

PLANNING COMMITTEE

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

on Wednesday, 31st July, 2024 at 10.00 am

Present: Councillor Jamie Bell in the Chair;

Councillors Jodine Cronshaw, Samantha Deakin, Julie Gregory (as substitute for Sarah Madigan), Arnie Hankin, Rachel Madden, Andy Meakin, John Smallridge and Helen-Ann Smith.

Apology for Absence: Councillor Sarah Madigan.

Officers Present: John Bennett, Lynn Cain, James Carr, Louise Ellis, Mick Morley, Christine Sarris, Abbie Smith, Richard Sunter, Dean Wright and Shane Wright.

P.6 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

Councillor Arnie Hankin declared a Non-Registrable Interest in respect of Application V/2022/0360, outline application with all matters reserved except for access, for a logistics campus (B8), creation of a new access onto Willow Drive, associated earthworks, new structural green infrastructure and landscaping and other infrastructure works. Land at Junction of Mansfield Road, Annesley. His interest arose from the fact that he was known to the landowner, but confirmation was given that he would be coming to the meeting with an open mind and was prepared to consider all information and discussions put forward prior to making a decision.

P.7 Minutes

RESOLVED

that the minutes of the meeting of the Planning Committee held on 12 June 2024, be received and approved as a correct record.

P.8 Town and Country Planning Act 1990: Town Planning Applications Requiring Decisions

1. V/2024/0127, Ashfield District Council, Construction of an Automated Distribution and Manufacturing Centre, Land Off Low Moor Road, Kirkby in Ashfield

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

2. V/2022/0360, Mr Jonathan Protheroe, Application made in accordance with the Town and Country planning (Environmental Impact Assessment Regulations) 2017: Application made in accordance with EIA Regulations 2017: Outline application with all matters reserved except for access, for a logistics campus (B8), creation of a new access onto Willow Drive, associated earthworks, new structural green infrastructure and landscaping and other infrastructure works. Land at Junction of Mansfield Road, Annesley

(In accordance with the Council's Constitution and Member Code of Conduct, Councillor Arnie Hankin had previously declared an interest in respect of this item. His interest was such that he remained in the room and took part in the discussion and voting thereon.)

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:-

There was an error in the report that needed to be corrected - on page 104 where the amount for Bus stop contributions should have read 120,000.00. There was a missing 0.

Following publication of the agenda, a letter of representation had been received from Annesley and Felley Parish Council. The parish council had objected to the application on the grounds that the proposed development would exacerbate existing problems of traffic congestion with consequent air quality and health impacts and that it would impact on local wildlife.

Officers advised that the issues raised had been addressed within the applicant's Environmental Statement and within the officer report.

The comments did not affect the overall conclusion of the officer report.

Simon Bishop, as Chairman of Annesley & Felley Parish Council and John Holmes, as Agent for 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.

(At this point in the proceedings, Councillor Andy Meakin declared a Non-Registrable interest as a current member of Annesley & Felley Parish Council. His interest was such that he remained in the meeting and took part in the discussion and voting thereon.)

It was moved and seconded that conditional consent be granted subject to a Section 106 Agreement and referral of the application to the Secretary of State as a departure from the development plan.

The meeting adjourned at 11.00am and reconvened at 11.05am.

3. V/2023/0691, Mr J Taylor, Residential Development for 8 Dwellings, J.T. Timber Supplies, Cross Road, Annesley

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:-

Two further comments had been received supporting the application and stating:

- *It would be a great addition to the area*
- *There is not enough accommodation to meet current need*
- *No problems with access on the road or vehicles parking on the kerb*
- *Main parking problem is on Byron Road*
- *Welcoming change of view to current street scene*
- *Builder should work with the Council to recalibrate Annesley cutting with traffic lights to mitigate increased volume of traffic.*

Simon Bishop, as Chairman of Annesley & Felley Parish Council, 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 the officer's recommendation contained in the report.

4. V/2023/0669, Ashfield District Council, Demolition of Former Community Centre and Garages and Construction of 2no. Semi Detached Dwellings, Former Community Centre, Mill Close, Huthwaite

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:-

There was an error in the report that needed correcting.

Condition 9 needed to be removed. The condition had been updated by Condition 6 in relation to stopping up of the public highway.

Glenys Maxwell, 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.

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

5. V/2024/0239, J Rouse, Change Of Use of Outbuildings to Dog Groomers and Hairdressers, 15 Alfreton Road, Selston

County Councillor David Martin, 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.

(At this point in the proceedings, Councillor Julie Gregory declared a Non-Registrable interest as a current member of Selston Parish Council. Her interest was such that she remained in the meeting and took part in the discussion and voting thereon.)

