

## **PLANNING COMMITTEE**

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

**on Friday, 23rd September, 2022 at 1.00 pm**

**Present:** Councillor Andy Meakin in the Chair;

Councillors Jamie Bell, Samantha Deakin,  
Arnie Hankin, Rachel Madden, Phil Rostance,  
Helen-Ann Smith and Jason Zadrozny.

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

**Officers Present:** Alex Bonser, Lynn Cain, Hannah Cash,  
Louise Ellis, Mick Morley, Christine Sarris and  
Shane Wright.

### **P.14 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests**

No declarations of interest were made.

### **P.15 Minutes**

RESOLVED

that the minutes of the meeting of the Planning Committee held on 25 August 2022, be received and approved as a correct record.

### **P.16 Town and Country Planning Act 1990: Town Planning Applications Requiring Decisions**

**1. V/2022/0421 and V/2022/0429, Ashfield District Council, Listed Building Consent for Removal of the Existing Roof and Replace with New Low Pitch Conical Roof and Planning permission for Removal of the Existing Roof and Replace with New Low Pitch Conical Roof, Lindleys Mill, Prospect Place, 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:-

In accordance with the Listed Building Regulations 1990, the Authority had to refer its own applications for listed building consent to the Secretary of State. The recommendation was therefore changed in respect of the Listed Building application to be "the application be sent to the Secretary of State for determination with a note that the Council is of the opinion consent should be Granted subject to the suggested conditions. The recommendation in respect

of the planning application remained the same since the committee was still able to grant planning permission for the proposed work.

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

**2. V/2022/0464, Ashfield District Council, Redevelopment of the Ground Floor into 2 Commercial Units Class E, and the Development of 2 Apartments on the Existing First Floor. Second Floor to House a Further 2 Apartments. Minor changes to the Front elevation, Replacing Windows at First Floor, and New windows at the Proposed Second Floor. Partial Demolition of Rear Extension, 9 to 11 Low Street, Sutton in Ashfield**

It was moved and seconded that conditional consent be granted as per officer's recommendation subject to an additional condition as follows:

Additional Condition

Prior to the occupation of the hereby approved residential apartments, details shall be submitted to and approved in writing in relation to a secure bin storage area to the rear of the premises. The approved bin storage area shall be available for use for the lifetime of the development.

**3. V/2022/0482, Mr & Mrs G Skyrzpowski, Self-build Dwelling, Land at Hacienda, Coxmoor Road, 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:-

Two residents had written supporting the application. Both stated that the proposal would not be detrimental to the direct neighbours or to the area and that the land has been unused and untended for some time.

Gary Skyrzpowski, the Applicant, took the opportunity to address the Committee in respect of this matter. As per the agreed process, Members were then offered the opportunity to clarify any points raised during the submissions as required.

It was moved by Councillor Rachel Madden and seconded by Councillor Samantha Deakin that the officer's recommendation contained within the report be rejected and planning consent be granted subject to the following Conditions:

Conditions

1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the following plans: Site Location Plan Dwg No. 22/416-01, Proposed Layout Plan Dwg No. 22/416-03A, Proposed Floor Plans Dwg No. 22/416-06A, Proposed Elevations Dwg No. 22/416-05 . The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.

3. No development shall take place past slab level until samples of the materials and finishes to be used for the external elevations and roof of the proposal have been agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out with those materials, unless the Local Planning Authority gives written approval to any variation.
4. Notwithstanding the submitted details the vehicular access shall have a width of 3.6m.
5. The front boundary treatments shall be regularly maintained so as not to encroach on the required visibility splays.
6. No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
7. No development past slab shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping. All soft landscaping shall utilise native species and be supported by a landscaping and biodiversity management plan to ensure that the intended shrub/seed/tree species are appropriate. Furthermore all planting, seeding or turfing indicated on the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
8. Prior to the occupation of the hereby approved dwelling one bee brick shall be installed within the dwelling.
9. Prior to the occupation of the hereby approved dwelling, details shall be submitted to the Local Planning Authority and approved in writing in relation to the type and number of bird boxes and bat boxes which are to be installed within/on the new dwelling. The boxes shall thereafter be installed in accordance with the approved details and maintained in perpetuity.
10. Any garden fence or other non-permeable structure (and/or railings and/or hedgerows) should be provided with small holes (gaps 130 mm x 130 mm) to allow a continuous pathway in which hedgehogs and other small mammals can move through the developed residential site.
11. A lighting strategy should be designed and submitted in accordance with current 'Institution of Lighting Professionals' guideline to ensure there is no harmful light spill from external lighting which would negatively impact the night sky and Sherwood Observatory.

#### Reasons for rejecting officers' recommendation

The proposal is considered to constitute infill development and it does not have any impact on highway safety.

#### For the motion:

Councillors Jamie Bell, Samantha Deakin, Arnie Hankin, Rachel Madden, Andy Meakin, Phil Rostance and Helen-Ann Smith.

Against the motion:

None.

Abstentions:

None.

The meeting was adjourned at 2.52pm and reconvened at 3.00pm.

**4. V/2022/0379, Mr F McDermott, Application for Tree Works: Works to Trees Subject to a Tree Preservation Order - TPO Ref:178 - Fell 7 Trees T1-T7, Pollard to 5M, 3 Trees T8-T10, Plus Ongoing Maintenance Authority, TPO Ref:086 Fell 4 Trees T9-T12, 105A Alfreton Road, 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:-

Due to the personnel circumstances raised at the last meeting in respect of the owner of 107, the Council's Tree Officer visited the site and assessed the trees on this property. This assessment found that the trees at 107 Alfreton Road were in an unhealthy condition and would not be worthy of TPO protection.

The recommendation was therefore altered to allow the felling of the trees in relation to 107 Alfreton Road only. The remainder of the trees proposed to be felled as part of this application, appeared to be in a better physiological condition and further detail was required for these trees so that a full assessment could be made.

Replacement planting should also be considered as possible remedial action.

It was noted that the applicant claimed that an arboriculture report had been submitted but the Council had only received a letter from an arboricultural consultant which did not provide an arboricultural assessment of the individual trees to a satisfactory standard.

Mark Chester, an objector (turned supporter) and Fraser McDermott, the Applicant, took the opportunity to address the Committee in respect of this matter. As per the agreed process, Members were then offered the opportunity to clarify any points raised during the submissions as required.

It was moved by Councillor Samantha Deakin and seconded by Councillor Helen-Ann Smith that the officer's recommendation contained within the report be rejected and consent be granted to fell the trees as identified within the application.

Reason for rejecting officers' recommendation

The trees to be felled were dead, dying or of poor quality, did not contribute significantly to the amenity of the area and the trees should therefore not continue to be protected by the preservation order

For the motion:

Councillors Jamie Bell, Samantha Deakin, Arnie Hankin, Rachel Madden, Andy Meakin, Phil Rostance and Helen-Ann Smith.

Against the motion:

None.

Abstentions:

None.

**5. V/2022/0396, J Sharp, Proposed 4 Bedroom Dwelling, 28 Main Road, Underwood**

Sally Brackett, as an Objector, took the opportunity to address the Committee in respect of this matter. As per the agreed process, Members were then offered the opportunity to clarify any points raised during the submissions as required.

It was moved and seconded that the application be deferred to enable officers to liaise further with the applicant and seek an alternative single storey dwelling application for Committee's consideration.

(During consideration of the final application, Councillor Jason Zadrozny entered the meeting at 3.32pm).

**P.17 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 3.56 pm

Chairman.