

PLANNING COMMITTEE

Virtual Meeting held on Wednesday, 21st October, 2020 at 10.00 am

Present: Councillor Sarah Madigan in the Chair;

Councillors Chris Baron, Ciaran Brown,
Samantha Deakin, Arnie Hankin, Rachel Madden,
Lauren Mitchell, John Smallridge, Helen-Ann Smith,
Daniel Williamson and Jason Zadrozny.

Officers Present: Lynn Cain, Louise Ellis, Mike Joy, Mick Morley,
Robbie Steel, Christine Sarris and
Sara Scott-Greene.

**P.16 Declarations of Disclosable Pecuniary or Personal Interests
and Non Disclosable Pecuniary/Other Interests**

Councillor Lauren Mitchell declared a Non Disclosable Pecuniary/Other Interest in respect of Applications V/2019/0483 and V/2020/0114, Bellway Homes (East Midlands). Her interest arose from the fact that she had previously been contacted by local residents, via email and visits to her surgery, in respect of these applications.

P.17 Minutes

RESOLVED

that the minutes of the meeting of the Planning Committee held on 9 September 2020, be received and approved as a correct record.

**P.18 Town and Country Planning Act 1990: Town Planning Applications
Requiring Decisions**

Prior to consideration of the applications and in accordance with Council Procedure Rule 4 (Order of Business), the Chairman advised that she would be considering Application V/2020/0545 first to enable the Deputy Leader and Portfolio Holder for Housing, Councillor Tom Hollis, to attend a prior engagement. Committee Members concurred with this course of action.

1. V/2020/0545, Mr. J. Price, Amenity Block, 22a Back Lane, Huthwaite, Sutton in Ashfield

Councillor Tom Hollis, who called-in 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 submissions as required.

It was moved by Councillor Rachel Madden and seconded by Councillor Jason Zadrozny that the officers' recommendation as contained within the report, be rejected and planning consent be refused.

Reasons for rejecting officers' recommendation:

The proposed amenity block is considered to have a harmful impact on the character, quality, amenity and safety of the surrounding environment. This is due to the size and siting of the building in close proximity to the boundary with neighbouring properties and its resultant overdevelopment of the site. The application is therefore considered to be contrary to Policies ST1 (b) and HG7 of the Ashfield Local Plan Review (2002).

For the motion:

Councillors Ciaran Brown, Samantha Deakin, Arnie Hankin, Rachel Madden, Lauren Mitchell, John Smallridge, Helen-Ann Smith, Daniel Williamson and Jason Zadrozny.

Against the motion:

None.

Abstention:

Councillor Chris Baron.

2. V/2019/0483, Bellway Homes (East Midlands), the residential development of 217 no. dwellings and associated infrastructure and works, including the removal of two groups and three individual TPO trees included in the Ashfield District Council Tree Preservation Order, TPO 168, (Phase 2) Land at Broomhill Farm, Hucknall

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillor Lauren Mitchell had previously declared a Non Disclosable Pecuniary/Other Interest in respect of this application. Her interest was such that she stayed 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:-

An additional two representations had been received from local residents objecting to the planning application. These were raising the same issues as covered within the report including the loss of open space, impact on biodiversity and highways safety.

It had also been brought to the Council's attention that a letter had been received, from a local resident, requesting the application be deferred. However, officers considered that the application was very capable of being determined based on the information submitted and that a deferral was not necessary on the grounds raised.

Finally, an updated house type information pack had also been received from the applicant, amending a plot number to accord with the latest layout revision. The change related to the house type at plot 137, where the roof had been hipped to reduce the impact on a neighbouring property.

An objector, Edd de Coverly, an agent for the Applicant, Chris Dwan and Councillor Keir Morrison who called in 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 submissions as required.

It was moved and seconded for the application to be deferred but on putting it to the vote, the motion duly fell.

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

Conditions

Condition 8 - Prior to the commencement of development, details of all the finished floor levels, surrounding ground levels and levels of existing dwellings shall be submitted to and agreed in writing by the Local Planning Authority. The submitted details shall show the house and garage of plot 137 built no higher than 61.00 Above Ordnance Datum (AOD). The dwellings shall thereafter be built in accordance with the agreed details.

Condition 11 - Notwithstanding the approved plans, the development shall not be occupied until the following information has been submitted to and agreed in writing by the Local Planning Authority:

- Details of the sites boundary treatments and individual plot boundaries.
Note: The boundary treatment for Plot 137 shall be a fence erected to the South of the phase 1 boundary hedge.
- Details of the footpaths boundary treatments and gating arrangements.
- Details of all hard landscaping across the site.

