

PLANNING COMMITTEE

17th November 2020

PRESENT:

Conservative Group

Councillor Mrs. Brown (Chairman), Councillor Mrs. Bridgen (Vice-Chairman) and Councillors Angliss, Ford, Muller, Watson and Mrs. Wheelton.

Labour Group

Councillors Gee, Dr. Pearson, Shepherd, Southerd and Tilley.

In Attendance

Councillor Richards

PL/94 **APOLOGIES**

The Committee was informed that no apologies for absence had been received.

PL/95 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETING**

The Open Minutes of the following Meeting were reviewed, considered as a true record and approved by the Chairman.

Committee	Date	Minute References
Planning	1 st July 2020	PL/16 – PL/28

PL/96 **DECLARATIONS OF INTEREST**

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

PL/97 **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/98 **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/99 **CHANGE OF USE FROM DWELLING (USE CLASS C3) TO A LARGE HOUSE IN MULTIPLE OCCUPATION (HMO) (SUI GENERIS USE) AND MINOR ALTERATIONS TO BUILDING AT 14 DOLES LANE, FINDERN, DERBY, DE65 6AX**

The Committee was informed that Members had attended a virtual site visit.

The Planning Delivery Team Leader appraised the Committee of the proposal and noted that the report was brought before Members at the request of Councillor Ford as at the time of publication the proposal was contrary to an objection from the County Highway Authority. Members were informed that on the receipt of new information the County Highway Authority had since confirmed that the objection was removed.

Councillor Ford addressed the Committee presenting concerns of the local community.

The Senior Planning Officer recapped the chronology of the application and the responses from the County Highway Authority and made clear that a condition was included to restrict the occupancy to seven persons.

It was noted that Members initial concern regarding the vehicles exiting the site had been allayed and they supported the need for more single person dwellings within South Derbyshire.

Council Tilley raised a query regarding parking spaces and access to the garages and possible future development of the garages. The Planning Delivery Team Leader clarified the parking position and informed Members that any further development would require a planning application ,

RESOLVED:

That planning permission was approved as per recommendation in the report of the Strategic Director (Service Delivery), subject to an additional condition to ensure that the garages were to be used for the parking of vehicles only.

PL/100 **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**

The Planning Delivery Team Leader appraised the Committee of the proposal and explained that this was brought before Members at the request of Councillor Richards. The Planning Delivery Team Leader highlighted a previous unsuccessful application to remove the tree was also refused at appeal in 2018.

Councillor Richards addressed the Committee as a Local Ward Member and requested that Members visit the site to get a view of the overbearing appearance of the tree.

The Planning Delivery Team Leader confirmed that photographs used within the presentation were taken the week prior to the Committee Meeting and that the advice of the Council's Tree Officer was that the tree could be managed through crown reductions and works to reduce its impact.

RESOLVED:

That planning permission was refused as per amended recommendation in the report of the Strategic Director (Service Delivery), subject to conditions.

PL/101 **THE CREATION OF 3NO. ARTIFICIAL GRASS TENNIS COURTS WITH 3M HIGH PERIMETER FENCING AT THE MELBOURNE SPORTS PAVILION, COCKSHUT LANE, MELBOURNE, DERBY**

Committee was informed that Members attended a virtual site visit.

The Head of Planning and Strategic Housing appraised the Committee of proposal and explained that the application was deferred by a Committee Meeting held in April 2019 to allow the Applicant to investigate additional parking at the site which was included within the application. The Head of Planning and Strategic Housing confirmed that conditions protected trees immediately north of the site, restricted the use of the courts and required an additional drainage scheme to be implemented.

An Objector and the Applicant attended the meeting and addressed the Committee regarding the application.

Following points raised by the speakers the Head of Planning and Strategic Housing informed Members that no floodlighting was proposed and that the distance of the courts from the boundary was considered sufficient in relation to both noise and any physical impact and that there would be no adverse effect on wildlife.

The Committee raised a query regarding ownership and maintenance of the hedge at the boundary of the site and sought clarity regarding the usage of the existing courts and the parking facilities. The Head of Planning and Strategic Housing confirmed that the hedge was in the ownership of the applicant, that there was no reason to dispute the statement regarding membership of the club provided by the applicant and additional parking facilities located a short distance from the courts would increase the number parking spaces.

RESOLVED:

That planning permission was approved as per recommendation in the report of the Strategic Director (Service Delivery), subject to an additional condition relating to the management of an adjacent hedge.

PL/102 **SECTION 106 VARIATION AT BOULTON MOOR, THULSTON**

The Planning Delivery Team Leader presented the report to the Committee and sought approval to update the Section 106 Agreement to include a Mortgagee in Possession clause.

RESOLVED:

- 1.1 That the Committee approved the request to amend the Section 106 Agreement (S106) and subsequent Deeds of Variation (DoV) by means of a further DoV to include a standard Mortgagee in Possession (MiP) clause into the agreement and other minor amends as the Strategic Housing Team feel appropriate.***
- 1.2 That the Committee delegate authority to the Head of Planning and Strategic Housing to agree the finer detail and wording of the obligations to be secured under the DoV.***

PL/103 **TREE PRESERVATION ORDER NO. 535 101 SCROPTON ROAD, HATTON**

The Planning Delivery Team Leader delivered the report requesting a Tree Preservation Order to the Committee explaining that a letter of objection had been received raising and number of concerns.

RESOLVED:

That the Tree Preservation Order be confirmed.

PL/104 **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 19:40 hours.

COUNCILLOR MRS L BROWN

CHAIRMAN