

PLANNING COMMITTEE

12th April 2016

PRESENT:-

Conservative Group

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

Labour Group

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

In Attendance

Councillors Muller and Smith.

PL/198 **APOLOGIES**

Apologies for absence from the Meeting were received on behalf of Councillors Watson (Conservative Group) and Dunn (Labour Group).

PL/199 **MINUTES**

The Open Minutes of the Meetings held on 1st March 2016 (PL/169-PL/179) and 22nd March 2016 (PL/180-PL/195) were taken as read, approved as a true record and signed by the Chairman.

PL/200 **DECLARATIONS OF INTEREST**

Councillor Mrs Brown declared a personal interest in applications **9/2015/0768OS** and **9/2015/0555/RSD** by virtue of being an acquaintance of members of the John Port charity and John Port school through her position as a governor of the school.

PL/201 **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/202 **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/203 **OUTLINE APPLICATION WITH ACCESS FOR APPROVAL NOW AND ALL OTHER MATTERS TO BE RESERVED FOR FUTURE APPROVAL FOR THE RESIDENTIAL DEVELOPMENT COMPRISING 252 DWELLINGS WITH ASSOCIATED ACCESS, LANDSCAPING, OPEN SPACE AND DRAINAGE INFRASTRUCTURE AT LAND AT SK2934 8494 WEST OF LADYBANK ROAD MICKLEOVER DERBY**

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

The Principal Area Planning Officer made reference to the latest highway objection from Derby City Council, additional conditions and further comments received from residents and the applicant. A typing error in paragraph four of the *Planning balance and overall conclusion* section, where 'unacceptable' should have read as 'acceptable', was also highlighted.

Mr Matthew Holmes (objector) and Mr Tom Collins (applicant's agent) attended the Meeting and addressed Members on this application.

The Vice-Chairman addressed the Committee as local Ward Member for Etwall, expressing her reservations about the application, referring to the many objections, referring to issues such as traffic, water supply, sewage, health service provision, flooding potential and the possibility of installing a buffer zone and limits on the height of the first line of properties along the eastern boundary.

Councillor Ford suggested that the matter be deferred, as the issues required more information and time to consider.

The Chairman queried whether the matter could be brought back to Committee if the modelling identified any major issues. The Planning Services Manager stated that the modelling would not determine the acceptability of the scheme, but would aid determination of the Section 106 funding provision, confirming that the matter could be returned to Committee if required.

Councillor Southerd expressed his view that matters had been dealt with satisfactorily, that buffer zones were not necessary, difficult to maintain and in any event, did not support integration. He also stated that a deferral was not defensible and that the Planning Services Manager was capable of negotiating the necessary provision, but could return the matter to Committee if required.

Councillor Atkin also made reference to a buffer zone and queried whether, if the height of the initial housing could not be restricted, whether it could be moved back. Concerns were also expressed in relation to the suggested main access road, the impact on residents and education capacity in the area.

The Principal Area Planning Officer noted the queries and responded to each, emphasising that only the traffic modelling matter was outstanding, all other technical matters having been addressed.

RESOLVED:-

- A. That delegated authority be granted to the Planning Services Manager 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 (subject to compliance with the CIL Regulations 2010);**
- B. That, subject to A. above, planning permission be granted subject to the conditions as set out in the updated report of the Director of Community & Planning Services, including those amended or added conditions as reported to the Committee and the informative requesting the change of properties on the eastern boundary to single storey dwellings.**

PL/204 **APPROVAL OF RESERVED MATTERS (EXCEPT LANDSCAPING) ON LAND SUBJECT TO OUTLINE PERMISSION 9/2013/1040 FOR 100 DWELLINGS, PUBLIC OPEN SPACE, DRAINAGE AND ASSOCIATED WORKS ON LAND AT SK2731 3037 WILLINGTON ROAD ETWALL DERBY**

The Principal Area Planning Officer updated the Committee with the request for additional new conditions, reported the letter from a neighbouring householder and comments from the applicant, in that the proposed buffer zone would be controlled and maintained by a management company, to be secured by condition.

