

PLANNING COMMITTEE

7 February 2023

PRESENT:

Labour Group

Councillor Tilley (Chair) and Councillor Shepherd (Vice-Chair)
Councillors Gee, L Mulgrew, Pearson and Southerd.

Conservative Group

Councillors Bridgen, Brown, Dawson, Haines, Muller and Watson.

Non-Grouped

Councillor Wheelton.

In Attendance

Councillor Taylor

PL/134 **APOLOGIES**

The Committee was informed apologies had been received from Councillor Redfern (substitute Councillor Muller) and Councillor Smith (substitute Councillor Watson) (Conservative Group).

PL/135 **DECLARATIONS OF INTEREST**

The Committee was informed that there was a declarations of personal interest from Councillor Brown regarding item PL/139.

The Committee was informed that there was a declaration of personal interest from Councillor Shepherd regarding Item PL/140

PL/136 **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/137 **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/138 **RETROSPECTIVE APPLICATION FOR CHANGE OF USE FROM MIXED USE OF RETAIL/STORAGE AND CAR SALES (SUI GENERIS) TO A MIXED USE INCLUDE CAR SALES, MOT CENTRE, TYRE FITTING AND STORAGE (SUI GENERIS). 2 WOODVILLE ROAD, OVERSEAL, SWADLINCOTE, DE12 6JG**

The Senior Planning Officer presented the report to the Committee noting the application sought retrospective approval for the change of use. The concerns raised by Derbyshire County Council were noted.

As Local Ward Member, Councillor Wheelton addressed the Committee on behalf of the Parish Council and residents and requested that an informative be added to the decision regarding parking at the church yard opposite the site.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to an informative to added to advise the applicant to refrain from parking cars on the churchyard carpark opposite.

PL/139 **THE ERECTION OF A DETACHED DWELLING ON LAND AT BREACHLANDS, BREACH LANE, MELBOURNE, DERBY, DE73 8DF**

The Head of Planning and Strategic Housing addressed the Committee and summarised the application highlighting key areas that included the surface water pond, the energy and design statements, carbon neutrality, insulation and the construction method that involved a frameless structure.

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

Councillor Wheelton sought clarity regarding the possibility to change the proposed designs.

The Head of Planning and Strategic Housing informed the Committee that any significant design changes would require planning approval.

RESOLVED:

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

Councillor Shepherd left the Council Chamber.

PL/140 **THE FELLING AND PRUNING OF TREES AT 11 HIGH STREET, TICKNALL, DERBY, DE73 7JH**

The Senior Planning Officer presented the report and noted that the application was before Committee for a decision as the applicant was Councillor Shepherd.

RESOLVED:

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

Councillor Shepherd returned to the Council Chamber.

PL/141 **INSTALLATION OF DROPPED KERB AND HARD STANDING INCLUDING ASSOCIATED ENGINEERING WORKS AT 67 SPRINGFIELD ROAD, MIDWAY, SWADLINCOTE, DE11 0BY.**

The Head of Planning and Strategic Housing addressed the Committee and presented the report highlighting the key points of the application.

RESOLVED:

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

PL/142 **CONVERSION OF EXISTING 4 BED DWELLING TO CHILDRENS CARE HOME AT 61 ASHBY ROAD, WOODVILLE, SWADLINCOTE, DE11 7BZ**

The Head of Planning and Strategic Housing presented the report and informed the Committee that the applicant had clarified that the home would accommodate 3 young people at any one time and that 1 bedroom would be for use by members of staff. The key points of the application were noted that include parking arrangements and objections receive.

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

Members shared concerns regarding adequate staffing levels, the potential impact on residents and the level of the needs of the children to be housed and felt that more information was required to enable the Committee to make an informed decision.

RESOLVED:

That planning permission be deferred for additional information to be provided by the applicant.

PL/143 **THE CONVERSION OF EXISTING FARMHOUSE AND ASSOCIATED BARN INTO 6 DWELLINGS AND THE ERECTION OF 37 NEW DWELLINGS WITH ACCESS, PARKING AND ASSOCIATED WORKS ON LAND TO THE NORTH AND SOUTH OF OLD ETWALL ROAD MICKLEOVER DERBY (43 DWELLINGS IN TOTAL) AND LISTED BUILDING CONSENT FOR VARIOUS WORKS FOR THE CONVERSION OF THE FARMHOUSE AND BARN (GRADE II LISTED BUILDING) INTO 6 DWELLINGS WITH PARKING, ACCESS AND ASSOCIATED WORKS**

The Committee was advised that Members had attended a site visit earlier in the day.

The Senior Planning Officer presented the report to the Committee and drew attention to the late items received from Derby City Council and a number of amended and additional conditions. The Senior Planning Officer outlined the application highlighting the key points and sought approval for the recommendations within the report.

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

The Senior Planning Officer responded to comments from the Objector and Agent and clarified that proposed amendments to conditions would protect the start date of refurbishment of the listed building along with health and education provisions.

As Local Ward Member, Councillor Brown addressed the Committee and raised concerns on behalf of residents.

Members discussed a number of issues and concerns and how it would not support the Local Plan

RESOLVED:

That planning permission be refused contrary to the officer's recommendations in the report of the Strategic Director (Service Delivery) due to the fact that the proposal was outside of the settlement boundary, it would be an unallocated site within the countryside, South Derbyshire had an adequate five year housing land supply, the adverse impact on the heritage assets and their setting, the loss of open space and the threat to a number of trees.

PL/144 **DEED OF VARIATION - LAND OFF RYDER CLOSE, CASTLE GRESLEY**

The Head of Planning and Strategic Housing addressed the Committee and summarised the key areas of the report, noting that mechanisms would be put into place to ensure appropriate mitigations at another site.

Councillor Wheelton raised concerns regarding the open mosaic habitat and the impact on the newts currently on site.

The Head of Planning and Strategic Housing informed the Committee that ecology advice had been given by Natural England and that the alternative site offer would be of the same or a better environment to ensure that biodiversity was delivered.

RESOLVED:

1.1 The Committee approved the changes to the Section 106 Agreement to include amendments to be made to the first schedule of the Section 106 Agreement - Owners Covenants and a new paragraph be inserted under paragraph 2 – Natural England Licence. This was based upon recommendations that had been received from the Strategic Housing and Development Manager.

1.2 The Committee delegated authority to the Head of Planning and Strategic Housing to agree the finer detail and wording of the obligations to be secured under the Deed of Variation.

PL/145 **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/146 **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 19:55 hours.

COUNCILLOR N TILLEY

CHAIR