

PLANNING COMMITTEE

28th July 2020

**PRESENT:-**

**Conservative Group**

Councillor Mrs. Brown (Chairman), Councillor Mrs. Bridgen (Vice-Chairman) and Councillors Angliss, Brady, Ford, Muller, Watson and Mrs. Wheelton

**Labour Group**

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

PL/29 **APOLOGIES**

The Committee was informed that Apologies for absence were received from Councillor Gee.

PL/30 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETINGS:**

The Open Minutes of the following Meetings were reviewed, considered as a true record and approved by the Chairman.

<b>Committee</b>	<b>Date</b>	<b>Minute References</b>
Planning	3 <sup>rd</sup> September 2019	PL/66 – PL/74
Planning	24 <sup>th</sup> September 2019	PL/75 – PL/82
Planning	15 <sup>th</sup> October 2019	PL/83 – PL/91
Planning	26 <sup>th</sup> November 2019	PL/107 – PL/114
Planning	17 <sup>th</sup> December 2019	PL/115 – PL/125
Planning	4 <sup>th</sup> February 2020	PL/126 – PL/138
Planning	25 <sup>th</sup> February 2020	PL/139 – PL/148

PL/31 **DECLARATIONS OF INTEREST**

It was noted that Councillor Muller declared that Item PL/34 to be of personal interest by virtue that the applicant was known to him but that it would not influence any decisions made.

It was further noted that Councillor Wheelton declared that Item PL/41 to be of personal interest and would leave the meeting prior to the discussion and vote.

PL/32 **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/33 **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.

PL/34 **DEMOLITION OF EXISTING DWELLING (USE CLASS C3) AND EXISTING COMMERCIAL BUILDINGS AND REDEVELOPMENT OF EXISTING COMMERCIAL PREMISES TO FORM 9 BUSINESS UNITS (USE CLASS B1(C)) WITH A SINGLE POINT OF ACCESS ONTO DERBY ROAD AND ASSOCIATED WORKS AT TALBOT TURF, 75 DERBY ROAD, HILTON, DERBY, DE65 5FP**

Planning Delivery Team Leader informed Members of a site visit in November 2019 regarding a previous application that was refused and was subject to an appeal with associated costs. The Planning Delivery Team Leader explained that the new application proposed to address previous concerns raised by the Committee and outlined changes to the application. The Planning Delivery Team Leader sought approval for an amendment to condition 24 to include hard and soft landscaping and an extra condition in relation to a lighting scheme.

An Objector and the Applicant's Agent attended the Meeting and addressed Members on this application.

Councillor Patten addressed the Committee on behalf of local residents in objection to the application.

Councillors agreed that this was a much improved application and along with the amended and additional conditions felt that it to be a very worthwhile scheme for the area.

***RESOLVED:***

***That planning permission be approved as recommended in the report of the Strategic Director (Service Delivery), plus additional conditions to seek movement of weight limit restrictions, hours of operation, and lighting scheme along with an amendment to condition 24***

PL/35 **THE VARIATION OF CONDITION NO. 6 OF PERMISSION REF. 9/2017/1262 (RELATING TO CHANGE OF USE OF LAND FOR TOURISM PURPOSES AND RETENTION OF A YURT AND A TIPI WITH ASSOCIATED SAUNA AND COMPOST TOILET STRUCTURES WITH PARKING AND**

**HARDSTANDING) ON LAND AT SK3221 7095 (ROWAN WOODS), TICKNALL ROAD, HARTSHORNE, SWADLINCOTE.**

The Planning Delivery Team Leader appraised the Committee of proposal, regarding a variation to an application granted in 2018. The proposal requested 3 firepits and an area to carry out woodland management fires.

An Objector attended the Meeting and addressed Members on this application.

The Committee raised concerns and issues regarding the fire pits, prevailing wind and the use the of barbeques on site. The Planning Delivery Team Leader informed Members that the proposed fire pits were to be 130 to 140 meters away from neighbouring residential properties. The Planning Delivery Team Leader explained that weather conditions, wind speeds and dispersal of smoke could affect smoke travelling from one point to another clarified the definition of a barbeque as a fire that was used to cook a piece of food and confirmed that the use of charcoal over firewood could not be enforced.

***RESOLVED:***

***That planning permission be approved subject to conditions as recommended in the report of the Strategic Director (Service Delivery).***

PL/36

**THE PRUNING AND LAYING OF REMAINING TREES COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 477 ON LAND BETWEEN 49 AND 59 MANCHESTER LANE, HARTSHORNE, SWADLINCOTE, DE11 7BE**

The Planning Delivery Team Leader appraised the Committee of the proposal and outlined the history of the site

An Objector attended the Meeting and addressed Members on this application.

Councillor Wheelton raised a query regarding the trees and the Countryside Stewardship Scheme. The Planning Delivery Team Leader informed Members that a method statement within condition 2 promoted the long term health of the trees.

