

PLANNING COMMITTEE

7<sup>th</sup> OCTOBER 2014

**PRESENT:-**

**Conservative Group**

Councillor Ford (Chairman) Cllr Mrs Brown (Vice Chairman) and Councillors Mrs Hall, Jones, Stanton, Roberts and Mrs Hood

**Labour Group**

Councillors Bell, Dunn, Pearson, Richards, Shepherd, Southerd

**In attendance**

Councillor Smith

PL/67 **APOLOGIES**

Apologies were received from Councillors Bale and Watson. They were substituted by Councillors Hood and Roberts.

PL/68 **DECLARATIONS OF INTEREST**

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

PL/69 **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.

PL/70 **OPEN MINUTES**

The Open Minutes of the meetings held on the 25<sup>th</sup> June, 15<sup>th</sup> July, 5<sup>th</sup> August and 26<sup>th</sup> August were approved as a true record.

**MATTERS DELEGATED TO COMMITTEE**

PL/71 **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/72 **LISTED BUILDING CONSENT FOR THE DEMOLITION OF FARM BUILDINGS / STRUCTURES, TOGETHER WITH THE CONVERSION, EXENSION AND REPLACEMENT OF AGRICULTURAL BUILDINGS TO FORM THREE DWELLINGS, COMMON FARM, MAIN STREET, MILTON, DERBY.**

At the suggestion of the Chairman, the Committee agreed to consider this application first. Members were reminded that the application had been on the agenda for the previous meeting of the Committee, but that determination had been deferred in order to allow a site visit of the proposed development to take place.

The Planning Services Manager explained that several members had visited the site of the proposed development earlier in the day. The proposed development was, he explained, largely unchanged from that tabled at the previous meeting, although some alterations had been made to the suggested conditions to be imposed.

Briefly, the application involved the conversion of some redundant agricultural buildings into dwellings. These buildings are listed. It also involved the demolition of newer agricultural buildings, which are not listed. Part of the application involved the construction of a new vehicle access to the remaining agricultural building on the site. This would require the demolition of an existing stone wall and the loss of an orchard area. Members were informed that there had been no objections from the Highways Authority to this proposed new access.

The Committee was reminded that the agent for the application had spoken in favour at its last meeting. A summary of his comments were read to members. He pointed out that there had been extensive consultation with Council officers in preparing the application that the proposal was in line with national planning policy guidelines and that, if agreed, would contribute to the authority's five year supply of new housing.

The Committee heard from James Le'Flock, a local resident who spoke against the application. He made it clear that although the conversion of the derelict buildings would be welcome, he and other local people opposed the demolition of the wall and the creation of the additional access to the remaining agricultural building, which they felt would have a detrimental impact in terms of road safety and on the life of the village.

Members discussed the application. There was general agreement that the conversion of the derelict buildings was a good proposal and ought to be supported. However, the Committee was not convinced that an additional access to service the remaining agricultural building was required. For this reason, members asked whether the application could be remodelled so that it no longer included the additional access. It was confirmed that this would not be acceptable to the applicant.

**RESOLVED:-**

***That planning permission is refused contrary to the recommendations on the grounds that the development would be contrary to Local Plan policies EV12 and EV13 and Chapter 12 of the National Planning Policy Framework, that the proposed agricultural access would have an undue influence on part of a conservation area. That the Director of Community & Planning Services be given delegated authority to draft the reasons for refusal, for the Chair and Vice Chair of the Committee to agree.***

PL/73 **THE ERECTION OF TWO DWELLINGS TO THE REAR OF BRYMAR AND WENGE, WOODSHOP LANE, SWARKESTONE, DERBY.**

Members were reminded that the Committee had rejected an application to build two dwellings on the site at an earlier date. The applicant, it was explained, had attempted to address the Committee's concerns by resubmitting proposals for smaller, more conventional two story houses, rather than the larger buildings that they had originally wanted to build. As part of the application, there would be a new vehicular access. The Highways Authority, it was confirmed, had no objections to the proposals in terms of the impact on traffic flows or road safety of the new vehicular access.

