

PLANNING COMMITTEE

**Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,
on Wednesday, 14th June, 2023 at 10.00 am**

Present: Councillor Sarah Madigan in the Chair;

Councillors Jodine Cronshaw (as substitute for Jamie Bell), Samantha Deakin, Arnie Hankin, Rachel Madden, Andy Meakin, John Smallridge, Lee Waters (as substitute for Helen-Ann Smith) and Jason Zadrozny.

Apologies for Absence: Councillors Jamie Bell and Helen-Ann Smith.

Officers Present: Rose Arbon, Alex Bonser, Lynn Cain, Hannah Cash, Louise Ellis, Christine Sarris and Abbie Smith.

In Attendance: Councillors Dave Shaw and John Wilmott.

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

V/2023/0103, J Zadrozny, Change of Use from Shop with Flat Above to Ground Floor Flat With Flat Above 33 High Street, Stanton Hill, Sutton in Ashfield

Councillor Zadrozny declared a Disclosable Pecuniary Interest in his application and advised that he would be leaving the room whilst all deliberations took place to determine the matter.

Councillors Samantha Deakin and Rachel Madden declared Non Registrable Interests due to their close personal friendships with the Applicant and advised that they would be leaving the room for the duration of the item.

P.2 Minutes

RESOLVED

that the minutes of the meeting of the Planning Committee held on 22 March 2023, be received and approved as a correct record.

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

1. V/2022/0298, Aldergate Properties Limited, Outline Application with All Matters Reserved Except Means of Access for a Residential Development of a Maximum of 100 Dwellings, Land at Common Lane, Hucknall

Late Item

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:-

Since publication of the Council's committee report, a revised comment had been received from the Nottingham and Nottinghamshire Integrated Care Board. The revision related to the locations where the contribution of £54,187.50 should be spent in the event of permission being granted. The locations were as follows:

- *Ashfield House*
- *Family Medical Centre*
- *Kirkby Healthcare Complex*
- *Lowmoor Road Surgery.*

These replaced the previous sites requested and the revisions were noted.

Colin Alton, as an Objector and Councillor Dave Shaw, who called-in the application, 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 consent be refused as per the officer's recommendation.

2. V/2020/0518, Mrs D Marles, Mrs J Alexander, Mr R Holliday, Mr M and Mrs W Rollinson and Gleeson Regeneration Ltd, Residential Development of 196 dwellings and ancillary works, Coxmoor Lodge Farm, Farm View Road, Kirkby in Ashfield

Late Item

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:-

Since publication of the Council's committee report, two further comments had been received from local residents. One was a further letter of objection relating to the following:

- *Detrimental impact on wildlife and birds*
- *The land being prone to flooding and Severn Trent Water needing to work with the developer controlling this*
- *Concern about construction traffic on Walesby Road*
- *There would be a major impact on local schools and health care.*

All of these concerns had already been expressed in existing residents' objections and the issues addressed in detail in the Committee report.

The second letter supported the application, saying that there was the potential for more people to shop in the area, use public transport and improve the local area.

The following two Informatives would be added:

The retention of the stone barn within the application site and, the in principle use, as a community asset as contained within the Section 106 Legal Agreement.

This permission should be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act 1990.

Sean White, as an Objector, 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.

Due to the Applicant's representative being called away on a family emergency, his intended address to Committee was duly read out by the Planning Officer.

- a) it was moved and seconded that conditional consent be granted as per officer's recommendation, subject to the following:

Additional Informative:

A community engagement group shall be established during the construction phase of the development to ensure a point of contact for complaints, and for community concerns to be managed effectively.

Change to S106 Agreement

£1,500 to be paid for the provision of cycle parking at Sutton Parkway railway station.

Change to Traffic Management Plan

To liaise with the Developer and the Highways Authority to amend the Construction Management Plan to ensure no construction traffic travels to the site via Farm View Road.

- b) should no agreement be reached regarding requested changes to the S106 Agreement in respect of the additional bike store at Sutton Parkway, the application be brought back to the next available Committee meeting for further consideration.

3. V/2022/0615, N William, Change of Use From Car Showroom, Car Sales & Repair Garage to Self Storage (Class B8) Including Siting of Portable Storage Containers and Storage Units on Open Areas of the Site, 76 Portland Road, Hucknall

Late Item

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:-

Since publication of the Council's committee report, a further comment had been received from a resident. The concerns raised were similar to those previously raised in relation to impact on house prices and impact on resident lifestyles.

