

PLANNING COMMITTEE

8th March 2022

PRESENT:

Labour Group

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

Conservative Group

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

Independent Group

Councillors Dawson and MacPherson

Non-Grouped

Councillor Wheelton.

PL/123 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Brown (Conservative Group).

PL/124 **DECLARATIONS OF INTEREST**

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

PL/125 **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/126 **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/127 **THE ERECTION OF A FOUR BEDROOMED DWELLING. PREVIOUSLY APPROVED DWELLING (DMPA/2020/0478) RELATES AT SPRING VIEW, SPRINGHILL, HARTSHORNE, SWADLINCOTE, DE11 7AH**

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 and Strategic Housing and advised the Committee that both parking and the proposed dwelling were within the settlement limit but the garden was outside of the confines but it was seen as an acceptable proposal. It was noted that the dwelling had previous approval and sought further approval for an extension. The Head of Planning and Strategic Housing informed the Committee that no objections had been received from the statutory consultees but had some conditions had been requested. It was further advised that the Parish Council had raised objection regarding the residential gardens and increased size of the development. They were informed that it was proposed to use native planting, that there was a distance of 20 meters between the ground floor window of the extension the neighbouring cottage to the east, it was also noted that the proposal included an Electrical Vehicle Charging Point.

An Objector attended the meeting and addressed the Committee regarding the application, they raised privacy issues; that planning officers were ignoring countryside location and impact on listed building.

Councillor Taylor attended the meeting and addressed the Committee as local Member and raised concern regarding the garden that was outside of the settlement boundary.

Further to issues raised by the Objector and Councillor Taylor, the Head of Planning and Strategic Housing reiterated that whilst the dwelling itself was on the limit and the garden was outside, officers found that it to be acceptable and drew attention to Condition 12 regarding permitted development.

Members raised queries regarding the heritage aspect and the view of the Conservation Officer and concerns raised by the Parish Council in relation to a nearby paddock.

The Head of Planning and Strategic Housing confirmed that the Conservation Officer concluded that the build would have no impact on the listed building to the west of the site. The Committee was given the details of of the condition in relation to the garden and was informed that the domestic use of the land by the applicant would not be in conflict with the paddock area.

Members agreed that the proposed application would be an improvement to the site with a sympathetic design and that the boundary issue had been settled via the previous approval.

RESOLVED:

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

PL/128 PARK WITH CYCLING FACILITIES ON LAND TO THE NORTH OF WILLIAM NADIN WAY, SWADLINCOTE

The report was presented by the Planning Delivery Team Leader who outlined the proposal for the country park and informed the Committee of an amendment to condition 2 and of two additional conditions in relation the submission of the soft landscaping scheme and Great Crested Newts and the submission of a copy of the relevant District Level License prior to the commencement of works. It was further noted that no objections had been submitted, that there were no flood risk concerns and the anti-social behaviour concern raised by the police was nothing greater than with normal open public spaces.

Members supported the scheme but sought clarity regarding the Great Crested Newts and the connection of the proposed cycle routes.

The Head of Planning and Strategic Housing confirmed that it was an offence to bring harm to Great Crested Newts and the proposal would ensure that no harm would come to those on site and would be an improved environment.

The Planning Delivery Team Leader confirmed that the cycle paths would be connected to external cycle routes and that Sport England had been involved with 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 2 in relation to additional tree plans and two new conditions regarding great crested newts and soft landscaping.

PL/129 THE FELLING OF A SYCAMORE TREE COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 130 AT 61 BRETBY HOLLOW, NEWHALL, SWADLINCOTE, DE11 0UE

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

The report regarding the was presented to the Committee by the Head of Planning and Strategic Housing who summarised an independent report submitted with the application and referred to the additional photos of other trees that had been felled. The Committee was informed that the Tree officer had been consulted and there was no change to their previous report and concluded that the tree should not be removed unless it was causing harm to the applicant's home. The Head of Planning and Strategic Housing

advised the Committee that it should balance the applicants concerns with the Tree Officers Report.

The Applicant attended the meeting and addressed the Committee regarding the application.

Members discussed the merits of the application taking into account the Tree Officers report and recommendation.

RESOLVED:

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

PL/130 **PLANNING AND OTHER APPEALS**

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

<u>DMPA/2021/0342</u>	Melbourne	Melbourne	Dismissed	Delegated
<u>DMPA/2020/0372</u>	Repton	Repton	Dismissed	Delegated

PL/131 **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/ 132 **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 hours. 19:00hrs

COUNCILLOR N TILLEY

CHAIR