

Report To:	Planning Committee	Date:	9 September 2020
Heading:	PLANNING APPEAL DECISIONS		
Portfolio Holder:	PLACE, PLANNING AND REGENERATION		
Ward/s:	CENTRAL AND NEW CROSS, HUCKNALL WEST, HUTHWAITE AND BRIERLEY, KIRKBY CROSS AND PORTLAND, SKEGBY, STANTON HILL AND TEVERSAL		
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

Central and New Cross

Planning Application – V/2019/0712

Site – 76 Hardwick Lane, Sutton in Ashfield, NG17 5EJ

Proposal – Mixed Use Garage for Ancillary Domestic Purposes and Business Use for the Refurbishment of Vehicles

Appeal Decision – Dismissed

The inspector agreed with the Council that the proposal would harm the living conditions of adjacent residential properties with particular regard to noise and disturbance. Whilst it was recognised that the NPPF gives weight to supporting economic growth, the harm identified to neighbouring residents would not outweigh the need to support economic

growth. The Inspector also considered that use of planning conditions would not be sufficient to reduce the impact on neighbours.

Hucknall West

Planning Application – V/2019/0693

Site – Land to the rear of 344 – 348 Watnall Road, Hucknall, NG15 6ER

Proposal – Application for Outline Planning Permission with all Matters Reserved for Residential Development

Appeal Decision – Dismissed

The Inspector shared the Council's view that the proposal would result in a piecemeal development that would be unrelated to the underlying building pattern along Watnall Road, giving rise to an adverse effect on the character and appearance of the area. The Inspector further considered that the creation of a shared access between the side elevations of Nos 344 and 346 Watnall Road would result in frontage activity to the rear of the existing building line, creating some additional noise and disturbance and subsequently resulting in an adverse effect on the living conditions of neighbouring residential occupiers. The Inspector did however not agree with the Council that the traffic generated by the development would lead to an unacceptable increase in vehicular traffic entering a distributor road.

Huthwaite and Brierley

Planning Application – V/2019/0373

Site – 131 Huthwaite Road, Sutton in Ashfield, NG17 2GY

Proposal – Application for Outline Planning Permission with all Matters Reserved for a Maximum of 1 Dwelling

Appeal Decision – Dismissed

The Inspector agreed with the Council that the proposal would result in a cramped form of development and would disrupt the pattern of development along Huthwaite Road, dividing a large residential garden into two small ones. The Inspector subsequently considered that the proposal would thus be incongruous and out of place within the context of the host garden, the surrounding gardens and the wider neighbourhood, and as such would harm the character and appearance of the area.

Kirkby Cross and Portland

Planning Application – V/2019/0532

Site – 19 Church Street, Kirkby in Ashfield, NG17 8LA

Proposal – Application for Outline Planning Permission with All Matters Reserved for One Dwelling

Appeal Decision – Dismissed

The Inspector considered that the introduction of additional traffic movements along Orchard Walk would unacceptably compromise highway safety. It was noted Church

Street is a busy road and at the junction with Orchard Walk visibility of traffic and pedestrians is limited in both directions. Orchard Walk beyond the entrance is a single car width that serves 5 properties, whilst there is no vehicular turning area along this private road. The Inspector considered the plot size to be limited in size and was not satisfied that there would be adequate turning space within the appeal site.

Skegby

Planning Application – V/2019/0594

Site – Land to the rear of 113 Beck Lane, Sutton in Ashfield

Proposal – Application for Outline Planning Permission with All Matters Reserved for a Maximum of 3 Dwellings with Integral Garages

Appeal Decision – Dismissed

The Inspector considered that the proposal would represent a significant intrusion into an otherwise open area of the countryside and would be both incongruous and discordant in this countryside location. The proposal given its location would also mean any occupiers would be highly reliant upon the car. The Inspector also agreed with the Council that the proposal would not protect or enhance the ecology or biodiversity of the area.

Stanton Hill and Teversal

Planning Application – V/2019/0247

Site – Whiteborough Farm Cottage, Chesterfield Road, Huthwaite, NG17 2QJ

Proposal – Recladding of Existing Agricultural Barn

Appeal Decision – Allowed

Application for Costs – Refused

The inspector found that the cladding had not significantly altered the appearance of the barn as the proportion of new cladding had not substantially increased. It was noted by the Inspector that the new cladding would impact upon openness, however the barn is well screened from public vantage points due to the cluster of buildings to the south of the site, mature vegetation and set back from Chesterfield Road.

An application for an award of costs was refused and the Council were not unreasonable for refusing planning permission. The reason for refusal was clear and sufficient evidence was submitted to support the Council's policy stance.

Planning Application – V/2019/0278

Site – Plots 6 and 7, Grange Close, Teversal NG17 3JN

Proposal – Two Bungalows

Appeal Decision – Allowed

The Inspector was satisfied that the proposal would provide a safe and suitable access and would not have an unacceptable impact on highway safety. It was noted that there is a limited shortfall in visibility over the required distance, however in accordance with advice in Manual for Streets, such a scenario can be considered acceptable in lightly

trafficked situations such as this. The additional movements from 2 bungalows was considered to therefore be limited.

Planning Application – V/2019/0786

Site – 12 Fackley Road, Stanton Hill, Sutton in Ashfield, NG17 3HG

Proposal – One Non Illuminated Sign

Appeal Decision – Dismissed

The Inspector considered that the signage, due to its large size and positioning would represent a conspicuous intrusion which would impose an uncharacteristic commercial feature within an overwhelmingly residential area that would detract from its character and appearance. The Inspector therefore concluded that the proposed advertisement would significantly harm the amenity of the area.

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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