

Report To:	Planning Committee	Date:	26 June 2019
Heading:	PLANNING APPEAL DECISIONS		
Portfolio Holder:	PLACE, PLANNING AND REGENERATION		
Ward/s:	HUCKNALL CENTRAL, HUCKNALL WEST, KIRKBY CROSS & PORTLAND, SELSTON, SKEGBY, STANTON HILL & TEVERSAL, SUTTON JUNCTION AND HARLOW WOOD, UNDERWOOD		
Key Decision:	No		
Subject to Call-In:	No		

Purpose of Report

To inform Members of recent Planning Appeal Decisions.

Recommendation(s)

To Note the Appeal Decisions.

Reasons for Recommendation(s)

To bring to Members attention the recent Appeal Decisions.

Alternative Options Considered

(with reasons why not adopted)

N/A

Appeal Decisions

HUCKNALL CENTRAL

Planning Application - V/2016/0626

Site – Land adjacent to Tesco Filling Station, Station Road, Hucknall NG15 7UD

Proposal – Demolition of existing building, erection of a freestanding single storey restaurant with associated drive thru, car parking and landscaping and associated works. Installation of 1 No. external play area, 2 No. customer order displays and associated canopies.

Appeal Decision – Allowed.

The Inspector considered the proposal would not adversely impact on the character of the area or on the living conditions of neighbouring residents, with particular regard to noise, anti-social behaviour, odour and litter.

In respect of noise it was concluded that the surrounding residential properties are screened from any increase in activity and the noise assessments concluded there would be no observable effect on noise levels in the area. Anti-social behaviour associated with car cruising was acknowledged but is mitigated with the introduction of barriers to the Tesco car park when the store is closed and with the introduction of CCTV cameras. No substantive evidence has been provided to show that cooking odours would not be able to be kept to an acceptable level through ventilation and extraction equipment. The appellant has also identified that litter bins would be placed on the site and that staff would carry out litter patrols and this is conditioned.

HUCKNALL WEST,

Advertisement Consent Application - V/2018/0419

Site – Land north east of junction of Watnall Road and Daniels Way, Hucknall, NG15 6EP

Proposal – 1 totem sign.

Appeal Decision – Dismissed.

The Inspector considered that the proposed totem sign would be a prominent, incongruous and isolated feature that causes harm to the visual amenity of the area.

KIRKBY CROSS & PORTLAND

Planning Application - V/2017/0588

Site – 1 Lower Portland Cottage, Kirkby in Ashfield, NG17 9LD

Proposal – Barn conversion to form a two-storey residential dwelling.

Appeal Decision – Dismissed.

Application for Costs – Refused.

The Inspector considered that significant and substantial alterations were required to the building, and as such the proposal was tantamount to a new build in the Green Belt. It was also considered that the proposal resulted in a significant impact on the openness of the Green Belt, and the appearance of the Countryside.

The application for an award of costs was refused by the Inspector on the grounds that the Council had not acted unreasonably when coming to a decision and the appellant had not been subjected to any unnecessary or wasted expense.

SELSTON

Planning Application - V/2017/0242

Site – 7 Chapel Road, Selston, NG16 6BW

Proposal – Application for outline planning permission with some matters reserved for a maximum of 3 dwellings.

Appeal Decision – Dismissed.

The Inspector concurred with the Council that access to the site would have insufficient visibility in both directions. Accordingly, any increase in vehicle movements would lead to a greater risk of vehicles existing the site and coming into conflict with other vehicles, cyclists and pedestrians. The proposal would therefore lead to a harmful increase in risk to highway safety.

Planning Application - V/2018/0312

Site – Railway Inn, Station Road, Selston, NG16 6FH

Proposal – Retrospective application for secure gated/fenced caravan storage – change of use to Class B8

Appeal Decision – Dismissed.

The Inspector considered that the site occupies a sensitive location at the interface between the main built up area and the countryside. The storage area was considered to result in a solid and conspicuously visible mass from Station Road, resulting in a significant reduction to the openness of the Green Belt, and resulting in harm to the character and appearance of the local area. The Inspector also concluded that the development causes significant harm to the highway safety of users of Station Road.