The Committee heard from Steve Baker, a local resident who spoke against the application. He argued that the development would be out of character with the local area, that the new vehicular access would reduce safety for pedestrians and that the new houses would still overlook existing properties.

The Committee also heard from Jeff James, the agent for the application. He pointed out that the concerns originally expressed by the Committee had been fully addressed, with the size of the dwellings reduced by a quarter, so that they were actually smaller than other modern houses in the area.

Before discussing the application, the Chairman read out a letter from a local elected member, Councillor Atkins. In this he argued that there continued to be problems with the proposed development and the reasons why the original applications were rejected remained valid. He was especially concerned about the potential impact on road safety. In this context, he suggested that the reasons why the Highway Authority had concluded the development would not impact on local traffic conditions were far from clear. He said that there had been other applications with a similar lack of clarity. Councillor Atkin suggested, therefore, that the relevant officers from Derbyshire County Council be invited to attend a future meeting of the Committee to explain the approach that they took and the criteria which they used when making these assessments. Members agreed with this and asked for the necessary arrangements to be made.

The detailed aspects of the application were then discussed and in particular, the conditions that would be imposed to ensure that the proposed houses would not overlook surrounding properties.

**RESOLVED:-**

***That planning permission is granted, subject to the conditions set out in the report by the Director of Community & Planning Services. That the landscaping condition be strengthened on the northern boundary be strengthened along with an additional condition for obscure glazing along the lines discussed at the meeting. That the County Highway Authority be requested to send a representative to explain their assessment process at a future meeting of the Committee***

PL/74 **THE ERECTION OF A DWELLING AND A FORESTRY BUILDING ETC. AT LAND AT BOG LANE, MELBOURNE, DERBY.**

The Committee considered an application to construct a dwelling, forestry building and vehicle access on a greenfield site close to a reservoir.

It was explained that a development in such location would not normally be accepted. However, it was being recommended for approval because it was considered to be an 'exemplar' in terms of the high quality of its design and its environmental sustainability.

This type of development was allowed under the National Planning Policy Framework. The Regional Design Council had been consulted and shared the assessment about the high quality of the proposed design.

Members heard from Alison Davies, who spoke on behalf of the applicants in favour of the development. She emphasised that the applicants had worked closely with the Council's officers on this, that all of the rights of way would be retained or rerouted, rather than lost. She pointed out that it would be a high quality innovative development in line with National Planning Policy and so should be approved.

The Committee also heard from Caroline Chave, who spoke on behalf of local residents, Mr and Mrs Healy, in opposition to the proposed development. She emphasised the significant impact that the proposed development would have on them as well as the impact on those using the area for walks and recreations by, in effect, impinging on the sense of the area being a public place that all can enjoy.

Members then discussed the application and whether the design of the building could be designed as an exemplar, which should, therefore, be approved as applicable in terms of the National Planning Policy Framework. Members discussed the wider environmental impact. It was accepted that the building would be seen from a distance and in particular, from the other side of the reservoir. However, it was noted that a range of other buildings could also be seen. It was also noted that the likely forest growth would be likely to obscure it almost entirely over time.

**RESOLVED:-**

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

PL/75 **ADDITIONAL ACCOMMODATION AND MICROBREWERY AT 12 BOOT HILL REPTON DERBY –ITEMS 1.8 AND 1.9 ON THE AGENDA**

The Committee received a report setting out an application to remodel the area in an around the Boot Inn Public House, so as to provide additional external spaces for customers and bed & breakfast accommodation. It also received a report to establish a micro-brewery on the same site.

It was explained that there would be few changes to the main building, with most alterations mainly confined to the outbuildings, so as to accommodate the micro-brewery. One of the proposed conditions for this micro-brewery was that a scheme should be drawn up to control odour and noise emissions from the process.

