

PLANNING COMMITTEE

28th June 2016

PRESENT:-

Conservative Group

Councillor Roberts (Chairman), Councillor Mrs Brown (Vice-Chairman) and Councillors Atkin, Ford, Mrs Hall, Harrison, Stanton and Watson.

Labour Group

Councillors Dunn (substituting for Councillor Tilley), Dr Pearson, Shepherd and Southerd

In Attendance

Councillor Mrs Patten (Conservative Group).

PL/1 **APOLOGIES**

Apologies for absence from the Meeting were received on behalf of Councillor Tilley (Labour Group).

PL/2 **MINUTES**

The Open Minutes of the Meeting held on 12th April 2016 (PL/198-PL/210) were taken as read, approved as a true record and signed by the Chairman.

PL/3 **DECLARATIONS OF INTEREST**

Councillor Shepherd declared a personal interest in application 9/2016/0395/FO by virtue of being an acquaintance of the applicant and stated he would abstain from the vote on the matter.

Councillor Mrs Brown declared a personal interest in application 9/2016/0098/FM by virtue of being an acquaintance of one of the registered speakers.

Councillor Atkin declared a personal interest in applications 9/2016/0348/FH and 9/2016/0358/L by virtue of being an acquaintance of the applicant and stated he would vacate the Chamber whilst this matter was debated.

Councillor Harrison declared a prejudicial interest in application 9/2016/0366/B by virtue of being Chairman of the Melbourne Sporting Partnership and stated he would vacate the Chamber whilst this matter was debated.

PL/4 **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/5 **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/6 **THE ERECTION OF REPLACEMENT DWELLING AND ASSOCIATED ALTERATIONS AT SEALVIEW, GREEN LANE, OVERSEAL, SWADLINCOTE**

Mr Bryan Wolsey (objector) attended the Meeting and addressed Members on this application.

Councillor Mrs Hall addressed the Committee as local Ward Member for Seales, expressing concerns relating to the size and prominence of the proposed development, the potential impact on footpaths and road safety.

Councillors raised various queries relating to permitted development rights, what constituted the local vernacular, in both rural and urban settings, the size and future use of the garage under the property and the potential for further property height reductions, all responded to by the Planning Services Manager.

Councillor Ford noted the various concerns being expressed, particularly in relation to the size of the proposed development, suggesting that a site visit be proposed. A vote on deferment for a site visit was taken and carried.

RESOLVED:-

That the matter be deferred for a site visit at a future date.

PL/7 **THE ERECTION OF A DETACHED BUNGALOW AND A GARAGE AT 49 EGGINTON ROAD, HILTON, DERBY**

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

Ms Rebecca Hudson (objector) and Mr Matt King (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Mrs Patten addressed the Committee as local Ward Member for Hilton, expressing concerns regarding the proximity of the properties at the site, garden space and road safety issues relating to entry / exit from the proposed garages.

Councillor Watson referred to there being sufficient space for two properties on the site, albeit with small gardens, but for those not interested in having or maintaining a garden, this was acceptable.

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community & Planning Services.

Councillor Mrs Patten left the Chamber at 6.45pm.

PL/8

THE ERECTION OF EXTENSIONS AND ALTERATIONS TO EXISTING WORKSHOP AND GARAGE TO CREATE A DWELLING AT LAND TO THE REAR OF 89 EGGINTON ROAD, ETWALL, DERBY

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

Mrs Anne Du Cellie Muller (objector) and Mr Jon Millhouse (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Mrs Patten returned to the Chamber at 6.50pm.

The Vice-Chairman addressed the Committee as local Ward Member for Etwall, summarising the planning history to date and accepting that it was a finely balanced matter, also referring to the height of the development, its bulky nature and the potential impact on the amenity of the neighbours.

Councillor Dr Pearson expressed sympathy for the neighbours, but queried what grounds there could be for refusal. Councillor Watson concluded that it was a difficult position, that existing buildings already obscured the view of neighbours and that the applicant had addressed the issues raised by the Inspector on appeal. Councillor Harrison queried ecological concerns, given the single brick construction of existing buildings. The Principal Area Planning Officer confirmed that building regulations would apply in this instance, also stating that the property was being dug in to lower its overall height and that rooflights would be above normal eyesight levels.

