

PLANNING COMMITTEE

10th February 2015

PRESENT:-

Conservative Group

Councillor Ford (Chairman) and Councillor Mrs Brown (Vice-Chairman) together with Councillors Mrs. Hall, Jones, Stanton and Watson

Labour Group

Councillors Bell, Dunn, Pearson, Richards, Shepherd, Southerd

In attendance

The following Members also attended the Meeting and, with the approval of the Chairman, spoke on behalf of local residents; Councillor Frost, Heath and Mulgrew.

PL/150 **APOLOGIES**

The meeting was informed that apologies had been received from Councillor Bale; Councillor Roberts substituted for Councillor Bale.

PL/151 **DECLARATIONS OF INTEREST**

The Chairman declared a personal interest in application **CW9/2011/0002/CW** and prejudicial interest in application **9/2014/1049/F**. Councillor Dunn declared a personal interest in application **CW9/2011/0002/CW**. Councillor Shepherd declared personal and prejudicial interest in application **9/2014/1184/TP**.

PL/152 **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.

PL/153 **OPEN MINUTES**

The Open Minutes of the Committee meetings held on the 28th October 2014 was received as a true record.

MATTERS DELEGATED TO COMMITTEE

PL/154 **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.

PL/155 **THE ERECTION OF 4 NO. TWO STOREY DWELLINGS AND 2 NO. SINGLE STOREY DWELLINGS ON LAND TO THE REAR OF OVERSEAL MANOR STABLES HALLCROFT AVENUE, OVERSEAL, SWADLINCOTE 9/2014/0090/FX**

Following a site visit members resolved to grant permission for this application at the meeting on 15 April 2014, subject to a unilateral undertaking under Section 106 of the Town and Country Planning Act to secure developer contributions. The application was reported back to Committee because at the meeting of the Environmental and Development Services Committee in January 2015, members agreed to Change the Council's developer contribution policy to reflect new central government advice in the National Planning Practice Guidance, notably not to seek tariff style contributions for development less than 11 dwellings/1000sq.m. This application therefore requires reconsideration.

RESOLVED:-

To refuse planning permission contrary to the recommendation set out in the Report of the Director of Community & Planning on the grounds that the Barnwell Manor case had changed the weight required to be given to the setting of listed buildings and that the proposed development would harm the setting to Overseal Manor contrary to EV13 of the Local Plan and the NPPF.

PL/156 **THE ERECTION OF 3 NO. TWO STOREY DWELLINGS AND 1 NO SINGLE STOREY DWELLING ON LAND TO THE REAR OF OVERSEAL MANOR STABLES, HALL CROFT AVENUE, OVERSEAL, SWADLINCOTE 9/2014/1126/FM**

The Application had been brought to Committee at the request of Councillor Frost as local concerns have been expressed about a particular issue and there are unusual site circumstances that should be considered by the Members.

Planning Service Manager explained that the application is of a similar nature to 09/2014/0090/FX, previously considered by the Committee.

RESOLVED:-

To refuse planning permission contrary to the recommendation set out in the Report of the Director of Community & Planning on the grounds that the Barnwell Manor case had changed the weight required to be given to the setting of listed buildings and that the proposed development would harm the setting to Overseal Manor contrary to EV13 of the Local Plan and the NPPF.

PL/157 **THE PROPOSED ERECTION OF A 2,500 BREEDING SOW PIG REARING UNIT WITH GRAIN STORE, FEED MILL, FEED HOPPERS, MESS BLOCK, WATER TREATMENT BUILDINGS TOGETHER WITH STORAGE BUILDINGS FEEDING AN ASSOCIATED ANAEROBIC DIGESTION FACILITY, SERVICE BUILDING, DIGESTATE AND METHAN GAS STORAGE TANKS SUPPLYING AN ELECTRIC GENERATION FACILITY AND INCORPORATING A VISITOR CENTRE, 4 AGRICULTURALL WORKERS DWELLINGS AND GARAGING, STRATEGIC LANDSCAPING, INCLUDING THE FORMATION OF BUNDS, A SURFACE WATER ATTENUATION POND, AND RAINWATER RETENTION AREA WITH SITE PARKING FACILITIES, WEIGHBRIDGES, SECURITY FENCING AND ASSOCIATED INFRASTRUCTURE UNDER DCC, AT LAND OF UTTOXETER ROAD, FOSTON, CW9/2011/0002/CW**

The Planning Services Manager informed the members that the report considers additional information received from the applicant in respect of the development.