***RESOLVED:***

***That consent be granted as recommended in the report of the Strategic Director (Service Delivery) with informative to encourage hedgerow management with the amendment that a TPO be prepared for new Oak Tree to be planted.***

PL/37

**THE RETENTION OF A SEPTIC TANK AND FORMATION OF A VEHICULAR ACCESS TO SERVE TIDDLY FROG BARN, UNNAMED ROAD FROM TWYFORD ROAD TO BUCKFORD LANE, STENSON, DERBY, DE73 7GB**

The Planning Delivery Team Leader updated the Committee regarding the approved proposal and requested that Members grant delegated authority to

the requested County Highways Authority Conditions to the application. The Planning Delivery Team Leader informed the Members that the applicant had submitted additional details including the detail of the tree planting scheme and amendments to the track which would be a Highway Condition.

**RESOLVED:**

***That planning permission be approved subject to conditions, as recommended in the report of the Strategic Director (Service Delivery).***

PL/38 **THE ERECTION OF TWO NEW DETACHED DWELLINGS AT THE FORGE, BOGGY LANE, HEATHTOP, DERBY, DE65 5AR**

It was reported that Members of the Committee had attended a virtual site visit.

The Planning Delivery Team Leader appraised the Committee of the proposal explaining that the site was subject to a similar Planning Application, approved in 2017, which had expired in February 2020 but carried significant weight for the new proposal. The proposed plans were considered to be an infill within a group of existing housing and was in keeping with other dwellings in the area.

Councillor Patten addressed the Committee on behalf of residents and asked for clarity regarding the ownership of the hedge, overlooking windows and requested that existing mature trees remain. The Planning Delivery Team Leader explained the part of the hedge to be removed was on County Highways land and clarified that the original balcony type windows had been removed from the plan with a condition included to prevent installation in the future and that the protection of the trees was covered under an existing condition.

**RESOLVED:**

***That planning permission be approved subject to conditions as recommended in the report of the Strategic Director (Service Delivery).***

PL/39 **OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR THE ERECTION OF A DETACHED DWELLING WITH SHARED ACCESS AT 7 ROSLISTON ROAD SOUTH, DRAKELOW, SWADLINCOTE, DE15 9UD**

It was reported that Members of the Committee had attended a virtual site visit.

The Planning Delivery Team Leader appraised the Committee of the proposal and clarified that the application was called in by Councillor Dan Pegg and that following a response from Network Rail the size of the site had been reduced.

The Applicant attended the Meeting and addressed Members on this application.

**RESOLVED:**

*That planning permission be approved subject to conditions as recommended in the report of the Strategic Director (Service Delivery) along with the extra Network Rail informative.*

PL/40 **CHANGE OF USE OF INTEGRAL GARAGE FROM DWELLINGHOUSE (USE CLASS C3) TO MIXED USE AS DWELLINGHOUSE (USE CLASS C3) AND HAIRDRESSERS (USE CLASS A1) ALONG WITH RETENTION OF WORKS TO FACILITATE THE USE AT 15 PARK ROAD, NEWHALL, SWADLINCOTE, DE11 0TT**

The Planning Delivery Team Leader outlined the application informing the Committee that the application had been called in by Councillor Pegg who had concerns regarding traffic and parking for local residents. The Planning Delivery Team Leader highlighted Highway safety as the main area of concern, due to the limited number of parking spaces available for commercial use and the inadequate turning space to allow for vehicles to enter and exit the site in a forward gear at 90 degrees.

An Objector and the Applicant attended the Meeting and addressed Members on this application.

**RESOLVED:-**

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

PL/41 **CONTINUED USE OF FORMER SUBSTATION LAND AS RESIDENTIAL GARDEN (USE CLASS C3) AND THE ERECTION OF A DETACHED GARAGE (REVISED SCHEME TO THAT APPROVED UNDER PERMISSION REF. 9/2019/0185) AT 65 GEORGE STREET, CHURCH GRESLEY, SWADLINCOTE, DE11 9NY**

The Planning Delivery Team Leader appraised Members of the proposal, explaining that it came before the Committee as the applicant was related to a member of staff

**RESOLVED:-**

*That planning permission be approved subject to conditions as recommended in the report of the Strategic Director (Service Delivery).*

PL/42 **PRIOR APPROVAL UNDER SECTION 77 OF THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 FOR THE CREATION OF FORESTRY TRACKS AT GRANGEWOOD FARM, GRANGEWOOD, SWADLINCOTE, DE12 8BG**

The Planning Delivery Team Leader informed Members that the proposal was before Committee as the type of approval required under the Habitats Regulations was not included in the Scheme of Delegation.

**RESOLVED:-**

***That planning permission be approved subject to conditions as recommended in the report of the Strategic Director (Service Delivery)***

PL/43 **ADVERTISEMENT CONSENT FOR THE DISPLAY OF FOUR SIGNS AT THE ENTRANCES OF MELBOURNE SPORTS PAVILION, COCKSHUT LANE, MELBOURNE, DERBY, DE73 8DG**

The Planning Delivery Team Leader outlined the application and informed Members that the proposal was before Committee as the Council had an interest in the site.

**RESOLVED:-**

***That planning permission be approved subject to conditions as recommended in the report of the Strategic Director (Service Delivery).***

PL/44 **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.

The meeting terminated at 20:45hrs

COUNCILLOR MRS L BROWN

CHAIRMAN