

PLANNING COMMITTEE

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

on Wednesday, 15th December, 2021 at 10.00 am

Present: Councillor Andy Meakin in the Chair;

Councillors Samantha Deakin, Rachel Madden, David Martin (as substitute for Arnie Hankin), Phil Rostance, David Walters (as substitute for Helen-Ann Smith) and Jason Zadrozny.

Apologies for Absence: Councillors Arnie Hankin, Sarah Madigan, Lauren Mitchell and Helen-Ann Smith.

Officers Present: Alex Bonser, Lynn Cain, Mick Morley, Ashley Patel, Christine Sarris and Sara Scott-Greene.

In Attendance: Councillor John Wilmott.

P.20 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

1. Councillors Rachel Madden, David Martin and Jason Zadrozny declared a Non-Registrable Interest in respect of Application V/2021/0682, Ashfield District Council, Application for Tree Works: Works to Trees Subject to Tree Preservation Order TPO Ref No. 283. Crown lift Trees Along Boundary, Remove Holly Shrub and two Oak trees, Woodlands, Little Oak Plantation, Derby Road, Annesley Woodhouse. Their interests arose from the fact that they were all currently Annesley & Felley Parish Council Members and had previously discussed the application at a parish meeting.
2. Councillors Samantha Deakin, Rachel Madden, David Martin and Jason Zadrozny declared a Non-Registrable Interest in respect of Application V/2021/0688, Ashfield District Council, Extension to the Main Pool Hall, Addition of a New Learner Pool Hall and Associated Plant Equipment, Hucknall Leisure Centre, Linby Road, Hucknall. Their interests arose from the fact that they were all currently Members of the Cabinet and had previously referred the matter for planning consideration.
3. Councillor David Martin declared Non-Registrable Interests in respect of the following applications due to his position as Ward Councillor for Underwood:
 - V/2021/0558, Mr S Lewis, Chimney Flue, The Mews Barn, Land at The Triangle, Felley Mill Lane South, Underwood
 - V/2021/0611, Mrs C Dennis, Vehicular Access, 103 Cordy Lane, Brinsley.

P.21 Minutes

RESOLVED

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

**P.22 Town and Country Planning Act 1990:
Town Planning Applications Requiring Decisions**

Prior to consideration of the applications and in accordance with Council Procedure Rule 4 (Order of Business), the Chairman advised that he would be considering the second application, V/2021/0688, Ashfield District Council, Extension to the Main Pool Hall, Addition of a New Learner Pool Hall and Associated Plant Equipment, Hucknall Leisure Centre, Linby Road, Hucknall, as the first item. Committee Members concurred with this course of action.

1. V/2021/0688, Ashfield District Council, Extension to the Main Pool Hall, Addition of a New Learner Pool Hall and Associated Plant Equipment, Hucknall Leisure Centre, Linby Road, Hucknall

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillors Samantha Deakin, Rachel Madden, David Martin 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:-

The Rights of Way team at Nottinghamshire County Council had submitted a holding objection, but had now confirmed that development should not commence until a separate application had been submitted and agreed, to deal with the diverting or stopping up of a public right of way.

Informatives are proposed to advise in relation to the footpath. There appeared to be a number of alternatives which would have to be agreed separately under the Planning Act or Highways Act; this would not stop this planning application from being determined but may preclude a commencement on site.

Councillor John Wilmott, 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 and seconded that conditional consent be granted as per officer's recommendation.

2. V/2021/0682, Ashfield District Council, Application for Tree Works: Works to Trees Subject to Tree Preservation Order TPO Ref No. 283. Crown lift Trees Along Boundary, Remove Holly Shrub and two Oak trees, Woodlands, Little Oak Plantation, Derby Road, Annesley Woodhouse

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillors Rachel Madden, David Martin 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 letter had been received from the Parish Council raising the following objections to the application.

Any works could result in permanent environmental damage to the Ancient Woodland and damage and loss of biodiversity etc. all bodies should be consulted. The widening of paths would encourage boy racers. Want to know what the future improvement works are? Why do ADC need another access route to this site? The suggestion these are improvement works are questioned.

These works would have a negative impact on climate change. This proposal conflicted with the proposal in the emerging Local plan which showed a cycle network. The source of the funding for these works was questioned and they suggested alternative projects that monies could be spent on, such as tree planting throughout the Annesley and Felley Parish. The details in the application did not provide information they required on future works within Little Oak Plantation, they felt left in the dark and asked for the application to be withdrawn.

Officer response:

The proposal was in respect of works to the trees which amounted to reasonable management practices of trees alongside footpaths and bridleways in a woodland. Any other plans for the area were not for consideration in this application which had to be considered on its own merits.

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

3. V/2021/0506, Mrs Bird, Change of Use from Existing Dwellinghouse C3 Use Class to 7 Bedroom HMO, Sui Generis Use Class, 248 Mansfield Road, Skegby

It was moved by Councillor Jason Zadrozny and seconded by Councillor Rachel Madden that the officer's recommendation contained within the report be rejected and planning consent be refused.

Reason for rejecting officers' recommendation:

1, The proposal is considered to result in an over intensive use of the site due to the lack of off-street parking and limited availability of on-street parking, which is considered to have a detrimental impact upon the amenity of neighbouring residents. This is contrary to Policy HG8(g) of the Ashfield Local Plan Review (2002).

For the motion:

Councillors Samantha Deakin, Rachel Madden, Andy Meakin, Phil Rostance and Jason Zadrozny.

Against the motion:

Councillors David Martin and David Walters.

Abstentions:

None.

4. V/2021/0558, Mr S Lewis, Chimney Flue, The Mews Barn, Land at The Triangle, Felley Mill Lane South, Underwood

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillor David Martin 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.)

It was moved and seconded that conditional consent be granted as per officer's recommendation subject to an additional informative as follows:

Informative

The applicant is advised that the hedge to the North West boundary appears to fall within and adjoins the designated Friezeland Grassland SSSI. The written consent of Natural England is therefore required before the carrying out of any works to the hedge, including maintenance. It should be noted that Natural England in their document "Views About Management" state that any surrounding well managed hedgerows may considerably add to the habitat in providing shelter for invertebrates.

5. V/2021/0611, Mrs C Dennis, Vehicular Access, 103 Cordy Lane, Brinsley

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillor David Martin 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.)

It was moved and seconded that conditional consent be granted as per officer's recommendation, subject to the removal of condition 3 as outlined in the report

P.23 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 11.25 am

Chairman.