- a) it was moved by Councillor Arnie Hankin and seconded by Councillor Helen-Ann Smith that the officer's recommendation contained within the report be rejected and planning consent be granted as per conditions and informatives to be agreed by officers under delegated authority, in consultation with the Planning Committee Chairman and Councillors Arnie Hankin and Helen-Ann Smith (as mover and seconder of the motion);
- b) as a result of a) above, the condition and informative are as follows:

Condition:

The use of the hairdresser salon and the dog grooming business at 15 Alfreton Road, Selston, hereby permitted shall be carried out by the occupiers of the property and by no other persons.

Informative:

All clients should be advised by the applicant, when taking bookings, that car parking is not available at the premises.

Reasons for rejecting officers' recommendation:

ST1 and NP9, part 2b and 4a, 4b and 4c.

Members considered that the proposal would not have an adverse impact on the character, quality, amenity of safety of the environment outlined nor have an adverse impact upon highway safety as set out within ST1 of the Ashfield Local Plan Review (2002).

Members also were minded to suggest that the proposal had demonstrated that the nature of the operation would not affect the amenity of the surrounding area. In addition, the amenity of nearby residents would not be affected, the scale and design was sympathetic to the character of the area, and the operations of the business could be contained within the confines of the premises. As outlined within NP9 of the JUS-T Neighbourhood Plan (2017-2032).

For the motion:

Councillors Jamie Bell, Jodine Cronshaw, Samantha Deakin, Julie Gregory, Arnie Hankin, Rachel Madden, Andy Meakin, John Smallridge and Helen-Ann Smith.

Against the motion:

None.

Abstentions:

None.

(Prior to consideration of the next application and in accordance with Council Procedure Rule 4 [Order of Business], the Chairman advised that he would be amending the order of the agenda and considering Application V/2023/0613 as the last item of business. Members concurred with this course of action.)

6. V/2024/0063, Ashfield District Council, Construction of 40 Dwellings and Associated Infrastructure, Recreation Ground, Hardwick Lane, Sutton 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:-

After the Council sent notifications out about Planning Committee, two further representations were received from consultees:

The first was from the Health and Safety Executive, directing the Council to their online web portal in the event that the site fell within a major hazard area or major hazard pipeline zone. Having checked the web portal, the application site did not fall within the consultation distance of a hazard site, and therefore the Health and Safety Executive confirmed that they did not need to be consulted on any developments on this site.

The second was from Nottinghamshire Constabulary, who repeated their initial comments and suggested an informative.

Maria Linfield, 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.

It was moved and seconded that conditional consent be granted as per the officer's recommendation, subject to a legal undertaking as outlined in the report.

7. V/2022/0629, Hallam Land Management, Outline planning application (with all matters reserved except access) for a residential development of up to 300 dwellings with associated infrastructure and landscaping, Land at Newark Road, Coxmoor Road, Sutton 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:-

There was a typographical error in the report, the application was called in by Councillor Relf and his reasons for call in were highways, flooding, schools places, access to healthcare and disturbance to the landfill. Apologies were given to Councillor Relf and Members for this error.

Alice Weaver, as an Objector and Clare Clarke, as Agent for 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. Councillor Samantha Deakin also addressed the Committee and read out a speech on behalf of Councillor Matthew Relf who had called in the application.

It was moved and seconded that the application be deferred until the next meeting, to enable further discussions to take place between Planning officers and the Applicant in respect of the following:

Members sought clarification and reassurance with regard to the proposed drainage and contamination strategies which might give rise to the potential for contamination of the watercourse from previous landfill and or provided conflicting strategies. Further information was required as to the sustainability of the site particularly in relation to bus provision, routes and frequency and the accessibility and security of the station to cyclists and others given distance from facilities. Members were concerned that this would lead to a more severe impact on the highway and junctions in the vicinity and sought more detail. A better understanding was required as to the impact development would have on the best and most versatile land.

(During consideration of this application, Councillor Helen-Ann Smith left the meeting at 12.55pm.)

The meeting was adjourned at 1.25pm and reconvened at 1.35pm.

8. V/2023/0613, C & J Holder and D & C Wright, Outline Application with all Matters Reserved for a Residential Development, Land Between Redcliffe Street & Leyton Avenue, Sutton in Ashfield

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

- a) a Section 106 Agreement;
- b) and limiting a development up to a maximum of 18 dwellings.

P.9 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.

(During consideration of this item, Councillor Jodine Cronshaw left the meeting at 1.50pm.)

The meeting closed at 1.52 pm

Chairman.