

PLANNING COMMITTEE

8<sup>th</sup> February 2022

**PRESENT:-**

**Labour Group**

Councillor Tilley (Chair), Councillor Shepherd (Vice-Chair) and Councillors Pearson, Richards, (substitute for Councillor Gee) and Southerd

**Conservative Group**

Councillors, Brown, Lemmon, Muller Redfern, (Substitute for Councillor Bridgen) and Watson.

**Independent Group**

Councillors Dawson and MacPherson

**Non-Grouped**

Councillor Wheelton.

PL/111 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Bridgen (Conservative Group) and Councillor Gee, (Labour Group).

PL/112 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETING**

The Open Minutes of the following Meetings 1<sup>st</sup> June 2021 and 22<sup>nd</sup> June 2021 were reviewed, considered as a true record and signed by the Chair. It was noted that in the 22<sup>nd</sup> June Minutes at item PL/06 Councillor Southerd's name was incorrect.

PL/113 **DECLARATIONS OF INTEREST**

The Committee was informed that a Declarations of Personal Interest had been received from Councillor Wheelton in relation to item PL/120 by virtue of representations made in relation to the A444.

PL/114 **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/115 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/116 THE ERECTION OF 3 NO. DETACHED DWELLINGS, EXTENSIONS AND ALTERATIONS TO THE EXISTING BUNGALOW AND THE ERECTION OF A DETACHED DOUBLE GARAGE AT 53 CAULDWELL ROAD, LINTON, SWADLINCOTE, DE12 6RX**

The report was presented by the Planning Delivery Team Leader who informed the Committee of an amendment to Condition 15 in relation to a fixed shut window and read out a statement on behalf of Councillor Pegg's in objection to the application.

***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 15 remove the necessity for a fixed closed window.***

**PL/117 DEMOLITION OF EXISTING INDUSTRIAL AND OFFICE BUILDINGS (INCLUDING RELEVANT DEMOLITION CONSENT) AND THE ERECTION OF 9 DWELLINGS, GARAGING AND ASSOCIATED DEVELOPMENT, THE PROVISION OF A GRP SUBSTATION, PEDESTRIAN ACCESS TO THE ADJACENT PUBLIC FOOTPATH AND ALTERATIONS TO THE ADJACENT BOUNDARY WALL AT SEYMOUR HOUSE AND KENDRICK MILLS, CHAPEL STREET, MELBOURNE, DERBY, DE73 8EH**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing presenting the report informing the Committee that no objections had been received from the Highways Authority but that concerns has been raised by the Development Officer regarding the need for the industrial unites in the area. The Parish Council raised concern regarding compliance with the Neighbourhood Plan.

The Head of Planning and Strategic Housing summarised the report in support of the application that was considered to be of acceptable design within the boundary treatment and would enhance the conservation area with no adverse effects on trees and biodiversity.

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

As the Local Ward Members Councillor Fitzpatrick and Councillor Hewlett addressed the Committee regarding the location of the substation and raised objections on the grounds of density, overdevelopment the proposal of family homes with very small gardens.

Members raised concerns regarding overdevelopment of the site, carparking, turning circles for larger vehicles such as ambulances and refuse collection vehicles, the unadopted road and the repair and maintenance of the retaining walls and footpaths.

The Head of Planning and Strategic Housing clarified that County Highways Authority was content with the turning circle and parking and that bins would be stored close to the entrance of the site. It was further confirmed that conditions could be amended to include the upkeep of the retaining walls and roads and that footpaths were made good.

Members discussed the merits of deferring the application to allow the Head of Planning and Strategic Housing to approach the applicant to consider a reduction in the number of properties proposed.

