

## **PLANNING COMMITTEE**

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

**on Wednesday, 26th June, 2019 at 10.00 am**

**Present:** Councillor Rachel Madden in the Chair;

Councillors Chris Baron, Ciaran Brown, Samantha Deakin, Dale Grounds, Tom Hollis, David Martin, Lauren Mitchell, Helen-Ann Smith, Daniel Williamson and Jason Zadrozny.

**Officers Present:** Beth Brown, Lynn Cain, Christine Sarris and Robbie Steel.

**In Attendance:** Councillor Matthew Relf.

### **P.1 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests**

1. Councillors Ciaran Brown, Rachel Madden, David Martin, Daniel Williamson and Jason Zadrozny all declared general Non Disclosable Pecuniary/Other Interests in respect of Application V/2018/0393, Boyce Bros, Residential Development for 44 houses and 1 flat including Associated Access, Parking, Infrastructure, Drainage, Landscaping and a Sports Pitch, Annesley Miners Welfare Institute, Derby Road, Annesley Woodhouse. Their interests arose from the fact that they all currently held office as Annesley & Felley Parish Councillors.
2. Councillor Tom Hollis declared a Non Disclosable Pecuniary/Other Interest in respect of Application V/2018/0212, Mr M. Fishleigh, Outline Application for Demolition of Existing Industrial Premises and Construction of Up to 23 Dwellings with Associated Access and Parking, The Pattern House, Crossley Avenue, Huthwaite. His interest arose from the fact that he had met with residents but in doing so had not expressed an opinion at any point.
3. Councillor Tom Hollis also declared a Non Disclosable Pecuniary/Other Interest in respect of Application V/2019/0102, JCS Camping, Change of Use from Paddock to Caravan Park, The Campsite, Silverhill Lane, Teversal. His interest arose from the fact that his family (albeit estranged from him) currently lived near to the site and he had met with both the applicant and objectors but in doing so had not expressed an opinion at any point.
4. Councillor Helen-Ann Smith declared a Non Disclosable Pecuniary/Other Interest in respect of the undermentioned applications. Her interests arose from the fact that she had spoken to objectors to the applications but in doing so had not expressed an opinion at any point.

- Application V/2019/0224, Mr & Mrs Mathews, Single Storey Front Extension, 112 Farndale Road, Sutton in Ashfield;
  - Application V/2019/0102, JCS Camping, Change of Use from Paddock to Caravan Park, The Campsite, Silverhill Lane, Teversal.
5. Councillor David Martin declared a Non Disclosable Pecuniary/Other Interest in respect of Application V/2019/0068, Mr G Hodgman, Dwelling, Land Adjacent 15 Recreation Street, Selston. His interest arose from the fact that he was known to the applicant.

## **P.2 Minutes**

RESOLVED

that the minutes of the meeting of the Planning Committee held on 28<sup>th</sup> March, 2019 be received and approved as a correct record.

## **P.3 Town and Country Planning Act 1990: Town Planning Applications Requiring Decisions**

RESOLVED that

### **1. V/2019/0038, Muse Developments Limited, Reserved Matters Permission for Development of 45 Dwellings, 2 Flats and Commercial Space, Together with Associated Infrastructure and Roads, Land to the East of Hurricane Road Hucknall**

In accordance with the Council's Policy for dealing with late matters in relation to planning applications (Minute No. D4.17, 1993/94 refers), officers proceeded to give a verbal report as to additional comments received in relation to the application as follows:-

A further 10 objections had been received from residents. They had raised concerns regarding the following:

- Two units is insufficient and a larger store/pub should be provided.
- Location of retail units will attract anti-social behaviour.
- Insufficient parking provision for the two retail units.
- Misrepresentation about the provision of facilities.
- Questions over how many stores and chains were approached.
- More traffic will be brought onto Watnall Road.
- Insufficient infrastructure to accommodate the development.
- The original plan showed the retail provision elsewhere on site to benefit residents on the new estate and existing residents further afield.
- Density of housing across the development is too high.
- The consultation process was insufficient.

In response, officers advised that the points raised were covered within the report. The Applicant had submitted marketing evidence showing a number of chains were approached and no national operators could be secured. The Highways Authority have also noted that the location within the

scheme and off the round-about was preferable from a safety perspective being at the heart of the development for residents. The number of dwellings remained within the number approved under the outline consent and substantial S106 contributions had been received toward infrastructure.

The consultation process had been undertaken in accordance with legislation with neighbouring residents adjoining the site being consulted, along with a site notice and a press notice giving 21 days to make their comments.

Mr. V. Gallagher, an objector to the application and Mr. D. Needham, as the Applicant, took the opportunity to address the Committee in respect of this matter and Members were offered the opportunity to clarify any points raised during the submissions as required.

It was moved and seconded that conditional consent be granted as per officer's recommendation.

