

PLANNING COMMITTEE

16th October 2018

PRESENT:-

Conservative Group

Councillor Mrs Brown (Chairman), Councillor Mrs Coe (Vice-Chairman) and Councillors Ford, Harrison, MacPherson (substituting for Councillor Stanton), Muller and Watson

Labour Group

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

Independent / Non-Grouped Member

Councillor Coe

In attendance

Councillors Atkin and Grant

PL/86 **APOLOGIES**

Apologies for absence were received from Councillors Stanton (Conservative Group), Councillor Tilley (Labour Group) and Tipping (Independent / Non Grouped Member)

PL/87 **MINUTES**

The Open Minutes of the Meetings held on 26th June 2018, 17th July 2018, 7th August 2018 and 4th September 2018 were taken as read, approved as a true record and signed by the Chairman.

PL/88 **DECLARATIONS OF INTEREST**

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

PL/89 **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/90 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 them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/91 THE CHANGE OF USE OF AGRICULTURAL LAND FOR USE AS RESIDENTIAL CARAVAN SITE FOR 6 GYPSY FAMILIES, INCLUDING THE ERECTION OF TWO AMENITY BUILDINGS, LAYING OF HARDSTANDING AND ACCESS IMPROVEMENTS ON LAND AT SK4229 2454 SHARDLOW ROAD ASTON ON TRENT DERBY

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

The Planning Services Manager presented the report to the Committee updating Members that since publication of the report, correspondence had been received from the Derbyshire Gypsy Liaison Group which was read to the Committee. The Planning Services Manager explained the application as finely balanced, where the need to meet the five-year supply of deliverable gypsy sites required consideration against the issues raised in relation to the visual and environmental impact of the proposed site.

An objector and the applicant's agent attended the Meeting and addressed Members on this application.

Councillor Watson addressed the Committee as one of the local Ward Members, raising concern in relation to the visual intrusion of the site, road safety and further highlighted that, in his opinion; statistics demonstrated that the five-year supply would be met by this Council with or without the inclusion of this site. The Councillor urged the Committee to overturn the Officer's recommendation and proposed that the application be refused.

Members sought clarification on the five year supply of gypsy sites querying where this was being documented. The Planning Services Manager addressed the matter explaining that as with housing supply, the provision of such sites would need to meet identified need on a rolling five-year basis. A suggestion was offered by the Planning Services Manager to submit a report to the Environmental and Development Services Committee proposing a Development Plan Document.

Further discussion ensued in relation to the impact of the proposed site on the local landscape and amenities. The proposal to overturn the Officer's recommendation and to refuse the application was carried by the Committee.

RESOLVED:-

That contrary to the recommendation in the report of the Strategic Director (Service Delivery), the Committee resolved that planning permission be refused, with delegated authority to the Planning Services Manager to construct a reason for refusal in accordance with Members' instructions.

Abstentions: Councillor Mrs Brown and Councillor Dr. Pearson

PL/92 **A CHANGE OF USE FROM EQUESTRIAN LAND TO RESIDENTIAL GYPSY CARAVAN SITE WITH ONE PITCH AT LAND AT SK2913 6212 ACRESFORD ROAD NETHERSEAL SWADLINCOTE**

A proposal to defer the application in order to conduct a site visit was withdrawn on the advice of the Planning Services Manager.

The Planning Delivery Team Leader presented the report to Committee.

An objector and the applicant's agent attended the Meeting and addressed Members on this application.

Councillor Grant attended the Meeting as local Ward Member and addressed the Committee raising concern in relation to the visual intrusion of the site on the local landscape and character, the related sewerage works and enforcement.

Clarification was sought and provided on the requirement of the site and permitted development rights. It was proposed that a condition be imposed to ensure sewerage works be completed before occupation of the site. Delegated authority was sought in order to make the relevant changes to address these concerns.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery), with delegated authority to the Planning Services Manager, to amend Condition 7 requiring sewer connection prior to occupation.

Abstention: Councillor Mrs Brown

PL/93 **THE ERECTION OF 100% AFFORDABLE HOUSING DEVELOPMENT FOR 22 DWELLINGS CONSISTING OF 3 NO TWO BED BUNGALOWS, 4 NO TWO BED HOUSES, 15 NO THREE BED HOUSES AND ASSOCIATED WORKS ON LAND AT STALEY CLOSE SWADLINCOTE**

The Planning Delivery Team Leader presented the report updating the Committee that a representation had been received from Environmental Health and proposed amendments to Conditions 7 and 12 within the report.

Clarification was sought in relation to the layout and location of the bungalows on the site which was provided by the Planning Delivery Team Leader.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery) subject to amendments to Condition 7 and 12.

Abstention: Councillor Mrs Brown

- PL/94 **ERECTION OF AN ACCOUSTIC BARRIER AROUND THE PERIMETER OF THE MARQUEE AT ROSLISTON FORESTRY CENTRE BURTON ROAD ROSLISTON SWADLINCOTE**

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery).

