

PLANNING COMMITTEE

6th November 2018

PRESENT:-

Conservative Group

Councillor Mrs Brown (Chairman), Councillor Mrs Coe (Vice-Chairman) and Councillors Ford, MacPherson (substituting for Cllr Harrison), Muller Stanton and Watson

Labour Group

Councillors Dr Pearson, Shepherd, Southerd and Tilley

PL/105 **APOLOGIES**

Apologies for absence were received from Councillors Harrison (Conservative Group) and Councillors Coe and Tipping (Independent / Non Grouped Member)

PL/106 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest had been received.

PL/107 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

PL/108 **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 them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/109 **THE CHANGE OF USE OF VACANT GYMNASIUM (USE CLASS D2) TO BAR AND RESTAURANT (USE CLASS A3/A4) WITH ALTERATIONS INCLUDING RAILINGS, WINDOWS/DOORS, REAR STAIRS, A REAR**

TERRACED AREA, REAR CANOPY AND A 2.5M HIGH REAR BOUNDARY WALL AT 71 DERBY ROAD MELBOURNE DERBY

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

The Planning Services Manager presented the report to Committee and requested that consideration be made by the Committee to add a Condition for the applicant to supply further details in relation to the roof and canopy in the garden.

An objector and the applicant attended the Meeting and addressed Members on this application.

Two statements had been received from local Ward Members, Councillors Harrison and Hewlett, which were read by the Planning Services Manager. Councillor Harrison raised concerns relating to an existing inadequate parking issue in the village and expressed disappointment that the parking provision opposite the site had been withdrawn. In the second statement, Councillor Hewlett endorsed the previously mentioned parking concerns and felt that the use of the site opposite would adequately address these concerns.

Some Members raised concern in relation to privacy for neighbouring residents in relation to the rear garden and requested that the height of the wall at the rear of the building be raised in order to address this.

A discussion ensued in relation to parking where some Members raised this as a concern and another disagreed, commenting that attitudes to driving had changed in recent years, where the increased use of taxis could mean that parking may not be an issue.

Clarification was sought on opening hours and whether the building is listed; the Planning Services Manager advised that the site is in a conservation area, but the building is not listed. The Committee agreed to leave the matter of opening hours to the licensing process.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), with delegated authority to include an extra condition to raise the height of the wall adjacent to the external staircase and an informative advising on hours of opening. The Planning Services Manager was separately tasked with exploring the possibility for securing parking on corner of Queensway/Derby Road.

Abstention: Councillor Stanton

ASSOCIATED PUBLIC OPEN SPACE, SUSTAINABLE DRAINAGE AND LANDSCAPING) ON LAND AT SK2914 7590 ACRESFORD ROAD OVERSEAL SWADLINCOTE

The Planning Delivery Team Leader presented the report to Committee updating Members on further consultation responses received from the National Forest and Parish Council, where the Parish Council raised concerns in relation to the connection of the proposed site to the village. The Planning Delivery Team Leader explained the design, layout, drainage and landscaping of the proposed site.

The Planning Delivery Team Leader advised that since the previous outline permission had been granted, a number of comments were raised in relation to ground conditions on the site. The Committee was informed that subsequent due diligence was undertaken by the Applicant where it was found that there were areas of concern. Members were advised that in order to address these concerns, the layout had to be rearranged. The Planning Delivery Team Leader advised that due to the extent of abnormal costs incurred by unforeseen ground conditions, the amount of affordable housing on the site would have to be reduced to 10%, as endorsed by the District Valuer.

Some members of the Committee shared disappointment over the reduction in the affordable housing allocation whilst recognising the necessary solution provided by the applicant to address the ground condition concerns.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery).

PL/111 **APPROVAL OF RESERVED MATTERS OF OUTLINE PERMISSION REF. 9/2015/1063 ON LAND AT SK2914 8297 ACRESFORD ROAD OVERSEAL SWADLINCOTE**

This application was impacted by the decision made on the previous Item. Following the decision made on the previous application, the Planning Delivery Team Leader sought delegated authority to amend the description and Conditions 1 and 6.

Some Members of the Committee sought clarification on the design, layout of the buildings and landscaping, requesting that the boundary hedge be retained.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), with delegated authority to amend the description to reflect the previous resolution on Item 1.2 of the Agenda and to adjust Conditions 1 and 6 to reflect the approved plans list and new footpaths within the site.

PL/112 **CONVERSION OF EXISTING TIMBER FRAME BARN TO A DWELLING AT NUTWOOD UNNAMED ROAD LEADING TO ST BRIDES FARM STANTON BY BRIDGE DERBY**

The Planning Delivery Team Leader presented the report to Committee, explaining the proposal to convert the barn.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery).

PL/113 **THE ERECTION OF REPLACEMENT ENTRANCE GATES AT 94 LONDON ROAD SHARDLOW DERBY**

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery).

PL/114 **PROPOSED TREE PRESERVATION ORDER 497 – LAND TO REAR OF 42 & 44 MAIN STREET, NEWTON SOLNEY**

The Planning Services Manager presented the report to Committee informing Members that the Council's Tree Officer had advised that the hedge included Lime and Oak trees.

Some Members questioned the need for a tree preservation order on a hedge, and were advised by the Planning Services Manager that latest planning practice guidance identified that trees in hedges should be considered for orders including those that have been allowed to grow in the hedge.

RESOLVED:-

That the Tree Preservation Order be confirmed.

Abstention: Councillors MacPherson and Stanton

PL/115 **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.

**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 7.40pm.

COUNCILLOR MRS L BROWN

CHAIRMAN