**2. V/2018/0803, Persimmon Homes Nottingham and Muse Developments Ltd, Proposed Erection of 120no. dwellings (including 10% affordable housing) and associated infrastructure including accesses and landscaping (Re-Submission of V/2018/0150), Land at Rolls Royce, Watnall Road, Hucknall.**

In accordance with the Council's Policy for dealing with late matters in relation to planning applications (Minute No. D4.17, 1993/94 refers), officers proceeded to give a verbal report as to additional comments received in relation to the application as follows:-

Two residents had written in objecting to the application and raising concerns surrounding the consultation process.

Officers confirmed that neighbouring residents were consulted, along with site notices and a press notice giving 21 days to make comments.

Objections were also raised on the grounds that:

- The original plan showed the retail adjacent to the roundabout and it would benefit existing residents.
- The retail units were insufficient and a family pub/large store should be provided.

Mr. V. Gallagher, an objector who had previously registered to speak on the application, declined the opportunity to address the Committee.

It was moved and seconded that conditional consent be granted as per officer's recommendation.

**3. V/2018/0330, Mr S Mistry, Demolition of Existing Building and Erection of New Three Storey Apartment Block Containing 9 Apartment, Romans, 8a Annesley Road, Hucknall**

Ms. M. Newton, an objector to the application and Mr. A. McGowan, as Agent for the Applicant, took the opportunity to address the Committee in respect of this matter and Members were offered the opportunity to clarify any points raised during the submissions as required.

It was moved and seconded that conditional consent be granted as per officer's recommendation, subject to the following additional conditions and informative:-

Conditions:

- Where there is a likelihood of hidden features such as a date stone being revealed during the course of work and not addresses at application stage then the provision for their retention/recording should be secured as part of the approved scheme. Shall a date stone not be found during construction works, details of the provision of a new date stone shall be submitted to and agreed in writing by the Local Planning Authority.
- No development shall take place within the application site until details of a scheme for an archaeological watching brief have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in full accordance with the approved details.
- The developer shall afford access at all reasonable times to any Archaeologist nominated by the Local Planning Authority, and shall allow him or her to observe the excavations and record items of interest.

Informative:

- The applicant/developer is strongly advised to engage with the Hucknall Heritage Society throughout construction works, allowing them to inspect and record and item or deposit of archaeological or historical importance.

(Following consideration of this application, the meeting was adjourned at 11.25am and reconvened at 11.33am.)

**4. V/2018/0393, Boyce Bros, Residential Development for 44 houses and 1 flat including Associated Access, Parking, Infrastructure, Drainage, Landscaping and a Sports Pitch. Annesley Miners Welfare Institute, Derby Road, Annesley Woodhouse**

(Councillors Ciaran Brown, Rachel Madden, David Martin, Daniel Williamson and Jason Zadrozny had previously declared Non Disclosable Pecuniary/Other Interests in respect of this item. In view of the nature of their interests they remained in the meeting and took part in the discussion and voting thereon).

Mr. B. Collier, an objector to the application and Mr. P. Wood, as Agent for the Applicant, took the opportunity to address the Committee in respect of this matter and Members were offered the opportunity to clarify any points raised during the submissions as required.

It was moved and seconded that consent be granted as per officer's recommendation, subject to the satisfactory completion of a Section 106 agreement.

(At this point in the proceedings and in accordance with Council Procedure Rule 4.1 (Order of Business), the Chairman advised Committee that she wished to move application no.6 (V/2019/0224) to the next item of business. All Members present agreed with this course of action.)

**5. V/2019/0224, Mr & Mrs Mathews, Single Storey Front Extension, 112 Farndale Road, Sutton in Ashfield**

(Councillor Helen-Ann Smith had previously declared a Non Disclosable Pecuniary/Other Interest in respect of this item. In view of the nature of her interest she remained in the meeting and took part in the discussion and voting thereon).

In accordance with the Council's Policy for dealing with late matters in relation to planning applications (Minute No. D4.17, 1993/94 refers), officers proceeded to give a verbal report as to additional comments received in relation to the application as follows:-

Recent correspondence from the Agent of the Application wished to bring the following matters to the attention of the Committee:

A number of properties along Farndale Road had already extended beyond the front elevation and that the proposal would not affect light to neighbouring properties nor affect highway safety. Additionally, any form of vehicle could be parked on the drive and that a 6ft fence could legally be erected along this boundary which would have the same effect on the side windows as a vehicle.

Mrs. S. Vardy, an objector to the application took the opportunity to address the Committee in respect of this matter and Members were offered the opportunity to clarify any points raised during the submission as required.

It was moved and seconded that conditional consent be granted as per officer's recommendation.

**6. V/2019/0298, Ashfield District Council, Display of 2 Vinyl Banners, Land Adjacent 80 Davies Avenue, Sutton in Ashfield**

It was moved and seconded that conditional consent be granted as per officer's recommendation.

(Following consideration of this application, the meeting was adjourned at 12.35pm and reconvened at 1.05pm.)

