

Report To:	Planning Committee	Date:	28th August 2019
Heading:	PLANNING APPEAL DECISIONS		
Portfolio Holder:	PLACE, PLANNING AND REGENERATION		
Ward/s:	ASHFIELDS, HUCKNALL WEST, KIRKBY CROSS AND PORTLAND, 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

ASHFIELDS

Planning Application – V/2018/0577

Site – 22 Grange Farm Close, Sutton in Ashfield, NG17 1NJ

Proposal – Change of use of land to garden and erection of fencing

Appeal Decision – Dismissed

The Inspector considered that the intrusion into the key landscape buffer zone between the residential area and the Calladine Business Park would have a harmful impact upon the character and quality of the environment.

ASHFIELDS

Planning Application – V/2019/0031

Site – Land to rear of 319 – 331 Alfreton Road, Sutton in Ashfield, NG17 1JN

Proposal – Application for approval of reserved matters following outline approval of planning permission V/2016/0617

Appeal Decision – Allowed

Cost Application – Refused

The Inspector considered that the proposal would not have a significant effect on the character and appearance of the area. It was also considered that the proposal was consistent with the Council's Local Plan policies and Supplementary Planning Guidance notes, and therefore would result in no significant loss of privacy or overbearing impact on neighbouring residents.

The Planning Inspector refused an application for costs because it was not unreasonable for the Council to consider the reserved matters although the conclusion reached was different to the Inspector it was a subjective judgement.

ASHFIELDS

Planning Application – V/2018/0082

Site – Land to rear of 249 – 251 Alfreton Road, Sutton in Ashfield, NG17 1JP

Proposal – residential development for 118 dwellings and associated works including demolition of existing dwelling to create access without complying with a condition attached to planning permission Ref V/2016/0487, dated 26 October 2017.

Appeal Decision – Allowed

The application was to carryout the development with a fence to the sides of the access road rather than a wall as required by members in their decision. The Inspector agreed a fence was not appropriate but also considered it was unreasonable to require solely an acoustic wall. The decision was therefore to allow the appeal but subject to a further condition requiring details of boundary treatment to be submitted and approved.

Officers are currently seeking further clarity on this decision.

HUCKNALL CENTRAL

Planning Application – V/2018/0410

Site – 3 Hankin Street , Hucknall, NG15 7RR

Proposal – Single storey 1 bed apartment

Appeal Decision – Dismissed

The Inspector concluded that the proposed apartment would have a harmful effect on the character and appearance of the area; the living conditions of future occupiers of the dwelling; and highway and pedestrian safety.

HUCKNALL WEST

Planning Application – V/2018/0781

Site – Land At 10 Whyburn Lane , Hucknall, NG15 6QN

Proposal – Outline application with all matters reserved for a maximum of one dwelling

Appeal Decision – Dismissed

The Inspector considered that the proposed development would cause unacceptable harm to the character and appearance of the area, and to the living conditions of future occupiers of the new and host dwellings, and those of local residents.

KIRKBY CROSS AND PORTLAND

Planning Application – V/2018/0732

Site – 2a Wilson Avenue, Kirkby in Ashfield, NG17 8AZ

Proposal – Construction of outbuilding for dog grooming salon

Appeal Decision – Allowed

The Inspector considered that the dog grooming business would operate with restricted business hours, limiting the number of cars, potential car parking issues and associated noise and disturbance. Furthermore, due to the position of the outbuilding to the rear of the property, the proposal would be unlikely to cause unacceptable disturbance to occupiers of neighbouring properties.

UNDERWOOD

Planning Application – V/2019/0111

Site – Land at Felley Mill Lane South, Underwood, NG16 5DQ

Proposal – Polytunnel, greenhouse and chicken coup

Appeal Decision – Allowed

The Inspector considered that the proposal did not comprise inappropriate development in the Green Belt and would not cause adverse harm to the openness of the Green Belt or the character and appearance of the area.

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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