

## **PLANNING COMMITTEE**

**Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,**

**on Thursday, 24th January, 2019 at 7.00 pm**

**Present:** Councillor Chris Baron in the Chair;

Councillors Cheryl Butler, David Griffiths,  
Tom Hollis, Rachel Madden, Keir Morrison,  
Phil Rostance (Vice-Chair), Helen-Ann Smith,  
Mike Smith and Jason Zadrozny.

**Officers Present:** Sarah Hall, Martin Elliott, Mick Morley and  
Christine Sarris.

**P.28 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests.**

Councillor Zadrozny declared a non disclosable interest in agenda item 4, items 2 and 3, as a relative lived in the vicinity of the application site.

**P.29 To receive and approve as a correct record the minutes of a meeting of the Planning Committee held on 13 December 2018**

The Minutes of the meeting held on 13 December 2018 were approved as a correct record and signed by the Chairman.

**P.30 To receive and consider the attached planning applications.**

- 1. V/2018/0262 – Outline application for a maximum of 24 apartments and associated works – Land at junction of Outram Street and Park Street, Sutton-in-Ashfield, Nottinghamshire.**

In accordance with the Council's Policy for dealing with late matters in relation to planning applications (Minute No. D4.17, 1993/94), the Development Team Manager gave a verbal report on additional comments received in relation to the application after the agenda had been finalised as follows:

Following the publication of the report a member had suggested introducing a residents parking scheme on Park Street to mitigate against ad-hoc parking. This issue had been investigated with the County Council. A scheme had been introduced on Park Street but following the introduction of charges in 2010 residents petitioned to have it removed. 62% were against the scheme and it was withdrawn by the County Council. The County Council have indicated that

a scheme would only be supported if residents wanted it, but would also only support a scheme operating after 9am and ending before 3pm where it was close to a school. It is also indicated that such a scheme would only work where the issue was with parking from other sources and not residents.

On balance officers considered that a requirement for a residents parking scheme could not be supported, and that if one was to be conditioned the Council could only require the developer submit an application which then may not be accepted.

Members of the committee were concerned that the application did not include any Section 106 contributions to mitigate the impact of the development on local amenities. The Assistant Director for Planning and Regulatory Services advised that the District Valuer had expressed concern about the viability of the development even without a Section 106 contribution. The Assistant Director did advise that there could be very minor room for discussion on this matter. Members requested a contribution from the applicant towards public realm improvements in Sutton-in-Ashfield town centre.

It was moved by Councillor Baron and seconded by Councillor Butler that, subject to the conditions in the officer's report and that the Assistant Director for Planning and Regulatory Services, in consultation with the Chairman of Planning Committee, be delegated authority to grant planning permission subject to a Section 106 agreement providing a contribution towards public realm improvements in Sutton-in-Ashfield town centre.

**For the motion:** Councillors Baron, Butler, Griffiths, P Rostance and M Smith

**Against the motion:** Councillors T Hollis and K Morrison

**Abstentions:** Councillors Madden and Zadrozny

Accordingly, the motion was declared as **CARRIED**.

**2. V/2018/0710 - Application for Removal of Condition 3 of Planning Permission V/1987/0739, Premises to be used for a residential home for the elderly only**

and

**V/2018/0709 – Application for removal of condition 2 of Planning Permission V/1986/0343, Premises to be used for a residential home for the elderly only**

**at Bank House, Church Street, Sutton in Ashfield, Nottinghamshire.**

In accordance with the Council's procedure for speaking at Planning Committee Mr Mick Jones (objector), and Ms Aida McManus of AM Planning Consultants (agent for the applicant), addressed the meeting.

It was moved by Councillor Zadrozny and seconded by Councillor T Hollis that permission to remove condition 3 of Planning Permission V/1987/0739 and

condition 2 of Planning Permission V/1986/0343 should be **REFUSED** on the following grounds.

Removal of the conditions would result in an unacceptable impact on the residential amenity of the occupiers of the surrounding properties due to the disturbance caused by noise generated by residents, especially when using outside areas, as well as increased vehicular movements and the consequent increased amount of on-street and potentially dangerous parking caused by the set visiting hours for the centre. The development, with its increased number of residents and staff compared to when it had been a care home for the elderly would also represent an over intensive development of the site.

**For the motion:** Councillors Butler, Griffiths, T Hollis, Madden, P Rostance, M Smith and Zadrozny

**Against the motion:** Councillor K Morrison

**Abstentions:** None

Accordingly, the motion was declared as **CARRIED**.

At 8:05pm Councillor H Smith joined the meeting.

### **3. V/2018/0416 - Decking, Office, Shed and Erection of Fencing - Bank House, Church Street, Sutton in Ashfield, Nottinghamshire.**

In accordance with the Council's procedure for speaking at Planning Committee Mr Mick Jones and Mr Ian Campbell (objectors), and Ms Aida McManus of AM Planning Consultants (agent for the applicant), addressed the meeting.

Councillor Butler noted that while she had spoken to both the applicant and objectors to the application she had an open mind with regard to the application.

It was moved by Councillor Zadrozny and seconded by Councillor T Hollis that planning permission be **REFUSED** for the following reasons.

Due to the massing, size and the consequent overlooking of neighbouring properties, the development would cause an unacceptable impact on the amenity of the residents of neighbouring properties.

