

PLANNING COMMITTEE

05 March 2024

**PRESENT:**

**Labour Group**

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

**Conservative Group**

Councillors J Lowe (substitute for Cllr D Muller) A Kirke and K Haines.

**Liberal Democrats**

Councillor J Davies

**Non-Grouped**

Councillor A Wheelton.

**In Attendance**

Councillors G Andrew and A Tilley

PL/180 **APOLOGIES**

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

PL/181 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETINGS:**

The Open Minutes of Planning Committee meetings held on 23 January 2024 and 06 February 2024 were noted, approved as a true record and signed by the Chair.

PL/182 **DECLARATIONS OF INTEREST**

The Committee was informed that declarations of personal interest had been received by Councillor A Kirke regarding Items PL/185, PL/186 by and PL/189.

PL/183 **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/184 **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/185 **THE ERECTION OF A 1.5 STOREY BUNGALOW WITH ASSOCIATED PARKING AT 20 MANSFIELDS CROFT, ETWALL, DE15 6NJ. – DMPA/2023/0906**

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

The Head of Planning and Strategic Housing presented the report to the Committee noting that it was before Members as one of the objectors was an employee of South Derbyshire District Council. The Head of Planning and Strategic Housing outlined the application and highlighted the reasons for refusal.

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

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

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

***RESOLVED:***

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

PL/186 **PARTIAL DEMOLITION OF EXTERNAL WALLS TO FORM PORCH AND PRIVATE TERRACE, INTERNAL ALTERATIONS TO FACILITATE MEZZANINE FLOOR OVER PART OF REAR RECEPTION ROOM, AND EXTERNAL REMODELLING WITH RENDER AND TIMBER CLADDING AND REPLACEMENT WINDOWS AT 2 LAWNSWOOD CLOSE, ETWALL, DERBY, DE65 6QH – DMPA/2023/1519**

The Planning Delivery Team Leader presented the report to the Committee and outlined the works and the proposed changes externally to the building.

As Local Ward Member, Councillor Kirke addressed the Committee and raised concerns of overlooking onto a neighbouring property.

Members considered the application and discussed the benefit of using opaque to screen the first floor terrace to prevent overlooking.

**RESOLVED:**

***That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to an additional condition that required screening to the first floor terrace.***

PL/187 **CHANGE OF USE FROM A DWELLING (USE CLASS C3) TO A CHILDREN'S HOME (USE CLASS C3B) AT 37 WINCHESTER DRIVE, LINTON, SWADLINCOTE, DE12 6PP – DMPA/2023/1374**

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

The Planning Delivery Team Leader presented the report to the Committee and noted objections and concerns raised by local residents.

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

Members discussed the application and raised concerns regarding the size of the site, inadequate parking facilities during shift changes, the impact on amenity for neighbouring properties and the requirement for more than two members of staff to be on site at any given time.

**RESOLVED:**

***That planning permission be refused contrary to the recommendations in the report of the Strategic Director (Service Delivery) due to the over-intensive use of the site and the harmful impact on the amenities of adjoining neighbours.***

PL/188 **PROPOSED CLUBHOUSE, LAUNDRY BUILDING AND 10-HOLIDAY APARTMENTS AT PETE ROBINSON HOLIDAY HOMES LTD, COLLIERY LANE, LINTON, SWADLINCOTE, DE12 6PB. – DMPA/2022/1618**

The Senior Planning Officer presented the report to the Committee and outlined the updated plans that contained location, the site boundary and the 30 car parking spaces.

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

Following concerns raised by Councillor A Tilley, the Senior Planning Officer clarified that the County Highways Authority was content with the proposal subject to conditions and that the Environmental Health officer's concerns had been addressed and the noise mitigations proposed were acceptable.

Members considered the application and raised concerns regarding parking during events and discussed the impact if additional parking facilities were provided on site.

**RESOLVED:**

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

PL/189 **THE DEMOLITION EXISTING BUILDING AND THE ERECTION OF FIVE NEW DWELLINGS WITH ASSOCIATED AMENITY SPACE AND CAR PARKING AT MELBOURNE COMMUNITY CENTRE, CHURCH STREET, MELBOURNE, DERBY, DE73 8EJ – DMPA/2023/1259**

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

The Head of Planning and Strategic Housing addressed the Committee and read out summary of statements on behalf of the Objector and the Applicant's Agent who had attended a previous meeting and addressed the Committee.

The Head of Planning and Strategic Housing presented the report to the Committee noting that following previous deferral by the Committee there had been meetings between the applicant and the Civic Society and amended plans had been submitted.

As Local Ward Member, Councillor Carroll addressed the Committee and raised concerns on behalf of local residents and the Civic Society.

