

PLANNING COMMITTEE

1<sup>st</sup> July 2020

**PRESENT:-**

**Conservative Group**

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

**Labour Group**

Councillors Dr Pearson, Gee Shepherd, Southerd and Tilley

PL/16 **APOLOGIES**

The Committee was informed that no Apologies for absence had been received.

PL/17 **DECLARATIONS OF INTEREST**

The Committee was informed that no Declarations of Interest had been received.

PL/18 **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/19 **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 them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/20     **OUTLINE APPLICATION (MATTERS OF ACCESS TO BE CONSIDERED NOW WITH MATTERS OF LAYOUT, SCALE, APPEARANCE AND LANDSCAPING RESERVED FOR LATER CONSIDERATION) FOR THE RESIDENTIAL DEVELOPMENT OF UP TO 57 DWELLINGS WITH ASSOCIATED LANDSCAPING, PARKING AND SUSTAINABLE DRAINAGE ON LAND AT SK2531 3702, LUCAS LANE, HILTON, DERBY**

It was reported that Members of the Committee had attend a virtual site earlier in the day.

The Planning Delivery Team Leader presented an overview of the application and sought amendment to condition 15 to include the CIRIA standard for SuDS. The Planning Delivery Team Leader informed that Committee that this report was due to be brought before the March Committee and whilst no changes have been made to the initial document the Neighbourhood Development Plan for Hilton has now been submitted to the Council but due to the recent lockdown, consultation has not been undertaken. The Planning Delivery Team Leader informed Members of the key considerations and that the site was within the settlement confines for Hilton, which is a key service village, therefore under Policy H1 residential development of any size is considered appropriate. Biodiversity mitigation could also be met both either on or off site which is acceptable to the Wildlife Trust.

An Objector and the Applicant's Agent attended the Meeting to address Members on this application

Following the Objector's comments, where it was claimed that the Neighbourhood Development Plan was compliant with local and national policy and could be afforded due weight, the Planning Delivery Team Leader clarified that the application is not an allocation and does not have to be and proceeded to read the applicable section of the H1 Policy. The Planning Delivery Team Leader further stated that the Neighbourhood Development Plan was not at a stage where it could be afforded weight and read the relevant section of the Planning Policy Guidance supporting this position.

Members raised queries regarding the 5 year supply of housing need at the current time, the suitability of Lucas Lane for this development and possible damage to the verge by large vehicles. The Planning Delivery Team Leader informed the Committee that the test for the 5 year supply of housing is whether the Local Authority can meet the need for the next 5 years and not what the position is at any given time and that the site would have 2 points of access and ingress with only one new one onto Lucas Lane and added that the carriageway would be made wide enough for vehicles to pass without the need to use the verge.

Further points were raised by Councillor Patten which included concerns about the delivery of GP services for additional patients, Broadband, the Travel Plan, the lack of footway during construction and noise pollution from the A50. The Planning Delivery Team Leader explained that following consultation the response from the CCG was to request sums to mitigate against the costs for expansion of the GP service and that installation of highspeed broadband is now standard practice with new developments. The Planning Delivery Team Leader

closed by informing the Committee that currently residents walk on the lane but the end result would give them a footway to use and the County Highways is content with the Travel Plan which is there to encourage sustainable travel and finally confirmed that the Environmental Health Officers had no concerns with the mitigations to reduce the noise level from the A50.

**RESOLVED:**

***That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), including amendment to condition/s.***

PL/21 **CHANGE OF USE OF PART OF AGRICULTURAL PADDOCK FOR THE EXERCISING OF DOGS ALONG WITH THE ERECTION OF BUILDINGS FOR BOARDING KENNELS AND ASSOCIATED STORAGE AND THE CREATION OF A PARKING AREA ON LAND ADJACENT TO GREENACRE, BENT LANE, CHURCH BROUGHTON, DERBY**

The Planning Delivery Team Leader addressed the Committee explaining that this application had been before the Committee previously and was deferred to allow for a Noise Impact Assessment to be undertaken. This has now been submitted and the Environmental Health Officer finds that the impact will not be acceptable, and the mitigations proposed did not ameliorate those concerns.

