

## **PLANNING COMMITTEE**

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

**on Wednesday, 25th September, 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, Helen-Ann Smith,  
Daniel Williamson and Jason Zadrozny.

**Apology for Absence:** Councillor Lauren Mitchell.

**Officers Present:** Lynn Cain, Louise Ellis, Mick Morley and  
Christine Sarris.

### **P.13 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests**

Councillor Rachel Madden declared a Non Disclosable Pecuniary/Other Interest in respect of Application V/2019/0401, Mr. B. Willows, Change of Use from Retail (A1) to Micropub (A4), L.W. Cotton News, 57 Nabbs Lane, Hucknall. Her interest arose from the fact that she had previously sat at a Licensing Sub Committee hearing that had convened to consider a licensing application for the same premises.

Councillor Tom Hollis declared a Non Disclosable Pecuniary/Other Interest in respect of respect of Application V/2019/0423, Mr M Hollis, Outline Application with some Matters reserved for 5 Dwellings, Norcroft, 211 Wild Hill, Teversal, Kingsway. His interest arose from the fact that the applicant was a family member.

Councillor Chris Baron declared a Non Disclosable Pecuniary/Other Interest in respect of Application V/2019/0401, Mr. B. Willows, Change of Use from Retail (A1) to Micropub (A4), L.W. Cotton News, 57 Nabbs Lane, Hucknall. His interest arose from the fact that the applicant had been a friend of his for over 20 years.

### **P.14 Minutes**

RESOLVED

that the minutes of the meeting of the Planning Committee held on 27<sup>th</sup> August, 2019 be received and approved as a correct record.

(During consideration of the minutes, Councillor Helen-Ann Smith entered the meeting at 10.05am.)

**P.15 Town and Country Planning Act 1990: Town Planning Applications Requiring Decisions**

RESOLVED that

**1. V/2019/0472, Mr I. Glenn, Application for Permission in Principle for Residential Development for a Maximum of 9 Dwellings, Linby Boarding Kennels, Church Lane, Linby, 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 further letters of support have been received from local residents. The letters did not raise anything different to previous letters of support.

Gedling Borough Council responded suggesting a very small part of the red line boundary was within Gedling Borough, otherwise they had no comments to make on the proposal.

The applicant had written and:

- claimed the site is wholly brownfield comprising of buildings, car parking and hard standing and the site is left intentionally overgrown in order to facilitate dog training and equipment in connection with this use is permanently laid out over the whole site.
- the latest animal welfare legislation requires isolation kennel facilities to be provided, resulting in further built development on the site, which should be taken into consideration.
- the application site is entirely within Ashfield so the red line boundary will not require alteration.

**Officer's Response**

It was acknowledged that part of the site, comprising of the kennel buildings, pens, and hardstanding was considered brownfield land and this was reflected in the previous planning permission. The eastern and southern areas of the site do not however meet the criteria to be classed as previously developed land as denoted in the glossary of the NPPF, as detailed within the report. There was no evidence during a recent site visit of equipment used in association with dog training on the eastern portion of the site, and this was shown in the photos that followed.

Any further buildings required in association with the dog kennel business would require full planning permission and consideration would be given as to whether these would comply with Green Belt policy and whether they would have any impact on the openness of the Green Belt.

The proposal is accepted to be sited entirely within the jurisdiction of Ashfield District Council.

It was moved by Councillor Tom Hollis and seconded by Councillor Helen-Ann Smith that the officer's recommendation contained within the report be rejected and Permission in Principle be granted.

Reasons for rejecting officers' recommendation:

Having regard to the policies and proposals in the Ashfield Local Plan Review (2002) and all relevant material considerations including Supplementary Planning Guidance it was considered that Permission in Principle should be granted.

For the motion:

Councillors Ciaran Brown, Samantha Deakin, Tom Hollis, David Martin, Helen-Ann Smith, Daniel Williamson and Jason Zadrozny.

