

PLANNING COMMITTEE

9th February 2016

PRESENT:-

Conservative Group

Councillor Roberts (Chairman), Councillor Mrs Brown (Vice-Chairman) and Councillors Atkin, Ford, Grant, Mrs Hall, Hewlett (substituting for Councillor Stanton), Watson and Wheeler (substituting for Councillor Mrs Farrington).

Labour Group

Councillors Dunn, Dr Pearson, Shepherd and Southerd.

In attendance

Councillor Harrison (Conservative Group).

PL/153 **APOLOGIES**

Apologies for absence from the Meeting were received on behalf of Councillors Mrs Farrington and Stanton (Conservative Group).

PL/154 **MINUTES**

The Open Minutes of the Meetings held on 27th October 2015 (PL/94-PL/110), 17th November 2015 (PL/111-PL/124) and 15th December 2015 (PL/127-PL/143) were taken as read, approved as a true record and signed by the Chairman.

PL/155 **DECLARATIONS OF INTEREST**

Councillor Wheeler declared an interest in application number **9/2015/0723** by reason of forming an opinion as Ward Member prior to being appointed a substitute. Councillor Wheeler undertook to leave the Chamber for the duration of the debate on this application once he had spoken as Ward Member.

PL/156 **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/157 **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/158 **OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR THE RESIDENTIAL DEVELOPMENT OF UP TO 8 DWELLINGS WITH PUBLIC OPEN SPACE, LANDSCAPING, DRAINAGE AND HIGHWAYS INFRASTRUCTURE ON LAND AT SK3826 8204 MAIN STREET KINGS NEWTON DERBY**

It was reported that members of the Committee had visited the site earlier in the day, during which the Principal Area Planning Officer had confirmed that the plan had reduced from 28 properties to eight.

The Principal Area Planning Officer reported that the site plan had reduced in size since the agenda had been published and gave an update on the Section 106 contributions relevant to the application.

Mr Ian Turner (objector) and Mr Steve Lewis-Roberts (applicant's agent) attended the Meeting and addressed Members on this application.

Councillors Hewlett and Harrison addressed the Committee as local Ward Members for Melbourne, expressing the concerns of local residents.

Queries and comments made by Councillors relating to the sustainable status of the application, the five year housing supply, the Local Plan, the impact on the Kings Newton conservation area, its position outside the settlement boundary, the proximity of some properties on, and close to, the indicative plan, the public footpath, viewpoints, the impact on the nearby listed building, the protection of heritage interests, the degree of importance that should be attached to the indicative plan, the surface treatment of the footpath and the maintenance of the existing hedgerows were all matters noted and responded to.

Councillor Hewlett additionally sought clarification on the point that the public open space designation, as shown on the plan, would allow for its potential future use as an extension to the adjacent cemetery if required. The Principal Area Planning Officer confirmed that there may be the opportunity for this to be the case in the future.

Councillors Harrison and Pearson both recommended that if the application was granted, the reserved matters be determined by the Planning Committee, a proposal agreed by the Committee.

RESOLVED:-

- A. That the Planning Services Manager be authorised to secure the appropriate level of contributions for mitigation of the impact of the development under Section 106 of the Town and Country Planning Act 1990.***
- B. That, subject to A. above, planning permission be granted subject to the conditions set out in the report of the Director of Community & Planning Services.***

PL/159 **OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR RESIDENTIAL DEVELOPMENT OF UP TO 24 DWELLINGS ON LAND AT SK2416 7131 COTON LANE ROSLISTON SWADLINCOTE**

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

The Planning Services Manager reported that, following advice from the Strategic Housing Officer, that more flexibility be applied to the proportions of affordable housing tenure. The relevant recommendation to this application had duly been amended.

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

Councillor Wheeler addressed the Committee as local Ward Member for Linton, expressing the concerns of local residents before leaving the Meeting at 6.55pm.

Councillor Grant, as the other Ward Member for Linton, also addressed the Committee, outlining local residents' apprehensions regarding the application.

Comments made by Councillors relating to balancing pond maintenance issues, road safety, drainage, construction and noise conditions, access to the site and the impact on verges and hedgerows were noted and responded to.

RESOLVED:-

- A. That the Planning Services Manager be given delegated authority to complete a legal agree under Section 106 of the 1990 Planning Act to secure affordable housing and the financial contributions as set out in the report towards education and healthcare provision, as well as off-site recreational and community facilities, revised to leave the proportions of affordable housing tenure flexible.***
- B. That planning permission be granted subject to the conditions set out in the report of the Director of Community & Planning Services.***

Councillor Wheeler returned to the Meeting at 7.15pm.