**7. V/2018/0212, Mr M. Fishleigh, Outline Application for Demolition of Existing Industrial Premises and Construction of Up to 23 Dwellings with Associated Access and Parking, The Pattern House, Crossley Avenue, Huthwaite**

(Councillor Tom Hollis had previously declared a Non Disclosable Pecuniary/Other Interest in respect of this item. In view of the nature of his interest he remained in the meeting and took part in the discussion and voting thereon).

Mr. M. Bassett, as Agent to the Applicant, took the opportunity to address the Committee in respect of this matter and Members were offered the opportunity to clarify any points raised during the submission as required.

(During consideration of this application, the meeting was adjourned at 1.27pm and reconvened at 1.33pm.)

It was moved and seconded that consideration of this application be deferred to enable officers to negotiate with the Developer regarding a potential increase in the proposed Section 106 contributions thus ensuring the development remained more sustainable in the longer term.

(In accordance with Council Procedure Rule 4.1 (Order of Business), the Chairman advised Committee that she wished to move application no.9 (V/2019/0102) to the next item of business. All Members present agreed with this course of action.)

**8. V/2019/0102, JCS Camping, Change of Use from Paddock to Caravan Park, The Campsite, Silverhill Lane, Teversal**

(Councillors Tom Hollis and Helen-Ann Smith had previously declared Non Disclosable Pecuniary/Other Interests in respect of this application. In view of the nature of their interests they remained in the meeting and took part in the discussion and voting thereon).

In accordance with the Council's Policy for dealing with late matters in relation to planning applications (Minute No. D4.17, 1993/94 refers), the Planning Officer proceeded to give a verbal report as to additional comments received in relation to the application as follows:-

Two additional letters of objection had been received. One had raised concerns that the site's planning history did not include an application to change the use of the land to form a community recreation space comprising access, car park, camping site and raised bund.

Another had raised concerns surrounding adequate infrastructure, impact on the green space, occupiers not paying full Council tax and that a previous application was refused for recreation space.

Officers advised that the application for a change of use of land to form a community recreation space was refused at Planning Committee on the 17th March, 2011. The reasons for refusal were stated by the Committee to

be the proposals constituting inappropriate development within the countryside by virtue of the proposed activities on the site attracting a significant number of visitors and its impact on the character and peaceful ambience of the countryside. There were also concerns that the proposal would adversely impact on highway safety.

Ms. M. Edwardson, as Agent to the Applicant, took the opportunity to address the Committee in respect of this matter and Members were offered the opportunity to clarify any points raised during the submission as required.

It was moved and seconded that consideration of this application be deferred on the grounds that the ecological appraisal submitted was not considered appropriate due to it not being undertaken at the recommended time of year for badgers. Also deferred on highway grounds and to see if the applicant would be willing to consider alternative options for the site.

**9. V/2019/0126, Ashfield District Council, Single Storey Rear Extension, 50 Westdale Road, Jacksdale**

It was moved and seconded that conditional consent be granted as per officer's recommendation.

**10. V/2019/0068, Mr. G. Hodgman, Dwelling, Land Adjacent 15 Recreation Street, Selston**

(Councillor David Martin had previously declared a Non Disclosable Pecuniary/Other Interest in respect of this item. In view of the nature of his interest he remained in the meeting and took part in the discussion and voting thereon).

It was moved by Councillor Tom Hollis and seconded by Councillor Helen-Ann Smith that the recommendation contained within the report be rejected and that planning consent be refused for the reasons set out below:-

Reasons:

1. The construction of the dwelling will lead to the intensification of the use of a substandard junction with a classified road, increasing the risk of vehicular conflict in this location, to the detriment of highway safety. The proposal is therefore contrary to policy ST1 (b) of the Ashfield Local Plan Review 2002, which states that development will only be permitted where it will not adversely affect highway safety.
2. The scheme fails to demonstrate how appropriate levels of off-street parking can be accommodated for the proposed dwelling in accordance with policy HG5 (f) of the Ashfield Local Plan Review 2002, and the requirements outlined within the Council's adopted Residential Car Parking Standards Supplementary Planning Document 2014, resulting in the increased likelihood of on-street parking in this location, to the detriment of highway safety.

3. The proposal represents an unsatisfactory form of development which is out of keeping with the type and size of other dwellings found within the immediate vicinity of the application site, to the detriment of the character and appearance of the surrounding area. The proposal is as such contrary to saved policy ST1 (a & b) and HG5 (g) of the Ashfield Local Plan Review 2002, which states that development will be permitted where it will not adversely affect the amenity of the environment.

For the motion:

Councillors Ciaran Brown, Samantha Deakin, Tom Hollis, Lauren Mitchell, Rachel Madden and Helen-Ann Smith.

Against the motion:

Councillor Chris Baron.

Abstention:

Councillors Dale Grounds, David Martin and Daniel Williamson.

Accordingly, the motion was duly carried.

#### **P.4 Planning Appeal Decisions**

Members were asked to note the recent Planning Appeal decisions as outlined in the report.

RESOLVED

that the report be received and noted.

Reason:

To update the Committee on the recent Planning Appeal decisions.

The meeting closed at 2.53 pm

Chairman.