

PLANNING COMMITTEE

Virtual Meeting held on Wednesday, 22nd July, 2020 at 10.00 am

Present: Councillor Sarah Madigan in the Chair;

Councillors Chris Baron, Ciaran Brown, Samantha Deakin, Rachel Madden, Arnie Hankin, John Smallridge, Helen-Ann Smith, Daniel Williamson and Jason Zadrozny.

Officers Present: Ross Bowskill, Lynn Cain, Carol Cooper-Smith, Louise Ellis, Mike Joy, Mick Morley and Christine Sarris.

In Attendance: Councillor Dave Shaw.

P.8 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests

1. Councillor Arnie Hankin declared a Disclosable Pecuniary Interest in respect of Application V/2019/0459, EON UK PLC, Application to Remove Condition 1 of Planning Permission V/2017/0022 to Allow Permanent Use of the Car Park at 21a Willow Drive, Annesley. His interest was due to land ownership.
2. Councillor Jason Zadrozny declared a Non Disclosable Pecuniary/Other Interest in respect of Application V/2019/0459, EON UK PLC, Application to Remove Condition 1 of Planning Permission V/2017/0022 to Allow Permanent Use of the Car Park at 21a Willow Drive, Annesley. His interest arose from the fact that he had previously met and spoken to both the Applicant and officers but in doing so had not expressed an opinion at any point.

P.9 Minutes

RESOLVED

that the minutes of the meeting of the Planning Committee held on 17 June 2020, be received and approved as a correct record.

P.10 Town and Country Planning Act 1990: Town Planning Applications Requiring Decisions

1. **V/2019/0459, EON UK PLC, Application to Remove Condition 1 of Planning Permission V/2017/0022 to Allow Permanent Use of the Car Park, 21a Willow Drive, Annesley**

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillor Arnie Hankin had previously declared a Disclosable Pecuniary Interest in respect of this application. His interest was such that he left the meeting for the duration of the item and took no part in the discussion or voting thereon.)

On behalf of the Applicant, Mark Jackson took the opportunity to address the Committee in respect of this matter and Members were offered the opportunity to clarify any points raised during the submissions as required.

It was moved and seconded that permission to vary condition 1 of the previous consent and enter into a deed of variation to the S106 legal agreement, as outlined in the report, be approved as per officer's recommendation.

2. V/2020/0213, Mr. Crossman, Change of Use from Dwelling C3 to 6 bedroom (8 person) House of Multiple Occupation, 54 Titchfield Street, Hucknall

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:-

31 further letters of objection had been received from local residents in respect of the following:

- Increased on-street parking
- Proposal is an over intensification of the existing property
- Impact on quality of life of existing local residents.

Officers' response:

- The further letters of objection received raise no new issues, and each of the matters had been addressed in the written report.

David Peck, on behalf of the Applicant and Councillor Dave Shaw, as Ward Member, took the opportunity to address the Committee in respect of this matter and Members were offered the opportunity to clarify any points raised during the submissions as required.

It was moved by Councillor Jason Zadrozny and seconded by Councillor Daniel Williamson that the officers' recommendation as contained within the report, be rejected and planning consent be refused.

Reasons for rejecting officers' recommendation:

1. The proposed intensification of the use of the building to form an 8 person house in multiple occupation is considered by the Council to result in the loss of a family home in a primary residential area. The use of all three floors for independently used habitable rooms results in the overlooking of neighbouring properties, this together with an increase in noise and disturbance due to the intensification of the use and increase

in comings and goings from the property will have a significant impact on the amenities of neighbouring residents. It is thus considered to be contrary to policies ST1 and HG8 of the Ashfield Local Plan Review and Chapters 5 and 8 of the National Planning Policy Framework 2019.

2. The proposal fails to provide adequate off-street parking provision in an area where on street parking is significantly restricted for residents, visitors and deliveries. The intensification of the use will result in further demands on the limited parking that is available on street and will result in an unacceptable impact on highway safety. It is therefore considered to be contrary to policies ST1 and HG8 of the Ashfield Local Plan Review and Chapter 9 of the National Planning Policy Framework 2019.

For the motion:

Councillors Ciaran Brown, Samantha Deakin, Arnie Hankin, Rachel Madden, John Smallridge, Helen-Ann Smith, Daniel Williamson and Jason Zadrozny.

Against the motion:

None.

Abstentions:

Councillor Chris Baron.

3. V/2020/0030, Mr. E. Clements, Dwelling, 26 Brickyard, Brickyard Drive, Hucknall

It was moved by Councillor Helen-Ann Smith and seconded by Councillor Rachel Madden that the officers' recommendation as contained within the report, be rejected and planning consent be refused.

Reasons for rejecting officers' recommendation:

1. The proposed design of the dwelling in this location is considered to result in an imposing building out of character with the area. It is located on a private cul-de-sac which has limited width and poor surfacing with access gained over a level crossing in an unsustainable location with poor access to public transport. It would thus lead to Highway safety concerns during construction and with deliveries and visitors to the property when occupied. It is therefore contrary to policies ST1 (b), (c) and (e) and Chapters 9 and 12 of the National Planning Policy Framework 2019.

For the motion:

Councillors Ciaran Brown, Samantha Deakin, Arnie Hankin, Rachel Madden, John Smallridge, Helen-Ann Smith, Daniel Williamson and Jason Zadrozny.

Against the motion:

Councillor Chris Baron.

Abstentions:

None.

4. V/2020/0220, Mr. R. Bluff, Change of Use from A1- Retail to A4 – Bar, 16 Brook Street, 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:-

At the site visit by Members it was noted that the rear yard had been enclosed. It was considered that the yard was not an appropriate location for customers or members of the public to gain access to because of the potential impact on the amenities of local residents above and adjacent to the site.

Although a separate application had been requested for the retention of the structure it had not been possible to discuss the matter with the Applicant. It was therefore intended to include a further condition in the recommendation to restrict the use of the rear yard to storage only and not permit access by customers or members of the public except to exit the premises in an emergency only as follows:

“Condition 6. The rear yard area, as shown on the submitted plans, shall only be used for storage purposes and customers or members of the public shall not be permitted to use the yard except to exit the premises in an emergency. Prior to the use commencing details of how this restriction shall be applied and managed shall be submitted to and agreed by the Council and any such details approved shall be provided and maintained in perpetuity.”

Reason: To safeguard the amenities of residents living in the vicinity of the application site.

It was moved and seconded that conditional consent be granted as per officers' recommendation, subject to the amendments to add condition 6 as outlined above and an additional condition limiting the time period of the permission as follows:

6. The rear yard area, as shown on the submitted plans, shall only be used for storage purposes and customers or members of the public shall not be permitted to use the yard except to exit the premises in an emergency. Prior to the use commencing details of how this restriction shall be applied and managed shall be submitted to and agreed by the Council and any such details approved shall be provided and maintained in perpetuity.

The use hereby permitted is granted for a limited time period of 18 months from the date the Bar hereby permitted first opens. On or before that date the use hereby permitted shall cease and the site be reinstated to its former condition unless a further planning application with regard to the use has been submitted to and approved by the Local Planning Authority.

P.11 Tree Preservation Order - Covered Reservoir, Adjacent to 44 Whyburn Lane, Hucknall

Members were advised of an objection received in response to the making of a Tree Preservation Order at the covered reservoir adjacent to 44 Whyburn Lane, Hucknall and notwithstanding the objection, were asked to confirm approval accordingly.

RESOLVED

that having considered and notwithstanding the objection, the Council proceeds to confirm the Tree Preservation Order without modification on the terms outlined in the report.

The meeting closed at 11.56 am

Chairman.