

PLANNING COMMITTEE

03 May 2022

**PRESENT:**

**Labour Group**

Councillor Tilley (Chair), Councillor Shepherd (Vice-Chair) and Councillors Gee, Pearson and Southerd

**Conservative Group**

Councillors, Bridgen, Lemmon, Muller, Redfern (Substitute for Cllr Brown) and Watson.

**Independent Group**

Councillors Dawson and MacPherson

**Non-Grouped**

Councillor Wheelton.

**In attendance**

Councillor Haines  
Councillor Smith  
Councillor Taylor

PL/145 **APOLOGIES**

The Committee was informed that apologies had been received from: Councillor Brown (Conservative Group).

PL/146 **DECLARATIONS OF INTEREST**

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

PL/147 **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/148 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/149 CREATION OF A NEW DISABLED ACCESS, SECURITY GATE AND ERECTION OF AN EXTERNAL WALL TO CREATE A NEW OUTDOOR AMENABLE SPACE AT MELBOURNE ASSEMBLY ROOMS, LEISURE CENTRE, HIGH STREET, MELBOURNE, DERBY DE73 8GF**

The Planning Delivery Team Leader presented the report to the Committee noting that land was owned by Derbyshire District Council. The Planning Delivery Team Leader and sought approval for the recommendations within the report.

Members supported the improvement works that would benefit the residents.

***RESOLVED:***

***That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).***

**PL/150 LISTED BUILDING CONSENT FOR CREATION OF A NEW DISABLED ACCESS, SECURITY GATE AND ERECTION OF AN EXTERNAL WALL TO CREATE A NEW OUTDOOR AMENABLE SPACE AT MELBOURNE ASSEMBLY ROOMS, LEISURE CENTRE, HIGH STREET, MELBOURNE, DERBY DE73 8GF**

The Planning Delivery Team Leader presented the report to the Committee noting that land was owned by Derbyshire District Council. The Planning Delivery Team Leader outlined the application noting that there were no objections from the Conservation Officer and sought approval for the recommendations within the report.

Members supported the new access and requested that building materials be considered and were to be in keeping with the existing building.

***RESOLVED:***

***That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery)***

**PL/151 THE PRUNING OF AN OAK TREE COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 533 ON LAND AT SK2531 3702, LUCAS LANE, HILTON, DERBY**

The Planning Delivery Team Leader presented the report to the Committee noting the 5.5 meter reduction of the tree with the removal of a number of tertiary and secondary branches, to enable access for lorries to the site. It

was noted that a number of objections had been received but that the Council's Tree Officer had no objections to the limited works.

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

Members sought clarity regarding the need for a 5.5 meter reduction and whether a compromise could be reached.

**RESOLVED:**

***That planning permission be deferred to allow for the applicant to consider a reduced level of pruning.***

PL/ 152 **THE VARIATION OF CONDITION NO. 2 OF PERMISSION REF. 9/2017/1402 (RELATING TO THE LAYOUT OF CABINS) FOR THE ERECTION OF 8 NO. HOLIDAY CABINS, TO SEEK MINOR MATERIAL AMENDMENTS TO THE ACCESS ROAD, SIZE OF CABINS, LAYOUT OF CABINS AND ASSOCIATED ENTRANCE GATE AT LAND AT SK2923 5475 (KNIGHTS LODGES), KNIGHTS LANE, BRETBY, DERBYSHIRE, DE15 0RT**

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

The Head of Planning and Strategic Housing presented the report to the Committee noting the amendment to the layout of previously approved application, the Committee was informed that the construction and scale of the cabins were broadly similar to those approved. The Committee was advised that a condition would restrict the occupation as holiday lets only.

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

As Local Ward Member Councillor Haines addressed the Committee raising concerns on behalf of the local residents regarding the biomass boiler that would be used to heat the complex.

**RESOLVED:**

***That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).***

PL/153 **THE ERECTION OF LEISURE BUILDING WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING ON LAND AT KNIGHTS LANE, BRETBY, BURTON ON TRENT, DE15 0RT**

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

The Head Planning and Strategic Housing addressed the Committee and outlined the main points regarding the variations to the previously approved design, that included a revised T shaped building with an increase in size. It was

explained that the building would house a swimming pool to be used by residents staying at the lodges.

