

PLANNING COMMITTEE

19 March 2024

**PRESENT:**

**Labour Group**

Councillor G Jones (Chair) and Councillor Shepherd (Vice-Chair)  
Councillors J Carroll, M Gee, A Jones, L Mulgrew, M Mulgrew (substituting for  
Councillor K Storey) and A Tilley (substituting for Councillor I Hudson).

**Conservative Group**

Councillors A Kirke, K Haines and P Watson (substituting for Councillor D  
Muller).

**Liberal Democrats**

Councillor J Davies

**Non-Grouped**

Councillor A Wheelton.

**In Attendance**

Councillor N Atkin  
Councillor S Taylor  
Councillor N Tilley

PL/197 **APOLOGIES**

The Committee was informed apologies had been received from Councillors I  
Hudson and K Storey (Labour Group) and Councillor D Muller (Conservative Group).

PL/198 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETINGS:**

The Open Minutes of Planning Committee meeting held on 09 January 2024 were  
received, approved as a true record and signed by the Chair.

PL/199 **DECLARATIONS OF INTEREST**

The Committee was informed that Councillor A Tilley declared a personal interest in  
Item PL/203 by virtue of being a member of Linton Parish Council.

The Committee was informed that Councillor Shepherd declared a personal interest  
in Item PL/205 by virtue of being known to the registered speaker.

The Committee was informed that Councillor A Jones declared a personal interest  
in Item PL/206.

PL/200 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions had been received.

**MATTERS DELEGATED TO COMMITTEE**

PL/201 **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/202 **CONVERSION OF BARN TO RESIDENTIAL ACCOMMODATION INCLUDING THE RECONSTRUCTION OF EXISTING STABLE BLOCK. BARN WITHIN LAND AT SK 40868 31804, BROAD LANE THULSTON DERBY – DMPA/2022/1547**

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

The Head of Planning and Strategic Housing presented the report and outlined the details of the application to the Committee.

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

As Local Ward Member, Councillor Watson addressed the Committee raising concerns on behalf of the local residents and stated that the application was against the Council's Green Belt and Settlement Boundary policies.

Members considered the non-compliance with Council policies and sought clarity regarding receipt of the structural survey and the outcomes of analysis for determining the use of Green Belt designated land. Members noted that the original approval was for an agricultural and equestrian storage building.

The Head of Planning and Strategic Housing clarified that development of Green Belt land was allowable in some cases and that tests concluded that the structure of the building was substantial and robust for conversion and that the scheme was consistent with South Derbyshire District Council policies as being appropriate for conversion and extension of the building.

**RESOLVED:**

***That planning permission be refused contrary to the recommendation in the report of the Strategic Director (Service Delivery) due to inappropriate development that was harmful to the openness of the Green Belt on an important, and prominent gateway to the village.***

PL/203 **THE DEMOLITION OF PART OF EXISTING DWELLING AND THE ERECTION OF A DWELLING WITH ASSOCIATED WORKS AT LAND ADJACENT TO 12 COLLIERY LANE, LINTON, SWADLINCOTE, DERBYSHIRE – DMPA/2023/1362**

The Planning Delivery Team Leader presented the report and summarised the details of the application to the Committee.

As Local Ward Member, Councillor A Tilley attended the meeting and addressed the Committee in support of the application.

Members considered the application and supported the officer's recommendations.

**RESOLVED:**

***That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).***

PL/204 **GARAGE CONVERSION, FIRST FLOOR FRONT EXTENSION, DETACHED GARAGE WITH OFFICE SPACE ABOVE, BOUNDARY FENCE WITH GATED ENTRANCE TO DRIVEWAY – DMPA/2024/0128**

The Planning Delivery Team Leader presented the report and summarised the key details of the application to the Committee and outlined three late items of representation.

An Objector and the Applicant's Agent attended the meeting and addressed the Committee regarding the application.

As Local Ward Member, Councillor Haines addressed the Committee raising concerns on behalf of the local residents.

Councillor Watson raised concerns about the application and proposed a site visit.

