

PLANNING COMMITTEE

22 August 2023

**PRESENT:**

**Labour Group**

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

**Conservative Group**

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

**Liberal Democrats**

Councillor J Davies

**Non-Grouped**

Councillor A Wheelton.

**In Attendance**

Councillor R Pearson  
Councillor S Taylor

PL/51 **APOLOGIES**

The Committee was informed apologies had been received from Councillor D Muller (Conservative Group).

PL/52 **DECLARATIONS OF INTEREST**

The Committee was informed that a Councillor Shepherd had declared a non-pecuniary interest in item PL/55.

PL/53 **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/54 **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/55 **THE VARIATION OF CONDITION 31 OF OUTLINE PERMISSION REF. DMPA/2020/0543 (RELATING TO THE RESIDENTIAL DEVELOPMENT OF UP TO 1,100 DWELLINGS, AN EXTRA CARE FACILITY, A LOCAL CENTRE COMPRISING: A SMALL SUPERMARKET WITH A FLOORSPACE NOT EXCEEDING 1000 SQM (NET); A SMALLER RETAIL UNIT WITH A TOTAL FLOORSPACE NOT EXCEEDING 200SQM (NET); A CAFE/RESTAURANT WITH A FLOORSPACE NOT EXCEEDING 200 SQM (NET); A PUBLIC HOUSE WITH A FLOORSPACE NOT EXCEEDING 650 SQM (NET); A DOCTORS SURGERY OR CRÈCHE; AND A COMMUNITY FACILITY, AS WELL AS A PRIMARY SCHOOL TOGETHER WITH ASSOCIATED PLAYING FIELDS AND THE PROVISION OF ASSOCIATED INFRASTRUCTURE (INCLUDING ROADS, FOOTPATHS, CYCLEWAYS, SUSTAINABLE URBAN DRAINAGE AND OPEN SPACE)) ON LAND AT NEW HOUSE FARM, ETWALL ROAD, MICKLEOVER, DERBY, DE3 0DN**

The Head of Planning and Strategic Housing presented the report to the and noted that the application was to be reconsidered by the Committee due to procedural issues at the previous meeting. The Head of Planning and Strategic Housing outlined the key aspects of the variation.

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

Members raised concerns regarding the air quality and the amount of traffic at the A38 Kingsway junction.

The Head of Planning and Strategic Housing informed the Committee that the original Environmental Statement submitted by the applicant remained valid and that the vehicle activity would be less than anticipated.

**RESOLVED:**

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

PL/56 **THE VARIATION OF CONDITION NO. 3B (BIODIVERSITY NET GAIN) OF PERMISSION REF. DMPA/2019/0931**

The Senior Planning Officer presented the report to the Committee and outlined the key aspects of the application and noted that the request was to allow for Biodiversity Net Gain to be delivered offsite.

As Local Ward Member Councillor Taylor addressed the Committee regarding the application raised concerns regarding the loss of biodiversity on the site.

The Senior Planning Officer explained to the Committee that overall, there would be a net gain.

Members raised concerns regarding the protection of wildlife onsite and the use of modified grasslands and sought clarity about what was being proposed.

**RESOLVED:**

***That planning permission be deferred to enable applications DMPA/2023/0583 and DMPA/2022/1159 to be considered together and for Biodiversity Net Gain and Landscape and Ecological Management Plan to be provided.***

PL/57 **APPROVAL OF RESERVED MATTERS (LANDSCAPING, LAYOUT, SCALE AND APPEARANCE) PURSUANT TO PHASE 1 (RESIDENTIAL DEVELOPMENT OF UP TO 75 DWELLINGS) OF OUTLINE APPLICATION DMPA/2019/0931 FOR THE RESIDENTIAL DEVELOPMENT OF UP TO 300 DWELLINGS, A LOCAL CENTRE COMPRISING A 1,600SQM FOOD STORE (CLASS A1 USE), 700SQM RESTAURANT/FAST FOOD (CLASS A3 USE) AND 550SQM PUB (CLASS A4 USE), TOGETHER WITH EMPLOYMENT LAND CONSISTING OF 2,000SQM CLASS B1(B) RESEARCH AND DEVELOPMENT AND/OR B1(C) LIGHT INDUSTRIAL USES, 4,000SQM CLASS B2 GENERAL INDUSTRIAL USES AND 8,000SQM CLASS B8 STORAGE AND DISTRIBUTION USES, TOGETHER WITH ACCESS FROM THE WOODVILLE REGENERATION ROUTE (TO BE DELIVERED BY OTHERS), AND PUBLIC OPEN SPACE, LANDSCAPING AND ASSOCIATED DRAINAGE INFRASTRUCTURE**

The Senior Planning Officer presented the report to the Committee and outlined the key aspects of the application and noted the interconnection with the previous application.

Members raised concerns regarding the protection of wildlife onsite and the use of modified grasslands and sought clarity about what was being proposed.

**RESOLVED:**

***That planning permission be deferred to enable applications DMPA/2023/0583 and DMPA/2022/1159 to be considered together and for Biodiversity Net Gain and Landscape and Ecological Management Plan to be provided.***

PL/58 **THE DEMOLITION OF THE EXISTING DWELLING, AND THE ERECTION OF 4NO. BUNGALOWS AT 7A PINFOLD LANE, REPTON, DERBY, DE65 6GH**

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

The Head of Planning and Strategic Housing presented the report and outlined the key aspects of the application and noted that the replacement planting would be covered by conditions to negate the removal of trees for access purposes.

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

As a Local Ward Member Councillor K Haines addressed the Committee and raised concerns on behalf of the local residents.

Members raised concerns regarding the removal of mature trees, the lack of a tree officer's report, how the application contravened the Heritage Statement, the gradient of the access, the loss of open space and the harmful impact on the conservation area.

**RESOLVED:**

***That planning permission be refused contrary to the recommendations in the report of the Strategic Director (Service Delivery) for reasons related to the loss of an important open space which would be harmful to the character and appearance of the conservation area and its setting, the loss of trees, the demolition of a dwelling to create access that would be uncharacteristic in the street scene and use of steep access would be harmful to the amenity of neighbours.***

PL/59 **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.***

Planning Committee 22 August 2023 OPEN

PL/60 **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 19:50 hours.

COUNCILLOR G JONES

CHAIR