

PLANNING COMMITTEE

8th August 2017

PRESENT:-

Conservative Group

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

Labour Group

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

PL/32 **APOLOGIES**

Apologies for absence were received from Councillors Dr Pearson and Shepherd (Labour Group)

PL/33 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest had been received.

PL/34 **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/35 **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/36 **THE ERECTION OF 9 DWELLINGS WITH ASSOCIATED EXTERNAL WORKS ON LAND TO THE REAR OF 82-98 WESTON ROAD, ASTON ON TRENT, DERBY**

In relation to the letters issued by the applicant and applicant's agent, the Officer clarified various points relating to the Mandarin appeal, settlement boundary, agricultural land grading and the Local Plan.

Mr Richard Pigott (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Watson addressed the Committee as Ward Member for Aston on Trent, making reference to the varying grades of agricultural land and how it can be affected by local conditions, such as its propensity to flood. The Councillor also emphasised that developers should pay due heed to the Local Plan, which took years to bring to fruition and should be adhered to. It was noted that this application related to an area outside the settlement boundary and that the five year supply is currently satisfied.

RESOLVED:-

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

PL/37 **THE VARIATION OF CONDITION 14 OF PLANNING PERMISSION 9/2015/0605 (RELATING TO HOURS OF USE OF EXTERNAL AREAS) AT KEYSTONE LINTELS LIMITED, RYDER CLOSE, CASTLE GRESLEY, SWADLINCOTE**

The Planning Services Manager referred to Condition 13 in the report and stated that it should have read as two years from when the permission was granted on 28th October 2015.

Mrs Janet Hodson (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Southerd addressed the Committee as Ward Member for Church Gresley, commenting on the objection raised on behalf of the adjacent St Modwen Homes site in relation to noise. The Planning Services Manager stated that the St Modwen noise report modelling had assumed 24 hour operation and that the actual noise report outcomes had been better than those anticipated in the modelling forecast.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services, subject to the variation of Condition 13.

PL/38 **THE ERECTION OF AGRICULTURAL STORAGE AND LIVESTOCK HOUSING UNIT AT SHADES FARM FROM GEARY LANE TO TOWN FARM, BRETBY, BURTON UPON TRENT**

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

Mr Martin Sansom (objector) and Mr Brian Mullin (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Stanton addressed the Committee as Ward Member for Repton and whilst acknowledging the various objections raised, noted that the proposed building was now greatly reduced in size and height, that the noise and smells were apposite to its intended use in a rural setting, that the pond was unlikely to be polluted given the distance involved and that it constituted an appropriate building for a genuine use.

The Vice Chairman, in noting the site's proximity to the conservation area, voiced her concerns relating to drainage, suggesting that a condition be added to address surface water and foul waste.

Other Members raised comments relating to supporting agriculture, the benefits of a building controlled by permission rather than purely permitted development, the treatment of slurry and the potential for further building under permitted development rights; matters addressed by the Planning Services Manager.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services, subject to an additional condition to require foul and surface water drainage details

PL/39

THE ERECTION OF A PERMANENT MARQUEE OVER EXISTING BEER GARDEN TERRACE AT THE BULLS HEAD, 84 HIGH STREET, REPTON, DERBY

The Principal Area Planning Officer noted that the address in the report should have read 84 High Street, not 85.

Mrs Mary Evans (objector) and Mr Richard Pope (applicant) attended the Meeting and addressed Members on this application.

Councillor Stanton addressed the Committee as Ward Member for Repton, outlining his concerns regarding the temporary nature of the structure in a conservation area, that it should either be removed, rebuilt with more appropriate materials or given five year extensions on application. The Principal Area Planning Officer clarified the position relating to temporary and permanent definitions, confirming that the marquee was considered a permanent building in planning terms. The Officer outlined the statutory duty to consider applications in conservation areas, in terms of measuring any harm caused versus any public benefits and conditions applied in relation to the structure's maintenance, regardless of any change of landlord / owner.

Other Members noted the success of the business venture, the condition and location of the marquee, whether permission would be required to demolish the structure and fire regulations requirements; all matters addressed by the Principal Area Planning Officer and Planning Services Manager.

Councillor Watson suggested that a condition be added to require records to be kept to ensure that the marquee materials are cleaned / replaced as required.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services, subject to an amended condition to require recording of maintenance / replacement of marquee materials.

PL/40 **CONVERSION AND EXTENSION OF A FORMER PUMP HALL AND WATER PRESSURE BALANCING TANK TO FORM A TWO-STOREY CONTEMPORARY RESIDENTIAL DWELLING ALONG WITH THE ERECTION OF A DETACHED OPEN AIR CAR PORT AT THE FORMER WATER WORKS, BOG LANE, MELBOURNE, DERBY**

Councillor Harrison addressed the Committee as Ward Member for Melbourne, welcoming this creative, positive development of quality and good design, which had also received support from the Melbourne Civic Society.

RESOLVED:-

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

PL/41 **THE FELLING OF 1 NO. MAPLE TREE AND 1 NO. LIME TREE AT SHARDLOW HOUSE, 94 LONDON ROAD, SHARDLOW, DERBY**

RESOLVED:-

That no objection be raised to the proposed works as recommended in the report of the Director of Community & Planning Services.

PL/42 **PLANNING AND OTHER APPEALS**

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

9/2016/1034	Woodville Road, Overseal
9/2016/1048	Staker Lane, Mickleover
9/2017/0152	Stenson Road, Derby

On request the Planning Services Manager explained the split decision reached in relation to the 9/2016/1048 Staker Lane, Mickleover, feasible as long as one decision does not have a bearing on the other.

PL/43 **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