**RESOLVED:**

***That planning permission be deferred for the Committee to visit the site.***

PL/205 **CHANGE OF USE OF SITE TO A SECURE DOG FIELD ON LAND AT STENSON ROAD, STENSON, DE73 7HL – DMPA/2023/1339**

The Planning Delivery Team Leader presented the report and outlined the details of the application to the Committee.

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

As Local Ward Member, Councillor Shepherd addressed the Committee raising concerns on behalf of the local residents and proposed a site visit.

**RESOLVED:**

***That planning permission be deferred for the Committee to visit the site.***

Councillor A Jones left the meeting.

PL/206 **Demolition of ground floor store and extensions to the existing abattoir building and erection of extensions to form enclosed stock pens, enclosed storage areas, new water tanks and a covered stock entrance with widening of access to Coal Lane, additional access, the erection and retention of new boundary treatments and associated land grading and engineering works and installation of hardstanding at Pickstock Abattoir, 2 Coal Lane, Hartshorne, Swadlincote – DMPA/2020/0599**

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

The Head of Planning and Strategic Housing presented the report to the Committee and outlined the details of the application. The Head of Planning and Strategic Housing summarised late items that had been received which included concerns from local residents and the ownership and diversion of the footpath running through the site location.

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

As Local Ward Member, Councillor Taylor attended the meeting and addressed the Committee raising concerns on behalf of the local residents with regard to the containment of effluent on the site, sewer capacity and the diversion of the footpath.

Members raised concerns regarding the footpath, which was inaccessible and badly maintained, the lighting strategy and the noise from non-stop engines on the site and requested that Condition 8 be amended to include evergreens and discussed the removal of Permitted Development Rights.

The Head of Planning and Strategic Housing confirmed to the Committee that a drainage strategy had been provided by Severn Trent Water Authority to contain effluent on the site and that the matter of the diversion of the footpath would be dealt with through a separate process and subsequent Application. The Head of Planning and Strategic Housing informed the Committee that the lighting strategy met the requirements of the Environmental Health Officer. It was noted that the proposal was intended to contain noise, including refrigeration, inside the buildings and that any nuisance would be dealt with by Environmental Health.

Members suggested that two informative requests be included that asked that the footpath diversion application be submitted promptly and that consideration be given to grey water harvesting.

**RESOLVED:**

***That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject amendments to condition 8 to include National Forest planting, the inclusion of evergreens and for the scheme to be implemented in the first planting season following issuing of the decision and that permitted development rights were to be removed.***

Councillor A Jones returned to the meeting.

PL/207 **APPLICATION SEEKING FULL PLANNING PERMISSION FOR DEMOLITION OF EXISTING OUTBUILDINGS AND REDEVELOPMENT OF SITE TO PROVIDE 12NO. 4 BEDROOM HOUSES WITH ASSOCIATED ACCESS AND LANDSCAPING AT LAND OFF BRUNT LANE, WOODVILLE, SWADLINCOTE, DE11 7HX – DMPA/2022/0350**

The Planning Officer presented the report to the Committee and outlined the details of the application informing the Committee of a late item relating to an amendment of condition 14 and Japanese Knotweed.

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

As Local Ward Member, Councillor Taylor attended the meeting and addressed the Committee raising concerns on behalf of the local residents.

Members raised concerns regarding affordable homes, parking on Brunt Lane, access into Brunt Lane and congestion at the junction from construction traffic.

The Planning Officer clarified that Derbyshire County Highways Authority was not responsible for the upkeep of Brunt Lane as it was classified as a private and unadopted road. The Planning Officer confirmed that the proposed 15 units on the development did not meet the threshold to provide affordable housing.

**RESOLVED:**

***That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) with the following amended condition 14: no development, including preparatory works, shall commence until an Invasive Non-Native Species Protocol (INNSP) has been submitted to and approved in writing by the Local Planning Authority. The INNSP shall detail the timing and method of containment, control and removal of Japanese Knotweed on the site. The measures identified in the INNSP shall be carried out strictly in accordance with the approved scheme. Reason: To prevent the spread of invasive plant species identified on site.***

PL/208 **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/209 **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 20:15hours.

COUNCILLOR G JONES

CHAIR