

PLANNING COMMITTEE

21 March 2023

PRESENT:

Labour Group

Councillor Tilley (Chair) and Councillor Shepherd (Vice-Chair)
Councillors Gee, L Mulgrew, M. Mulgrew (substitute for Councillor Pearson)
and Southerd.

Conservative Group

Councillors Bridgen, Dawson, Haines, Muller (substitute for Councillor Redfern), Smith and Watson (substitute for Councillor Brown).

Non-Grouped

Councillor Wheelton.

In Attendance

Councillor Bambrick
Councillor Pearson

PL/160 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Pearson (Labour Group) and Councillors Brown and Redfern (Conservative Group).

PL/161 **DECLARATIONS OF INTEREST**

The Committee was informed that Councillor Wheelton declared a pecuniary interest in item PL/164.

PL/162 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions had been received.

MATTERS DELEGATED TO COMMITTEE

PL/163 **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.

Councillor Wheelton left the Council Chamber.

PL/164 **CHANGE OF USE OF AGRICULTURAL LAND TO EQUESTRIAN LAND ON LAND TO THE REAR OF WALTON HALL SK2117 5882, COTON ROAD, WALTON ON TRENT, SWADLINCOTE, DE12 8LZ**

The Chair advised Members of the Committee that a letter had been received requiring further investigation and therefore sought approval to defer the application to a future meeting of the Committee.

RESOLVED:

That planning permission be deferred for further investigation.

Councillor Wheelton returned to the Council Chamber.

PL/ 165 **ERECTION OF 8 DWELLINGS, TWO DETACHED GARAGES AND ASSOCIATED WORKS, WITH ACCESS FROM THE PERMITTED ESTATE ROAD OF PERMISSION DMPA/2021/1342 AT THE PADDOCK (CADLEY PARK), LAND NORTH OF COPPERAS ROAD, NEWHALL**

The Planning Delivery Team Leader presented the application details to the Committee and advised that no statutory or public objections had been received and that there was no undue impact on local services.

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

As local Ward Member, Councillor Bambrick attended the Committee Meeting and asked if there were any Section 106 Agreement monies for the development.

The Planning Delivery Team Leader confirmed that the development was under the threshold of fifteen properties for the Section 106 Agreement contributions and that the Derbyshire National Health Service Clinical Commissioning Group believed that there were sufficient services to support the housing scheme.

Councillor Watson raised concerns that the application conflicted with the Local Plan and was also outside the settlement boundary and therefore proposed that the application be refused.

Members raised concerns about the lack of Section 106 Agreement contributions, and the impact on health services and schools in the area and discussed the importance of enforcement of the Local Plan.

RESOLVED:

That planning permission be refused as inappropriate residential development outside of the settlement boundary contrary to the Local Plan and an unsustainable development as the infrastructure requirements generated as a result of the development are not provided for through financial developer contributions for off-site infrastructure and services.

PL/166 **ADVERTISEMENT CONSENT FOR THE DISPLAY OF SIGNAGE AT SWADLINCOTE WOODLANDS COUNTRY PARK, DERBY ROAD, SWADLINCOTE**

The Planning Delivery Team Leader presented the report to the Committee and sought approval as per the recommendations within the report.

RESOLVED:

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

PL/167 **ERECTION OF 14 NO. DWELLINGHOUSES, WITH ASSOCIATED PARKING, INTERNAL ROAD AND AMENITY SPACE, ALONG WITH THE CREATION OF ACCESS AT MERRILEES, CADLEY HILL ROAD, SWADLINCOTE, DE11 9EQ**

The Planning Delivery Team Leader presented the application to the Committee noting that the development was within the settlement boundary with access from Cadley Hill Road. It was noted that the Environmental Health Officer had reviewed noise levels from Keystone Lintels. The Committee was informed that there had been no objections received from the Derbyshire Wildlife Trust nor the National Forest.

