

PLANNING COMMITTEE

28th February 2012

PRESENT:-

Conservative Group

Councillor Ford (Chairman), Councillor Mrs. Brown (Vice-Chairman) and Councillors Bale, Mrs. Hall, Jones, Stanton and Watson.

Labour Group

Councillors Bell, Mulgrew, Rhind (substitute for Councillor Richards), Shepherd, Southerd and Stuart.

PL/122. **APOLOGY**

An apology for absence from the Meeting was received from Councillor Richards (Labour Group).

PL/123. **MINUTES**

The Open Minutes of the Meeting held on 17th January and the Open and Exempt Minutes of the Meeting held 7th February 2012 were taken as read, approved as true records and signed by the Chairman.

PL/124. **DECLARATIONS OF INTEREST**

Councillor Ford (Chairman) declared a prejudicial interest in planning application CD9/2012/0003/CD (Minute No. PL/126) as a Member of the County Planning Authority, which would determine the application. Councillor Jones declared a personal interest in the same application as a Member of Derbyshire County Council for the Electoral Division adjoining the site. Councillor Southerd declared a personal interest in the same application as a former Chair of the school governing body. Councillor Stuart declared a personal interest in the same application as his wife was a member of the school governing body and his children attended the school. Councillor Mulgrew declared a personal interest in the same application due to work undertaken at the school by his business.

MATTERS DELEGATED TO COMMITTEE

PL/125. **REPORT OF THE HEAD OF COMMUNITY AND PLANNING SERVICES**

The Head 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/126. **NEW BUILD INFANT AND NURSERY SCHOOL TO REPLACE THE EXISTING SCHOOL ON YORK ROAD, CHURCH GRESLEY WITH PROVISION FOR 270 PUPILS AGED 4+ TO 7 YEARS OLD (90 PUPILS PER YEAR GROUP) PLUS A NURSERY OF 52 PLACES (COUNTY COUNCIL APPLICATION NO. CD9/0112/150) AT LAND AT SK2918 4692 PENNINE WAY, SWADLINCOTE (CD9/2012/0003/CD)**

Councillor Ford (Chairman) declared a prejudicial interest in this application as a Member of the County Planning Authority, which would determine the application and withdrew from the Meeting during the consideration and determination thereof. Councillor Mrs. Brown (Vice-Chairman) assumed the Chair for the item.

It was reported that Members of the Committee had visited the site prior to the Meeting. The comments of the County Highways Authority were read to Members. Comments were raised concerning issues relating to an appropriate structure on the boundary to the cemetery, the sympathetic treatment of trees and the possible realignment of the footprint of the building.

RESOLVED:-

- (1) That the County Planning Authority be advised that this Council raises no objection to the proposal, subject to several comments and suggestions and the Head of Community and Planning Services be authorised to submit an appropriate response in consultation with the Vice-Chairman of the Committee, on the basis of the Committee's comments.***
- (2) That a copy of the response be forwarded to all Members of the Committee for information.***

(Councillor Jones declared a personal interest in this application as a Member of Derbyshire County Council for the Electoral Division adjoining the site. Councillor Southerd declared a personal interest as a former Chair of the school governing body. Councillor Stuart declared a personal interest as his wife was a member of the school governing body and his children attended the school. Councillor Mulgrew declared a personal interest due to work undertaken at the school by his business).

PL/127. **APPEAL DECISION**

The content of the following report was noted:-

Appeal Dismissed and Enforcement Notice upheld (as varied)

The change of use of land at Acresford Road, Netherseal from use for equestrian land to use for a residential gypsy caravan site, including the stationing of a caravan and portable toilet block, the erection of boundary fencing and hard surfacing without planning permission.

PL/128. **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 is 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.

TERMS OF SECTION 106 AGREEMENT – LAND AT OVERSEAL (Paragraph 3)

The Committee agreed a variation to a Section 106 Agreement relating to a development at Overseal and agreed that the dedication of the land to the Council as open space be pursued with the Liquidators of the development company.

ENFORCEMENT ACTION – LAND AT MELBOURNE (Paragraph 2)

The Committee agreed that no action be taken in respect of the use of land at Melbourne as a builder's compound and area for cement mixing and storage of materials.

M. FORD

CHAIRMAN