to boundary treatments (in particular 33 The Glebes) and for traffic routing during construction.

- (vi) There is concern that there is a lack of Primary school capacity to accommodate additional pupils arising from the development. There is also no provision for any Section 106 funding to mitigate the impact on local schools.

#### **17/00357/FULM**

Residential development comprising 95 no. dwellings and associated infrastructure, including the removal of 24 no. TPO trees.

- (i) It will result in the loss of green/open space between Newark and Balderton and a total loss of 24 high value trees within the TPO for the site, with lesser native replacements in gardens which offer no permanence of planting. This also increases the loss of



privacy to existing residents.

- (ii) The biodiversity statement is now outdated and needs revisiting and the ecological barriers within the site (width, height and location) are insufficient for ecology and inappropriate for privacy screening.
- (iii) The traffic impact assessment has not been updated or reviewed to take into account the increase in units and revised entry road, nor for the southern urban extension (including Fernwood) and predictable traffic volume increases on London Road. The proposed Travel Plans and 5% traffic reduction target are not thought to be a meaningful or realistic means of addressing concerns. It is iterated that the original TIA was not thought appropriate for assessing impacts at peak time.
- (iv) Reassurance is sought that there will be a planning condition requiring a full archaeological management plan which, in turn, is endorsed by Nottinghamshire County Council.
- (v) The development remains over-intensive with inappropriate boundary treatments to mitigate noise and the loss of privacy (both to existing premises and 'new' neighbours), especially for 27 London Road, Nos 31 & 33 Glebe Park and 11a The Woodwards, whereupon rear parking (contested by NCC Highways) will increase noise levels adjacent to existing premises. As such, it is contested that the application mitigates the specific comments made by the Inspector in the Appeal Hearing with regard to noise and privacy/overlooking to existing *and* new residents. Furthermore, with the increase in units and revised entry road proposal, the impact will be experienced by more residences within The Woodwards and by 29 London Road.
- (vi) There is no provision for any recreational or community facilities, e.g. children's play area,

which for a housing development of this size is considered to be essential. Neither is there any re-provision for the open space that would be lost as a result of this development. To cite that the footpath to Barnby Road (ownership not clarified) gives access to play facilities adjacent to Barnby Academy via a road with poor pedestrian facilities, is not considered a meaningful response.

- (vii) There is concern that there is a lack of Primary school capacity to accommodate additional pupils arising from the development. There is also no provision for any Section 106 funding to mitigate the impact on local schools.
- (viii) There is no revised viability assessment available with the application. However, it is contested that the increased units and reduction in facilities (MUGA) require that any assessment is reviewed with specific regard to S106 for community/play facilities, public transport and school provision. Any viability assessment will reflect the costs of intensive drainage treatments, however, these are such due to the intensive development proposals and reduction in permeable open space and are, as such, not considered to be a justiciable cost assessment.

In addition under both applications, assurances are sought for planning conditions and clarity of ownership, to maintain access for existing residents to boundary treatments and for traffic routing during construction.

#### **18/00036/ENF – Land at Winthorpe Road, Newark**

Members **NOTED** that the appeal for the above application is to be heard at a Hearing to be held at Castle House, Great North Road, Newark on 26<sup>th</sup> February, 2019, commencing at 10am for 1 day.

<b>Meeting Closed:</b>	<b>8pm</b>	<b>Next Meeting:</b>	<b>Wednesday 28<sup>th</sup> November, 2018</b>
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