In addition to this, comments had been received from the Architectural Liaison Officer at Nottinghamshire police. They recommended that the site achieved the Secured by Design accreditation which would mean that it adhered to the most effective security standard. Advice and assistance was available to the developer in relation to the application process for Secured by Design and to make sure that the site was as secure as possible. Other points to consider were that the perimeter fencing and gates needed to adhere to the security industry standard to prevent the site being vulnerable to attack, monitored CCTV would be advised with a response model and a suitable alarm system was advised for the building and storage units.

Further comments had also been received from the agent in relation to building number 4 on the site (adjacent to the telephone exchange) and the possibility of reducing the proposed fence height. It had been advised that there were no immediate plans for building 4 but in the longer term they might look at converting it into office space. As an interim measure they would tidy up the appearance when they moved onto the site. In relation to the fence, security was of paramount importance at the site which was why the applicant had already agreed to move the fence back and increase landscaping. The applicant was reluctant to make further changes but if it was the deciding factor, he would agree to reduce to 2m.

It was recommended that an informative be attached to the decision as follows:

The development should adhere to the Secured by Design principles including the provision of CCTV at the site.

The applicant had provided further information in relation to the security of the site. They were part of the self storage association who gave guidelines on what could and could not be done. It had been stated that there would be a lot of CCTV at the site and a plan had been provided showing the locations of the cameras. The CCTV would be linked to Red Care and a local security company assigned to the site should there be activation. In addition to this every room and container was to be alarmed. The gate and fence proposed would also reach security industry standards.

It was moved and seconded that conditional consent be granted as per officer's recommendation subject to the addition of the following condition:

Condition

All trees and hedges indicated on the approved landscaping scheme shall be a semi-mature standard. 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.

(In accordance with paragraph 9.1(e) of the Code of Conduct and Procedures in respect of the Planning Service, Councillor Andy Meakin, having re-entered the room after commencement of the ensuing discussion, was required to abstain from voting on the application.)

The meeting was adjourned at 11.30am and reconvened at 11.37am.

4. V/2023/0236, Mr Brian Willows, Application to Remove Condition 8 (Rear Access Door Restrictions) and Condition 9 (Rear Service Yard Restrictions) of Planning Permission V/2021/0140, 57 Nabbs Lane, Hucknall

Max Cully, 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 by Councillor Lee Waters and seconded by Councillor Arnie Hankin that the officer's recommendation contained within the report be rejected and planning consent to remove Conditions 8 and 9 be granted.

Reasons for rejecting officers' recommendation:

Members were concerned about the economic conditions businesses faced post Covid-19, and therefore voted to approve the development as they considered that the proposal would support a local business and complied with Policies ST1 and SH8 of the Ashfield Local Plan Review (2002), and Part 6 (Building a strong, competitive economy) of the National Planning Policy Framework (2021).

For the motion:

Councillors Jodine Cronshaw, Samantha Deakin, Arnie Hankin, Rachel Madden, Sarah Madigan, Andy Meakin, John Smallridge, Lee Waters and Jason Zadrozny.

Against the motion:

None.

Abstentions:

None.

5. V/2023/0237, Mr Brian Willows, Application to Remove Condition 2 (Temporary 12-Month Time Period for Front Outdoor Seating, and Full Opening of the Folding Shop Doors) of Planning Permission V/2021/0140, 57 Nabbs Lane, Hucknall

Max Cully, 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 by Councillor Lee Waters and seconded by Councillor Arnie Hankin that the officer's recommendation contained within the report be rejected and planning consent to remove Condition 2 be granted.

Reasons for rejecting officers' recommendation:

Members were concerned about the economic conditions businesses faced post Covid-19, and therefore voted to approve the development as they considered that the proposal would support a local business and complied with Policies ST1 and SH8 of the Ashfield Local Plan Review (2002), and Part 6 (Building a strong, competitive economy) of the National Planning Policy Framework (2021).

For the motion:

Councillors Jodine Cronshaw, Samantha Deakin, Arnie Hankin, Rachel Madden, Sarah Madigan, Andy Meakin, John Smallridge, Lee Waters and Jason Zadrozny.

Against the motion:

None.

Abstentions:

None.

6. V/2023/0103, J Zadrozny, Change of Use from Shop with Flat Above to Ground Floor Flat With Flat Above 33 High Street, Stanton Hill, Sutton in Ashfield

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillors Samantha Deakin, Rachel Madden and Jason Zadrozny had previously declared interests in respect of this application. All left the room for the duration of the item and took no part in the discussion or voting thereon.)

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

7. V/2022/0406, Ashfield District Council, Application to Vary Condition 10 - Acoustic Fencing Details of Planning Permission V/2022/0785, Land North of Midland Road, Sutton in Ashfield

It was moved and seconded that conditional consent to vary Condition 10, be granted as per officer's recommendation.

P.4 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 12.30 pm

Chairman.