

## **PLANNING COMMITTEE**

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

**on Wednesday, 22nd January, 2020 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, John Smallridge,  
Daniel Williamson and Jason Zadrozny.

**Apologies for Absence:** Councillor Helen-Ann Smith.

**Officers Present:** Lynn Cain, Mick Morley, Samantha Reynolds  
and Robbie Steel.

**In Attendance:** Councillor David Walters.

**P.21 Declarations of Disclosable Pecuniary or Personal Interests  
and Non Disclosable Pecuniary/Other Interests**

No declarations of interest were made.

**P.22 Minutes**

RESOLVED

that the minutes of the meeting of the Planning Committee held on 23<sup>rd</sup>  
October, 2019 be received and approved as a correct record.

**P.23 Town and Country Planning Act 1990:  
Town Planning Applications Requiring Decisions**

RESOLVED that

**1. V/2019/0638, Mr. J. Beeley, Dwelling with Associated Access and  
Parking, Land off The Avenue, Sutton in Ashfield**

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:-

Further e-mails had been received from two properties raising the following  
new issues:

A request was made for Members to visit the site.

- The private drive narrows to 3m in parts;
- There was no mention for access possibly coming down the applicants own driveway;
- Measurements taken by residents should be considered at the committee meeting;
- How could a fire engine adequately turn on the site?

#### In Response

It was accepted that Off The Avenue varied in its width along its length and some parts were 3m in width. There was some discrepancy in the detail submitted by the applicant but not outside the site or where the highway joined The Avenue.

The highway authority were satisfied with the proposal and did not raise any objections.

The access was proposed Off The Avenue where there was currently an access to the rear of 102 Kirkby Road. The proposal therefore did not result in a net gain in accesses to Off The Avenue.

The plans had been checked and amended and it was considered that they adequately identified the site and showed the access, parking, turning facility and layout, which all could be achieved.

Condition 4 was recommended to be changed to reflect the new layout plan.

An objector, Susan Dumelow and Councillor David Walters (as Ward Member), 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 by Councillor Jason Zadrozny and seconded by Councillor Tom Hollis that the officer's recommendation contained within the report be rejected and planning consent be refused.

#### Reasons for rejecting officers' recommendation:

The private road does not meet the prescribed highway standards for vehicles accessing this site by reason of its width and condition. It would thus result in an unacceptable impact on highway safety and therefore is contrary to saved policies ST1 (a) and (c) and HG5 (e) of the Ashfield Local Plan Review ALPR 2002 and Part 9 - Promoting Sustainable Transport of the National Planning Policy Framework NPPF 2019.

For the motion:

Councillors Ciaran Brown, Samantha Deakin, Dale Grounds, Tom Hollis, Rachel Madden, John Smallridge and Jason Zadrozny.

Against the motion:

None.

Abstention:

Councillors Chris Baron, David Martin, Lauren Mitchell and Daniel Williamson.

**2. 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, Sutton in Ashfield**

It was moved and seconded that consideration of this application be deferred to enable officers to liaise with the County Council regarding the possibility of changing the one-way access on Beech Street to two-way access and to negotiate with the Developer regarding a potential contribution towards this change.

**3. V/2019/0449, Ms. V. Robb, Residential Development of 22 Dwellings, Land off Davies Avenue, Sutton in Ashfield**

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:-

Local Lead Flood Authority (LLFA)

The Local Lead Flood Authority had concerns regarding the risk of flooding, however considered there was a way forward that could mitigate the issue.

The proposals put forward by the applicant were positive including re-grading the land and a French drain. However, additional recommendations were made including the use of flood resilient construction techniques.

The LLFA wished to make the existing flood risk clear and whilst they can support a design that mitigates the flood risk to an extent, the site will always experience some sort of flooding due to it being on a flow path.

In addition, the applicant had agreed that dedicated spurs would be provided within the plots to allow for future installation of car charging points.

A "fabric-first" approach to energy efficiency was to be undertaken which would ensure that all houses and flats in the development would be designed to perform in excess of current building regulations concerning insulation and heat-loss.

In Response

The drainage condition would be amended in line with their advice and an additional condition to be appended to secure the charging points.

An objector, Terence Barratt and agent for the applicant, Tark Millican, 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 removal of permitted rights in relation to any alterations or extensions including windows to Plot 12 to protect the amenities of neighbouring residents.

**P.24 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.

(During consideration of this item, Councillor Chris Baron left the room at 11.35am and returned to the meeting at 11.38am.)

The meeting closed at 11.48 am

Chairman.