

PLANNING COMMITTEE

**Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,
on Wednesday, 22nd March, 2023 at 10.00 am**

Present: Councillor Andy Meakin in the Chair;

Councillors Jamie Bell, Samantha Deakin,
Arnie Hankin, Rachel Madden, David Martin (as
substitute for Helen-Ann Smith) and Jason Zadrozny.

Apologies for Absence: Councillors Lauren Mitchell and Helen-Ann Smith.

Officers Present: Alex Bonser, Lynn Cain, Louise Ellis, Abbie Smith,
Mick Morley and Christine Sarris.

In Attendance: Hannah Cash, Robert Docherty, Sara Scott-Greene,
Councillors Matthew Relf and John Wilmott.

P.30 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

- 1) Application V/2022/0864, Mr L Smith, Detached Bungalow, Land to the Rear of 26 Main Road, Underwood:

Councillors David Martin and Jason Zadrozny declared Non-Registrable Interests due to the fact that they had previously been lobbied on the matter and spoken to interested parties, but in doing so had not expressed any opinions on the application at any point.

- 2) Application V/2022/0796, Mr S Wallace, Erection of a New Planetarium & Science Discovery Centre, including Conversion and use of Subterranean Reservoir, External Works and Landscaping, Sherwood Observatory, Coxmoor Road, Sutton in Ashfield:

Councillors, Samantha Deakin, Rachel Madden, David Martin and Jason Zadrozny declared general Non-Registrable Interests due to having considered this matter previously as a Cabinet Member.

- 3) Application V/2021/0792, Arc Partnership On Behalf Of Nottinghamshire County Council, Outline Planning Application with All Matters Reserved For a Residential Development Of Up To 235 Dwellings, Land at Rushley Farm North of Marr Route, Cauldwell Road, Mansfield:

Councillors, Samantha Deakin, Rachel Madden, David Martin, Andy Meakin and Jason Zadrozny declared general Non-Registrable Interests due to their current position as County Councillors.

- 4) Application V/2020/0627, Nasims Ltd, 38 No. New Dwellings with Associated Infrastructure, Public Open Space and Landscaping, Land off Laburnum Avenue, Kirkby in Ashfield:

Councillors Rachel Madden, Jason Zadrozny declared a Non-Registrable Interest due to the fact that he had previously been lobbied on the matter and spoken to interested parties, but in doing so had not expressed any opinions on the application at any point.

- 5) Application V/2023/0035, Mr J Zadrozny, Outline Planning Application with all Matters Reserved for 4 Dwellings, 74 Sutton Road, Kirkby in Ashfield:

Councillor Zadrozny declared a Disclosable Pecuniary Interest in his application and advised that he would be leaving the room whilst all deliberations took place to determine the matter.

Councillors Samantha Deakin and Rachel Madden declared Non-Registrable Interests due to their close personal friendships with the Applicant and advised that they would be leaving the room for the duration of the item.

Councillor David Martin declared a Non-Registrable Interest due to his personal friendship with the Applicant.

P.31 Minutes

RESOLVED

that the minutes of the meeting of the Planning Committee held on 1 February 2023, be received and approved as a correct record.

(Prior to consideration of the applications and in accordance with Council Procedure Rule 4 (Order of Business), the Chairman advised that he would be considering the fifth application V/2020/0627, Nasims Ltd, 38 No. New Dwellings with Associated Infrastructure, Public Open Space and Landscaping, Land off Laburnum Avenue, Kirkby in Ashfield, as the first item. Committee Members concurred with this course of action.)

P.32 Town and Country Planning Act 1990: Town Planning Applications Requiring Decisions

1. Application V/2022/0864, Mr L Smith, Detached Bungalow, Land to the Rear of 26 Main Road, Underwood

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillors David Martin and Jason Zadrozny had previously declared interests in respect of this application. Their interests were such that they stayed in the meeting and took part in the discussion and voting thereon.)

Late Item

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:-

Since publication of the Council's committee report, a further objection had been received from a resident. No new points were raised; however the resident was still dissatisfied with the proposed parking and access arrangements.

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 submission as required.

It was moved and seconded that the application be refused as per officer's recommendation.

2. Application V/2020/0627, Nasims Ltd, 38 No. New Dwellings with Associated Infrastructure, Public Open Space and Landscaping, Land off Laburnum Avenue, Kirkby in Ashfield

Late Item

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:-

Since publication of the Council's committee report, a further objection had been received from a resident. The objection raised one new point regarding concerns that there would be an invasion of privacy with all other points having already been raised. Amended drawings had also been submitted which replaced those set out in Condition 2 of the Committee report.

Edward Oswick, as an Objector, and Councillor Daniel Williamson, who called in the application, 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 facilitate a site visit and enable the developer to liaise with Planning officers regarding submission of an alternative site design.