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community & Planning Services.

Councillor Mrs Patten left the Meeting at 7.05pm.

PL/9 **DEMOLITION OF EXISTING HOUSE AND THE ERECTION OF A 4 BEDROOM REPLACEMENT DWELLING AT BEECH HOUSE, 35 BURTON ROAD, REPTON, DERBY**

This application was considered jointly with the application below.

PL/10 **DEMOLITION OF EXISTING HOUSE AND THE ERECTION OF A 4 BEDROOM REPLACEMENT DWELLING AT BEECH HOUSE, 35 BURTON ROAD, REPTON, DERBY**

Mr Edward Thompson (objector) and Mr Boudewijn Tuinenburg (applicant) attended the Meeting and addressed Members on this application.

The Planning Services Manager referred to the Village Design Statement, as raised by Mr Thompson, stating that whilst the Statement was useful, it did not constitute supplementary planning guidance. He stated that the existing house is complimentary, but that many modern extensions already existed in its immediate environment, that the Committee could embrace this modern building in a largely screened, non-prominent location. The Planning Services Manager added that it was a judgement call as to whether planning decisions re-inforced a perception of only always accepting an historic style, as opposed to taking on modern interpretations in the right places.

Councillor Stanton addressed the Committee as local Ward Member for Repton, expressing concerns on behalf of residents and the Parish Council, referring to the conservation area provisions for the area and the acceptable nature of the current dwelling, it being a matter of taste between old and new.

Councillor Ford stated that he had been at the Repton Parish Council meeting when this application had been discussed and that opposition was not unanimous amongst Parish Councillors. The Councillor expressed his support for this challenging proposal.

The Vice-Chairman referred to this as a matter of judgement and taste, querying the purpose of the Village Design Statement. The Planning Services Manager confirmed that Statement was published by the village, not the District Council and not adopted for use in determining applications. He added that in terms of conservation, it does not mean that all buildings have to be retained or added to in same style, that it was acceptable to move conservation on sensitively in the context of the area.

Councillor Southerd expressed his support for advancement, if conducted sensitively, for the removal of buildings of lesser quality in favour of an ultra-modern property in a screened location. Councillor Mrs Hall added her support for the proposal, believing that it will positively enhance Repton.

RESOLVED:-

That planning permission be granted for both applications subject to the conditions set out in the report of the Director of Community & Planning Services.

Councillor Atkin left the Chamber at 7.30pm.

PL/11 **THE ERECTION OF A SINGLE STOREY CONTEMPORARY FLAT ROOF EXTENSION AT 32A TWYFORD ROAD, BARROW UPON TRENT, DERBY**

This application was considered jointly with the application below.

PL/12 **DEMOLITION OF REAR TOILET BLOCK TO FACILITATE THE ERECTION OF A SINGLE STOREY FLAT ROOF EXTENSION AT 32A TWYFORD ROAD, BARROW UPON TRENT, DERBY**

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

Mrs Anne Heathcote (objector) and Mr Matt King (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Watson addressed the Committee as local Ward Member for Aston on Trent, expressing his view that the proposed alterations and extension were unsympathetic, not in character and not compatible with the existing building in either appearance or materials, in summary an attempt to marry old with new that was not acceptable in this instance.

Councillor Ford expressed his view that alternative architecture can preserve and enhance older, small buildings with modern materials and appearance, the proposed expansion allowing occupation on a greater scale.

The Planning Services Manager confirmed that the original plans, involving like materials, had been turned away on professional advice in favour of a more modern extension which, it was felt, did not detract from the original building.

Councillor Shepherd made reference to the local street-scene, accepting that since the premises had become residential, plans for its extension were inevitable, but that the materials, appearance and contrast outlined in the proposals were not acceptable.

The Planning Services Manager stated that as many heritage aspects in planning were difficult issues for the Inspector, a refusal may be supported, although if the Committee were minded to refuse the application, it would be difficult to advise the applicant on a different approach.

Other Members queried the advice of the former conservation officer and the weight given to it, the prominence of the building within the village and the potential visual impact of the proposed extension, the materials and whether a pre-hearing could be arranged to discuss materials. The Planning Services Manager responded to the points raised and, in relation to the last point, emphasised that a pre-hearing would not be possible as it could be deemed as pre-determination of the matter.

