

PLANNING COMMITTEE

8<sup>th</sup> November 2016

**PRESENT:-**

**Conservative Group**

Councillor Roberts (Chairman), Councillor Mrs Brown (Vice-Chairman) and Councillors Atkin, Mrs Coe, Ford, Mrs Hall, Harrison, Stanton and Watson

**Labour Group**

Councillors Dr Pearson, Shepherd, Southerd and Tilley

**In Attendance**

Councillors Muller (Conservative Group) and Taylor (Labour Group)

PL/97 **APOLOGIES**

The Committee was informed that no apologies had been received.

PL/98 **MINUTES**

The Open Minutes of the Meeting held on 27<sup>th</sup> September 2016 (PL/67-PL/80) were taken as read, approved as a true record and signed by the Chairman.

PL/99 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest had been received.

PL/100 **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/101 **REPORT OF THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES**

The Director of Community and Planning Services submitted reports for consideration and determination by the Committee and presented oral reports

to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/102 **OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR THE RESIDENTIAL DEVELOPMENT OF UP TO 85 DWELLINGS WITH ASSOCIATED ACCESS, LANDSCAPING, OPEN SPACE AND DRAINAGE INFRASTRUCTURE ON LAND AT SK4128 0287, WESTON ROAD, ASTON ON TRENT, DERBY**

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

Mrs Sharon Bowler (objector) attended the Meeting and addressed Members on this application.

Councillor Watson addressed the Committee as Ward Member for Aston on Trent, expressing the concerns of local residents, wishing to preserve the distinction between the two settlements of Aston and Weston. The Councillor also expressed surprise at the application having been lodged so close to the adoption of the Local Plan Part 1. Councillor Atkin, another Ward Member for Aston on Trent, also endorsed the recommendation to refuse the application.

***RESOLVED:-***

***That planning permission be refused in accordance with the reasons set out in the report of the Director of Community & Planning Services.***

PL/103 **RESIDENTIAL DEVELOPMENT OF 27 AFFORDABLE HOUSING UNITS AT THE FORMER BRETBY POTTERY SITE, SWADLINCOTE ROAD, WOODVILLE, SWADLINCOTE**

The Principal Area Planning Officer updated the Committee with updates to Conditions 14, 15 and 19. Reference was also made to planning guidance in relation to noise issues and outlined the findings of the noise survey commissioned after the previous committee.

Mr Anthony Rice (applicant's agent) attended the Meeting and addressed Members on this application.

It was noted that Councillor Southerd took exception to an individual Member being singled out in any way, given that decisions were made by a Committee.

Councillor Mrs Coe addressed the Committee as Ward Member for Woodville, stating that after close scrutiny of the noise report, which deemed it acceptable, she supported the application, given the need to develop the site and achieve affordable housing stock.

Councillor Taylor, another Ward Member for Woodville, asserted his right to speak on behalf of his constituent's and expressed his concerns regarding tenant choice, the comparisons to other sites at Rose Hill and Tunnel Close,

the external amenity aspect, the likelihood of noise complaints and the potential impact on local businesses.

The Environmental Health Manager clarified the position regarding noise, noting that whilst the site was not ideal, it was similar to other residential developments. Any noise complaints would be investigated and dealt with accordingly, although it was noted that the recycling plant also fell within the Environment Agency's remit.

Other Members added views on the demand for affordable housing, the need for consistent decisions, employment site status, other noise issues, the acknowledged reputation of the developer, government guidance, the likelihood of approval at any appeal and the plans for the listed building at the site. Responses were made by the Principal Area Planning Officer.

**RESOLVED:-**

***That planning permission be granted as recommended in the report of the Director of Community & Planning Services, subject to amendments to Conditions 14, 15 and 19.***

Abstention: Councillor Southerd.

PL/104 **LISTED BUILDING CONSENT FOR THE DEMOLITION AND REBUILDING OF THE EXISTING BOUNDARY WALL FRONTING THE SITE AT THE FORMER BRETBY POTTERY SITE, SWADLINCOTE ROAD, WOODVILLE, SWADLINCOTE**

**RESOLVED:-**

***That planning permission be granted as recommended in the report of the Director of Community & Planning Services.***

PL/105 **APPROVAL OF RESERVED MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE, AS WELL AS DISCHARGE OF CONDITIONS 5, 11, 14, 15, 31, 35 OF PLANNING PERMISSION REF: 9/2014/1136 FOR THE ERECTION OF 288 DWELLINGS, PUBLIC OPEN SPACE AND ASSOCIATED INFRASTRUCTURE AT NEW HOUSE FARM ETWALL ROAD MICKLEOVER DERBY**

The Principal Area Planning Officer updated Committee with amendments to / omissions of Conditions 1, 2, 5, 6, 8 and 9, as well as referring to a further letter of objection.

Mr Robert Galij (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Taylor left the Meeting at 7.00pm.

Councillor Mrs Brown addressed the Committee as Ward Member for Etwall, stating her support for the current scheme, requesting that the trees planted on the site be of a good standard, to mitigate against the large build area.