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

**RESOLVED:**

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

PL/22 **THE VARIATION OF CONDITIONS 1 & 12 OF PLANNING PERMISSION REF. 9/2018/0592 IN RELATION TO PLOT 1 (GARDEN WALL) AND LANDSCAPING ON LAND ADJACENT TO MILL GREEN HOUSE, BROOK LANE, SCROPTON, DERBY**

It was reported that Members of the Committee had attend a virtual site earlier in the day.

The Planning Delivery Team Leader informed the Committee that the application was granted at appeal a number of years ago and that it had been brought before the Committee today for retrospective approval of a wall and the appropriate amendment to the planting of landscaping on the occupation of dwellings rather than planting prior to the commencement of build.

An Objector attended the Meeting and addressed Members on this application.

The Committee raised concerns of poor visibility on the highway due to the wall and wondered if any accidents have been recorded since the erection of the wall.

The Planning Delivery Team Leader explained that access from the property behind the wall was onto a private highway and the Highways Authority had no objection to the wall in regard to safety and that Council was not aware of any accidents since the construction of the wall

**RESOLVED:**

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

PL/23 **Change of use from hotel and drinking establishment to 4no. one-bedroom flats and 9no. two-bedroom flats (use class C3) along with alterations to the vehicular access and landscaping works at The Castle Hotel, Station Road, Hatton, Derby, DE65 5DW**

The Planning Delivery Team Leader presented the application explaining that it was subject to a Viability Appraisal which determined that it would not be viable to develop the site with the requested Section 106 contribution of £100K and without any contributions it would only just be feasible and subject to a lower profit threshold. The Planning Delivery Team Leader summarised the application informing the Committee that the development would provide low cost housing in an accessible location, and using an empty building and would improve the appearance of a property in a prominent position.

Councillor Muller enquired whether it was a retrospective application as works are being carried out on the site. The Planning Delivery Team Leader informed the Committee that this was not a retrospective application and that works being carried out may not be in relation to the application and any work is done so at the Developer's own risk. Furthermore, any work undertaken that is not part of the application can be followed up by the Enforcement Team.

**RESOLVED:**

***That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery)***

PL/24 **THE PRUNING OF VARIOUS TREES COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 132 ON PUBLIC OPEN SPACE, WILSON CLOSE, MICKLEOVER, DERBY**

The Planning Delivery Team Leader outlined the request for the routine tree works

**RESOLVED:**

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

PL/25 **PRUNING BACK OF A WALNUT TREE AT NO. 7 PENN LANE AT THOMAS COOK MEMORIAL COTTAGES, 53 HIGH STREET, MELBOURNE, DERBY, DE73 8GJ**

The Planning Delivery Team Leader explained that it was before Committee as Councillor Hewlett, as a Trustee of the building, was the applicant and the request was to prune the tree to move it away from a listed building.

***RESOLVED:***

***That the Committee did not object to the works as recommended in the report of the Strategic Director (Service Delivery).***

PL/26 **TREE PRESERVATION ORDER 527: LAND OFF SWAN HILL, MICKLEOVER**

The Planning Delivery Team Leader explained that the Order had been before the Committee previously and granted but it was recently discovered that there was no evidence that the actual legal act of confirming the Order took place.

***RESOLVED:***

***The Committee resolved that this Tree Preservation Order be modified to omit the area outside the main woodland and then confirmed as such.***

PL/27 **PROPOSED TREE PRESERVATION ORDER 528: THE HAWTHORNS, 52 MAIN STREET, NEWTON SOLNEY**

The Planning Delivery Team Leader explained that again, the Order had been before the Committee previously and granted but it was recently discovered that there was no evidence that the actual legal act of confirming the Order took place

***RESOLVED:***

***The Committee resolved that this Tree Preservation Order be confirmed.***

PL/28 **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 7:00 pm.

COUNCILLOR MRS L BROWN

CHAIRMAN