

PLANNING COMMITTEE (SPECIAL)

9<sup>th</sup> November 2021

**PRESENT:-**

**Labour Group**

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

**Conservative Group**

Councillors Bridgen, Brown, Haines, Muller and Watson.

**Independent Group**

Councillors Angliss and Dawson.

**Non-Grouped**

Councillor Wheelton.

PL/75 **APOLOGIES**

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

PL/76 **DECLARATIONS OF INTEREST**

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

PL/77 **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/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 **APPROVAL OF RESERVED MATTERS (ACCESS, LAYOUT, SCALE, APPEARANCE AND LANDSCAPING) PURSUANT TO OUTLINE PERMISSION REF. DMPA/2020/0985 (THE VARIATION OF CONDITION NO. 9 (RELATING TO SKYLARK HABITAT COMPENSATION) OF PERMISSION REF. 9/2017/1191 (RELATING TO OUTLINE PERMISSION (ALL MATTERS RESERVED FOR FUTURE APPROVAL) FOR RESIDENTIAL DEVELOPMENT OF UP TO 50 DWELLINGS WITH OPEN SPACE, DRAINAGE AND ASSOCIATED WORKS) ON ETWALL COMMON, LAND AT SK 2730 1591, EAST OF EGGINTON ROAD AND NORTH OF JACKSONS LANE, ETWALL COMMON, DERBY**

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

The report was presented by the Planning Delivery Team Leader who summarised the application and the amendment to the Section 106 Agreement. It was noted that 28 objections had been received and the Local Highways Authority had raised concerns regarding the use of Swales but Severn Trent had no objections.

An Objector and the Applicant's Agent attended the Meeting and addressed Members on the application.

Members raised concerns regarding noise levels from the A50 and the impact of the proposed Freeport, drainage and flood risks, the proposed footpaths within the site with the risk of anti-social behaviour and the replacement of a grass verge with a footpath outside of the site.

The Planning Delivery Team Leader informed the Committee that drainage would be covered in the conditions and the applicant could only provide footpaths within the redline of the plan and that no concerns of anti-social behaviour had been raised and that the boundary of the site would be enclosed by fencing.

The Head of Planning and Strategic Housing confirmed that the Environmental Team had raise no concerns regarding environmental noise environmental and that drainage would not be considered at the reserved matters stage but would be submitted at a later stage and normally dealt with under delegated powers but this could be brought to Committee for consideration. The Committee was also informed that whilst the Police has raised some concerns the applicant are only in control of the connections within the site and the Local Highways Agency did not have any objections.

The Chair reiterated the issues Members raised regarding drainage and the need for additional information to be considered by the Committee along with a request for the applicant to consider the concerns of Members in regard to the footpaths and security.

**RESOLVED:**

***That the application be deferred to allow the applicant to provide further information about drainage and consider the concerns raised by members relating to footpaths and security.***

PL/80

**CREATION OF ENGINEERING AND ENABLING WORKS INCLUDING RESTORATION, RE-PROFILING OF LAND AND REMEDIATION WITH DRAINAGE INFRASTRUCTURE, ACCESS AND ASSOCIATED WORKS ON LAND OFF SK2918 7015 CHURCH STREET, CHURCH GRESLEY, SWADLINCOTE**

The Head of Planning and Strategic Housing presented the report to Members outlining the proposal and noting that the applicant would make good any damage made by the creation of a temporary access which would be covered in amended conditions. The supporting information regarding the Environment Management Plan was highlighted and it was noted that access points were in line with the Highway Agency and that noise, amenity, highways and surface water drainage would be covered under a number of conditions.

The Head of Planning and Strategic Housing confirmed that footpath concerns from raised by neighbours would be dealt with under reserved matters

The Applicant's Agent attended the Meeting and addressed Members regarding the application.

Councillor Southerd raised concerns regarding the footpaths, vehicles and generators operating throughout the night and the maintenance of buffer zones.

The Head of Planning and Strategic Housing informed the Committee that footpath issues were in the process of being addressed with the County Council and confirmed that as part of reserved matters buffer zones and generators would be covered in Condition 8 to prevent contamination and that landscaping would be dealt with the under reserved matters and condition would be added in relation to the housing of the generator.

Councillor Southerd requested that the applicant consider the formation of a liaison group with local residents.

**RESOLVED:**

***That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to amendments to conditions 3 and 4 in relation to correction works to the temporary access, a new condition 5 regarding the compound and delegated authority granted to the Head of Planning and Social Housing to amend the wording to condition 8 to include generators.***

PL/81 **CONVERSION AND EXTENSION OF A FORMER CONCRETE WATER STORAGE TANK AND BRICK PUMP HOUSE INTO A RESIDENTIAL DWELLING HOUSE WITH ACCESS, PARKING AND ASSOCIATED WORKS AT THE FORMER WATER WORKS, BOG LANE, MELBOURNE, DERBY, DE73 8HU**

The Head of Planning and Strategic Housing presented the report to the Committee highlighting the key points of the resubmitted application. Reference was made to additional correspondence from a local resident questioning highway safety and drainage arrangements. It was noted that the principles of development had been approved previously and the alterations were broadly comparable in scale with drainage covered by suds and surface water drainage to comply with building regulations.

The Applicant's Agent attended the Meeting and addressed Members on this application.

**RESOLVED:**

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

PL/82 **PLANNING AND OTHER APPEALS**

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

Reference	Place	Ward	Outcome	Decision Level
DMPA/2020/0910	7 Cavendish Close, Newhall	Midway	Dismissed	Committee

PL/83 **SECTION 106 VARIATION - BROOMY FARM HARTSHORNE**

The Planning Delivery Team Leader presented the report to Members and outlined the variation to the Section 106 Agreement that would include a new standard Mortgagee in Possession clause.

**RESOLVED:**

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

PL/84 **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 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