

PLANNING COMMITTEE

10th May 2016

PRESENT:-

Conservative Group

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

Labour Group

Councillors Dunn, Dr Pearson, Shepherd and Southerd

In Attendance

Councillors Muller, Murray and Plenderleith (Conservative Group).

PL/213 **APOLOGIES**

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

Councillor Dr Pearson joined the Meeting at 6.05pm.

PL/214 **DECLARATIONS OF INTEREST**

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

PL/215 **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/216 **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/217 **THE CREATION OF THREE ADDITIONAL PITCHES AND THE ERECTION OF AN AMENITY BUILDING AT BROUGHTON CARAVAN PARK, SUTTON ROAD, CHURCH BROUGHTON, DERBY**

Mr Stephen Bown (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Mrs Plenderleith addressed the Committee as local Ward Member for Hilton, raising queries and concerns relating to the scale of the development, noise, the sustainability of the location, highway safety and the potential for further development on the site, all points noted and responded to by the Planning Services Manager.

Other comments and queries raised by Members relating to landscaping, five year provision requirement, building materials, the potential for restrictions on further development were also noted, with responses made by the Planning Services Manager.

RESOLVED:-

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

Councillor Mrs Plenderleith left the Meeting at 6.35pm.

PL/218 **THE ERECTION OF TWO DWELLINGS ON LAND AT SEALWOOD LANE, OVERSEAL, SWADLINCOTE**

The Principal Area Planning Officer presented the report to Committee, stressing the need to consider whether the previous reasons for refusal had been sufficiently addressed, also highlighting typing errors in Condition 2.

Mr Anthony Fernihough (objector) and Mr Ian McHugh (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Mrs Hall addressed the Committee as local Ward Member for Seales, commenting that previous applications have been refused on two occasions, raising concerns relating to the overbearing nature and height of the proposed development, recommending refusal of this latest application.

Councillor Murray also addressed the Committee as the other local Ward Member for Seales, making reference to access issues, traffic volumes, drainage and sewage capacity, asking that the Committee consider refusing the application.

The Principal Area Planning Officer noted the references made to traffic counts, but advised that these should have been made available at an earlier stage to enable Planning Services to consult with County Council Highways as appropriate, but advised that it would be unwise to use this as a new refusal reason at this stage. Responses were also made in relation to the building

height, access / parking and drainage / sewage issues, the latter two matters addressed in the Conditions.

Other comments and queries raised by Members in relation to building height, the status of the current appeal against a previous planning application, roof lights / windows, site access / egress visibility, the welcome development of a brown field site, the reduction from four to two dwellings on the site, the protection of protected species and potential highway repairs were all noted and responded to by the Principal Area Planning Officer.

RESOLVED:-

- A. That delegated authority be granted to the Planning Services Manager to secure the signing of a legal agreement under Section 106 of the Act in pursuit of the contribution as set out in the planning assessment; and***
- B. Subject to A. above, that planning permission be granted subject to the conditions, including the additional condition regarding enhancements to the landscaping of the site frontage, set out in the report of the Director of Community & Planning Services. Additionally, there shall be no roof alterations to the dwellings without the prior grant of planning permission on an application made to the Local Planning Authority in that regard.***

Councillor Murray left the Meeting at 7.10pm.

PL/219 **THE ERECTION OF EXTENSIONS AND ALTERATIONS TO EXISTING WORKSHOP AND GARAGE TO CREATE A DWELLING AT LAND TO THE REAR OF 89 EGGINTON ROAD, ETWALL, DERBY**

Councillor Watson requested that this matter be deferred for a site visit, seconded by Councillor Ford, but the Chairman allowed the Planning Services Manager to present the report.

Councillor Watson repeated his request that the matter be deferred for a site visit, querying the acceptability of the drawings as presented and the need for Members to fully assess the application on site.

The Vice-Chairman, whilst noting the views of the Inspector, felt that the attempts to revise the application were unsatisfactory and proposed refusal of this application. Councillor Ford expressed his view that refusal should not be considered until a site visit and further debate had occurred. Councillor Southard noted his agreement to this, that the process be complete, that a site visit be proposed. A vote on deferment for a site visit was taken and carried.

RESOLVED:-

That the matter be deferred for a site visit at a future date.

The registered speakers opted to return and speak when the application is represented to Committee.

PL/220 **THE ERECTION OF A DETACHED BUNGALOW AND A GARAGE AT 49 EGGINTON ROAD, HILTON, DERBY**

The Chairman proposed that, following a request for a site visit, this matter be deferred to allow the visit to take place.

RESOLVED:-

That the matter be deferred for a site visit at a future date.

PL/221 **THE FELLING AND PRUNING OF TREES COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NUMBER 131 AT WILLOW PARK WAY, YATES AVENUE AND MAPLE DRIVE, ASTON ON TRENT**

RESOLVED:-

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

PL/222 **THE CONVERSION OF AN AGRICULTURAL BUILDING TO RESIDENTIAL USE AT DALE FARM, NEWTON LANE, NEWTON SOLNEY**

Councillor Stanton addressed the Committee as local Ward Member for Repton, commenting that refusal was being sought on highway safety grounds, even though there is a working farm at the location, resulting in far larger vehicles accessing the site. He further commented that if permission were granted, the road usage would likely decrease as the owner would live on site, not travel in.

Councillor Watson queried the Highways visibility finding, given that the road is wide enough to cater for passing traffic and expressed support for the matter being approved.

Councillor Southerd, whilst not always in agreement with findings made by Highways, was wary of disregarding the opinion of a statutory body, that its views be given due credence.

The Vice-Chairman proposed approval of the application, subject to occupation being made a condition.

The Planning Services Manager emphasised that if the Committee were to approve the application, it would have to be convinced that traffic issues can be addressed by condition; that the Committee would have to state why it disagreed with the Highways finding.

RESOLVED:-

A. That planning permission be granted contrary to officer recommendation on the grounds that the highways condition was deemed not materially affected, therefore compliant with Transport Policy 6 of the LP and paragraph 32 of the NPPF.

B. Authority was delegated to the Planning Services Manager to formulate planning conditions.

Councillor Southerd requested that it be noted that the Labour Group Members had voted against planning permission being granted.

PL/223 **PLANNING AND OTHER APPEALS**

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

9/2014/1039	Land east of Newton Road, Winhill, Burton upon Trent, South Derbyshire
9/2014/1140	Land at Ticknall Road, Hartshorne, Swadlincote, South Derbyshire

In relation to 9/2014/1039 above, Councillor Watson expressed his opinion that the Inspector's comments were out of order, that too much emphasis had been placed on the five year supply requirement. Councillor Stanton felt the decision undermines what the Planning Committee does.

PL/224 **DEVELOPMENT ON LAND AT SK2819 1873 (SITE C), WILLIAM NADIN WAY, SWADLINCOTE**

The Planning Services Manager presented the report to Committee.

Councillor Dunn welcomed the additional recreation space, especially given its location behind the school, but queried whether ownership would pass to the school. The Planning Services Manager confirmed that the school would be granted use of the land, but that the Council would retain ownership.

RESOLVED:-

That the Committee agreed the additional allocation of recreation space as required by the Section 106 Agreement. The remainder of the resolution to remain unaltered.

PL/225 **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 QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

UNAUTHORISED USE AT ALEXANDRA ROAD, SWADLINCOTE

The Committee agreed the recommendation made in the Report.

The meeting terminated at 7.55pm.

COUNCILLOR A ROBERTS

CHAIRMAN