Councillor Grant left the Meeting at 7.15pm.

PL/160 **THE VARIATION OF CONDITION 47 OF PLANNING PERMISSION REF: 9/2009/0341 (RELATING TO A HYBRID PLANNING APPLICATION WITH ALL MATTERS RESERVED FOR UP TO 2,239 DWELLINGS INCLUDING A RETIREMENT VILLAGE; AN EMPLOYMENT PARK; TWO LOCAL CENTRES COMPRISING RETAIL, SERVICES, LEISURE, EMPLOYMENT AND COMMUNITY USES; PUBLIC OPEN SPACES; A NEW PRIMARY SCHOOL; ASSOCIATED LANDSCAPE AND INFRASTRUCTURE, INCLUDING CAR PARKING, ROAD AND DRAINAGE MEASURES; AND THE REFURBISHMENT OF THE LISTED STABLES AND COTTAGES (WITH FULL DETAILS- COMPRISING CHANGE OF USE AND REPAIR OF THE BUILDING) ON LAND AT SK2420 2230 DRAKELOW PARK WALTON ROAD DRAKELOW SWADLINCOTE**

The Planning Services Manager summarised the application to vary Condition 47, to allow for the occupation of 400 homes, up from the previous 100, and reported that in reconsidering the condition would require a review of all the other conditions, originally determined four years ago. The recommendation would be altered, if agreed, along with an update of the conditions, to reflect this situation.

Councillor Mrs Hall addressed the Committee as local Ward Member for Seales, expressing the views of local residents.

Queries and comments made by Councillors relating to traffic congestion, the timing of the bypass / bridge construction, the potential rate of house build, the capacity of the current Bailey bridge at Walton on Trent, affordable housing on the site and primary school provision were all noted and responded to.

Councillor Wheeler identified that some public funding from Derbyshire County Council may be available in the form of a loan, with interest to be paid by the Local Enterprise Partnership.

RESOLVED:-

- A. That the Planning Services Manager be authorised to complete a replacement agreement under Section 106 of the 1990 Act, as described in the report and to also grant delegated authority to the Planning Services Manager to amend the conditions on the original permission as necessary.***
- B. That planning permission be granted subject to the conditions set out in the report of the Director of Community & Planning Services.***

PL/161 **PROPOSED 3.8 MWp INSTALLATION OF PHOTO-VOLTAIC PANELS, INVERTERS AND TRANSFORMERS TO PRODUCE RENEWABLE ELECTRICITY LAND AT SK2828 6687 BURTON ROAD EGGINTON DERBY**

RESOLVED:-

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

PL/162 **THE ERECTION OF A BUNGALOW WITH TRIPLE GARAGE AT LAND ADJACENT TO ROBINSONS HOUSE COLLIERY LANE LINTON SWADLINCOTE**

The Planning Services Manager acknowledged that the application relates to a double garage, not a triple garage.

Councillor Wheeler addressed the Committee as local Ward Member for Linton, stating that no objections had been made to this application.

Councillor Atkin queried whether the location fell outside the village envelope. Whilst it does, the Planning Services Manager stated that such considerations were in flux due to the current status of the Local Plan.

RESOLVED:-

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

PL/163 **PLANNING AND OTHER APPEALS**

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

9/2014/0090	Land to the rear of Overseal Manor stables, Hallcroft Avenue, Overseal.
9/2015/0050	Former Telephone Exchange, Burton Road, Overseal.
9/2015/0110	Agricultural building adjacent 3 Field Gate Farm, Sutton on the Hill.
9/2015/0215	Land at Main Street, Etwall.
9/2015/0651	139 Woodland Road, Stanton.

PL/164 **PROPOSED TREE PRESERVATION ORDER 407 AT LAND TO THE SOUTH OF 43 REPTON ROAD, HARTSHORNE**

RESOLVED:-

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

PL/165 **PROPOSED TREE PRESERVATION ORDER 410 AT LAND AT KINGS NEWTON BOWLS CLUB, PACKHORSE ROAD, MELBOURNE**

Councillor Harrison relayed concerns expressed by members of the Kings Newton Bowls Club, relating to the potential harm the trees could cause to the playing surface. The Principal Area Planning Officer reported that the two trees in question were slow growing oaks, unlikely to cause any immediate harm. The proposed Tree Preservation Order was a means of affording the trees protection, he explained, but applications could still be made in relation

to pruning or felling at the appropriate time. The Planning Services Manager gave an undertaking to write to the bowls club with further information.

RESOLVED:-

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

PL/166 **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 17th November 2015 (PL/125-PL/126) 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.

The meeting terminated at 7.55pm.

COUNCILLOR A ROBERTS

CHAIRMAN