

PLANNING COMMITTEE

20<sup>th</sup> March 2018

**PRESENT:-**

**Conservative Group**

Councillor Mrs Brown (Chairman), Councillor Mrs Coe (Vice-Chairman) and Councillors Mrs Hall, Harrison, Hewlett (substituting for Councillor Coe) MacPherson (substituting for Councillor Watson), Muller and Stanton

**Labour Group**

Councillors Dr Pearson, Richards (substituting for Councillor Shepherd), Southerd and Mrs Stuart (substituting for Councillor Tilley)

PL/160 **APOLOGIES**

Apologies for absence were received from Councillor Coe, Watson (Conservative Group), Shepherd, Tilley (Labour Group) and Tipping (Independent / Non-Grouped Member).

PL/161 **MINUTES**

The Open Minutes of the Meeting held on 16<sup>th</sup> January 2018 and 6<sup>th</sup> February 2018 were taken as read, approved as a true record and signed by the Chairman.

PL/162 **DECLARATIONS OF INTEREST**

Councillor Mrs Coe declared a personal interest in Item 1.4 by virtue of being the Council's representative on Outside Bodies for Sharpe's Pottery Heritage & Arts Trust Ltd.

Councillor Stanton declared a personal interest in Item 1.4 by virtue of being the Council's representative on Outside Bodies for Sharpe's Pottery Heritage & Arts Trust Ltd.

Councillor Hewlett declared a personal interest in Item 1.4 by virtue of being a member of the Swadlincote Town Centre Cultural Partnership.

Councillor Southerd raised a question in relation to Item 1.1 querying whether the Chairman was satisfied that sufficient Members of this Committee had come with an open mind and no predetermination due to the debate and vote taken on this application at the previous Planning Committee. The Chairman responded that legal advice had been sought and it had been confirmed that there is no predetermination due to the matter being put before Committee

again as no valid decision was reached upon which a Decision Notice could be raised.

PL/163 **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/164 **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 them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/165 **OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR THE ERECTION OF TWO DWELLINGS AT LAND NORTH OF THE SCHOOL HOUSE UNNAMED ROAD FROM LONG LANE TO DALBURY HOLLOW DALBURY LEES ASHBOURNE**

The Principle Area Planning Officer presented the report to Committee.

Parish Councillor Colin Timmins (objector) and Mr Jonathan Jenkin (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Muller addressed the Committee as Ward Member for Etwall, outlining the concerns of the parish council and residents, including the potential impact of the ribbon development on the character and landscape of the village, the location falling outside the settlement boundary, along with the preservation of the views and hedgerows. It was also suggested that following the Local Plan consultation process, this appeared to be an exception.

A discussion ensued regarding the issues raised and clarification was sought on the site in relation to the Local Plan Part 2 and in particular of policy BNE5 of the Plan, both provided by the Principal Area Planning Officer.

Some Members commented on the potential impact of the development and felt that it would not be in keeping with the local character. Other Members, whilst understanding such concerns, referred to the Officer's report in support of its recommendation.

A proposal to refuse the application was not supported by Committee.

**RESOLVED:-**

*That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery).*

PL/166 **THE VARIATION OF CONDITION 11 OF PLANNING PERMISSION REF: 9/2016/0010( RELATING TO RETROSPECTIVE APPLICATION TO VARY CONDITION 15 OF PLANNING PERMISSION REF: 9/2012/0505) TO READ: "NOTWITHSTANDING THE SUBMITTED DETAILS, FROM THE DATE OF THIS PERMISSION, THE CUSTOMER CAR PARK ACCESS SHALL BE CLOSED USING BARRIERS OUTSIDE STORE OPENING OR DELIVERY HOUR", AT ALDI FOOD STORE LTD HUNTSPILL ROAD HILTON DERBY**

The Planning Services Manager presented the report to Committee explaining that updated information involving health and safety guidelines had resulted in this application for a variation. It was highlighted that the Council's Environmental Health Officer and Highways Authority had been consulted on this matter as set out in the report.

Members noted the report seeking clarification on the condition relating to the use of vehicle reversing alarms which was provided by the Planning Services Manager.

**RESOLVED:-**

*That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), with delegated authority to the Planning Services Manager to amend any conditions as necessary.*

PL/167 **REFURBISHMENT OF ARTIFICIAL GRASS PITCH (AGP) INCLUDING REPLACEMENT PITCH SURFACE (SIZED 106 X 70M), REPLACEMENT BALL STOP FENCING AROUND AGP PERIMETER, INSTALLATION OF NEW HARDSTANDING AREA CONNECTING AN EXISTING MAINTENANCE EQUIPMENT STORE TO THE AGP ENTRANCE TO FACILITATE MAINTENANCE OPERATIONS, AND REFURBISHMENT OF EXISTING FLOODLIGHT SYSTEM WITH 14 REPLACEMENT LUMINARIES MOUNTED ONTO 6 EXISTING FLOODLIGHT MASTS AT PINGLE SCHOOL CORONATION STREET SWADLINCOTE**

The Planning Services Manager presented the report to Committee highlighting that grant funding had been made available to complete the proposed refurbishment providing the opportunity to suitably enhance the lighting and the design of the ball-stop fencing.

Mrs Deborah Holland (applicant) addressed Members on this application.

Members welcomed the report, particularly the review of the lighting provision.

**RESOLVED:-**

*That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery).*

PL/168 **LISTED BUILDING CONSENT TO FIX A PLAQUE TO THE WALL AT SHARPES POTTERY AND BRETBY POTTERY IN ACCORDANCE WITH PLANNING REFERENCE: 9/2017/1160 FOR VARIOUS LOCATIONS (SHARPES POTTERY & BRETBY POTTERY)**

The report was presented by the Planning Services Manager.

**RESOLVED:-**

***That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery).***

PL/169 **THE FELLING AND PRUNING OF TREES AT STENSON HOUSE DERBY ROAD STENSON DERBY**

The Principal Area Planning Officer presented the report highlighting the intention of the applicant to plant new hedging.

**RESOLVED:-**

***That consent be granted as recommended in the report of the Strategic Director (Service Delivery).***

PL/170 **DEMOLITION OF BUILDINGS AND REMOVAL OF HARDSTANDINGS AT THE FORMER COUNCIL DEPOT DARKLANDS ROAD SWADLINCOTE**

The Principal Area Planning Officer presented the report updating the Committee that no representations had been received and that the response from the Coal Authority had requested addition of an informative as outlined in the report.

**RESOLVED:-**

***That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery) with the inclusion of an additional informative regarding coal mining risk as requested by the Coal Authority.***

PL/171 **PLANNING AND OTHER APPEALS**

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

|             |                          |
|-------------|--------------------------|
| 9/2017/0375 | Sutton Lane, Hilton      |
| 9/2017/0965 | Twyford Road, Willington |

PL/172 **PROPOSED TREE PRESERVATION ORDER 478 – LAND OFF SWAN HILL, MICKLEOVER**

The Planning Services Manager presented the report to Committee explaining the reasons for modification to this Tree Preservation Order.

One Member questioned ownership and maintenance of the area of land being excluded from the Order. The Planning Services Manager responded clarifying that in accordance with the original planning permission, the developers and/or residents are duty-bound to maintain this.

***RESOLVED:-***

***That the Tree Preservation Order be modified and confirmed as recommended in the report of the Strategic Director (Service Delivery).***

PL/173 **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 6<sup>th</sup> February 2018 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 7.00pm

COUNCILLOR MRS L BROWN

CHAIRMAN