3. Application V/2022/0796, Mr S Wallace, Erection of a New Planetarium & Science Discovery Centre, including Conversion and use of Subterranean Reservoir, External Works and Landscaping, Sherwood Observatory, Coxmoor Road, Sutton in Ashfield

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillors Samantha Deakin, Rachel Madden, David Martin and Jason Zadrozny had previously declared interests in respect of this application. Their interests were such that they stayed in the meeting and took part in the discussion and voting thereon.)

Councillor Matthew Relf, as Ward Member, 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 submission as required.

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

The meeting was adjourned at 11.35am and reconvened at 11.47am.

(At this point in the proceedings and in accordance with Council Procedure Rule 4 (Order of Business), the Chairman advised that he would be considering the sixth application V/2022/0615, Mr N William, Change of Use From Car Showroom, Car Sales & Repair Garage to Self Storage (Class B8) Including Siting of Portable Storage Containers and Storage Units on Open Areas of the Site, 76 Portland Road, Hucknall, as the next item. Committee Members concurred with this course of action.)

4. Application V/2022/0615, Mr N William, Change of Use From Car Showroom, Car Sales & Repair Garage to Self Storage (Class B8) Including Siting of Portable Storage Containers and Storage Units on Open Areas of the Site, 76 Portland Road, Hucknall

Late Item

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:-

Since publication of the Council's committee report, a further comment had been received from the Council's Environmental Health Team stating that they still had no objections to the application, subject to the conditions in respect of the use of Kuboid units and opening hours.

Nik Williams, the Applicant and Councillor John Wilmott, as Ward Member, 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 facilitate a site visit and also enable Members to gain perspective as to the view of the site (and any concerns) for residents on Bamkin Avenue.

5. Application V/2021/0792, Arc Partnership On Behalf Of Nottinghamshire County Council, Outline Planning Application with All Matters Reserved For a Residential Development Of Up To 235 Dwellings, Land at Rushley Farm North of Marr Route, Cauldwell Road, Mansfield

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillors Samantha Deakin, Rachel Madden, David Martin, Andy Meakin and Jason Zadrozny had previously declared interests in respect of this application. Their interests were such that they stayed in the meeting and took part in the discussion and voting thereon.)

Councillor Matthew Relf, as Ward Member, 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 submission as required.

It was moved and seconded that conditional consent be granted as per officer's recommendation subject to the agreed S106 monies being re-allocated as follows:

- the contribution of £83,728 to meet the needs of Specialist Education at Portland Training College;
- the contribution of £8288.00 to provide additional library stock at Sutton Library;
- the contribution of £14,356.03 to provide improvements to Kirkby recycling centre
- Skegby Medical Practice be added to the named group of practices to receive the contribution of £127,340.63 to meet the needs of the future residents

6. Application V/2022/0852, Ashfield District Council, Public Realm Improvements to Portland Square and Change of Use to Land Off Fox Street into a New Public Car Park, Land At Portland Square & Fox Street, Low Street, Sutton in Ashfield

Councillor Matthew Relf, as Executive Lead Member involved with the Towns Fund project, 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 submission as required.

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

The meeting was adjourned at 1.10pm and reconvened at 1.13pm.

7. Application V/2021/0172, Assetmax Design, Construction of 9 Dwellings and a Commercial B1 Unit with Parking and Amenity Spaces, Former Tag Building, Watnall Road, Hucknall

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

Additional Condition

Prior to the commencement of the development, details of a Traffic Regulation Order along the site frontage shall have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, such Traffic Regulation Order shall be implemented prior to occupation of any part of the development and retained thereafter.

Additional Informative

The applicant is advised that, in the event of planning permission being granted to change the Business (B1) element of the development to residential use, this will result in an assessment being carried out of all dwellings within the site, including those with planning permission, for financial obligations and such obligations, where required, will be controlled by a legal agreement attached to the planning permission.

8. Application V/2023/0035, Mr J Zadrozny, Outline Planning Application with all Matters Reserved for 4 Dwellings, 74 Sutton Road, Kirkby in Ashfield

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillors Samantha Deakin, Rachel Madden, David Martin and Jason Zadrozny had previously declared interests in respect of this application. Councillor David Martin's interest was such that he stayed in the meeting and took part in the discussion and voting thereon. In respect of Councillors Samantha Deakin, Rachel Madden and Jason Zadrozny, they left the room and took no part in consideration of the application.)

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

P.33 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.

P.34 Update on Government Consultations

Members were advised of a current Government consultation regarding a potential uplift of Planning Fees across all types of applications. The additional funds raised by the proposed fee increases would be ring fenced for use by local authority planning teams and would be performance related.

Members were advised that the deadline for submission of comments was 25 April 2023 and if any responses were communicated to officers by 10 April 2023, they would be raised accordingly.

RESOLVED

that the report be received and noted.

The meeting closed at 1.45 pm

Chairman.