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

Members raised concerns about the increase in size which appeared to be excessive and overbearing for the site and the impact on the landscape.

Councillor Wheelton sought clarification regarding the need for parking when it was for resident use only.

The Head of Planning and Strategic Housing explained that spaces were to be used during the changeover days and for guests of those legitimately using the lodges.

**RESOLVED:**

***That planning permission be refused contrary to the recommendations in the report of the Strategic Director (Service Delivery), due to the excessive scale of the building in a countryside setting that would be visually intrusive and harmful to the rural landscape.***

PL/154 **RETROSPECTIVE APPLICATION FOR THE ERECTION OF 8 HOLIDAY LODGE BUILDINGS (APPLICATION DMPA/2019/1305 RELATES) ON LAND AT KNIGHTS LANE, BRETBY, BURTON ON TRENT, DE15 0RT**

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

The Head of Planning and Strategic Housing presented the report to the Committee summarising the key points within the report that included the size of the permanent units, hot tubs and seating areas. The Committee was requested to approve the recommendations within the report.

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

As the Local Ward Member Councillor Haines addressed the Committee on behalf of the local residents and raised concerns about the permanent builds.

Councillor Southerd raised concern regarding the permanent construction of the lodges compared to the temporary build nature of the other approved lodges on site.

Councillor Wheelton raised concern regarding the lack of biodiversity on site, the size which was too imposing and that the design was outside of the previously approved development.

**RESOLVED:**

***That planning permission be refused contrary to the recommendations in the report of the Strategic Director (Service Delivery), due to the scale of the build and the harmful impact on the rural character and appearance on the landscape.***

PL/155 **CHANGE OF USE OF EXISTING RESIDENTIAL ANNEXE TO A SEPARATE DWELLING TOGETHER WITH SINGLE STOREY AND FIRST FLOOR EXTENSIONS AND THE ERECTION OF A DETACHED GARAGE WITH LIVING ACCOMMODATION OVER AT THE OLD RECTORY, CHURCH ROAD, EGGINTON, DERBY, DE65 6HP**

The Head of Planning and Strategic Housing outlined the report to the Committee and noted that the applicant was Councillor Brown.

Members supported the application.

**RESOLVED:**

***That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery),***

PL/156 **THE ERECTION OF ONE DWELLING WITH NEW ACCESS, PARKING AND ASSOCIATED WORKS AT SUNNYSIDE BUNGALOWS, 38 MAIN STREET, NEWTON SOLNEY, BURTON ON TRENT, DE15 0SJ**

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

The Head of Planning and Strategic Housing presented the report to the Committee summarising the main point within the report highlighting the long term financial benefits for the Arms Housing Charitable Trust, improved parking, the removal of trees, the loss of open space and the build of a new bungalow. It was further noted that it was a finely balanced scheme.

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

As a Local Ward Member, Councillor Haines attended the meeting and addressed the Committee raising concerns on behalf of the residents.

Members raised concerns regarding the loss of established trees, the loss of open space, the loss of allotments, the impact on a war memorial and over development in a conservation area.

It was noted that the war memorial could be protected if registered by either residents or planning.

**RESOLVED:**

***That planning permission be refused contrary to the recommendations in the report of the Strategic Director (Service Delivery), due to the loss of trees, the adverse impact on amenity of existing residents and the character and appearance of the area, the war memorial, the lack of overriding beneficial impact, the loss of open green space, landscaping and the conservation area.***

**PL/157 DEED OF VARIATION LAND AT BOULTON MOOR**

The Planning Delivery Team Leader presented the report to the Committee regarding an application approved in July 2020. It was explained following submission of a viability report the variation requested sought reduce the number of affordable housing provided on site.

Members raised concerns that there was no evidence that less affordable housing was required.

**RESOLVED:**

***1.1 The Committee approved to defer the decision to allow for further discussions with the Applicant with the view to an improved offer of affordable housing.***

**PL/158 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.***

**PL/159 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 hours. 19:50 hours

COUNCILLOR N TILLEY

CHAIR