

PLANNING COMMITTEE

17th January 2017

PRESENT:-

Conservative Group

Councillor Roberts (Chairman), Councillor Mrs Brown (Vice Chairman) and Councillors Atkin, Mrs Coe, Ford, Mrs Hall, Harrison, Stanton and Watson

Labour Group

Councillors Dr Pearson, Shepherd, Taylor (substituting for Councillor Southerd) and Tilley

In Attendance

Councillor Billings (Conservative Group)

PL/140 **APOLOGIES**

Apologies were received from Councillor Southerd (Labour Group).

PL/141 **DECLARATIONS OF INTEREST**

Councillor Roberts declared a prejudicial interest in Item 1.1 by virtue of being an acquaintance of the landowner.

PL/142 **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/143 **REPORT OF THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES**

The Director of Community and Planning Services 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.

Councillor Roberts left the Chamber at 6.05pm, with Councillor Mrs Brown chairing the Meeting during his absence.

PL/144 **DEMOLITION OF EXISTING RESIDENTIAL PROPERTY (CHERRY COTTAGE) AND AGRICULTURAL BARN AND PROPOSED DEVELOPMENT FOR 385 RESIDENTIAL DWELLINGS (USE CLASS C3), FORMAL AND INFORMAL PUBLIC OPEN SPACES, STRUCTURAL LANDSCAPING, NEW ROADS, FOOTPATHS AND CYCLEWAYS, (2NO.) SITE ACCESSES AND ANCILLARY WORKS ON LAND AT SK2130 8875 SOUTH OF DERBY ROAD, HATTON, DERBY**

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

Mr Philip Reed (objector) attended the Meeting and addressed Members on this application.

The Principal Area Planning Officer informed the Committee of various updates relating to a letter of objection, consultation responses from East Staffordshire Borough Council, Derbyshire County Council, Derbyshire Wildlife Trust and the County Highways Authority, resulting in various amendments to the existing conditions, as well as a number of new conditions.

Members raised queries relating to the height of the proposed bridge, flood prevention measures, drainage and its impact on existing homes and neighbouring areas, the removal of permitted development rights, liaison between the developer and existing householders at the site, the Section 106 health provision, the source and delivery of materials required to raise the site levels, the proportion of affordable housing, land available for South Derbyshire District Council development, traffic management during the construction period and safety measures relating to the balancing ponds (including the commissioning of a safety audit). All issues were addressed by the Principal Area Planning Officer and the Planning Services Manager.

RESOLVED:-

- A. That authority be delegated to the Planning Services Manager, in conjunction with the Chairman, to secure the appropriate contributions for mitigation of the impact of the development under Section 106 of the Town and Country Planning Act 1990 (subject to compliance with the CIL Regulations 2010) and to resolve the outstanding boundary issues affecting the implementation of the link road.***
- B. That, subject to A. above and the revised conditions, planning permission be granted as recommended in the report of the Director of Community & Planning Services.***

Councillor Roberts returned to the Chamber at 7.05pm.

PL/145 **CHANGE OF USE OF PART OF AGRICULTURAL BUILDING FOR USE AS DOG BREEDING KENNELS AND INDOOR EXERCISE AREA AT POPLARS FARM, 11 DERBY ROAD, FOSTON, DERBY**

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

Miss Clare James (objector) attended the Meeting and addressed Members on this application.

Councillor Billings addressed the Committee as Ward Member for Hilton, referring to the planning history for the location and his concerns regarding noise and waste, as well as the feasibility of the condition relating to singular dog walking.

Other Members raised queries relating to the impact the previously agreed application for 385 dwellings nearby would have on the business, noise sources, assessment and containment / mitigation measures, waste treatment, external lighting and the enforceability of the condition regarding dog walking. These issues were addressed by the Principal Area Planning Officer, the Planning Services Manager and the Environmental Health Manager.

RESOLVED:-

That planning permission be refused contrary to officer recommendation on the grounds that the noise controlling conditions were unenforceable and therefore the proposal was contrary to Policy SD1 of the Local Plan.

Abstention: Councillor Tilley

PL/146 **OUTLINE APPLICATION (ALL MATTERS TO BE RESERVED) FOR THE RESIDENTIAL DEVELOPMENT OF UP TO 42 DWELLINGS INCLUDING PUBLIC OPEN SPACE, LANDSCAPING AND SUSTAINABLE DRAINAGE ON LAND AT SK4129 8075 MOOR LANE, ASTON ON TRENT, DERBY**

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

Mr Robin Bell (objector) and Dr Robert Wickham (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Atkin addressed the Committee as Ward Member for Aston on Trent, raising his concerns regarding surface water flooding, sewage, health, recreation and education provision in the immediate area, issues addressed by the Planning Services Manager.

