

F.A.O: Alastair Blunkett
Service Manager
Neighbourhoods and Environment
Ashfield District Council
Urban Road
Kirkby in Ashfield
NG17 8DA

19th October 2021

Dear Alastair Blunkett

**Town and Country Planning Act 1990
Outline application with all Matters Reserved for a Maximum of 2 Dwellings, Land at Linby
Boarding Kennels, Church Lane, Hucknall**

Ref: V/2021/0445

Urban Vision Enterprise CIC has been appointed by Linby Parish Council to write to you as the Local Planning Authority expressing concern about the apparently unlawful nature of the decision at the recent planning committee on the 25th August 2021 in relation to the planning application V/2021/0445.

We made written representations on behalf of Linby Parish Council in June 2021. We have now considered the minutes for the planning committee on the 25th August 2021. Our concerns are as follows:

1. Based upon the minutes of the discussion, it appears that members failed to give a clear reason why they should approve the development proposal contrary to the officer recommendation to refuse.
2. There are no clear or sufficient grounds reported in the minutes to depart from national and local plan policy. This sets the precedent for unacceptable development in the green belt.
3. Section 38 of the Planning and Compulsory Purchase Act states that applications must be determined in accordance with the statutory development plan, unless material considerations indicate otherwise. In this instance it would appear that the minutes do not demonstrate that the requirement of Section 38 were met or even considered.
4. Clearly the principle of the development is in question here and conditions can not address that an inappropriate development in the Green Belt is being allowed.

We are concerned the decision has failed to take account of national policy on Green Belts and failed to comply with Section 38 of the Planning and Compulsory Purchase Act 2004. It would appear from the portal that the decision notice has yet to be issued following the planning committee in August. We would therefore ask you to review the decision and refer it back to the planning committee.

We have advised the Parish Council that anyone adversely affected by the decision could refer the matter to the local government ombudsman, who would consider whether there had been maladministration. We are also advising on other steps that could be taken.

Yours faithfully

A handwritten signature in black ink, appearing to read 'ALB'.

Hannah Barter
Director