As Local Ward Member, Councillor Fitzpatrick attended the meeting and raised concerns regarding the consultation with the Civic Society.

The Head of Planning and Strategic Housing outlined the meetings that had taken place between the Applicant and the Civic Society, which had resulted in a betterment of the scheme and reduction on the impact on 65 Church Street and 21 Castle Street and maintained neighbouring amenity.

Members considered the application and discussed how the designs could have been greatly improved.

**RESOLVED:**

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

PL/190 **CONVERSION AND EXTENSION OF A GRADE II LISTED BARN IN THE GROUNDS OF CASTLE FARM TO A 3 BED DWELLING AT CASTLE FARM, CASTLE STREET, MELBOURNE, DERBY , DE73 8DY – DMPA/2022/0008**

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

The Head of Planning and Strategic Housing addressed the Committee and read out summary of statements from the Objector and the Applicant who had attended a previous meeting and addressed the Committee.

The Head of Planning and Strategic Housing presented the report to the Committee and outlined the application noting the sensitive historical context and the position of an outbuilding previously on site.

As Local Ward Members, Councillor Carroll and Councillor Fitzpatrick attended the meeting and addressed the Committee raising concerns regarding the loss of light and amenity for the neighbouring property.

Members considered the application and shared sympathy for the loss of amenity for the neighbouring property. Members sought clarity regarding the history of the whole of site and the retention of the boundary wall.

The Head of Planning and Strategic Housing confirmed that Historical England had confirmed the whole site as a Scheduled Monument and was in agreement with the proposals, it was noted that the boundary wall was to be retained.

**RESOLVED:**

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

PL/191 **LISTED BUILDING CONSENT FOR CONVERSION AND EXTENSION OF A GRADE II LISTED BARN IN THE GROUNDS OF CASTLE FARM TO A 3 BED DWELLING AT CASTLE FARM, CASTLE STREET, MELBOURNE, DERBY, DE73 8DY – DMPA/2022/0111**

The Head of Planning and Strategic Housing presented the report to the Committee and sought approval for the listed building consent.

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/192 **THE VARIATION AND REMOVAL OF CONDITIONS 2, 3, 4, 5 AND 6 RELATING TO PLANNING PERMISSION REF. DMPA/2022/0860 FOR CHANGE A MOUNDED GRASS AREA INTO A SMALL MINERS MEMORIAL PARK, TO INCLUDE SOME HARD SURFACING, 2 NO. SEATS, 2 NO. PERGOLAS, 2 NO. SCULPTURES, THE PLANTING OF 18 NO. TREES, A WILD FLOWER MEADOW AREA, AND BULB PLANTING WITHIN THE PROPOSED TREES, AND ONE SIGNAGE BOARD AT EUREKA PARK, MIDLAND ROAD, JOHN STREET, SWADLINCOTE – DMPA/2023/1420**

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

Members considered the report 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/193 **PROPOSED EXTENSION TO EXISTING WORKSHOP AND PROVISION OF ADDITIONAL OFFICE SPACE, TOGETHER WITH A CHANGE OF USE OF EXISTING LAND AND TURNING HEAD RESULTING FROM THE DEVELOPMENT OF THE KILN WAY LINK ROAD FOR THE CREATION 47NO. CAR PARKING SPACES, INCLUDING 24NO. ELECTRIC VEHICLE CHARGING POINTS, ERECTION OF 10NO. CYCLE SPACES, STAFF SEATING AREA AND LANDSCAPING FOR FIRST FENCE LTD. (3 PARKING SPACES TO BE ALLOCATED FOR SHARPE'S BROTHERS AND CO LTD). (RESUBMISSION OF DMPA/2023/0177) AT FIRST FENCE LTD, KILN WAY, WOODVILLE, SWADLINCOTE, DE11 8EA.DMPA/2023/1368**

The Head of Planning and Strategic Housing read out a summary of statement from the Objector who had attended a previous meeting and addressed the Committee.

The Head of Planning and Strategic Housing presented the report to the Committee noting that an identical application had been refused by the Committee due to the parking layout. The Committee was advised that following appeal the parking layout had been allowed and that the Committee were asked to consider the extension to the building which had not been the basis for refusal. The Committee was advised of an additional amendment in relation to the operating hours for the extension which would be 06:00h to 19:00hrs, Monday to Friday and 07:00hrs to 14:00hrs on Saturdays with no opening on Sundays and Bank Holidays.

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) subject to and additional condition relating to the hours of operation for the extension.***

PL/194 **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.***

**TO RECEIVE THE EXEMPT MINUTES OF THE FOLLOWING MEETINGS:**

***The Exempt Minutes of Planning Committee meetings held on 06 February 2024 were received.***

**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 20:15 hours.

COUNCILLOR G JONES

CHAIR