

PLANNING COMMITTEE

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

on Wednesday, 26th May, 2021 at 10.00 am

Present: Councillor Sarah Madigan in the Chair;

Councillors Samantha Deakin, Arnie Hankin, Rachel Madden, Andy Meakin, Lauren Mitchell, Kevin Rostance (substitute for Phil Rostance), Helen-Ann Smith and Jason Zadrozny.

Apology for Absence: Councillor Phil Rostance.

Officers Present: Lynn Cain, Carol Cooper-Smith, Chloe Dixon, Mick Morley, Tehrim Raza, Christine Sarris, Sara Scott-Greene and Hannah Turner.

P.1 Declarations of Disclosable Pecuniary or Personal Interests and/or Non Registrable Interests

Councillor Jason Zadrozny, on behalf of all Ashfield Independent Members present at the meeting, declared a Non Registrable Interest in respect of Application V/2020/0546, Mr D. M. Hollis, Application for Outline Planning Permission With All Matters Reserved For Demolition Of Former Solicitors Offices And Erection Of A Maximum Of 8 Town Houses (C3), 2-4 Market View, Market Place, Sutton In Ashfield. Their interests arose from the fact that the applicant was a relative of the Council's Deputy Leader and Portfolio Holder for Housing, Councillor Tom Hollis.

P.2 Minutes

RESOLVED

that the minutes of the meeting of the Planning Committee held on 17 March 2021, be received and approved as a correct record.

P.3 Town and Country Planning Act 1990: Town Planning Applications Requiring Decisions

1. V/2020/0871, Ashfield District Council, Erection of 5 Dwellings, Land at Barbara Square, Hucknall

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

2. V/2020/0791, W Westerman, 69 Dwellings and Associated Infrastructure, Engineering Works and Open Space with Access from Clare Road and Leamington Drive, Land at Clare 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:-

It has been picked up by officers that matters relating to the maintenance and management of the open space adjacent to the Bridleway and the tree belt had not been included either through the provision of a planning condition or within the draft Section 106 agreement.

A further condition was therefore suggested by officers to cover the future maintenance and management of the open space and tree belt. Matters relating to the management and maintenance of the proposed SUD's had already been encompassed within condition 7 on page 40 of the agenda pack.

Paul Harris, on behalf of 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 submission as required.

It was moved and seconded that:

- a) planning consent be granted in principle, subject to agreement by the Applicant to the following additional two conditions and additional financial contributions towards off-site tree planting:
 1. The dwellings shall not be occupied until full details of all hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. The landscaping plan should include additional tree planting within the site. 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 first dwelling. 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 other of a similar size and species.
 2. No part of the development hereby permitted shall be occupied until a Management Scheme for the future management and maintenance of the areas of public open space within the development and the tree belt along the southern boundary of the site has been submitted to and approved by the Local Planning Authority. Such scheme shall set out details including:
 - A programme schedule, specification and key drawings for the planned management and maintenance operations of the hard and soft landscape areas of public open space and tree belt throughout the occupation of the Development hereby permitted;

- Details of the initial funding arrangements for a period of at least 15 years; and
- Details to the satisfaction of the LPA that any organisation or body to whom the implementation of the Scheme is intended to be delegated to has the requisite financial and other resources to comply with the obligations to implement it and will not have the legal right to resile from such obligations.

The programme and specification shall be subject to an annual review, details of which shall be submitted to the Local Planning Authority for approval, along with confirmation details of the company responsible for the management and maintenance operations. The public open space and tree belt shall thereafter be maintained in accordance with the approved Management Scheme unless otherwise agreed in writing by the Local Planning Authority.

3. An increase to the S106 contribution of £2000 to £3,000 for additional tree planting on an alternative green space within the locality of the site.

- b) as a result of a) above, the Assistant Director, Planning and Regulatory Services be requested to liaise with the Applicant to ascertain agreement of the two additional items as part of the planning consent, and subject to agreement, delegated authority be granted to the Committee Chairman and Vice Chairman to approve the application accordingly.

(In accordance with the Constitution and Council Procedure Rule 18.6 [Right to Require Individual Vote to be Recorded], Councillors Sarah Madigan and Jason Zadrozny requested their votes against the decision to be noted in the minutes.)

3. V/2020/0546, Mr D M Hollis, Application for Outline Planning Permission with All Matters Reserved for Demolition of Former Solicitors Offices And Erection Of A Maximum Of 8 Town Houses (C3), 2-4 Market View, Market Place, Sutton In Ashfield

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillor Jason Zadrozny had previously declared Non Registrable Interests, on behalf of all Ashfield Independent Members present at the meeting, in respect of this application. Their interests were such that they stayed in the meeting and took part in the discussion and voting thereon.)

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

4. V/2020/0808, Mr L Marshall, 5 Detached Two Storey Dwellings, Cauldwell Livery Stables, Cauldwell Road, Sutton in Ashfield

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 by Councillor Jason Zadrozny and seconded by Councillor Helen-Ann Smith that the officer's recommendation contained within the report be rejected and planning consent be granted subject to the following standard 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, 1:2500, Received 23/11/20; Proposed Site Layout & Street Scenes, Drawing No. DF/LM/SS01, Received 23/11/20; Plot 1 - Proposed Floor Plans & Elevations, Drawing No. DF/LM/P01, Received 23/11/20; Plot 2 - Proposed Floor Plans & Elevations, Drawing No. DF/LM/P02, Received 23/11/20; Plot 3 - Proposed Floor Plans & Elevations, Drawing No. DF/LM/P03, Received 23/11/20; Plot 4 - Proposed Floor Plans & Elevations, Drawing No. DF/LM/P04, Received 23/11/20; Plot 5 - Proposed Floor Plans & Elevations, Drawing No. DF/LM/P05, Received 23/11/20. 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, save for site clearance and preparation, 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. No development shall take place, save for site clearance and preparation, until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping which should include the planting of replacement trees. 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.
5. The hereby permitted development shall be carried out in accordance with the mitigation and enhancement measures made within the submitted Preliminary Ecological Appraisal (dated 22/02/21).
6. No development shall take place, save for site clearance and preparation, until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.
8. The shared private driveway shall be laid out to a width of not less than 5.8m for at least 8m back from the edge of carriageway and shall provide for vehicle parking and turning areas in accordance with details first submitted to and approved in writing by the LPA. The vehicle parking and turning areas shall not be used for any purpose other than the parking and turning of vehicles.
9. No part of the development hereby permitted shall be brought into use until the visibility splays of 2.4m x 43m are provided in accordance with details to be first submitted to and approved in writing by the LPA. The area within the visibility splays referred to in this Condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6m in height.
10. No part of the development shall commence unless or until the access into the site from Cauldwell Road, as shown for indicative purposes only on plan DF/LM/P01, and any necessary tree planting as agreed with NCC/VIA have been provided to the satisfaction of the Local Planning Authority.

Reasons for rejecting officers' recommendation:

Members were of the view that the application was fully compliant with policy EV2 and policy HG5, in so far that the proposal did not constitute inappropriate development in the countryside and would not appear out of keeping with the diverse nature of housing found within the locality of the site.

For the motion:

Councillors Arnie Hankin, Rachel Madden, Sarah Madigan, Andy Meakin, Helen-Ann Smith and Jason Zadrozny.

Against the motion:

Councillors Samantha Deakin, Lauren Mitchell and Kevin Rostance.

Abstentions:

None.

P.4 Recent 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 11.21 am

Chairman.