

Report To:	Planning Committee	Date:	25th September 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

SKEGBY

Planning Application – V/2016/0569

Site – Land west of Beck Lane Skegby

Proposal – Residential development (up to 322 Dwellings) with means of access into the site.

Appeal Decision – Allowed

The Inspector considered that the development would not have a materially adverse impact on highway conditions in the locality and potential congestion and safety matters would be dealt with in a satisfactory manner with highway improvements. He further concluded that the site would be reasonably accessible on foot, would be accessible by cycle, and would offer the potential to use the 417 bus service he was therefore satisfied that the appeal site offers a suitable and sustainable location for development. Permission was therefore

granted but the Inspector did not agree to the S106 obligations in respect of secondary education or public realm contributions because they had not been justified or shown to meet the tests set out in the CIL Regulations.
No award of costs were made by the Inspector.

SUMMIT

Planning Application – V/2018/0435

Site – Annandale, Lowmoor Road Kirkby-in-Ashfield, NG17 7JE

Proposal – Use the existing garage for general motor repairs and run a mobile mechanic business from home.

Appeal Decision – Dismissed

The Inspector considered that although the proposal would not give rise to any highway safety concerns it would be harmful to the living conditions of neighbouring residents as a result of increased noise and disturbance. The appeal was therefore dismissed.

NEW CROSS

Planning Application – V/2018/416

Site – Bank House, Church Street, Sutton-in-Ashfield NG17 1EX

Proposal – Construction of decking, office, shed and fencing.

Appeal Decision – Part Dismissed and Part Allowed

This application was to retain decking, an office and a shed and to erect a boundary fence. The Inspector agreed the fence, office and decking are inappropriate because of overlooking of neighbours and the impact on the character and appearance of the conservation area and dismissed the appeal in these respects. However he allowed the shed considering it to be significantly less obtrusive and an acceptable development in this location.

Planning Application – V/2018/0709 – V/2018/0710

Site – Bank House, Church Street, Sutton-in-Ashfield NG17 1EX

Proposal – Removal of condition 2 of planning permission V/1986/0343 – premises to be used for a residential home for the elderly only

Appeal Decision – Allowed

The Inspector concluded that the condition is not necessary in order to make the development acceptable in planning terms. Any disturbances that have occurred, have generally been addressed once the management of Bank House has been made aware of them. He is therefore satisfied that with effective management, the current use would not generate significantly different impacts in comparison with the approved use when it operated.

Site – Bank House, Church Street, Sutton-in-Ashfield NG17 1EX

Proposal – Removal of condition 3 of planning permission V/1987/0739 – premises to be used for a residential home for the elderly only

Appeal Decision – Allowed

The conclusions of the Inspector are the same as above in relation to this appeal.

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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