

PLANNING COMMITTEE

28 June 2022

**PRESENT:**

**Labour Group**

Councillor Tilley (Chair), Councillor Shepherd (Vice-Chair) and Councillors Dunn, Pearson, Rhind (Substitute for Councillor Gee) and Southerd

**Conservative Group**

Councillors, Bridgen, Brown, Dawson, Haines, Muller (substitute for Councillor Redfern and Smith.

**Non-Grouped**

Councillor Wheelton.

**In Attendance**

Councillor Bambrick  
Councillor Fitzpatrick  
Councillor Hewlett  
Councillor Mulgrew  
Councillor Stuart

PL/23 **APOLOGIES**

The Committee was informed that apologies had been received from Councillors Gee (Labour Group) and Councillor Redfern (Conservative Group)

PL/24 **DECLARATIONS OF INTEREST**

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

PL/25 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETING**

The Open Minutes of the following Meetings 20 July 2021, 17 August 2021, 14 September 2021, 29 September 2021 12 October 2021 and 09 November 2021 were reviewed, considered as a true record and signed by the Chair.

PL/26 **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/27 **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/28 **DEMOLITION OF EXISTING SINGLE STOREY SHOP AND ERECTION OF NEW 2 STOREY BUILDING TO ACCOMMODATE 2 SELF CONTAINED FLATS AT 160B PARLIAMENT STREET, NEWHALL, SWADLINCOTE, DE11 0SG**

The Committee was informed that Members attended a site visit earlier today.

The Planning Delivery Team Leader presented the report to the Committee replace a vacant property with two, two bedroom flats it was noted that there would be no off street parking, there were no outstanding objections from statutory consultees but objections had been received regarding design, parking and additional traffic.

The Applicants Agent attended the Planning Committee meeting and addressed the Committee regarding the application.

Cllr Bambrick addressed the Committee as the Local Ward Member and raised concerns regarding parking, the position of the bus stop outside the property and noted that the property had not been used for 10 years.

Members raised concerns regarding parking issues and considered different options and design solutions available that could alleviate concerns.

The Head of Planning and Strategic Housing advised the Committee that County Highways had raised no objections to the application.

***RESOLVED:***

***That planning permission be deferred to allow a discussion with the applicant and Highways regarding the provision of off street parking.***

PL/29 **CHANGE OF USE FROM RESTAURANT (CLASS E) TO RESTAURANT (CLASS E) / PUBLIC HOUSE (SUI GENERIS)(FLEXIBLE USE) AT THE MANDARIN CHINESE RESTAURANT, EGGINTON ROAD, HILTON, DERBY, DE65 5FJ**

The Planning Delivery Team Leader presented the report to the Committee regarding the change of use and advised that due to a late submission of an updated site plan Condition 2 was to be amended to include revision B instead of revision A. The Committee was informed that no objections had been received from statutory consultees but that 10 representations had been

submitted in objection to the reopening as a gastro pub in a recently newly built residential location.

The Applicants Agent attended the meeting and addressed the Committee in relation to the application.

As Local Ward Member, Councillor Smith addressed the Committee and raised concerns in relation to carparking no sufficient and the entrance to the car park and enquired to whether electrical vehicle charging points could be considered.

The Planning Delivery Team Leader advised the Committee that the access from Egginton road had been closed as part of highways safety and that the carparking was deemed sufficient.

Members supported the application and discussed the installation of Electric Vehicle charging points and outside lighting.

**RESOLVED:**

***That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to amendments to condition 2 to included 'revision B and condition 3 to included details of an external lighting scheme and the provision of two Electric Vehicle Charging Points.***

PL/30 **OUTLINE APPLICATION (MATTERS OF ACCESS AND LAYOUT TO BE CONSIDERED NOW WITH MATTERS OF SCALE, APPEARANCE AND LANDSCAPING RESERVED FOR LATER CONSIDERATION) FOR THE ERECTION OF ONE DWELLING AT 29 BURTON ROAD, OVERSEAL, SWADLINCOTE, DE12 6LQ**

The Committee was informed that Members attended a site visit earlier today.

The Head of Planning presented the report to the Committee noting changes to Condition 4 that related to a late meeting between the Council and North West Leicestershire District Council regarding waste water drainage connecting to main drains and the Section 106 Agreement funding contribution towards the River Mease Scheme.

Councillor Wheelton, as Local Ward Member addressed the Committee and raised concerns on behalf of local residents and requested that due to the sloping nature of the land the proposed dwelling be a single storey building only.

**RESOLVED:**

***That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery), subject to amendments to Condition 4 to include connection to the main drainage***

***system, an additional Condition in relation to the development of a single storey property and Section 106 Agreement contribution to the River Mease DCS.***

PL/31 **APPROVAL OF DETAILS REQUIRED BY CONDITION 1 ATTACHED TO REF. DMPA/2020/0915 (TWO-STOREY SIDE AND SINGLE STOREY REAR EXTENSION ALONG WITH ATTACHED GARAGE) AT 247 HEARTHCOTE ROAD, SWADLINCOTE, DE11 9DU**

The Head of Planning and Strategic Housing presented the report to the Committee and outlined salient points that included tree planting, hard and soft landscaping and noted that concerns regarding Tree Preservation Orders were a separate application and not for the Committee to consider.

The Head of Planning informed the Committee that the soft landscaping proposed the of replacement trees, 6 new trees at the rear and others including silver birch with additional planting proposed to front. It was noted that the Council's Tree Officer was content with the proposals and there had been a request from the neighbouring property for boundary wall to be erected for privacy.

An Objector and the Applicants Agent attended the Planning Committee meeting and addressed Members in relation to the application. .

As the Local Ward Member Councillor M Mulgrew fought addressed the Committee and raised concerns of local residents.

Members raised concerns regarding the removal of trees and discussed the request for a wall to erected.

***RESOLVED:***

***That the planning decision be deferred to allow for a site visit.***

PL/32 **THE REMOVAL OF CONDITION NO. 7 (RELATING TO THE PERMISSIVE FOOTPATH) OF PERMISSION REF. 9/2015/0543, RELATING TO THE ERECTION OF A DWELLING AND A FORESTRY BUILDING WITH SOLAR PV ALONG WITH INSTALLATION OF ACCESS TRACK, HARDSTANDINGS, DRAINAGE POND AND CREATION OF GARDEN SPACE AT LAND AT BROADSTONE HOLT, BOG LANE, MELBOURNE, DERBY, DE73 8HU**

The Head of Planning and Strategic presented the report to the Committee and summarised the reasons for the need to remove condition 7, that could not be enforced as it related to a permissive footpath and explained that it was not a public right of way

An Objector and the Applicants Agent attended the Planning Committee meeting and addressed Members

As Local Ward Members Councillor Hewlett and Councillor Fitzpatrick addressed the Committee and raised concerns on behalf of local residents.

Members discussed the legality of the condition and recognised that permissive access could not be considered to be a public right of way.

**RESOLVED:**

***The Committee approved the recommendations within the report of the Strategic Director (Service Delivery).***

PL/32 **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/33 **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 19:55 hours.

COUNCILLOR N TILLEY

CHAIR