Councillor Watson proposed that the application be refused, but this was not supported by the Committee. Councillor Ford proposed that the matter be deferred, enabling further negotiations on design.

RESOLVED:-

That the matter be deferred to a future date to be determined.

Councillor Atkin returned to the Chamber at 8.10pm.

Councillor Harrison left the Meeting at 8.10pm.

PL/13 **THE ERECTION OF A DETACHED SINGLE GARAGE/OUTBUILDING AND ANCILLARY WORKS AT CHURCH BARN, CHAPEL STREET, SMISBY, ASHBY DE LA ZOUCH**

The registered speaker opted not to address the Committee.

Councillor Stanton withdrew the Parish Council's objection regarding the building's height when informed by the Planning Services Manager that the roof on the proposed development could not be lowered on design grounds.

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community & Planning Services.

Councillor Harrison returned to the Meeting at 8.15pm.

PL/14 **THE ERECTION OF A LOG CABIN TO BE USED FOR HOLIDAY LETTINGS ON LAND AT SK3221 7095 TICKNALL ROAD, HARTSHORNE, SWADLINCOTE**

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community & Planning Services.

Councillor Ford left the Meeting at 8.20pm.

PL/15 **THE ERECTION OF A DWELLING AT 31 BLACKSMITHS LANE, NEWTON SOLNEY, BURTON ON TRENT**

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

Councillor Stanton addressed the Committee as local Ward Member for Repton, expressing his view that it was unimaginable to place a bungalow in the garden at this location, stating that an additional condition be added to ensure that the development was single storey only.

Issues raised by other Members relating to the location of windows, the location of single and two storey dwellings at the location and whether this was an appropriate use of garden space were responded to by the Principal Area Planning Officer.

RESOLVED:-

That planning permission be granted subject to the conditions, including the additional condition that the development be single storey only, set out in the report of the Director of Community & Planning Services.

Absention: Councillor Shepherd.

Councillor Harrison briefly left the Meeting at 8.25pm whilst the matter below was discussed.

PL/16 **THE VARIATION OF CONDITION 11 OF PLANNING PERMISSION 9/2013/0458 TO ALLOW THE USE OF THE TENNIS COURTS FOR NETBALL AT RECREATION GROUND, COCKSHUT LANE, MELBOURNE, DERBY**

RESOLVED:-

That permission be granted subject to the conditions set out in the report of the Director of Community & Planning Services.

PL/17 **PLANNING AND OTHER APPEALS**

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

9/2015/0129	Cauldwell Road, Linton, Derbyshire
9/2015/0796	Sealwood Lane, Overseal, Derbyshire
9/2015/0875	Cockshut Lane, Melbourne, Derby
9/2015/1176	Sutton Lane, Hilton, Derbyshire

The Planning Services Manager drew particular attention to the Cauldwell Road, Linton decision, citing it as an important decision, the first since the new South Derbyshire Local Plan Part One had been invoked.

PL/18 **SUSPENSION OF STANDING ORDERS**

RESOLVED:-

That Standing Orders be suspended and that the meeting of the Committee continue beyond 8.30pm.

PL/19 **VARIATION TO TENURE SPLIT OF AFFORDABLE HOUSING IN RESPECT OF PLANNING PERMISSION FOR 100 DWELLINGS ON LAND AT WILLINGTON ROAD, ETWALL**

The Principal Area Planning Officer presented the report to Committee.

RESOLVED:-

That the Committee authorised an amendment to the tenure split for the 30% affordable housing (30 homes) secured through the Section 106 Agreement attached to planning permission ref: 9/2013/1040 from 68% rented properties (20 homes) and 32% intermediate housing (10 homes) to 50% rented properties (15 homes) and 50% intermediate housing (15 homes). The overall level of provision would remain unchanged at 30% (30 homes).

PL/20

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 12th April 2016 (PL/211-PL/212) 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.

ENFORCEMENT CASE

The Committee agreed the recommendation made in the Report.

The meeting terminated at 8.40pm.

COUNCILLOR A ROBERTS

CHAIRMAN