

PLANNING COMMITTEE

13 December 2022

PRESENT:

Labour Group

Councillor Tilley (Chair) and Councillor Shepherd (Vice-Chair)
Councillors Gee, L. Mulgrew, M. Mulgrew, Taylor.

Conservative Group

Councillors Dawson, Ford, Muller, Patten, Smith and Watson.

Non-Grouped

Councillor Wheelton.

PL/113 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Pearson (Substitute Councillor M Mulgrew) (Labour Group) and Councillor Brown (Substitute Councillor Muller) Councillor Bridgen (Substitute Councillor Patten), Councillor Haines (Substitute Councillor Ford) and Councillor Redfern (Substitute Councillor Watson) (Conservative Group).

PL/114 **DECLARATIONS OF INTEREST**

The Committee was informed that no Declarations of Interest had been received.

PL/115 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

In accordance with Council Procedure Rule No.11 the Chair invited Councillor Wheelton to ask the following question:

“Bearing in mind this Council had called a Climate Emergency and that during the Covid lockdown we had online site visits, why are we currently having so many physical site visits? What steps can the planning department take to reduce the number of in person site visits?”

The Chair considered and agreed with sentiment and the climate emergency but noted that sometimes site visits were necessary especially when large applications were brought to the Committee and that there would always be a need for some physical visits. It was further noted that it required additional work by the Planning Team to consider whether virtual visits would impact on decisions made.

Members discussed the merits of both virtual and in person site visits and also considered the use of different modes of transport for when in person visits were necessary and noted that it was important that applicants and residents were assured that the Committee was carrying out its duty and making informed decisions.

MATTERS DELEGATED TO COMMITTEE

PL/116 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update Members as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/117 **RETROSPECTIVE APPLICATION FOR AN AMENDED SCHEME (PREVIOUSLY APPROVED REF DMPA/2020/1241) FOR THE DEMOLITION OF THE EXISTING BUNGALOW AND THE ERECTION 5 DETACHED BUNGALOWS, 2 GARAGES AND THE ASSOCIATED NEW ACCESS AT CLAIR DE LUNE, LUCAS LANE, HILTON, DERBY, DE65 5FL**

The Head of Planning and Strategic Housing presented the report to the Committee highlighting the amendments to a previously approved scheme which included integral garages to be replaced by 2 parking spaces and an increase in bedroom size for plot one. It was noted that whilst the request was not fully in accord with the Hilton Neighbourhood Plan 3 parking spaces would impact on the loss of the landscaped areas.

An Objector attended the meeting and addressed the Committee regarding the application.

Members discussed the importance of the Neighbourhood Plan and suggested that Plot 1 should have 3 car parking spaces with the extra space situated behind the hedge to the east of the existing 2 spaces.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to an amendment to Condition 2 that would require a third parking space provided on the plot.

PL/118 **CHANGE OF USE OF LAND TO PROVIDE 7NO. CARAVANS FOR HOLIDAY LET ACCOMMODATION INCLUDING THE FORMATION OF A LAKE, ASSOCIATED PARKING AND LANDSCAPING AT THE CONIFERS, PARK ROAD, OVERSEAL, SWADLINCOTE, DE12 6JS.**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing delivered the report noting that the proposal was for the change of use to tourism, to provide seven lodges and not

caravans for holiday let accommodation and included the formation of a lake with separate vehicular access. It was confirmed that conditions would ensure that the lodges would remain holiday lets and could not become permanent residences.

Members raised concerns that the proposed properties did not appear to adhere to the tourist design guide and did not fall within planning policy INF10 and could become permanent residential homes.

The Head of Planning and Strategic Housing confirmed that conditions referred to the materials to be used and clarified the use of the accommodation could not be changed without a further planning application.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to the change of description from caravans to lodges and the renumbering of conditions to remove the repeated number of condition 11.

PL/119 **THE ERECTION OF A PROPOSED ROOF AND REAR EXTENSION, REPLACEMENT OF WINDOWS AND DOORS WITH ALUMINIUM AND RENDER ENTIRE PROPERTY AT 3 FISHPOND LANE, EGGINTON, DERBY, DE65 6HJ**

The Head of Planning and Strategic Housing presented the report to the Committee noting the amendments to the previously deferred application. The Committee was asked to resolve that planning permission be granted in accordance with the recommendations within the report which included a slightly altered Condition 4 to ensure that the outdoor kitchen could not be re-instated without the benefit of a further planning permission.

Members raised concerns that the end wall could block light to the neighbour's kitchen and discussed to need to remove Permitted Development Rights.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery), subject to an amendment to Condition 4 to remove all Permitted Development Rights.

PL/120 **APPROVAL OF DETAILS REQUIRED BY CONDITIONS 6 (MAMMAL PROTECTION MEASURES), 7 (BIODIVERSITY ENHANCEMENT MEASURES), 9 (CONSTRUCTION MANAGEMENT DETAILS), 10 (LANDSCAPING), 13 (BOUNDARY TREATMENTS), AND 21 (EXTERNAL LIGHTING) ATTACHED TO APPLICATION REF. DMPA/2019/1415 (RESIDENTIAL DEVELOPMENT FOR THE ERECTION OF 4 DWELLINGS IN SHARED OWNERSHIP) ASSOCIATED PARKING ACCESS ROAD AND LANDSCAPING) AT 61 COURT STREET, WOODVILLE, SWADLINCOTE, DE11 7JJ.**

The Head of Planning and Strategic Housing presented the report to the Committee and summarised the application and sought approval for the amendments to typographical errors in Condition 7 and Condition 9. In addition, approval was requested to amend Condition 7 in relation to the inclusion of wheel washing facilities during the construction phase.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to amendments to condition 7 so that the description accurately refers to the construction management details and to ensure that wheel washing facilities were to be specified within the Construction Management Plan. In addition, an amendment to condition 9 to refer to biodiversity enhancement measures.

PL/121 APPEALS

Reference	Place	Ward	Outcome	Decision level
<u>DMPN/2022/0403</u>	Elvaston	Aston	Dismissed	Delegated
<u>DMPA/2021/0090</u>	Newhall	Newhall and Stanton	Dismissed	Committee

PL/122 LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**RESOLVED:**

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

PL/123 EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 19:10 hours.

COUNCILLOR N TILLEY

CHAIR