

PLANNING COMMITTEE

27th September 2016

PRESENT:-

Conservative Group

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

Labour Group

Councillors Dr Pearson, Shepherd, Southerd and Tilley

In Attendance

Councillors Hewlett and Mrs Plenderleith (Conservative Group)

PL/67 **APOLOGIES**

Apologies for absence from the Meeting were received on behalf of Councillor Stanton (Conservative Group).

PL/68 **MINUTES**

The Open Minutes of the Meetings held on 28th June 2016 (PL/1-PL/20), 19th July 2016 (PL/24-PL32), 9th August 2016 (PL/35-PL/51) and 6th September 2016 (PL/52-PL/66) were taken as read, approved as a true record and signed by the Chairman.

PL/69 **DECLARATIONS OF INTEREST**

Councillor Mrs Brown declared a prejudicial interest in Item 1.6 on the Agenda by virtue of being the applicant.

PL/70 **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/71 **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/72 **THE ERECTION OF AN AMENITY BUILDING (AMENDMENT TO INCREASE THE SIZE OF THE BUILDING PERMITTED UNDER PERMISSION REF: 9/2010/1085) ON PLOT 1A BROUGHTON CARAVAN PARK SUTTON ROAD CHURCH BROUGHTON DERBY**

The Planning Services Manager informed the Committee that this application had been deferred from the 6th September 2016 Committee in order for a site visit which Members had completed earlier in the day. The report remained as it appeared on the agenda for that committee with minor corrections to the planning history section.

Mr John Casey (applicant) attended the Meeting and addressed Members on this application.

Councillor Mrs Plenderleith addressed the Committee as local Ward Member for Hilton, stating that whilst understanding the reasons for the increase in the size of the building previously permitted, these were exceptional circumstances that were not required across the entire site. Councillor Watson concurred that this was a substantial increase to the size of the facility, and commented that the site was closer to the hamlet of Mount Pleasant than Church Broughton and adjacent to two public footpaths. Councillor Southerd agreed that due to the exceptional circumstances, the recommendation be supported.

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community & Planning Services.

Abstention: Councillor Watson

PL/73 **THE SUB-DIVISION INTO 2 GYPSY PITCHES AND THE ERECTION OF AMENITY BUILDINGS ON PLOT 2 BROUGHTON CARAVAN PARK SUTTON ROAD CHURCH BROUGHTON DERBY**

The Planning Services Manager informed the Committee that this application had been deferred from the 6th September 2016 Committee in order for a site visit which Members had completed earlier in the day. The report remained as it appeared on the agenda for that committee with minor corrections to the planning history section.

Mr John Casey (applicant) attended the Meeting and addressed Members on this application.

Councillor Mrs Plenderleith addressed the Committee as local Ward Member for Hilton, highlighting that the sub-division and subsequent increase from eight to nine pitches raised concern that this site could overwhelm the nearest settled community of Mount Pleasant. The Councillor referred to the issue of dominance, in that the increase of pitches including the amenity blocks could potentially dominate the thirteen dwellings in the hamlet of Mount Pleasant as well as present an intrusion of the countryside, the proposal would therefore be contrary to policy.

Councillor Southerd requested clarification as to whether the provision of gypsy and traveller sites was based on requirement or fulfilment of the five-year supply. The Planning Services Manager clarified that pitches needed to be found on a rolling five-year supply as is the case for housing requirements.

It was stated that as an authority, South Derbyshire had a good record with regards to gypsy site provision, however, the exceptional size of the two amenity blocks and the sub-division increasing the number of pitches presented an intrusion into the countryside and would dominate the nearest settled community.

RESOLVED:-

That planning permission be refused contrary to officer recommendation on the grounds that this application is contrary to policy, the new amenity blocks were too intrusive and that the additional pitch amounts to undue dominance of the nearest settled community

Councillor Mrs Plenderleith left the Meeting at 6:20pm.

PL/74

OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR THE RESIDENTIAL DEVELOPMENT OF 95 DWELLINGS TOGETHER WITH HIGHWAYS INFRASTRUCTURE, LANDSCAPING, PUBLIC SPACE AND DEMOLITION OF EXISTING DWELLING ON LAND AT SK3021 4304 BURTON ROAD MIDWAY SWADLINCOTE

The Planning Services Manager presented the report highlighting that the site fell outside the settlement confine, was intrusive on the landscape and that a Tree Preservation Order had been issued in respect of a number of trees on the site.