Councillor Watson, another Ward Member for Aston on Trent, confirmed the location's designation in the adopted Local Plan Part 1 and commended the application, citing Aston's need for additional housing. The Vice Chairman recommended that the proposed open space be made an orchard, agreed by Committee.

RESOLVED:-

A. That authority be delegated to the Planning Services Manager to conclude the Section 106 Agreement / Unilateral Undertaking in pursuit of the provisions and contributions as set out in the planning assessment.

B. That, subject to A. above and the additional condition regarding the incorporation of an orchard in the public open space area, planning permission be granted as recommended in the report of the Director of Community & Planning Services.

PL/147 **PROPOSED PAVEMENT CAFE TO THE FRONT OF THE BUILDING CONSISTING OF FOUR TABLES AND EIGHT CHAIRS AT SIR NIGEL GRESLEY, MARKET STREET, SWADLINCOTE**

It was proposed that this matter be deferred for a site visit.

The registered speaker elected to return and speak when the application had been re-scheduled.

RESOLVED:-

That the application be deferred to allow for a site visit to be conducted.

Councillor Shepherd left the Meeting at 8.05pm.

PL/148 **THE ERECTION OF TWO DWELLINGS AT THE FORGE, BOGGY LANE, HEATHTOP, DERBY**

Mr Bryan Hall (objector) attended the Meeting and addressed Members on this application.

Councillor Billings addressed the Committee as Ward Member for Hilton, raising concerns regarding parking provision.

Given the potential for altering the character of the village by in-filling, it was suggested that a site visit was appropriate before a decision could be made.

RESOLVED:-

That the application be deferred to allow for a site visit to be conducted.

PL/149 **SUSPENSION OF STANDING ORDERS**

RESOLVED:-

That Standing Orders be suspended and that the meeting of the Committee continue beyond 8.30pm.

PL/150 **THE ERECTION OF A DETACHED DWELLING AT LAND TO THE REAR OF FIELDGATE HOUSE, MARLPIT LANE, SUTTON ON THE HILL, DERBY**

It was proposed that a site visit be undertaken.

Mr Rob Duckworth (applicant's agent) elected to speak at this Meeting and addressed Members on this application. Mr John Church (objector) opted to return and speak when the application had been re-scheduled.

RESOLVED:-

That the application be deferred to allow for a site visit to be conducted.

PL/151 **CHANGES TO THE FACADE OF THE BUILDING AT 1 THE DELPH CENTRE, MARKET STREET, SWADLINCOTE**

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

PL/152 **CHANGE OF ADVERTISING SIGNAGE FROM NEON TO BACKLIT LED AT 1 THE DELPH CENTRE, MARKET STREET, SWADLINCOTE**

RESOLVED:-

That express consent be granted as recommended in the report of the Director of Community & Planning Services.

PL/153 **THE VARIATION OF CONDITION 2 ATTACHED TO PLANNING APPLICATION 9/2015/1060 FOR MARQUEE TO BE USED AS AN EVENTS MARQUEE AT ROSLISTON FORESTRY CENTRE, BURTON ROAD, ROSLISTON, SWADLINCOTE**

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

PL/154 **THE DEMOLITION OF PART OF EXISTING BUILDINGS TO FORM ACCOMMODATION FOR COUNCIL STREET SERVICES DEPOT AND CONSTRUCTION OF NEW RETAINING WALL AND SECURE FENCING AT UNITS 1 & 4B BOARDMAN INDUSTRIAL ESTATE, BOARDMAN ROAD, SWADLINCOTE**

RESOLVED:-

That planning permission be granted pursuant to Regulation 3 as recommended in the report of the Director of Community & Planning Services.

Councillor Billings left the Meeting at 8.30pm.

PL/155 **PLANNING AND OTHER APPEALS**

The Committee noted the planning appeal decisions in relation to the following applications:

9/2016/0461 Cheal Close, Shardlow, Derby, DE72 2DY
9/2016/0559 Deep Dale Lane, Barrow upon Trent, Derby, DE73 7NH

PL/156 **PROPOSED TREE PRESERVATION ORDER 438 LAND AT THE DALES, ASKEW GROVE, REPTON**

RESOLVED:-

That this tree preservation order be confirmed.

PL/157 **PROPOSED TREE PRESERVATION ORDER 437 LAND AT BROOMHILLS LANE, REPTON**

RESOLVED:-

That this tree preservation order be confirmed.

PL/158 **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 8.35pm

COUNCILLOR A ROBERTS

CHAIRMAN