

PLANNING COMMITTEE

17 October 2023

PRESENT:

Labour Group

Councillor G Jones (Chair) and Councillor Shepherd (Vice-Chair)
Councillors J Carroll, M Gee, A Jones, L Mulgrew, M. Mulgrew (substitute for
Cllr
I Hudson) and K Storey.

Conservative Group

Councillors K Haines, A Kirke and D Muller.

Liberal Democrats

Councillor G Andrew (substitute for Cllr J Davies)

Non-Grouped

Councillor A Wheelton.

In Attendance

Councillors A Archer, A Haynes, G Rhind, L Singh. S Taylor, A Tilley and
N Tilley.

PL/75 **APOLOGIES**

The Committee was informed apologies had been received from Councillors
I Hudson (Labour Group) and Councillor J Davies (Liberal Democrats Group).

PL/76 **DECLARATIONS OF INTEREST**

The Committee was informed that Councillor A Jones declared a pecuniary interest
regarding item PL/87 by virtue of being a Parish Councillor and would leave the
Chamber whilst the item was considered.

PL/77 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL
PROCEDURE RULE NO.11**

The Committee was informed that no questions had been received.

MATTERS DELEGATED TO COMMITTEE

PL/78 **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/79 **CHANGE OF USE FROM A DWELLING (USE CLASS C3) TO A CHILDREN'S HOME (USE CLASS C2) AT 22 MILLFIELD STREET, WOODVILLE – DMPA/2023/0687**

The Head of Planning and Strategic Housing Committee presented the report to the Committee and outlined the key areas of the application noting objections received from the Parish Council.

An Objector and the Applicant attended the meeting and addressed the Committee regarding the application.

As Local Ward Member Councillor Taylor attended the meeting and addressed the Committee raising concerns on behalf of local residents.

Councillor M Gee addressed the Committee as Local Ward Councillor and raised concerns regarding the application.

Members raised concerns regarding a potential to increase the number of children in residence.

The Head of Planning and Strategic Housing confirmed that planning permission would be required for additional children to be resident in the home.

RESOLVED:

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

PL/80 **ERECTION OF 14NO. DWELLINGHOUSES, WITH ASSOCIATED PARKING, INTERNAL ROAD AND AMENITY SPACE, ALONG WITH THE CREATION OF ACCESS AT MERRILEES, CADLEY HILL ROAD, SWADLINCOTE – DMPA/2020/0127**

The Planning Delivery Team Leader presented the report and summarised the application's key areas noting the acoustic report and an updated condition 5.

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

Following comments from the Objector the Planning Delivery Team Leader confirmed that the hawthorn bush was to be cut back but not removed.

As Local Ward Councillor, Councillor A Haynes addressed the Committee raising concerns on behalf of local residents.

Councillor Wheelton sought clarity regarding the number of trees to be removed.

The Planning Delivery Team Leader confirmed that four trees were to be removed.

Members raised concerns regarding noise mitigation factors, the loss of trees, inadequate landscaping, poor design and loss of amenity.

RESOLVED:

That planning permission be refused contrary to the recommendations in the report of the Strategic Director (Service Delivery) due to noise which included the impact on future occupants' amenity and the loss of trees and hedges and the unacceptable landscaping.

PL/81 **THE ERECTION OF A COMMERCIAL BUILDING TO FORM FIVE UNITS FOR STORAGE PURPOSES AT ASH TREE FARM, ROSLISTON ROAD, WALTON ON TRENT – DMPA/2023/0221**

The Head of Planning and Strategic Housing presented the report and summarised the key points of the application noting the hours of operation and that no objections had been raised by statutory consultees.

The Applicant's Architect attended the meeting and addressed the Committee regarding the application.

As Local Ward Member, Councillor Wheelton addressed the Committee raising concerns on behalf of local residents and noted the objection by the Parish Council.

Councillor Muller noted the importance of promoting small businesses in the area.