The approved details shall thereafter be implemented and within an agreed timeframe.

Condition 21 - Prior to the construction of any dwellings, details of a comprehensive plan to minimise Anti-Social Behaviour should be submitted to and approved in writing by the Local Planning Authority. . This should include, but not be limited to, consideration of effective lighting on the entire length of the green-walk. Any measures identified within the plan shall thereafter be carried out and within an agreed timeframe.

Informative

The applicant is encouraged to work with the residents to form a resident liaison group. The group should provide opportunities for future and existing residents to voice any concerns about the wider development. Particularly, surrounding issues such as anti-social behaviour and any matters that may arise during the construction of phase 2.

Section 106

It is noted there was a typographic error in the recommendation section of the Broomhill Farm (V/2019/0483) agenda report. Namely, that the incorrect figure had been cited for Secondary Education. The correct figure was £835,625 (35 places x £23,875), as detailed within the body of the report. For clarity, the required Section 106 list is as follows:

- Primary Education Contribution - £801,596 (46 places x £17,426).
- Secondary Education Contribution - £835,625 (35 places x £23,875)
- Healthcare - £117,695.25.
- Bus Stop Improvements - £29,000.
- MOVA (signal) Upgrades - £33,000.
- Public Open Space - £75,000.
- Maintenance - £37, 758.
- Biodiversity Offsetting - £35,000.
- Monitoring Contribution - £2,500.
- Travel Plan and Co-ordinator.
- Highways Improvements (Roundabout works and pedestrian refuge upgrade).
- Affordable Housing – 40 dwellings.

At this point in the proceedings, the meeting was adjourned at 11.17am and reconvened at 11.27am.

3. V/2020/0114, Amenity Block Bellway Homes (East Midlands), Erection of a Temporary Construction Site Compound (for a period of 8 Years), Car Parking and Associated Works associated with Planning Permission V/2019/0483, (Phase 2) Land at Broomhill Farm, Hucknall

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillor Lauren Mitchell had previously declared a Disclosable Pecuniary Interest in respect of this application. Her interest was such that she stayed in the meeting and took part in the discussion and voting thereon.)

An agent for the Applicant, Chris Dwan, 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.

V/2019/0756, Mr. T. Broster, 54 Dwellings and Associated Highways, Drainage and Landscaping Infrastructure, Land off Millers Way, Kirkby in Ashfield, Nottingham

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:-

An additional two letters of objection had been received from the same household. They had raised concerns over the recommendation to approve an application, which resulted in a loss of open space. The letter also requested that the meeting be changed to a physical event, as they were unable to attend virtually.

Officer's Response

In accordance with recent Covid-19 legislation, local authorities are not yet able to hold physical meetings and must continue to proceed via virtual means.

An objector, Ashley Ward, 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 Rachel Madden that the officers' recommendation as contained within the report, be rejected and planning consent be refused.

Reasons for rejecting officers' recommendation:

1. The development would lead to the loss of an area of Formal Open Space, which is contrary to Policies RC3 and ST1 (a and b) of the Ashfield Local Plan Review (2002). It would also conflict with paragraph 97 of the National Planning Policy Framework.
2. The development would have a harmful impact on highways safety through the introduction of additional vehicles onto the highway network. This additional traffic would exacerbate existing congestion and highways safety issues along Millers Way particularly, at the junction of Millers Way/Lane End and around the train station entrance. In this respect, the proposal is considered to be contrary to Policies ST1 (c), HG7 (e) and paragraph 109 of the National Planning Policy Framework.
3. The proposal would result in significant harm to biodiversity through the loss of habitats found on the site. It would also lead to an adverse impact on protected habitats located directly adjacent to the northern boundary of the site. The application is therefore considered to be contrary to Policy EV6 of the Ashfield Local Plan Review (2002) and Part 15 of the National Planning Policy Framework.

For the motion:

Councillors Chris Baron, Ciaran Brown, Samantha Deakin, Arnie Hankin, Rachel Madden, Sarah Madigan, Lauren Mitchell, John Smallridge, Helen-Ann Smith, Daniel Williamson and Jason Zadrozny.

Against the motion:

None.

Abstentions:

None.

**V/2020/0521, Mr. D. Fell, Dwelling and Associated Access, Land adjacent
Rose Cottage, 82 Main Road, Underwood**

The Applicant, Mr. Fell, 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 refused as per officer's recommendation.

The meeting closed at 12.20 pm

Chairman.