RESOLVED:-

That the Committee instruct the Director of Community and Planning Services to update the previous letter with current policy and reiterate that the amendments had not sufficiently addressed the Council's concerns regarding the impact of the development previously stated.

PL/ 158 **RETROSPECTIVE APPLICATION FOR DECKING AND REPLACEMENT BOUNDARY FENCING AT THE REAR OF 6 CAMBRIAN WAY, SWADLINCOTE 9/2014/0629/FH**

The Planning Services Manager reminded the Committee that members had visited the site this afternoon. The application was reported to the meeting at the request of Councillor Mulgrew because the Committee should consider the unusual site circumstances.

E. BEYNON (applicant) attended the Meeting and addressed Members on this application.

RESOLVED:-

That the application be granted subject to conditions.

PL/159 **THE ERECTION OF EXTENSIONS AND ALTERATIONS TO EXISTING WORKSHOP AND GARAGE TO CREATE A DWELLING (RESUBMISSION OF APPLICATION REF: 9/2014/0832 AT 89 EGGINGTON ROAD, ETWALL, 9/2014/1049/F**

The Planning Services Manager reminded the Committee that members had visited the site this afternoon. The application was reported to the meeting at the request of Councillor Mrs. Brown as local concerns had been expressed about a particular issue.

A, MULLER (Objector) attended the Meeting and addressed Members on this application.

RESOLVED:-

To refuse planning permission due to undue impact on amenity of neighbours contrary to policy.

PL/160 **THE FELLING OF A CORSICAN PINE TREE (T9) COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDEER NUMBER 77 OF 1988 AT HARPUR LODGE , 10 HIGH STREET, TICKNALL, DERBY, 9/2014/1184/TP**

The application was reported to the meeting at the request of Councillor Stanton as local concerns had been expressed about a particular issue. At this point Councillor Shepherd left the meeting as previously declared personal interest in this item.

G. PROSSER (Applicant) attended the Meeting and addressed Members on this application.

RESOLVED:-

That the application be granted as recommended subject to conditions.

PL/161 **THE CHANGE OF USE OF PART OF CAR PARK TO A CAR WASH AREA AND SITING OF STORAGE BUILDING, INSTALLATION OF CANOPY PLUS ASSOCIATED WORKS AND EQUIPMENT, AND THE CREATION OF A NEW VEHICULAR ACCESS TO UTTOXETER ROAD AT SUNAR GOW, UTTOXETER ROAD, HATTON, 9/2014/0646/U**

The application was reported to the meeting at the request of Councillor Roberts because local concerns had been expressed about a particular issue.

L. DEAN (Objector) attended the Meeting and addressed Members on this application.

RESOLVED:-

To refuse planning permission as per recommendation.

PL/162 **THE ERECTION OF HOUSE AND GARAGE TO REPLACE BUNGALOW AND ALTERATIONS TO EXISTING ACCESS AT 45 COALPIT LANE, COTON IN THE ELMS, SWADLINCOTE, 9/2014/1054/FM**

The application could be construed as partly contrary to the development plan, therefore requires careful consideration by the Committee.

L. DEAN (Objector) attended the Meeting and addressed Members on this application.

RESOLVED:-

To grant planning permission as per recommendation subject to conditions

PL/163 **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/164 **EXEMPT 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.

PL/165 **OPEN MINUTES**

The Exempt Minutes of the Committee meetings held on the 28th October 2014 were received as a true record.

The meeting terminated at 6:55pm.

MARTYN FORD

CHAIRMAN