RESOLVED:

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

PL/82 **THE ERECTION OF A TWO STOREY FRONT, REAR AND SIDE EXTENSION, DETACHED GARAGE AND HARDSTANDING AT 12 AVON CLOSE, STENSON FIELDS, DERBY, DE24 3AP – DMPA/2023/0739**

The Head of Planning and Strategic Housing addressed the Committee and presented the report. The Committee was asked to note the alterations made to the proposal following refusal of a previous application.

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

As Local Ward Member, Councillor L Singh attended the meeting and addressed the Committee regarding the application raising concerns on behalf of local residents.

Members discussed concerns raised by Councillor L Singh and requested that correspondence be sent to applicant asking them to ensure that all building materials be stored within the site and not positioned so as to block any pedestrian walkways.

RESOLVED:

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

PL/83 **CHANGE OF USE FROM A VEHICLES REPAIR WORKSHOP (USE CLASS B2) TO RESEARCH AND DEVELOPMENT AND/OR INDUSTRIAL PROCESSES (USE CLASS E) DMPA/2023/0546**

The Head of Planning and Strategic Housing addressed the Committee and presented the report outlining the Class E Use and noting the amendment to Condition 4 of the previous report.

As Local Ward Member, Councillor L Singh addressed the Committee and raised concerns on behalf of local residents.

Members raised concerns regarding the potential use of the building and the need to ensure that the area of land used for turning and deliveries was not obstructed.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to an amendment to condition 4 to insert the word 'deliveries' after 'parking and turning'.

PL/84 **THE FELLING OF 9 TREES COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO.213 AND THE FORMATION OF A VEHICULAR AND PEDESTRIAN ACCESS TO SERVE 247 HEARTH COTE ROAD, SWADLINCOTE, DE11 9DU – DMPA/2022/0302**

The Head Planning and Strategic Housing addressed the Committee and presented the report outlining the key areas of the report and noted that land ownership was not a planning consideration.

As Local Ward Member, Councillor N Tilley attended the meeting and addressed the Committee raising concerns on behalf of local residents.

Member raised concerns in relation to the removal of trees, the loss of hedgerows, the impact on biodiversity and sought clarity regarding the use of the entry and exit points.

The Head of Planning and Strategic Housing clarified that signage would be used and a device installed to ensure the correct use of the entry and exit points.

RESOLVED:

That planning permission be refused contrary to the recommendations in the report of the Strategic Director (Service Delivery) due to the harmful visual impact on the character and appearance of the area through the construction of the solid brick wall.

PL/85 **REGULATION 77 APPLICATION FOR THE INSTALLATION OF 2 NO. PACKAGE TREATMENT PLANTS TO SUPPORT THE CONVERSION OF A FORMER AGRICULTURAL BARN TO 2 NO. DWELLINGS AT STONEHOUSE FARM, ASHBY ROAD, BOUNDARY – DMPA/2023/0826**

The Planning Delivery Team Leader addressed the Committee and presented the report.

Members considered the application and supported the officer's recommendations.

RESOLVED:

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

Councillor A Jones left the meeting.

PL/86 **FELLING, PRUNING AND POLLARDING OF TREES COVERED BY TREE PRESERVATION ORDER 207 AT LAND AT THE CUTTING, HARTSHORNE ROAD, WOODVILLE, SWADLINCOTE DMPA/2023/0923**

The Planning Delivery Team Leader addressed the Committee and presented the report.

Members considered the application and supported the officer's recommendations.

RESOLVED:

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

Councillor A Jones returned to the meeting.

PL/87 **THE PRUNING OF TREES COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 131 AT WILLOW PARK WAY, ASTON ON TRENT, DE72 2DF – DMOT/2022/0027**

The Planning Delivery Team Leader addressed the Committee and presented the report.

Members considered the application and supported the officer's recommendations.

RESOLVED:

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

PL/88 **APPEALS**

The Committee noted the planning appeal decision in relation to the following application:

Reference	Place	Ward	Outcome	Decision Level
DMPA/2022/0176	Willington	Willington	Allow	Delegated

PL/89 **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/90 **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 20:25 hours.

COUNCILLOR G JONES

CHAIR