OPEN

PLANNING COMMITTEE

13th May 2014

PRESENT:-

Conservative Group
Councillors Ford (Chairman), Mr Brown (Vice Chairman) and Councillors Bale, Mrs Hall, Stanton, Watson.

Labour Group

Councillors Bell, Dunn, Pearson, Richards, Shepherd, Southerd.

In attendance

Councillors Frost, Tilley, Mulgrew, Mrs Heath, Atkin and Mrs Hood.

PL/106 **Declarations of Intererest**

Councillor Richards explained to the Committee that although he did not intend to declare an interest, he did live in close proximity to the proposed development at Midway (item 1.2 on the agenda). The Chairman of the Committee, Councillor Ford, explained that he was strongly opposed to the change of use of the Wheel Inn public House in Findern. Having set out the reasons for his opposition, he made it clear that he would vacate the chair and leave the chamber when this item was discussed.

MATTERS DELEGATED TO COMMITTEE

PL/107 **REPORT OF THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES**

The Director of Community and Planning Services then submitted reports for consideration and determination by the Committee. The Head of Planning Services suggested that the Committee consider first the change of use of the Wheel Inn public house in Findern. Members agreed to this suggestion. At this point the Chairman vacated the chair, which was then taken by the Vice Chairman, Councillor Mrs Brown.

PL/108 **APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR A CHANGE OF USE FROM CLASS A4 (DRINKING ESTABLISHMENT) TO CLASS A1 (FUNERAL DIRECTORS) AT THE WHEEL INN, 25 MAIN STREET, FINDERN 9/2014/0286/Z.**

The Head of Planning Services explained to members the legal basis for this application. National planning law allowed for them to be converted from their current use as a public house to use as a funeral directors. This change did not require the agreement of the Planning Committee. The request before the Committee, therefore, was simply to confirm that this change was allowed

under the law. As this was simply a statement of fact, the Committee would have no option but agree to do this.

The consequences of not granting the certificate were discussed. Members were informed that such a decision would be subject to appeal (possibly through a judicial review) which the Council would be likely to lose on a matter of law and, potentially, could have costs awarded against it.

RESOLVED:-

That the application for a lawful development certificate for a change of use from Class A4 (drinking establishment) to Class A1 (funeral directors)be approved.

PL/109 **THE ERECTION OF AN EXTENSION AND ATLERATION AT NO. 5 MERE BECK, AMBASTON 9/2014/0150/FH**

The Committee was informed that following discussions, the applicant had agreed to change the proposals and to accept certain conditions on the scheme.

RESOLVED:-

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

PL/110 **THE ERECTION OF 66 DWELLINGS AND ASSOCIATED INFRASTRUCTURE, DEVELOPMENT OF NEW COMMUNITY FACILITIES AND SPORTS HALL AND CAR PARK WITH DEMOLITION OF EXISTING PAVILLION AND INSTALLATION OF NEW PLAY AREA AND TWO NEW FOODBALL PITCHES ON LAND OFF CHESTNUT AVENUE, MIDWAY 9/2014/0158/RSD.**

The Committee was reminded by the Head of Planning Services that some members had visited the site of this proposed development earlier in the day. It was explained that the scheme had been developed by the Council, in conjunction with Strata Homes, and was supported by local members.

Members discussed the proposed development. There was general agreement that this was a high quality scheme, which would be of real benefit to the local community.

RESOLVED:-

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

PL/111 **THE CONVERSION OF A BARN TO DOMESTIC ANEXEE WITH THE ERECTION OF A CONSERATORY AT NO.80 WEST STREET, WESTON ON TRENT. 9/2014/0261/FM**

The Committee was informed that changes had been made to the proposed development. As a consequence of these, the Committee was now recommended to approve the application.

RESOLVED:-

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

PL/112 **THE ERECTION OF ONE, TWO AND THREE BEDROOM BUNGALOWS AND HOUSES WITH ASSOCIATED PARKING, GARDENS AND ACCESS ON LAND AT PENNINE WAY, SWADLINCOTE. 9/2014/0278/RSD.**

It was reported that members of the Committee had visited the site prior to the Meeting. The Head of Planning explained that the proposal involved the creation of housing on land at the end of Pennine way.

Members of the Committee welcomed the proposed development. The Committee was informed that as a condition for the development, works vehicles would not be allowed to approach the site at the beginning or end of the school day in order to help prevent any traffic problems from being caused for local residents.

RESOLVED:-

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

PL/113 **THE CONVERSATION OF A FORMER PUBLIC HOUSEAND RESTAURANT TO A SINGLE DWELLING AND THE ERECTION OF FOUR DWELLINGS ON LAND AT NO. 92 ASHBY ROAD, MELBOURNE. 9/2014/006/FX**

Members received a report on the development. As part of this, the various conditions that had been placed on the development were explained.

RESOLVED:-

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

PL/114 **THE ERECTION OF AN EXTENSION AT HILL TOP BARN, MAIN STREET, INGLEBY. 9/3013/1013/FH.**

It was reported that members of the Committee had visited the site prior to the Meeting. The Head of Planning Services explained that concerns about the proposed development had been raised by the Council's conservation officer;

both in terms of impact on the 'roofline' of the barn conversions as a whole and on the nearby listed farmhouse.

The Committee heard from the representative of the applicant, who spoke in favour of the development. In particular, that the proposal would not have a serious impact either on the barn conversions as a whole or on the listed farmhouse.

RESOLVED:-

That planning permission for the erection of an extension at Hill Top Barn, Main Street Derby be granted. That the Head of Planning Services be authorised to agree the necessary conditions on the development.

PL/115 **THE ERECTION OF DWELLING AND GARAGE ON LAND SOUTH OF WOODBINE COTTAGE, ASHBY ROAD, TICKNALL, DERBY 19/2014/0245/FM**

Members were reminded that previous applications for developments on this site had not been approved. They were also informed that the County Highway Authority objected to the proposed development because of the restricted access to it. The Committee was advised that there were valid reasons for rejecting the proposed development as unsuitable for the site.

RESOLVED:-

That planning permission be refused for the reasons set out in the report by the Director of Community & Planning Services.

PL/116 **APPEAL DECISIONS**

The Committee noted the results of various appeal decisions made by the Planning Inspectorate:

- Appeal 'A' – land lying to the west of Main Street, Repton
- Appeal 'B' – 136 Main Street, Repton

PL/117 **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 is 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/118 **Enforcement Action - Willington**

Members received a report on this issue.

Resolved:

That the recommendations be approved.

M. FORD

CHAIRMAN