

PLANNING COMMITTEE

25th August 2020

PRESENT:-

Conservative Group

Councillor Mrs. Brown (Chairman), Councillor Mrs. Bridgen (Vice-Chairman) and Councillors Angliss, Ford, Mrs. Haines (substitute for Councillor Brady), Mrs Patten (substitute for Councillor Muller), Watson and Mrs. Wheelton

Labour Group

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

PL/47 **APOLOGIES**

The Committee was informed that Apologies for absence had been received from Councillors Brady, Muller and Southerd.

PL/48 **DECLARATIONS OF INTEREST**

It was noted that Councillor Ford declared that Item PL/51 be of personal interest by virtue that the applicant and patrons were known to him. It was further noted that Councillor Tilly declared a personal interest in Item PL/ 60.

PL/49 **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/50 **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/51 **THE ERECTION OF SINGLE STOREY REAR EXTENSIONS TO FORM A NEW KITCHEN, PREPARATION AREA AND EXTENDED DINING AREA WITH THE ERECTION OF A FRONT PORCH TO THE EXISTING PUBLIC HOUSE AND THE ERECTION OF A BLOCK OF 6 HOLIDAY LETS TO THE REAR WITH PARKING AND ASSOCIATED WORKS, INCLUDING**

RELEVANT DEMOLITION CONSENT FOR AN OUTBUILDING, AT THE SWAN INN, 49 MAIN STREET, MILTON, DERBY, DE65 6EF

It was reported that Members of the Committee had attended a virtual site visit.

The Senior Planning Officer presented the application and outlined the main points to the Committee and sought an amendment to condition 13, to include service vehicle delivery plan in relation to dual carparking. The Senior Planning officer informed Members of the Environmental Health response regarding the outdoor seating area.

The Applicant's Agent attended the Meeting and addressed Members on this application.

The Committee raised concerns and queries regarding the number of carparking spaces, the stopping up order and sound pollution and Councillor Churchill addressed the Committee on behalf of the residents of Milton.

The Senior Planning Officer informed Members that there was space available to accommodate additional parking spaces if required and clarified that the applicant could not apply for a stopping up order until planning permission was granted. The Committee was also informed that noise abatement and control of the times of use for the outdoor area would be covered by the use of the conditions.

RESOLVED:

That planning permission be approved as per amended recommendation in the report of the Strategic Director (Service Delivery), plus additional conditions to constrain external amplified music, and management plan for use of external areas.

PL/52 **APPROVAL OF RESERVED MATTERS (ACCESS, LAYOUT, SCALE, APPEARANCE AND LANDSCAPING) FOR 44 DWELLINGS AND ASSOCIATED INFRASTRUCTURE, INCLUDING NEW ROADS AND JUNCTIONS PURSUANT TO OUTLINE PERMISSION REF. 9/2016/0592 ON LAND TO THE SOUTH AND EAST OF HOLLYBROOK WAY, PORTICO ROAD AND BOWBANK CLOSE (HIGHFIELDS FARM), RYKNELD ROAD, FINDERN, DERBY**

The Senior Planning Officer appraised the Committee of the proposal and explained how the application related to the wider Highfields Farm allocation. The Senior Planning Officer highlighted the changes made to the original plan due to concerns raised following the granting of Reserved Matters in 2015.

The Applicant's Agent attended the Meeting and addressed Members on this application. An Objector arrived after the item had been determined and was unable to address the Committee.

Councillor Ford addressed the Committee raising concerns regarding drainage and waste disposal and unauthorised access on to Bake Acre Lane from the

site. The Senior Planning Officer confirmed that the existing drainage system had been designed to accommodate the 44 dwellings, but an assessment would be undertaken as part of the conditions attached to the Outline Consent prior to works commencing. The Committee was also informed that the new plan allowed for connection to the existing site and did not go far enough south to allow access onto Bake Acre Lane.

RESOLVED:

That planning permission be approved subject to conditions as recommended in the report of the Strategic Director (Service Delivery).

PL/53 **CHANGE OF USE FROM OFFICE BUILDING (USE CLASS B1(A)) AND REPLACEMENT ENTRANCE DOOR AND WINDOWS TO CREATE ONE BED UNIT OF TEMPORARY ACCOMMODATION (USE CLASS C3) AT 75-89 ALEXANDRA ROAD, SWADLINCOTE, DE11 9AY**

The Planning Delivery Team Leader presented the proposal and informed the Committee that it was before the Committee as the Council was the applicant.

The Committee fully supported this proposal and recognised the need for temporary accommodation in the area.

RESOLVED:

That planning permission be approved subject to conditions as recommended in the report of the Strategic Director (Service Delivery).

PL/54 **THE ERECTION OF AN EXTENSION AND EXTERNAL ALTERATIONS AT 20 TOWER ROAD, HARTSHORNE, SWADLINCOTE, DE11 7EU**

The Planning Delivery Team Leader appraised the Committee of the proposal of a disabled adaptation with a condition to increase the height of the fence to ensure no view into the neighbouring property.

RESOLVED:

That planning permission be approved subject to conditions as recommended in the report of the Strategic Director (Service Delivery).

PL/55 **THE RETENTION OF AN EXISTING BOUNDARY FENCE AND THE ERECTION OF A SHED AND REPLACEMENT GARAGE AT 33 HIGH STREET, REPTON, DERBY, DE65 6GD**

The Planning Delivery Team Leader presented the application and informed the Committee that the applicant was Councillor Andrew Churchill. The Planning Delivery Team Leader outlined the three proposals within the application.

RESOLVED:

That planning permission be approved subject to conditions as recommended in the report of the Strategic Director (Service Delivery).

PL/56 **SECTION 106 VARIATION AT ROSLISTON ROAD SOUTH, DRAKELOW**

The Planning Delivery Team Leader appraised the Committee of the proposal, explaining that the original application came before the Committee and was refused but was awarded at appeal. Members were requested to approve the recommendations regarding affordable housing within the report

Councillor Patten enquired about the guarantee of fair market value from the Affordable Housing Provider. The Planning Delivery Team Leader clarified that this would be controlled under the Housing and Regeneration Act.

RESOLVED:

That the Committee approved the request to amend the Section 106 Agreement (S106) by means of a Deed of Variation (DoV) to allow for the staircasing of the shared ownership dwellings from the current 80% equity threshold to full ownership (100%), by inclusion of a requirement for these dwellings to be sold back to the Affordable Housing Provider (AHP), or by nomination to another AHP, for a period of six months prior to allowing sale on the open market.

That the Committee delegated authority to the Strategic Housing Manager to agree the finer detail and wording of the obligations to be secured under the DoV.

PL/57 **VIABILITY OF RESIDENTIAL DEVELOPMENT ON LAND AT SK2529 8189 (ADJACENT TO THE MANDARIN CHINESE RESTAURANT), EGGINGTON ROAD, HILTON, DERBY**

The Planning Delivery Team Leader presented the report to the Committee highlighting the need to remove the affordable housing provision to enable the proposal to become viable and Members were asked to approve the recommendations within the report.

RESOLVED:

That the Committee approved an amendment to the Section 106 agreement (S106) by means of a Deed of Variation (DoV) to accept total financial contributions of £224,118 along with the provision of 6 affordable houses on site, 3 being for social rent and 3 for shared ownership (option C in paragraph Error! Reference source not found. below).

That the Committee delegated authority to the Head of Planning and Strategic Housing to agree the finer detail and wording of the obligations to be secured under the DoV.

PL/58 **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 19:50hrs

COUNCILLOR MRS L BROWN

CHAIRMAN