

PLANNING COMMITTEE

26<sup>th</sup> August 2014

**PRESENT:-**

**Conservative Group**

Councillor Ford (Chairman) and Councillors Mrs Hall, Murray, Roberts, Stanton, Watson

**Labour Group**

Councillors Bell, Dunn, Pearson, Rhind, Shepherd, Southerd

**In attendance**

Councillor Stuart

PL/38 **APOLOGIES**

Apologies were received from Councillors Mrs Brown, Bale and Richards. Councillors Murray, Roberts and Rhind substituted for them.

PL/39 **DECLARATIONS OF INTEREST**

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

PL/40 **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/41 **REPORT OF THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES**

The Director of Community and Planning Services then submitted a report dealing with several planning applications, for consideration and determination by the Committee.

PL/42 **OUTLINE APPLICATION FOR THE RESIDENTIAL DEVELOPMENT OF THREE DWELLINGS ON THE LAND ADJACENT TO HILL VIEW, CHAPEL LANE, BARROW ON TRENT, DERBY 9/2014/0228/FO**

At the suggestion of the Chairman, the Committee agreed to consider this application first.

The Planning Services Manager explained that several members had visited the site of the proposed development earlier in the day. It was, he stated, an outline application for three dwellings that would be built in the back garden of an existing property. The Committee was told that the proposal would be in line with current development policy, but not with the new local plan. However, as this was not yet in place, the current policy continued to have primacy in terms of determining the application.

Members were told that part of the site would be subject to flooding. Although the proposed dwellings themselves would not be affected, there would not be a 'dry' route out of them. To get around this an evacuation plan would have to put in place, to make sure that the residents could leave in good time. It was also confirmed that the development would not exacerbate the flooding problem in the surrounding area. Moreover, the Environment Agency would require the developer to put in place appropriate technical measures to make sure that this did not happen.

Members heard from Mr Paul Nellist, agent for the applicant. He reminded the Committee that this was only an outline application at this stage and that the development itself would be subject to the appropriate conditions imposed by the Committee. He also pointed out that the application was in line with current development policy and that the Environment Agency had raised no objections in terms of flooding risk to the properties. They also did not think that it would increase the flooding risk to neighbouring houses.

Councillor Watson then explained to members that a local resident, Mr Graham Davis, had wished to address the Committee in opposition to the application, but unfortunately was on a pre-arranged holiday. He had, however, produced a written summary of his views. With the agreement of the Chairman, Councillor Stanton was asked to read out this summary.

Briefly, Mr Davis highlighted the potential impact on flooding in the area and to neighbouring properties if the development took place. He also highlighted the potential problems if the new houses overlooked existing homes, the lack of public transport to the site and the potential impact on local traffic and parking.

Members discussed the application. The general consensus which they reached was that the development was in line with existing policy and similar to other small scale developments that had been approved. For these reasons, and also because the relevant agencies had no professional concerns about the possible flood risks or the impact on road safety, they felt that the application should be granted.

**RESOLVED:-**

***That outline planning permission is granted, subject to the conditions set out in the report by the Director of Community & Planning Services.***

PL/43 **CONVERSION OF EXISTING RESIDENTIAL NURSING HOME AND ASSOCIATED ACCOMMODATION INTO RESIDENTIAL APARTMENTS AT HILLTOP LODGE NURSING HOME, COLLIERY ROAD CHURCH GRESLEY SWADLINCOTE 9/2013/0675/RSD**

The Committee then considered an application to convert a former nursing home into 15 self-contained apartments. Members were reminded that determination of this application had been deferred at the last meeting in order to allow a site visit. This had taken place earlier in the day. With the agreement of the Chairman, the comments of the agent for the applicant, Ms Marissa Sadar, were read-out. These summarised the points that she had made about the scheme at the previous meeting.

The Committee discussed the application. Concern was raised about the potential impact of the development in terms of on-street parking. It was pointed out that the Highways Authority had not raised any objections on these grounds and that the developer had agreed to resurface the entire length of the access road to the site. Members hoped that this road could subsequently be 'adopted' and a request was made for the County Highway Authority to be approached to adopt the road post-construction. It was also requested that a sum referred to in the proposed legal agreement be allocated towards the making up of the remainder of the footpath towards Castle Gresley.

The elected members for the Gresley ward explained their views. Although they did not think that the proposed development was ideal, it would help to bring back into use this vacant building and provide relatively low cost accommodation in the area. For this reason they made it clear that they would be prepared to support the application.

**RESOLVED:-**

***That subject to the developer entering into a 'Section 106 agreement' as specified in the report, planning permission is granted, subject to the conditions set out in the report by the Director of Community & Planning Services.***

PL/44 **ALTERATION OF EXISTING BUILDING AND CHANGE OF USE TO A DWELLING AT 70 SCROPTON ROAD, HATTON, DERBY 9/2014/0114/FM**

The Committee considered an application to alter a detached garage building in order to create a separate dwelling. Members were reminded that the site of the proposed development had been visited earlier in the day. It was explained that the application had been discussed with officers to resolve the issues which had been raised about the proposed development and that, as a consequence, it was now considered acceptable. For this reason the Committee was recommended to approve the application.

**RESOLVED:-**

***That planning permission is granted, subject to the conditions set out in the report by the Director of Community & Planning Services.***

PL/45 **ERECTION OF BUILDING TO PROVIDE CARERS ACCOMMODATION AND EXISTING CAR PORT TO PROVIDE SECURE STORE AT OLD RECTORY, CHURCH ROAD, EGGINGTON, DERBY 9/2014/0238/NO**

Members were informed that this application had been referred to the Committee as the application had been submitted by Councillor Mrs Brown, the Vice Chairman of the Committee. Briefly, it was proposed to create accommodation for a care worker looking after elderly residents living in the main property. This would, it was explained, be a modest one story building, which would not adversely impact on the surrounding area. Similarly, it was not thought that the proposed car port would have an impact on the surrounding area.

Members discussed the application. They sought and received assurance that the accommodation would be used solely for care workers or other support staff working in the main house. It could not be used for other purposes, such as holiday accommodation. Any change of use would have to be subject to an entirely separate planning application.

**RESOLVED:-**

***That planning permission is granted subject to the conditions set out in the report of the Director of Community and Planning Services.***

PL/46 **INSTALLATION OF SMALL DOMESTIC PIZZA OVEN & FLUE AND RETENTION OF SHED, SMALL METAL GATE & SIDE PANEL, GREENHOUSE, HEN HOUSE, HEN RUN, TRELLIS 7 REDUCTION / REMOVAL OF BOUNDARY FENCES AT 43-45 BLANCH CROFT MELBOURNE DERBY 9/2014/0709/FH**

Members were informed that the historic buildings adviser had looked at the proposed changes and had concluded that they would cause no demonstrable harm to the neighbouring listed building. During the discussion, it was confirmed that the outdoor Pizza oven would be solely for domestic and not commercial use.

**RESOLVED:-**

***That planning permission is granted subject to the conditions set out in the report of the Director of Community and Planning Services.***

PL/47 **APPEAL DECISION**

The Committee noted the results of appeal decisions made by the Planning Inspectorate: The Old Barn, Trent Lane, Kings Newton, Melbourne and 17 Windmill Road, Etwall, Derby (Appeal references: APP/F1040/D/14/2219192 and APP/F1040/A/14/2218226)

PL/48 **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/49 **EXEMPT 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.

M. FORD

CHAIRMAN

The meeting terminated at 7:15 pm.