

PLANNING COMMITTEE

WEDNESDAY, 30 SEPTEMBER 2020

Present: Councillor D K Watts, Chair

Councillors: D Bagshaw
L A Ball BEM
T A Cullen
D Grindell
M Handley
R I Jackson
R D MacRae
J W McGrath (Vice-Chair)
P J Owen
D D Pringle
R D Willimott

There were no apologies for absence.

23 DECLARATIONS OF INTEREST

Councillor D K Watts declared a non-pecuniary interest in items 6.2 and 6.3, as a family member was employed by a relative of the applicant, minute numbers 27.2 and 27.3 refer.

24 MINUTES

The minutes of the meeting held on 9 September 2020 were approved as a correct record.

25 PLANNING REFORMS AND CHANGES TO PERMITTED DEVELOPMENT AND THE USE CLASSES ORDER

The Committee considered changes to permitted development rights and the use classes order that have recently come into force. There were concerns regarding town centre regeneration and the potential for shops in residential areas to be turned into takeaways.

Discussion progressed on to the Planning for the Future consultation document.

It was proposed by Councillor D K Watts and seconded by Councillor D Grindell that a draft letter of response to the Planning for the Future Consultation be submitted to a meeting of full Council on 14 October 2020.

On being put to the meeting the motion was carried.

RESOLVED that a draft letter of response to the Planning for the Future Consultation be submitted to a meeting of full Council on 14 October 2020.

26 NOTIFICATION OF LOBBYING

The Committee received notifications of lobbying in respect of the planning applications subject to consideration at the meeting.

27 DEVELOPMENT CONTROL

27.1 20/00116/FUL

Hybrid application comprising: Full application for 132 dwellings, associated infrastructure, flood attenuation works, play area and open space. Outline application for up to 200 dwellings, local centre (retail, financial and professional services, restaurants/cafes, drinking establishments, hot food takeaways - Classes A1-A5), associated infrastructure, open space and flood attenuation works with means of access included (all other matters reserved).

Field Farm, Ilkeston Road, Stapleford, NG9 8JJ

The application was brought before Committee as the Section 106 contributions were not policy compliant and because of the size of the proposed development.

The Committee noted there were a number of late items including an email from Nottinghamshire County Council regarding the education element of the section 106 agreement, emails from residents outlining concerns about flooding and two notes to the applicant.

Ms Anita Davis, on behalf of the applicant, Mrs Jackie Baisley, objecting and Mrs Christine Chapman, objecting, submitted statements that were read to the Committee prior to the general debate.

During the ensuing debate the need for developments such as the one proposed was acknowledged, though there were major concerns about flooding, impact on car parking for existing residents and clarification regarding the Ilkeston Road hedgerow.

It was proposed by Councillor L A Ball BEM and seconded by Councillor D K Watts that a decision on the application be deferred so that the applicant could be consulted further on the concerns about flooding. On being put to the meeting the motion was carried.

RESOLVED that the application be deferred.

Councillor R I Jackson experienced a technical difficulty and was not able to vote thereon. He re-joined the meeting for the next item.

27.2 20/00388/FUL

Retain additional internal fencing, security doors and animal access
Land North of Home Farm and Park View Cottage, Main Street, Strelley, Nottinghamshire

This application has been called to Planning Committee by Councillor P J Owen.

There were no late items for this application.

Mr Reece Oliver, the applicant and Mrs Sarah Lawrence, objecting submitted statements that were read out to the Committee.

It was clarified that the very special circumstances established when the first permission was granted were that the structure was temporary, to exist for the life time of the wildcats, and that there was no impact on the openness of the Green Belt.

The Committee considered legal advice.

It was requested by Councillor R I Jackson and seconded by Councillor D K Watts that there be a recorded vote.

The motion was put to the meeting and the voting was as follows

<u>For</u>	<u>Against</u>	<u>Abstention</u>
D Bagshaw	L A Ball BEM	
D Grindell	M Handley	
T A Cullen	R I Jackson	
R D MacRae	P J Owen	
J W McGrath	D D Pringle	
G Marshall	R D Willimott	
D K Watts		

RESOLVED that planning permission be granted subject to the following conditions:

- 1. The development hereby permitted shall be retained in accordance with the Site Location Plan (1:1250), drawings numbered 00419.01 (1:100, 1:200), 00419.BP (1:500), and photographs title Crawl Tunnel Dimensions and Secure Gate Access Dimensions; received by the Local Planning Authority on 2 and 20 July 2020.**

Reason: For the avoidance of doubt.

- 2. There shall be no general exhibition or viewing of the animals.**

Reason: To protect nearby residents from excessive disturbance or operational nuisance.

NOTES TO THE APPLICANT

The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.

27.3 20/00422/FUL

Erect 1.6m high field gates

Land North of Home Farm and Park View Cottage, Main Street, Strelley, Nottinghamshire

This application has been called to Planning Committee by Councillor P J Owen.

There were no late items for this application.

Mr Reece Oliver, the applicant and Mrs Sarah Lawrence, objecting submitted statements that were read out to the Committee.

RESOLVED that planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.

Reason: to comply with s91 of the town and country planning act 1990 as amended by s51 of the planning and compulsory purchase act 2004.

2. The development hereby permitted shall be carried out in accordance with the drawings numbered 18/837/09 (1:500) and 20/837/10 (1:100, 1:1250); received by the local planning authority on 2 July 2020.

Reason: For the avoidance of doubt.

NOTES TO THE APPLICANT

1. The council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority
3. The bridleway should remain open, unobstructed and be kept on its legal alignment at all times. Vehicles should not be parked on the RoW or materials unloaded or stored on the RoW so as to obstruct the path. There should be no disturbance to the surface of the bridleway without prior authorisation the Rights of Way team.

If the route is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles.

If a structure is to be built adjacent to the bridleway, the width of the right of way is not to be encroached upon.

The existing boundary hedge/tree line directly bordering the development/boundary etc. is the responsibility of the current owner/occupier

of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line ensuing that it is cut back so as not to interfere with right of way.

If a skip is required and is sited on a highway, which includes a RoW then the company supplying the skip must apply for a permit. <http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skip-permit> and also ensure that the RoW can still be accessed appropriately by the users permitted by its status i.e. equestrians if a on bridleway, motorised vehicles if on a byway open to all traffic.

27.4 20/00404/FUL

It was proposed by the Chair that the meeting be adjourned and that the consideration of the final three items be deferred.