Members then heard from Andrew Galimore, a local resident who opposed the application. He highlighted a number of reasons why he and other local residents opposed the application. In particular, he argued that it would lead to a loss of light and privacy (especially in neighbouring gardens), a possible overload on the drainage and sewerage system, parking and traffic problems as well as noise and light pollution etc.

The Committee then discussed the application and the specific aspects of what would it would involve. There was a general feeling that the development would contribute to the local economy and was in keeping with the mixed-use of land and buildings that is common in areas such as Repton.

**RESOLVED:-**

***That planning permission is granted, subject to the conditions set out in the report by the Director of Community & Planning Services and those additional conditions agreed at the meeting.***

PL/76 **RESUBMISSION OF PREVIOUS APPLICATION FOR THE ERECTION OF A REPLACEMENT DWELLING AND ASSOCIATED LANDSCAPE WORKS AT ROSEDENE, CHAPEL STREET, SMISBY, ASHBY DE LA ZOUCH**

The Committee considered this proposal to demolish this listed building and replace it with a new dwelling. Members heard from the applicant, Michelle Kiely, who explained that the building had proven to be in a considerably worse state of report than they were told when they originally bought the property, that practically all of the historically interesting features had been removed over the years so that very little was left. Consequently they wished to build a new dwelling on the site, using reclaimed materials and in keeping with surrounding buildings in the conservation area.

**RESOLVED:-**

*That planning permission is granted, contrary to recommendations, on the grounds that the replacement would constitute an enhancement to the character and appearance of the conservation area. That the Director of Community & Planning Services be granted delegated authority to draft the reasons for approval, for the Chair and Vice Chair of the Committee to agree.*

PL/77 **REMOVAL OF CONDITIONS TO PREVIOUSLY APPROVED PLANNING APPLICATION TO IMPROVE ACCESS FOR THE COTTAGE AT THE WHITE HOUSE, PARK LANE, WESTON ON TRENT, DERBY**

Members were reminded that this application had been considered at the last meeting of the Committee, but that determination had been deferred in order to give members the opportunity to visit the site. This visit had taken place earlier in the day. The applicant had spoken in favour at the previous meetings and her views were read out in summary form as an aide memoire for members. The Committee was informed that the application involved the creation a separate access for the Cottage at the White House. This would require the demolition of a stone wall. Some concern had been raised about this, but it was explained that there was no evidence confirming that it was of sufficient age to be protected. Concern was also raised about how the existing access through the wall had been made. It was agreed that a more appropriate method should be used when constructing the new access.

**RESOLVED:-**

*That planning permission is granted subject to the conditions set out in the report of the Director of Community and Planning Services and an additional condition on the method used for breaking through the wall to construct the new access.*

PL/78 **THE ERECTION OF AN EXTENSION AT 1 FOREST VIEW, OVERSEAL, SWADLINCOTE**

The Committee was reminded that members had visited the site earlier in the day. It was generally felt that the application was worthy of support.

**RESOLVED:-**

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

PL/79 **THE VARIATION OF CONDITION TEN OF PLANNING PERMISSION 9/2013/0953 TO ALTER THE APPROACH FOR ACCESSING THE CONSTRUCTION SITE ON LAND AT LULLINGTON ROAD, OVERSEAL, SWADLINCOTE.**

The Committee considered the application and agreed to support it.

**RESOLVED:-**

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

PL/80 **APPEAL DECISION**

The Committee noted the results of an appeal decision made by the Planning Inspectorate: Lambert House, Ashby Road, Melbourne, Derby, Derbyshire DE73 8ES (Appeal references: APP/FI040/A/14/2219795)

PL/81 **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/82 **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.

PL/83 **EXEMPT MINUTES**

The Exempt Minutes of the meetings held on the 25<sup>th</sup> June, 15<sup>th</sup> July, 5<sup>th</sup> August and 26<sup>th</sup> August were approved as a true record.

M. FORD

CHAIRMAN

The meeting terminated at 8:25 pm.