

PLANNING COMMITTEE

9<sup>th</sup> February 2021

**PRESENT:**

**Labour Group**

Councillors Tilley (Chairman) and Councillor Southerd (Vice-Chairman) and Councillors Gee, Dr Pearson and Shepherd.

**Conservative Group**

Councillors Mrs. Brown, Mrs. Bridgen, Ford, Muller and Watson.

**Independent Group**

Councillor Angliss, Dawson,

**Non-Grouped**

Councillor Mrs. Wheelton.

**In Attendance**

Councillors Bambrick, Mrs. Patten, Pegg, Rhind and Richards.

PL/123 **APOLOGIES**

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

PL/124 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETING**

The Open Minutes of the following Meetings were reviewed, considered as a true record and approved by the Chairman. It was further noted that in the 28<sup>th</sup> July 2020 Minutes, Councillor Wheelton declared an interest in PL/42 and not PL/41 as previously recorded.

<b>Committee</b>	<b>Date</b>	<b>Minute References</b>
Planning	28 <sup>th</sup> July 2020	PL/29 – PL/44
Planning	25 <sup>th</sup> August 2020	PL/47 – PL/58

PL/125 **DECLARATIONS OF INTEREST**

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

PL/126 **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/127 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/128 THE REMOVAL OF CONDITION NO. 9 (RELATING TO SKYLARK HABITAT COMPENSATION) OF PERMISSION REF. 9/2017/1191 (RELATING TO OUTLINE PERMISSION (ALL MATTERS RESERVED FOR FUTURE APPROVAL) FOR RESIDENTIAL DEVELOPMENT OF UP TO 50 DWELLINGS WITH OPEN SPACE, DRAINAGE AND ASSOCIATED WORKS) ON LAND AT SK2730 1591, EAST OF EGGINTON ROAD AND NORTH OF JACKSONS LANE, ETWALL, DERBY**

The Head of Planning and Strategic Housing appraised the Committee of application highlighting that the proposal was included within the Local Plan and that Outline Planning Permission had been approved in 2019 and requested that the Management and Monitoring of the Skylark Habitat, for a period of 10 years, be approved.

An Objector and the Applicant's Agent attended the Committee Meeting and addressed Members regarding the application.

Councillor Brown queried what remedies were in place if the Skylarks disappeared. The Head of Planning and Strategic Housing informed Members that no works could commence until the Offsetting Scheme was submitted to the Council and that there were a number of conditions to protect the birds but as a protected species any harm to the Skylarks would be considered an offence under wildlife legislation.

***RESOLVED:***

***That delegated authority be granted to the Head of Planning and Strategic Housing to conclude negotiations on and complete an agreement under section 106 of the Town and Country Planning Act 1990 so to secure the planning obligations as previously sought in and attached to 9/2017/1191 along with the associated provisions for long term management of any public facilities provided; and approve the application as per the report of the Strategic Director (Service Delivery), subject to conditions.***

**PL/129 RETROSPECTIVE FULL PLANNING APPLICATION FOR (PREVIOUSLY APPROVED SCHEME REF NO; DMPA/2020/0122) INCLUDING AMENDMENTS TO THE APPEARANCE TO PROVIDE HORIZONTAL CLADDING; REMOVAL OF GROUND FLOOR SIDE DOOR; AND AMENDMENT TO GROUND FLOOR SIDE WINDOW AT 72 MAIN STREET, WESTON ON TRENT, DERBY, DE72 2BL**

Planning Delivery Team Leader appraised the Committee of proposal highlighting the minor amendments to the previously approved scheme.

As a Local Ward Member, Councillor Watson addressed the Committee reminding Members of the concerns previously raised by local residents.

**RESOLVED:**

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

PL/130 **THE ERECTION OF A SINGLE STOREY SIDE EXTENSION AT 8 DERBY HILLS FARM COURT, MELBOURNE, DERBY, DE73 8EE**

The Head of Planning and Strategic Housing appraised the Committee of proposal and explained that it was before Members as the applicant was related to a Council employee.

**RESOLVED:**

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

PL/131 **PLANNING AND OTHER APPEALS**

The Committee noted the planning appeal decisions in relation to the following applications:

9/2018/0968	4 Church Street, Hartshorne	Woodville	Dismissed	Delegated
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PL/132 **AMENDMENT TO SECTION 106 AGREEMENT RELATING TO LAND AT COURT STREET, WOODVILLE**

Planning Delivery Team Leader appraised the Committee of proposal outlining the history of the previously approved applications and that following advice received from the District Valuer it was proposed to increase the Section 106 contribution.

Members fully agreed that the increased Section 106 contributions would greatly improve the Swadlincote Woodlands.

**RESOLVED:**

***1.1 The Committee endorses the amendment to the agreement to include an additional financial contribution of £26,000 as a result of the additional 4 dwellings proposed. In light of the initial sum being allocated towards the delivery of the Swadlincote Regeneration Route, it is recommended that the sum be allocated towards the adjacent Council owned and managed Swadlincote Woodlands.***

**1.2 That the Committee delegate authority to the Head of Planning and Strategic Housing to agree the finer detail and wording of the obligations to be secured under the Deed o Variation.**

PL/133 **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.***

**TO RECEIVE THE EXEMPT MINUTES OF THE FOLLOWING MEETING**

*The Exempt Minutes of the Meetings held on 28<sup>th</sup> July and 25<sup>th</sup> August were received.*

**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 18:50 hours.

COUNCILLOR TILLEY

CHAIRMAN