- PL/95 **THE VARIATION OF CONDITIONS 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14 AND 15 OF PLANNING PERMISSION REF: 9/2015/1092 (RELATING TO THE ERECTION OF 6 TWO BEDROOM HOUSES WITH ASSOCIATED PARKING GARDENS AND ACCESS) TO AMEND THE APPROVED PLANS (CONDITION 2), TO AMEND THE PROPOSED MATERIALS (CONDITION 3), THE PROVISION OF SURFACE WATER DRAINAGE DETAILS (CONDITION 4), THE PROVISION OF A CONSTRUCTION MANAGEMENT PLAN (CONDITION 5), DETAILS OF LIKELY CONTAMINATION (CONDITION 6), TO AMEND TEMPORARY ACCESS DETAILS (CONDITION 7), TO AMEND POSITION OF PLANT AND MATERIALS (CONDITION 8), DETAILS OF WHEEL WASHING (CONDITION 9), TO AMEND FOOTWAY DETAILS (CONDITION 10), THE PROVISION OF VEHICULAR ACCESS DETAILS (CONDITION 11), TO AMEND PARKING LAYOUT (CONDITION 12), TO AMEND BOUNDARY TREATMENT DETAILS (CONDITION 14) AND TO AMEND LANDSCAPING DETAILS (CONDITION 15) AT LAND AT SK2915 0614 LULLINGTON ROAD OVERSEAL SWADLINCOTE**

The Planning Services Manager updated the Committee that since publication of the report, no objections had been received from the Parish Council and delegated authority was being sought in order to address the comments raised by the Highways Authority in relation to Condition 8 within the report.

RESOLVED:-

That planning permission be granted as recommended in the report of the Strategic Director (Service Delivery) with delegated authority to amend Condition 8.

- PL/96 **DEMOLITION OF EXISTING GARAGE AND PART OF FRONTAGE WALL AND CONVERSION OF EXISTING OUTBUILDING TO FORM A RESIDENTIAL DWELLING AT 31 CHAPEL STREET TICKNALL DERBY**

The Planning Services Manager presented the report to Committee advising that the application had been previously deferred by the Committee for an independent engineer's report. The findings of the report meant that officers could no longer maintain the original recommendation. The applicant had since appealed against non-determination and therefore only the opinion of the Committee was now being sought by officers.

An objector to the application attended the Meeting and addressed Members on this application.

RESOLVED:-

That an objection be endorsed as recommended in the report of the Strategic Director (Service Delivery).

PL/97 **RELEVANT DEMOLITION CONSENT FOR DEMOLITION OF EXISTING GARAGE AND PART OF FRONT BOUNDARY WALL AT 31 CHAPEL STREET TICKNALL DERBY**

An objector to the application attended the Meeting and addressed Members on this application.

Members raised concerns in relation to the demolition of the wall but no objection was raised in relation to the demolition of the garage

RESOLVED:-

That no objection for the demolition of the garage be endorsed as recommended in the report of the Strategic Director (Service Delivery), with delegated authority to offer an objection to the demolition of the wall.

PL/98 **HIGHWAYS ENGLAND A38 DERBY JUNCTIONS SCHEME, PLANNING ACT 2008 SECTION 42 NSIP CONSULTATION**

RESOLVED:-

1.1 The Committee approved that the Council response to the consultation expresses support for the proposed scheme as it will:

(i) Provide additional highway capacity needed to enable the development of land allocated in the South Derbyshire Local Plan for new housing; and

(ii) Improve the reliability of journey times for traffic using the A38 thereby assisting in the attraction and retention of business investment in South Derbyshire.

PL/99 **NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL NEIGHBOURING AUTHORITY PLANNING APPLICATION CONSULTATION: APPLICATION FOR THE DEVELOPMENT OF A DISTRIBUTION CAMPUS WITH**

ASSOCIATED AND OTHER ANCILLARY USES, ON LAND AT M42, JUNCTION 11 STRETTON-EN-LE-FIELD LEICESTERSHIRE

RESOLVED:-

1.1 The Committee approved that the comments set out in Section 4, "Conclusions", of the report be submitted to North West Leicestershire District Council as this Council's response to the consultation.

PL/100 PROPOSED TREE PRESERVATION ORDER 492 – FORMER ALLOTMENTS, GRESLEY WOOD ROAD, CHURCH GRESLEY

RESOLVED:-

The Committee approved that the tree preservation order be confirmed.

PL/101 PROPOSED TREE PRESERVATION ORDER 493 – LAND AT DOLES LANE, FINDERN

RESOLVED:-

The Committee approved that the tree preservation order be confirmed.

PL/102 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 July 2018 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 8.30pm.

COUNCILLOR MRS L BROWN

CHAIRMAN