

PLANNING COMMITTEE

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

on Wednesday, 21st July, 2021 at 10.00 am

Present: Councillor Sarah Madigan in the Chair;

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

Apologies for Absence: Councillors Samantha Deakin and Lauren Mitchell.

Officers Present: Lynn Cain, Jemma Handley, Mick Morley, Christine Sarris and Robbie Steel.

P.5 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

1. Councillor Tom Hollis declared Non- Registrable Interests in respect of the following:

- V/2020/0884, Countryside Properties (UK) Ltd & Ashfield Limited, Demolition of 211 Alfreton Road, the Garage of 213 Alfreton Road and Garages to the Rear of 209 Alfreton Road, Construction of 110 homes with Associated Infrastructure Including a Replacement Garage to the Rear of 209 Alfreton Road, Land Rear of 211 Alfreton Road, Sutton in Ashfield.
- V/2020/0796, Mr J Price, Amenity Block and Timber Dog Kennels, 22A Back Lane, Huthwaite.
- V/2021/0332, Mr F McDermott, Application for Tree Works: Works to Trees Subject to a Tree Preservation Order TPO Ref No. 178 - Fell 9no. Sycamore Trees, 107 Alfreton Road, Sutton in Ashfield

His interests arose from the fact that he had previously been the local Councillor for the ward (V/2020/0884), a relative had been attacked by a dog owned by the Applicant (V/2020/0796) and he had previously spoken to the Applicant and residents (V/2021/0332), but in doing so had not expressed any opinions at any point.

2. Councillor Jason Zadrozny declared Non- Registrable Interests in respect of the following:

- V/2020/0884, Countryside Properties (UK) Ltd & Ashfield Limited, Demolition of 211 Alfreton Road, the Garage of 213 Alfreton Road and

Garages to the Rear of 209 Alfreton Road, Construction of 110 homes with Associated Infrastructure Including a Replacement Garage to the Rear of 209 Alfreton Road, Land Rear of 211 Alfreton Road, Sutton in Ashfield.

- V/2020/0784, C Rowe, Outline Application for a Residential Development, Land West Off Fisher Close, Sutton in Ashfield.

His interests arose from the fact that he had previously met and spoken with residents, but in doing so had not expressed an opinion at any point.

P.6 Minutes

RESOLVED

that the minutes of the meeting of the Planning Committee held on 26 May 2021, be received and approved as a correct record.

P.7 Town and Country Planning Act 1990: Town Planning Applications Requiring Decisions

1. Application V/2020/0884, Countryside Properties (UK) Ltd & Ashfield Limited, Demolition of 211 Alfreton Road, the Garage of 213 Alfreton Road and Garages to the Rear of 209 Alfreton Road, Construction of 110 homes with Associated Infrastructure Including a Replacement Garage to the Rear of 209 Alfreton Road, Land Rear of 211 Alfreton Road, Sutton in Ashfield

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillors Tom Hollis and Jason Zadrozny had previously declared Non-Registrable 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.)

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:-

A local resident questions that the internal floor space of the dwellings do not meet the National Described Space Standard.

Planning Practice Guidance is clear in stating that if an LPA "wishes to require an internal space standard, they should only do so by reference in their Local Plan. The council has not adopted the national space standards in a Local Plan Policy and therefore cannot insist on meeting these requirements.

The Council's Residential Design Supplemental Planning Document however provides local standards and the overall gross internal floor space of each dwelling meets these standards.

In respect of gas protection measures it is suggested that permitted development rights for any future house extensions should be removed. It is considered more appropriate to attach an informative note on the decision in this regard, rather than requiring applications to be submitted to control such issues which are also assessed under building regulations.

The applicant has submitted an updated adoptable areas plan taking account changes to the path linking into the Gleeson site (ensuring this is a suitable gradient for disabled people). This will be updated in the approved plans conditions.

Barry Herrod, 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 conditional consent be granted as per officer's recommendation.

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

The meeting was adjourned at 10.29am and reconvened at 10.31am.

2. Application V/2020/0784, C. Rowe, Outline Application for a Residential Development, Land West Off Fisher Close, Sutton in Ashfield

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillor Jason Zadrozny had previously declared a Non-Registrable Interest in respect of this application. His interest was such that he stayed in the meeting and took part in the discussion and voting thereon.)

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:-

Officers would firstly like members to note that a provisional Tree Preservation Order has been placed on an English Elm Tree located in the south western corner of the site. This is on the grounds of visual amenity and the rarity of the tree specimen within the local area.

An additional objection has also been received raising the following concerns:

- not all complaints received notification of planning committee and question the consultation process
- the traffic flows stated are questioned, and raise concerns about the junction of Fisher Close and Stoneyford Road, Priestsic Road/Outram Street/Mansfield Road and other highways safety issues.

- the timing of the planning committee has not allowed a fair opportunity to speak.

Officer Response

- emails/letters have been sent out to all objectors informing them of committee. The consultation was also sent out in accordance with the relevant legislation.
- Highways Safety is covered in section 7 the report. Members should note that upgrades are being provided at the required junctions and no objections have been raised by the Highways Authority.
- And a local resident will be addressing the planning committee.

Sarah Brooke, as an Objector and Bryony Barrett, 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 submissions as required.

It was moved and seconded that the application be deferred to enable officers to discuss matters further with the Applicant and the Police (as a Responsible Authority) and be brought back to committee at the earliest opportunity.

3. Application V/2020/0796, Mr J Price, Amenity Block and Timber Dog Kennels, 22AnBack Lane, Huthwaite

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillor Tom Hollis had previously declared a Non-Registrable Interest in respect of this application. His interest was such that he stayed in the meeting and took part in the discussion and voting thereon.)

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:-

Members are advised that the site plan shown on the agenda report is incorrect. The correct site plan is shown on the presentation.

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

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

4. Application V/2021/0069, Mrs. P. Lewis, Crown Lift and Remove Dead Wood of Five Trees, 1 Kirkby House Drive, Kirkby in Ashfield

(At this point in the proceedings and in accordance with the Council's Constitution and the Members' Code of Conduct, Councillor Keir Morrison declared a Non-Registrable Interest in respect of this application due to an association with the Applicant through the Labour Party. His interest was such that he 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.

5. Application V/2021/0332, Mr. F. McDermott, Application for Tree Works: Works to Trees Subject to a Tree Preservation Order TPO Ref No. 178 - Fell 9no. Sycamore Trees, 107 Alfreton Road, Sutton in Ashfield

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillor Tom Hollis had previously declared a Non-Registrable Interest in respect of this application. His interest was such that he stayed in the meeting and took part in the discussion and voting thereon.)

Fraser McDermott, as 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 by Councillor Tom Hollis and seconded by Councillor Rachel Madden that the officer's recommendation contained within the report be rejected and planning consent be granted subject to the following standard conditions:

Conditions

This permission shall authorise the carrying out of the approved tree works within 2 years of the date of this permission. **REASON:** To define the time scale of the permission and to allow further assessment in the event of the works not being carried out.

Within 3 months of the felling of the trees all wood and debris resulting from the felling of the trees shall be removed and the site left in a reasonably clean and tidy condition. **REASON:** To safeguard the visual amenities of the area.

Reasons for rejecting officers' recommendation:

The trees were considered to offer limited visual amenity value from the road and were causing significant adverse effects to the lives of adjacent residents. It was also considered that ecology would not be unduly affected.

For the motion:

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

Against the motion:
Councillors Keir Morrison.

Abstention:
Councillor Phil Rostance.

P.8 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 11.55 am

Chairman.