Against the motion:

Councillors Chris Baron, Dale Grounds and Rachel Madden.

Abstention

None.

Accordingly, the motion was duly carried.

**2. V/2019/0401, Mr B. Willows, Change of Use from Retail (A1) to Micropub (A4), L W Cotton News, 57 Nabbs Lane, Hucknall**

(Councillor Chris Baron had previously declared a Non Disclosable Pecuniary/Other Interest in respect of this item. In view of the nature of his interest and friendship with the applicant, he left the room during consideration of the application and took no 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:-

The report incorrectly stated that there was a residential property at 55a Nabbs Lane. This unit is a commercial property following permission for a change of use in 2015.

An objector, Kevin Breedon and Max Cully on behalf of 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 with an amendment to Condition 5 (exact wording to be agreed by Chairman) as follows:-

### Condition 5

The use of the hereby permitted development for a micro pub shall take place during the following hours

9.00am to 11.00pm Tuesday to Saturday

10.00am to 9.30pm Sundays

9,00am to 5.00pm Mondays

At this point in the proceedings, the meeting was adjourned at 11.03am and reconvened at 11.10am.

**3. V/2019/0538, Ashfield District Council, Rake Out and Repoint Walls and Copings Including Replacement of Stone Indents. Decorate Existing Railings, Kingsway Cenotaph, Kingsway Old Cemetery, Kingsway, Kirkby in Ashfield**

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

**4. V/2019/0464, Peach Co-Living, Change of Use of Dwelling to House in Multiple Occupation, Two Storey Side and Single Storey Rear Extensions, 1 Kirkby Road, Sutton in Ashfield**

The applicant, Rob Fenton and his representative Richard Purseglove, 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.

Councillor Samantha Deakin also took the opportunity to read out some comments from Councillor Kier Barsby who had called in the application but was absent from the meeting due to family illness.

It was moved by Councillor Jason Zadrozny and seconded by Councillor Samantha Deakin that the officer's recommendation contained within the report be rejected and planning consent be refused.

### Reasons for rejecting officers' recommendation

(exact wording to be agreed by Chairman):

The proposed development due to the significant increase in the footprint of the building is considered not to be in keeping with the surrounding residential properties. It will result in an overdevelopment and over intensive use of the site which by reason of the appearance, scale and siting of the building and lack of off street parking would be contrary to policies ST1 (a) and (c) and HG8(b) and (g) of the Ashfield Local Plan Review 2002.

### For the motion:

Councillors Ciaran Brown, Samantha Deakin, Tom Hollis, Helen-Ann Smith, Daniel Williamson and Jason Zadrozny.

### Against the motion:

Councillors Chris Baron, Dale Grounds, Rachel Madden and David Martin.

Abstention

None.

Accordingly, the motion was duly carried.

**5. V/2019/0423, Mr. M. Hollis, Outline Application with All Matters Reserved for 5 Dwellings, Norcroft 211, Wild Hill, Teversal**

(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 left the room during consideration of the application and took no part in the discussion and voting thereon.)

Further to deferment of the application at the last Committee meeting, Councillor Helen-Ann Smith advised Members that the applicant had requested a further deferment to the Planning Committee meeting in November 2019.

Having been moved and seconded, the application be deferred to the next meeting of the Planning Committee.

(Prior to consideration of this application, Councillors Chris Baron and Daniel Williamson left the room at 12.17pm and 12.19pm and both returned to the meeting at 12.20pm.)

**6. V/2019/0488, Mr. R. & Mrs. S. Leivers, Felling of 30 Lime Trees, The Limes, 3 Limes Court and Rear of 15,16, and 17 Dukes Close, Hamilton Road, Sutton in Ashfield**

Having been moved and seconded, the application be deferred for a site visit prior to the next meeting of the Planning Committee.

**P.16 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.

The meeting closed at 12.25 pm

Chairman.