Mrs Angela Jenner (objector) attended the Meeting and addressed Members on this application.

The Vice-Chairman addressed the Committee as local Ward Member for Etwall, making reference to the desirability of a buffer zone in this instance, enabling access to and maintenance of the drainage ditch on the site. With regard to the proximity of properties on Plot1, it was suggested that this could be addressed by relocating the garage.

Councillor Muller also addressed the Committee as the other local Ward Member for Etwall, expressing his support for residents affected by the development, welcoming the buffer zone, but commenting that the removal of hedges in the yet to be determined Phase2 of the development to be a little presumptive.

RESOLVED:-

That planning permission be granted subject to the conditions, including the amendment to Plot1 to lessen the impact on the existing property No.62 Willington Road, Etwall, set out in the updated report of the Director of Community & Planning Services. An informative was also added, requesting that individual access to the buffer zone be granted for maintenance purposes.

Abstention: Councillor Ford

Councillor Muller left the Meeting at 7.25pm.

PL/205 **THE ERECTION OF A REPLACEMENT DWELLING WITH DETACHED GARAGE AND ENTRANCE GATES AT LAND ADJACENT TO 7A PINFOLD LANE REPTON DERBY**

The speaker registered to speak against this application was not in attendance.

Councillor Stanton addressed the Committee as local Ward Member for Repton, stating that the application had not been well received, the feeling being that the area should be used as open space. He also commented, in relation to sustainability, that despite the village being subject to more development than anticipated, no infrastructure improvements had been made to date.

Councillor Smith also addressed the Committee as the other Ward Member for Repton, stating that the 'replacement' was not like-for-like, due to the scale of the proposed property, its location in a conservation area and his concern relating to the narrow access.

Councillor Southerd queried the ownership of the land separate to the building plot and whether this could be turned to garden. Councillor Mrs Hall welcomed the application, stating that large, individual properties can enhance an area. Councillor Atkin, in making reference to the narrow access, queried how the works traffic could be accommodated, suggesting that the construction hours be restricted.

The Planning Services Manager noted the various queries and responded accordingly, also referring to corrections to Condition 18 and 20.

RESOLVED:-

That planning permission be granted, subject to the conditions set out in the updated report of the Director of Community & Planning Services, including the additional condition restricting construction hours and the informative request to be considerate of local parking.

Councillor Smith left the Meeting at 7.45pm.

PL/206 **VARIATION OF CONDITION 2 OF PLANNING PERMISSION REF: 9/2013/0745 (RELATING TO THE ERECTION OF 77 DWELLINGS, PUBLIC OPEN SPACE, ACCESS AND DRAINAGE INFRASTRUCTURE) ON LAND AT SK2928 5584 ETWALL ROAD WILLINGTON DERBY**

RESOLVED:-

- A. That delegated authority be granted to the Planning Services Manager to complete a Deed of Variation to the existing Section 106 Agreement to secure the affordable housing changes referred to in the body of the report;**
- B. That, subject to A. above, permission be granted subject to the conditions set out in the report of the Director of Community & Planning Services.**

PL/207 **THE ERECTION OF 1 PAIR OF SEMI-DETACHED DWELLINGS (2 DWELLINGS) AT 28 BURTON ROAD CASTLE GRESLEY SWADLINCOTE**

RESOLVED:-

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

PL/208 **PLANNING AND OTHER APPEALS**

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

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| 9/2014/1157 | Wengen, Woodshop Lane, Swarkestone, DE73 7JA. |
| 9/2015/0038 | The Coppice, 576 Burton Road, Midway, DE11 0DP. |
| 9/2015/0530 | Lambert House, Ashby Road, Melbourne, DE73 8ES. |

PL/209 **PROPOSED TREE PRESERVATION ORDER 419 AT 1 ST PETERS CLOSE, HARTSHORNE**

RESOLVED:-

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

PL/210 **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 22nd March 2016 (PL/196-PL/197) 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 7.50pm.

COUNCILLOR A ROBERTS

CHAIRMAN