

PLANNING COMMITTEE

16<sup>th</sup> January 2018

**PRESENT:-**

**Conservative Group**

Councillor Roberts (Chairman), Councillor Mrs Brown (Vice-Chairman) and Councillors Mrs Coe, Coe (substituting for Councillor Watson), Mrs Hall, Harrison, Muller, Murray (substituting for Councillor Ford), Stanton

**Labour Group**

Councillors Dr Pearson, Shepherd, Southerd and Tilley

**In attendance**

Councillor Mrs Plenderleith (Conservative Group)

PL/120 **APOLOGIES**

Apologies for absence were received from Councillor Ford and Councillor Watson (Conservative Group)

PL/121 **DECLARATIONS OF INTEREST**

Councillor Harrison declared a personal interest in Items 5 and 6 of the Agenda, by virtue of being an acquaintance of the applicant through Melbourne Parish Council.

Councillor Stanton declared a personal interest in Items 5 and 6 of the Agenda, by virtue of knowing the applicant.

Councillor Murray declared a personal interest in Item 1.3, by virtue of being a County Councillor.

PL/122 **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/123 **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/124 **PROPOSED TEMPORARY (5 YEAR PERIOD) CHANGE OF USE OF COMPOSTING SITE FOR USE FOR LORRY PARKING AND FOR THE STATIONING OF A PORTACABIN OFFICE AT LAND AT SK2032 9545 UNNAMED ROAD FROM COTE BOTTOM LANE TO BENT LANE HEATHTOP DERBY**

It was reported that members of the Committee had visited the site earlier in the day. The Planning Services Manager presented the report and updated the Committee on correspondence received from the Applicant's Agent requesting to extend the recommended operating hours to 04:00 – 22:00. The Planning Services Manager further advised the Committee that the application for temporary planning permission had been made for five years, and explained that the Officer's report recommended this be reduced to two years. The Planning Services Manager clarified the site's 'sui-generis' use advising that the last permitted use for the land had been as an airfield. The Officer advised that planned development in the vicinity had resulted in improvements to the junction of Woodyard Lane and the A50 and that no objections had been received from the Highways Authority.

Mrs Sarah Wilson (objector) attended the Meeting and addressed Members on this application.

Councillor Mrs Plenderleith attended the Meeting as Ward Member for Hilton and addressed the Committee thanking them for visiting the site and highlighted concern from the local residents relating to the applicant's proposed use of the narrow, rural roads and questioned why the site was not included in the Local Plan and did not face Dove Valley as with all the other industrial parks in the vicinity. The Councillor requested tighter conditions on the operating hours, landscaping in order to provide sound attenuation, inclusion of a travel plan and the location of the portacabin to be moved from the front of the site so it is hidden. The Planning Services Manager responded to all points raised adding that due the recommendation for temporary permission, landscaping would not be requested at this stage.

Members sought clarification on visual and ecological impact, and raised concern regarding operating hours and the use of lighting and also discussed that alternative access to Dove Valley Park be sought during the two-year period.

**RESOLVED:-**

***That consent be granted as recommended in the report of the Director of Community & Planning Services subject to the conditions in the report including the additional/ amended conditions that: operations from site only between 06:00 and 18:00 Mon-Sat; floodlights only allowed on between 5.30am and 6.30 pm Mon-Sat; revised layout to allow relocation***

*of portacabin. Additional informatives to suggest preferred vehicle route and alternative access to Dove Valley Park.*

Councillor Plenderleith left the Meeting at 6.45pm.

PL/125 **THE ERECTION OF 15 AFFORDABLE DWELLINGS INCLUDING ASSOCIATED ACCESS AND PARKING REQUIREMENTS ON FORMER DILKES GARAGE SITE HILL STREET SWADLINCOTE**

The Planning Services Manager presented the report informing Committee that the application is of history of the application.

Councillor Tilley addressed the Committee as local Ward Member commenting that concerns relating to the site being a former petrol site/contaminated and potential impact of construction traffic and access had been adequately addressed and welcomed the development plans.

**RESOLVED:-**

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

PL/126 **DEMOLITION OF PART OF EXISTING CHILDRENS HOME AND ERECTION OF NEW EXTENSION ALONG WITH INTERNAL RECONFIGURATIONS AND RETENTION OF EXISTING OUTBUILDING ON THE CORNER OF THE SITE (COUNTY REF: CD9/0317/107 - AMENDED SCHEME) AT LINDEN HOUSE CHURCH STREET SWADLINCOTE**

The Planning Services Manager presented the report advising that this was a consultation from the County Council as the County Planning Authority seeking the views of the District Council on the proposal to demolish the Linden House Family Centre. The proposed amendments were explained by the Officer.

Members queried the materials to be used for the new extension which were clarified by the Officer. In relation to the existing outbuilding, suggestions were made to investigate the removal of the paint and restore the building with an exposed brick frontage, however upon further discussion and comments made by the local Ward Member, it was requested that the (original) iconic building be kept as painted brickwork

**RESOLVED:-**

*That Derbyshire County Planning Authority is advised that South Derbyshire District Council does does not object to the granting of planning permission by subject to the amendments/provisions highlighted in the report of the Director of Community & Planning Services*

Abstention: Councillor Murray

PL/127 **PLANNING AND OTHER APPEALS**

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

9/2017/0388 Weston Hall Drive, Weston on Trent

PL/128 **PROPOSED TREE PRESERVATION ORDER 472 – LAND TO REAR OF 45-59 MANCHESTER LANE, HARTSHORNE**

The Planning Services Manager presented the report to Committee informing Members that the request for the Tree Preservation Order (TPO) had been made by the landowner. Members were informed that the Council's Tree Officer had considered the request and due to **the lack of clarity in the guidance**, confirmed that technically they qualify as trees. The Planning Services Manager advised the Committee that many residents disagreed and queried the definition, their comments were put to the Tree Officer. The Tree Officer responded alluding to debates that had taken place at court hearings and quoted from Charles Mynors Law of Trees Forests and Hedges.

Some Members commented that although it was unusual that the request came from the landowner, felt that it was the landowner's right to preserve the trees and supported the recommendation

Councillor Mrs Coe addressed the Committee as local Ward Member expressing that the mature hedge acted as a boundary and felt there was no requirement for this TPO. The Councillor felt that the request related to a previous application for log cabins where this hedge could act as a screen. **A discussion ensued with regards to the nature of the request and the definition of a tree.**

**The Chairman clarified for the Committee that a confirmed TPO indicates that the trees in question cannot be felled or pruned without the Council's permission and that permission can be obtained through the submission of an application. If granted, the trees can still be felled/prune.**

**RESOLVED:-**

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

Abstention: Councillor Mrs Brown

PL/129 **PROPOSED TREE PRESERVATION ORDER 477 – LAND ADJACENT TO 59 MANCHESTER LANE, HARTSHORNE**

The Planning Services Manager presented the report clarifying the location of the trees and that the proposal had been submitted by some of the local residents of Manchester Lane.

**RESOLVED:-**

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

Abstention: Councillor Mrs Brown

PL/130 **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 7.20pm.

COUNCILLOR A ROBERTS

CHAIRMAN