**For the motion:** Councillors Baron, Butler, Griffiths, T Hollis, Madden, K Morrison, P Rostance, H, Smith, M Smith and Zadrozny

**Against the motion:** None

**Abstentions:** None

Accordingly, the motion was declared as **CARRIED**.

#### 4. V/2018/0732 - Construction of Outbuilding for Dog Grooming Salon - 2a Wilson Avenue, Kirkby-in-Ashfield, Nottinghamshire.

At 8:46pm it was moved by Councillor Madden, seconded by Councillor H Smith and **RESOLVED** that in accordance with Rule of Procedure No.23 (The Conclusion of Proceedings) that the meeting be extended to 9:30pm.

In accordance with the Council's Policy for dealing with late matters in relation to planning applications (Minute No. D4.17, 1993/94), the Assistant Director for Planning and Regulatory Services gave a verbal report on additional comments received in relation to the application after the agenda had been finalised as follows:

Eight further letters of support had been received (making a total of 40 for the proposal) and one further letter of objection (making a total of 16 against) had been received referring in the main to issues that had already been addressed in the planning committee report.

Correspondence had also been received raising concerns about foul drainage and general waste disposal which were not addressed clearly in the report. Waste water is currently directed to a soakaway and concerns were raised that commercial/hazardous waste was disposed of via residential waste collections and with fortnightly collections this could give rise to smells and pests.

#### **Officer response:**

The applicant had confirmed that drainage from the building would be amended to ensure that foul waste water drains to the main property drainage system with a drain trap interceptor to collect waste dog hair etc. The applicant had also been made aware that it was a requirement that any commercial waste including dog hair, faeces or any other waste would need to be collected by a contracted collection service. The recommendation is a temporary planning permission to ensure any issues that had been raised can be monitored and reviewed accordingly.

It was further recommended that an additional condition be attached to state:

“Within one month of the date of this permission any foul/waste water from the building shall be disposed of via the public sewer system with a drain trap installed to collect any hairs/solids. The trap shall be regularly maintained, emptied and waste disposed of via a commercial waste collection service for the duration of the use hereby approved.”

It was moved by Councillor Butler and seconded by Councillor Madden that planning permission be **REFUSED** for the following reason.

The development would have an unacceptable impact on highway safety on Wilson Avenue for both residents and customers of the salon due to increased vehicle movements created by the customers of the salon and from vehicles parking on the pavement and in the turning head of the road. Members of the committee were also of the opinion that the proposed development would have an unacceptable impact on the residential amenity of the occupiers of surrounding properties due to the noise and disturbance caused by the

unsightliness of the increased amount of on street and potentially pavement parking.

**For the motion:** Councillors Butler, D Griffiths, T Hollis, Madden, K Morrison and M Smith.

**Against the motion:** Councillors Baron, P Rostance, H Smith and Zadrozny

**Abstentions:** None

Accordingly, the motion was declared as **CARRIED**.

**5. V/2018/0794 - Display of 4 Banner Signs - Festival Hall, Hodgkinson Road, Kirkby-in-Ashfield, Nottinghamshire.**

It was moved by Councillor T Hollis and seconded by Councillor Zadrozny that planning permission be **GRANTED** subject to the conditions in the officer's report.

**For the motion:** Councillors Baron, D Griffiths, T Hollis, Madden, Rostance, H Smith, M Smith and Zadrozny

**Against the motion:** Councillor Butler

**Abstentions:** Councillor K Morrison

Accordingly, the motion was declared as **CARRIED**.

**6. V/2018/0795 - Display of 10 Banner Signs - Kingsmill Reservoir, The Mill Adventure Base, Sherwood Way South, Sutton-in-Ashfield, Nottinghamshire.**

It was moved by Councillor T Hollis and seconded by Councillor P Rostance that planning permission be **GRANTED** subject to the conditions in the officer's report.

**For the motion:** Councillors Baron, D Griffiths, T Hollis, Madden, P Rostance, H Smith, M Smith and Zadrozny

**Against the motion:** Councillor Butler

**Abstentions:** Councillor K Morrison

Accordingly, the motion was declared as **CARRIED**.

**7. V/2018/0693 - Outline Application for a Maximum of 2 Dwellings -  
Spencer View, 182 Wild Hill, Teversal, Nottinghamshire.**

In accordance with the Council's procedure for speaking at Planning Committee Mr Tony Egginton (on behalf of the applicant), addressed the meeting.

It was moved by Councillor H Smith and seconded by Councillor Zadrozny, that subject to suitable conditions to be determined by the Assistant Director for Planning and Regulatory Services in consultation with the Chairman of Planning Committee, planning permission be **GRANTED** for the following reasons.

That the development complies with policies EV2(g) and EV2(h) of the Ashfield Local Plan on the basis it was appropriate infill development which would not have an adverse effect on the countryside or on Teversal Village.

**For the motion:** Councillors Madden, P Rostance, H Smith, M Smith, T Hollis and Zadrozny.

**Against the motion:** Councillors Baron, Butler and K Morrison

**Abstentions:** Councillor Griffiths

Accordingly, the motion was declared as **CARRIED**.

**P.31 Planning appeal decisions**

The Interim Director – Place and Communities submitted a report to advise the committee of the outcome of recent Planning Appeal decisions.

**RESOLVED**

that the report be noted.

The meeting closed at 9.30 pm

Chairman.