

PLANNING COMMITTEE

6th October 2015

PRESENT:-

Conservative Group

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

Labour Group

Councillors Dunn, Pearson, Shepherd and Southerd.

In attendance

Councillors Harrison, Hewlett and Smith.

PL/82 **APOLOGIES**

Apologies for absence from the Meeting were received on behalf of Councillors Ford and Grant (Conservative Group).

PL/83 **MINUTES**

The Open Minutes of the Meetings held on the 23rd June 2015 (PL/21-PL/30), 14th July 2015 (PL/31-PL/41), 4th August 2015 (PL/44-PL/53) and 25th August 2015 (PL/54-PL/64) were taken as read, approved as a true record and signed by the Chairman.

PL/84 **DECLARATIONS OF INTEREST**

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

PL/85 **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/86 **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/87 **OUTLINE APPLICATION (ALL MATTERS TO BE RESERVED) FOR THE RESIDENTIAL DEVELOPMENT OF UP TO 60 DWELLINGS AT LAND AT SK3825 9795 AT JAWBONE LANE KINGS NEWTON DERBY**

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

The Area Planning Officer reported that there had been a late amendment to the Section 106 proposals from Derbyshire County Council, now including Chellaston Academy Project A. The Area Planning Officer went on to state that the application had been reduced from 120 to up to 60 dwellings, that a visualisation exercise had led to a limit on dwelling height to one to one and a half storey and that Planning Services has sought to find a planning balance in accordance with the NPPF, between a less than substantial harm position compared to the financial and economic benefits.

Mr Ian Turner (objector) and Mr Peter Wilkinson (agent in support) attended the Meeting and addressed Members on this application.

Councillors Harrison and Hewlett addressed the Committee as local Ward Members for Melbourne, expressing the concerns of local residents, presenting petitions from both the Melbourne and Kings Newton Resident Associations against the application.

Queries and comments made by Councillors relating to the maintenance of the character of the villages and their separation; the impact on the setting of Kings Newton conservation area; the historic open space between the villages and of the countryside views; the location being outside the village confines as set out in the the Local Plan; the provisions of the NPPF and the Local Plan; the impact on the intrinsic value and character of the heritage sites; the lack of control on any future resident landscaping; traffic management; the distinction between the northern and southern elements of the application; the Historic England response; the likelihood of costs against the Council if the application were refused; the balance of the scheme – the harm outweighing the benefits and the potential for contracting a conservation consultant for expert opinion were noted and responded to.

A reason for refusal was discussed and agreed prior to voting.

RESOLVED:-

That planning permission be refused contrary to officer recommendation on the grounds of the development being detrimental to the setting of the Kings Newton conservation area and as set out in the Reason for Refusal notice.

PL/88 **OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR THE RESIDENTIAL DEVELOPMENT OF UP TO 44 DWELLINGS AND DETAILED MEANS OF ACCESS ON LAND AT SK3825 9087 JAWBONE LANE KINGS NEWTON DERBY**

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

Mr Ian Turner (objector) and Miss Liberty Stones (agent in support) 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.

Comments made by Councillors relating to the impact on the area, the cemetery capacity and sustainability were noted.

RESOLVED:-

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

Councillors Harrison, Hewlett and Smith left the Meeting at 7.25pm.

PL/89 **THE DEMOLITION OF THE EXISTING BUNGALOW AND THE ERECTION OF A REPLACEMENT DWELLING AT HILL VIEW CHAPEL LANE BARROW ON TRENT DERBY**

The Planning Services Manager presented the application to Committee, stating that Conditions 11 and 12 should be disregarded in relation to this application, likewise the reference to special personal circumstances in the Reason section.

Mr Stephen Hemmings (objector) and Mr Chris Lindley (agent in support) attended the Meeting and addressed Members on this application.

Queries and comments made by Councillors relating to drainage, propensity to flooding, boundary soft edges, size and character of proposed property, potential permitted development on existing dwelling and driveway materials were noted and responded to.

Councillor Mrs Brown suggested that Mr Hemmings be written to regarding sources of flood protection advice and information.

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community & Planning Services. Condition 7 to be amended with regard to the use of permeable hard surfacing.

PL/90 **THE ERECTION OF A SINGLE STOREY REAR EXTENSION AT 24
ELMSDALE ROAD HARTSHORNE SWADLINCOTE**

RESOLVED:-

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

PL/91 **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 meetings held on the 14th July 2015 (PL/42-PL/43) and 25th August 2015 (PL/65-PL/66) 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 7.45pm.

COUNCILLOR A ROBERTS

CHAIRMAN