Ms Lisa Vale (objector) and Mr Jonathan Vose (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Dr Pearson addressed the Committee as local Ward Member for Midway, speaking also on behalf of his Ward colleagues by commending the local residents of Midway for their vigour to protest. The Councillor commented on the shortcomings of the site in terms of highways, ecology and landscape, and so would not amount to sustainable development.

RESOLVED:-

That planning permission not be granted as recommended in the report of the Director of Community & Planning Services.

PL/75 **CONVERSION OF PUBLIC HOUSE AND RESTAURANT INTO TWO DWELLINGS AND THE ERECTION OF FIVE DWELLINGS ON ASSOCIATED LAND AT THE MELBOURNE ARMS 92 ASHBY ROAD MELBOURNE DERBY**

The Principal Area Planning Officer presented the report highlighting suggested amendments to the conditions, particularly to alter the implementation triggers.

Councillor Hewlett addressed the Committee as local Ward Member for Melbourne, drawing attention to the potential impact this proposal would have on local services, lack of Section 106 contribution, use of appropriate materials and the retention and specification of the boundary hedge. These points were addressed by the Principal Area Planning Officer.

RESOLVED:-

That permission be granted as recommendation in the report of the Director of Community & Planning Services, subject to amendments to conditions to increase use of rubble stone on Plots 1 and 2, to alter implementation triggers and to alter landscape condition to require hedge planting on the Robinsons Hill frontage.

PL/76 **RELEVANT DEMOLITION CONSENT (RETROSPECTIVE) FOR PARTIAL DEMOLITION OF PUBLIC HOUSE AND RESTAURANT AT THE MELBOURNE ARMS 92 ASHBY ROAD MELBOURNE DERBY**

This application was considered jointly with the application above.

PL/77 **THE REMOVAL OF APPROXIMATELY 22M (LENGTH) OF TOPSOIL FROM SECTION OF EXISTING FLOOD DEFENCE EMBANKMENT AND RAISING OF EMBANKMENT TO REQUISITE LEVELS USING THE EXCAVATED AND ADDITIONAL IMPORTED TOPSOIL ON LAND AT SK4330 8021 LONDON ROAD SHARDLOW DERBY**

The Principal Area Planning Officer presented the report, highlighting its purpose to help repair a section of the flood bank which had suffered livestock erosion.

RESOLVED:-

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

Councillor Mrs Brown left the Chamber at 7:15pm

PL/78 **CHANGE OF USE OF THE DWELLING TO A MIXED USE COMPRISING A DWELLING AND BED AND BREAKFAST ACCOMMODATION (USE CLASS C1 - HOTELS), THE VARIATION OF CONDITION 2 OF PLANNING PERMISSION 9/2011/0769 TO ALLOW THE GRANNY ANNEXE TO BE USED AS EITHER ACCOMMODATION FOR EITHER MEMBERS OF THE HOUSEHOLD OF THE OLD RECTORY OR BY DOMESTIC STAFF OR SELF-CONTAINED HOLIDAY ACCOMMODATION AND THE VARIATION OF CONDITION 4 OF PLANNING PERMISSION 9/2014/0238 TO ALLOW THE CARERS ACCOMMODATION TO BE USED AS ACCOMMODATION FOR EITHER MEMBERS OF THE HOUSEHOLD OF THE OLD RECTORY OR BY DOMESTIC STAFF OR SELF-CONTAINED HOLIDAY ACCOMMODATION AT THE OLD RECTORY CHURCH ROAD EGGINTON DERBY**

RESOLVED:-

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

Councillor Mrs Brown returned to the Chamber at 7:20pm.

PL/79 **OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR THE RESIDENTIAL DEVELOPMENT OF UP TO 34 DWELLINGS ON LAND AT SK3825 9087 JAWBONE LANE KINGS NEWTON DERBY**

The Principle Area Planning Officer reported additional comments received.

Ms Jessica Long (objector) and Mr Tom Collins (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Hewlett addressed the Committee as local Ward Member for Melbourne highlighting that the site is located outside the village confine, its effects on the setting of the Kings Newton conservation area, and due to the requirements set in the Local Plan, there being no additional need for this development.

RESOLVED:-

That planning permission not be granted as recommended in the report of the Director of Community & Planning Services.

PL/80 **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 MINUTES

The Exempt Minutes of the meeting held on the 28th June 2016 (PL/21-PL/23) and 19th July 2016 (PL/33-PL/34) were taken as read, approved as a true record and signed by the Chairman.

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 7.35pm.

COUNCILLOR A ROBERTS

CHAIRMAN