Planning Application - V/2018/0396

Site – Wren Hall Nursing Home, 234 Nottingham Road, Selston, NG16 6AB

Proposal – Extension to rear of existing care home and change of use of land from residential and equestrian to create additional car parking to the north west of the site in association with the care home and construction of steps from the care home to the parking area.

Appeal Decision – Dismissed.

The Inspector considered that the proposed extension, added together with a previous extension, clearly amounted to a disproportionate addition over and above the size of the original building, constituting inappropriate development within the Green Belt. It was also considered that the extension and change of use of the land to a car park would give rise to a harmful impact on the openness of the Green Belt. The Inspector also found that the proposed car park would cause significant noise and disturbance which would be harmful to the living conditions of neighbouring occupants.

It was concluded that the very special circumstances outlined by the appellant were not considered to outweigh the harm to the Green Belt or any other harm arising from the proposal.

SKEGBY

Planning Application - V/2018/0385

Site – 179 Mansfield Road, Skegby, Sutton in Ashfield, NG17 3DX

Proposal – 4 dwellings

Appeal Decision – Dismissed

The Inspector considered the loss of the area of public open space and replacement with housing would result in serious harm to the character and appearance of the local area. He also considered that its loss would materially harm the living conditions of the occupiers of Manor Croft, and that this would be most acutely felt by families with small gardens. Accordingly, the application was considered to be contrary to the relevant policies contained within the Neighbourhood Plan, Local Plan and NPPF.

Planning Application - V/2016/0755

Site – 2 St Andrews Crescent, Skegby, Sutton in Ashfield, NG17 3AU

Proposal – Fell 3 No. Silver Birch

Appeal Decision – Dismissed

The Inspector considered that the trees make a positive contribution to the street scene and there were no substantive arguments to warrant their removal.

STANTON HILL & TEVERSAL

Planning Application - V/2018/0178

Site – The Willows, Silverhill Lane, Sutton in Ashfield, NG17 3JJ

Proposal – Timber lodge with associated parking and septic tank to be used as tourist accommodation.

Appeal Decision – Dismissed.

The dwelling was considered to have an adverse impact on the character and appearance of the rural area and be in conflict with the Local Plan and Neighbourhood Plan. It was also considered that the access to the site would not be safe and convenient for vehicles, pedestrians and cyclists. Accordingly, the proposal would be harmful to highways safety.

SUTTON JUNCTION AND HARLOW WOOD

Planning Application - V/2018/0239

Site – Greenhills House, Cauldwell Road, Sutton in Ashfield, NG17 5LB

Proposal – Erection of two-storey side and front extensions including balcony and single storey rear extensions.

Appeal Decision – Dismissed.

The Inspector considered the proposal would not represent visually attractive development or good architecture sympathetic to local character. It also amounted to disproportionate extensions which would adversely affect the character and quality of the area and is therefore contrary to planning policies and guidance.

UNDERWOOD

Planning Application - V/2018/0633

Site – 132 Main Road, Underwood, NG16 5GN

Proposal – Outline application for one dwelling and associated access.

Appeal Decision – Allowed.

The Inspector disagreed with the Council and considered that the proposal represented limited infilling within the village of Underwood. The proposal was therefore considered to be in accordance with the NPPF and Neighbourhood Plan Policies NP1 and NP2. The Inspector considered there would be conflict with the Local Plan Policy EV1, however this was outweighed as the scheme was considered to be in accordance with the NPPF.

Implications

Corporate Plan:

Reporting these decisions ensures we are open and transparent in our decision making process.

Legal:

Legal issues relating to specific planning appeals are set out in the report. As the report is for noting, there are no legal issues associated with the recommendation in the report.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Risk: N/A

Risk	Mitigation

Human Resources:

No implications

Equalities:

(to be completed by the author)

None

Other Implications:

(if applicable)

None

Reason(s) for Urgency

(if applicable)

N/A

Reason(s) for Exemption

(if applicable)

N/A

Background Papers

(if applicable)

None

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