Councillor Muller, the other Ward Member for Etwall, also supported the application and commended the good working relationship with the developer.

Other Members raised queries relating to the garage sizes, the potential for their future change of use, on-street parking, bus routes, clearways, affordable housing locations and the treatment of excess surface water, each responded to by the Principal Area Planning Officer.

**RESOLVED:-**

***That planning permission be granted as recommended in the report of the Director of Community & Planning Services, subject to the amendments to Conditions 1, 2, 5, 6, 8 and 9.***

PL/106 **THE VARIATION OF CONDITION 14 OF PLANNING PERMISSION REF: 9/2013/1040 (RELATING TO OUTLINE APPLICATION (ALL MATTERS RESERVED) FOR DEVELOPMENT OF UP TO 100 DWELLINGS, PUBLIC OPEN SPACE, DRAINAGE AND ASSOCIATED WORKS) TO REDUCE EXTENT OF HIGHWAY WORKS ON LAND AT SK2731 3037 WILLINGTON ROAD ETWALL DERBY**

**RESOLVED:-**

***That planning permission be granted as recommended in the report of the Director of Community & Planning Services.***

PL/107 **APPROVAL OF LANDSCAPING RESERVED MATTER ON LAND SUBJECT TO OUTLINE PERMISSION 9/2013/1040 FOR 100 DWELLINGS, PUBLIC OPEN SPACE, DRAINAGE AND ASSOCIATED WORKS ON LAND AT SK2731 3037 WILLINGTON ROAD ETWALL DERBY**

The Principal Area Planning Officer informed Committee that an additional letter of objection had been received, relating to the planting proposals at the site.

Councillor Mrs Brown addressed the Committee as Ward Member for Etwall, welcoming the additional hedgerow requests and querying the landscape management responsibilities, the quality of the trees to be planted and maintenance of the drainage ditch at the northern end of the site. The Principal Area Planning Officer responded to each of the queries. It was also agreed that three trees to the rear of Plot 19 be omitted rather than moved.

**RESOLVED:-**

***That planning permission be granted as recommended in the report of the Director of Community & Planning Services, with delegated authority also granted to the Planning Services Manager with regard to the amendment to landscaping to the rear of Plot 19.***

PL/108 **APPROVAL OF ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED MATTERS RELATIVE TO SUBSTITUTION OF**

**HOUSETYPES TO PLOTS 10, 11, 19, 20, 31, 33, 80, 85, 86 AND 95 AND REPOSITIONING OF PLOTS 18, 21-30, 32, 78, 79 AND 81 ON LAND SUBJECT TO OUTLINE PERMISSION 9/2013/1040 FOR 100 DWELLINGS, PUBLIC OPEN SPACE, DRAINAGE AND ASSOCIATED WORKS ON LAND AT SK2731 3037 WILLINGTON ROAD ETWALL DERBY**

The Principal Area Planning Officer updated the recommendation in light of the resolution made at Item 1.5 regarding the trees to the rear of Plot 19.

Councillor Mrs Brown addressed the Committee as Ward Member for Etwall, querying the increase in some property sizes, a point responded to by the Principal Area Planning Officer.

***RESOLVED:-***

***That planning permission be granted as recommended in the report of the Director of Community & Planning Services, with delegated authority also granted to the Planning Services Manager with regard to the amendment to landscaping to the rear of Plot 19.***

PL/109 **REMOVAL OF THE NEED TO COMPLY WITH CODE FOR SUSTAINABLE HOMES LEVEL 3 TO BE ACHIEVED FOR AFFORDABLE HOUSING CONTAINED WITHIN THE S106 IN RESPECT OF PLANNING PERMISSION FOR 100 DWELLINGS ON LAND AT WILLINGTON ROAD, ETWALL**

***RESOLVED:-***

***Members authorised the removal of the need to comply with Code for Sustainable Homes Level 3 to be achieved for affordable housing. The overall level of provision would remain unchanged at 30% (30 homes).***

PL/110 **TREE PRESERVATION ORDER 432 AT 59 JUBILEE CLOSE, MELBOURNE**

Councillor Watson raised concerns regarding applications for Tree Preservation Orders (TPO) for trees in inappropriate locations, requesting deferment for the future attendance of the Tree Officer or photographs and/or a site visit if required. Although the deferment proposal was not supported by the Committee, it was agreed that photographs would accompany future applications.

***RESOLVED:-***

***Members confirmed this Tree Preservation Order (TPO) without modification.***

PL/111 **TREE PRESERVATION ORDER 433 AT 33 WOODFIELD DRIVE, SWADLINCOTE**

***RESOLVED:-***

***Members confirmed this Tree Preservation Order (TPO) without modification.***

PL/112 **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.***

**EXEMPT MINUTES**

***The Exempt Minutes of the Meeting held on the 27<sup>th</sup> September 2016 (PL/81-PL/82) were taken as read, approved as a true record and signed by the Chairman.***

**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 7.55pm.

COUNCILLOR A ROBERTS

CHAIRMAN