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

Members sought clarification regarding the distance between Plot 1 and the closest property to the plan and the noise report from the Environmental Health Officer.

The Planning Delivery Team Leader confirmed a distance of 15 metres between Plot 1 of the scheme and the nearest existing property and that the Environmental Health Officer had conducted three reports during the application development.

Members raised concerns regarding the lack of response from the Highways Agency and sought clarification in relation to noise mitigation.

The Head of Planning and Strategic Housing confirmed to Members that no objection had been received from the Highways Agency during the consultation period and that following a detailed dialogue with the Environmental Health Officer

adequate noise mitigation for residents had been provided with screening between the factory and existing residents.

RESOLVED:

That planning permission be deferred to allow applicant to update the noise report.

PL/168 **CHANGE OF USE OF LAND FOR GLAMPING AND OVERNIGHT TOURIST ACCOMMODATION AND ACCESS TRACK AT MELBOURNE HALL, CHURCH SQUARE, MELBOURNE, DERBY, DE73 8EN**

The Head of Planning and Strategic Housing presented the details of the application to the Committee noting that the Conservation Officer had visited the site and reported no impact to the historic building of Melbourne Hall, the park, grounds, footpaths and Rights of Way.

The Agent attended the meeting and addressed the Committee regarding the application.

Members sought clarity regarding the comments made by Historic England and the movement of the accommodation vehicles.

The Head of Planning and Strategic Housing confirmed that a Heritage Impact Assessment had been provided to Historic England as they were unable to conduct a site visit. It was also confirmed that the eight vintage vehicles used as glamping accommodation would not be going on and off the site.

Members agreed that the plan was good, however, were concerned about the access road to the site and suggested that a traffic management plan be put in place and that vehicles sited permanently should be drained of fluids to avoid contamination on the site.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to an additional condition requiring a traffic management plan, and a means to prevent spillage of fluid.

PL/169 **DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF NEW MIXED-USE DEVELOPMENT, WITH ASSOCIATED WORKS AT MERCIA MARINA, FINDERN LANE, WILLINGTON, DERBY, DE65 6DW**

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 application to the Committee and confirmed that the Council had been advised by the District Valuer that a condition would be required that related to the limitation of each commercial

unit to 350 square metres. The Head of Planning and Strategic Housing clarified, there was to be £120,000.00 headroom confirmed by the District Valuer and that any leftover monies would be put into Section 106 Agreement contributions to provide health and community facilities in Willington.

The Chief Executive addressed the Committee and reinforced the economic development benefits of the application and how vital it was to tourism in the region and specifically, how the Marina brought added value to commercialism in South Derbyshire.

The Applicant attended the meeting and addressed the Committee regarding the application.

Members welcomed and supported the proposal noting the modern design of the buildings and the opportunities to bring business into South Derbyshire.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to an additional condition restricting the size of the ground floor retail units to 350 square metres each.

PL/170 **AMENDED SCHEME TO PREVIOUSLY APPROVED (DMPA/2021/0361) FOR THE ERECTION OF AN EXTENSION TO THE GARAGE AND ALTERATION TO ROOF ON MAIN DWELLING INCLUDING NEW ROOF LIGHTS AND NEW REAR DORMER AT 23 SKINNERS WAY, MIDWAY, SWADLINCOTE, DE11 7NL**

The Planning Delivery Team Leader presented the application to the Committee. It was noted the resubmitted application included an amended plan with a double garage door that replaced the two single doors. In response to Members concerns, officers had visited the site to check the height measurements of the property.

The Applicant attended the meeting and addressed the Committee regarding the application.

As local Ward Member, Councillor Pearson attended the meeting and addressed the Committee and noted that previous concerns and issues with the application had been addressed and that questions over measurements had been clarified by officers.

RESOLVED:

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

PL/171 **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/172 **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 20:00 hours.

COUNCILLOR N TILLEY

CHAIR