**RESOLVED:**

***That planning permission be deferred to allow for the applicant to consider a reduction in the number of properties.***

PL/118 **VARIOUS WORKS INCLUDING THE DEMOLITION OF AN OUTBUILDING PERMITTED UNDER A PREVIOUS APPROVAL 9/2012/0703/L, THE REDUCTION IN HEIGHT OF A BOUNDARY WALL AND THE INSTALLATION OF A FREE STANDING ELECTRICAL DISTRIBUTION BOX SUPPLYING 4 ELECTRICAL VEHICLE CHARGING POINTS SECURED TO THE BOUNDARY AT 1.2M ABOVE GROUND LEVEL AND CCTV CAMERA PROVISION LEISURE CENTRE, HIGH STREET, MELBOURNE, DERBY, DE73 8GF**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing presented the report to the Committee and summarised the application.

**RESOLVED:**

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

PL/119 **LISTED BUILDING CONSENT FOR VARIOUS WORKS INCLUDING THE DEMOLITION OF AN OUTBUILDING PERMITTED UNDER A PREVIOUS APPROVAL 9/2012/0703/L, THE REDUCTION IN HEIGHT OF A BOUNDARY WALL AND THE INSTALLATION OF A FREE STANDING ELECTRICAL DISTRIBUTION BOX SUPPLYING 4 ELECTRICAL VEHICLE CHARGING POINTS SECURED TO THE BOUNDARY AT 1.2M ABOVE GROUND LEVEL AND CCTV CAMERA PROVISION LEISURE CENTRE, HIGH STREET, MELBOURNE, DERBY, DE73 8GF**

It was reported that Members of the Committee had visited the site earlier in the day.

The proposal for a number of amendments was presented to the Committee and summarised by the Head of Planning and Strategic Housing. It was noted that the CCTV installation under the eaves and the Electrical Vehicle Charging Points would be consistent with heritage and the proposed reduction for the height of the call would be consistent with conservation and Conservation Officer had no concerns.

The Committee was informed of objections received in relation to the timeframe for demolition of the outbuilding that had been approved and was asked to consider the application on its own merits

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

Members took onboard the comments made by the Objector but were content with what had been proposed.

**RESOLVED:**

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

PL/120 **DEMOLITION OF EXISTING BUILDINGS AND CLEARANCE OF SITE (EXCEPT FOR EXISTING OFFICES AND SUBSTATION), ERECTION OF A PALLET DISTRIBUTION CENTRE (USE CLASS B8), WITH ASSOCIATED OFFICES AND WELFARE AREAS, FORKLIFT WASH AND STORAGE AREAS, GATEHOUSES, PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS. TETRON PARK, FORMER BISON PRECAST SITE, WILLIAM NADIN WAY, SWADLINCOTE, DE11 0BB**

It was reported that Members of the Committee had visited the site earlier in the day.

The report was presented by the Head of Planning to the Committee and referred to the suite of updated information shared with Members prior to the meeting. It was noted that an additional report in relation to lighting and noise concerns would be subject to conditions. The Committee was informed that a Public Right of Way had previously been subject to a diversion order and that County Highways Authority had no objections subject to conditions including cycle and walking routes and bus service that would be subject to conditions and Section 106 Agreement. The Head of Planning and Strategic

Housing confirmed that five objections had been received regarding road, the noise impact for residents and light pollution and increased fumes from heavy goods vehicle.

The Committee was also informed that the 30% shortfall of National Forest Tree Planting would be met by payment to allow planting elsewhere and the Local Lead Flood Agency had sought clarity regarding SUDS and the off-site attenuation.

Members welcomed the proposal as an improvement to the concrete plant an increase of employment in the area and additional bus service but advised that audible reversing must not impact on residents.

Members raised concerns regarding the increase to the number of heavy goods vehicles and flood water drainage.

The Head of Planning and Strategic Housing confirmed that comments received from the Local Lead Flood Agency would be subject to negotiations with the applicant and conditions would be developed in conjunction with the Local Lead Flood Authority and reiterated that the County Highways Authority were content with the application subject to the conditions previously mentioned.

**RESOLVED:**

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

PL/121 **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/ 122 **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 19:25 hours.

COUNCILLOR N TILLEY

CHAIR