

PLANNING COMMITTEE

11th April 2017

PRESENT:-

Conservative Group

Councillor Roberts (Chairman), Councillor Mrs Brown (Vice Chairman) and Councillors Atkin, Mrs Coe, Ford, Mrs Hall, Harrison, Mrs Patten (substituting for Councillor Watson) and Stanton

Labour Group

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

PL/214 **APOLOGIES**

Apologies were received from Councillor Watson (Conservative Group) and Councillor Tilley (Labour Group).

PL/215 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations had been received.

PL/216 **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/217 **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/218 **OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR THE ERECTION OF 5 DWELLINGS (THREE TOWN HOUSES AND TWO APARTMENTS) WITH ASSOCIATED PARKING ON LAND TO THE REAR OF 61 HIGH STREET, NEWHALL, SWADLINCOTE**

It was proposed that this application be deferred for a site visit.

The registered speaker opted to return when the matter was rescheduled.

RESOLVED:-

That the application be deferred to allow for a site visit to be conducted.

PL/219 **CHANGE OF USE OF VACANT LAND TO A COUNTRY PARK AND THE CREATION OF FOOTPATHS, CYCLEWAYS AND OTHER ASSOCIATED WORKS AT LAND TO THE NORTH OF WILLIAM NADIN WAY, SWADLINCOTE**

This application was considered jointly with the application below.

PL/220 **OUTLINE APPLICATION WITH ACCESS FOR APPROVAL AND ALL OTHER MATTERS TO BE RESERVED FOR FUTURE APPROVAL FOR THE ERECTION OF A PUBLIC HOUSE/RESTAURANT (USE CLASS A4), A CAFÉ/RESTAURANT (USE CLASS A3) A RETAIL UNIT (USE CLASS A1) AND ASSOCIATED WORKS PLUS THE CREATION OF A CAR PARK AT LAND NORTH OF WILLIAM NADIN WAY, SWADLINCOTE**

This application was considered jointly with the application above.

Mr Stuart Ashton (applicant's agent) attended the Meeting and addressed Members on both applications.

The reports were presented by the Planning Services Manager explaining the history of the application, outlining the current scheme and highlighting that provision of these amenities would appeal better to the wider community.

Councillor Richards addressed the Committee as Ward Member for Newhall and Stanton expressing disappointment that the originally proposed hotel and 18-hole golf course were now not being provided. The Councillor was joined by other Members in maintaining the need for a hotel in the area.

Councillors discussed the history of the application and the implications of the current scheme, stating reasons for the developers to continue the consideration for the provision of a hotel. Some Members identified that the country park could potentially assist in attracting interest from developers in the hotel sector, which would be welcomed. Concerns relating to further housing developments, parking provision, public safety in relation to stray golf balls and potential service charges for the maintenance of the park were also raised. The Planning Services Manager addressed the issues raised highlighting that the design of the golf courses was yet to be finalised and that this application would enhance the area by potentially opening the facilities to the wider public.

RESOLVED:-

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

Abstention: Councillor Richards and Southerd.

PL/221 **THE ERECTION OF TWO BUNGALOWS AND ALTERED ACCESS AT 673 BURTON ROAD, MIDWAY, SWADLINCOTE**

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

The Area Planning Officer presented the report to Committee highlighting that this outline application showed an indicative layout of the development.

Councillor Dr Pearson addressed the Committee as local Ward Member explaining that although there are similar developments in area, the main concern related to the visibility at the access with it being on a slight bend of a busy road. The Area Planning Officer addressed this issue, informing members that the Highways Authority had not identified this as a concern.

The potential impact of this development on local amenities was raised and the Committee agreed that by restricting the development to single storey dwellings, it would also meet a need for bungalows in the area. The Planning Services Manager advised that the amenity assessment had been conducted on the basis of single-storey dwellings.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services subject to the additional condition of single-storey dwellings only.

PL/222 **THE VARIATION OF CONDITIONS 2, 21, 24 & 34 OF PLANNING PERMISSION REF: 9/2013/0663 (RELATING TO RESIDENTIAL DEVELOPMENT FOR 157 DWELLINGS (38 WITHIN DERBY CITY AND 119 WITHIN SOUTH DERBYSHIRE) AND ASSOCIATED INFRASTRUCTURE, LANDSCAPING FOUL WATER PUMPING STATION AND PUBLIC OPEN SPACE (CROSS BOUNDARY)) ON LAND AT SK3729 4656 SOUTH WEST OF HOLMLEIGH WAY, CHELLASTON, DERBY**

The Area Planning Officer updated the Committee that the consultation response from the Derbyshire Wildlife Trust had concluded that the proposed changes would have no ecological impact. It was explained that the applicant was looking to reduce the provision of affordable housing from 40% to 30% which would affect the housing layout and house types and also require changes to conditions 2, 21, 24 and 34.

Councillors sought clarification on the change of provision of affordable housing from 40% to 30% and its impact on Section 106 contributions. The Planning Services Manager explained that during the formulation of the Local Plan, a viability assessment was undertaken which highlighted that affordable housing provision of up to 30% was the right level that was attainable by most sites. The approved agreement fixed the provision at 40% and in order to lower this threshold approval was being sought in order to complete the legal process to make this amendment through a deed of variation. Members

queried the impact that this reduction would have on the number of dwellings and subsequent Section 106 contributions. The Planning Services Manager explained that the number of dwellings remained the same and therefore would not bear any impact on the level of Section 106 contribution.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services, subject to the receipt of a deed of variation to the original Section 106 Agreement to accommodate the changes to affordable housing provision.

PL/223 **THE REMOVAL OF CONDITION 3B OF PLANNING PERMISSION REF: 9/2015/0723 (RELATING TO OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR RESIDENTIAL DEVELOPMENT FOR UP TO 24 DWELLINGS ON LAND AT SK2416 7131 COTON LANE, ROSLISTON, SWADLINCOTE**

The Area Planning Officer informed the Committee that a revised Informative had been drafted since the report stating that, for the avoidance of doubt, the Planning Authority will only require 0.22 hectares of such planting in accordance with the condition, and will not enforce the requirement in the Section 106 Undertaking. The Committee was also updated that the consultation response from the Derbyshire Wildlife Trust had concluded they had no comments.

Mrs Janet Hodson (applicant's agent) attended the Meeting and addressed Members on the application.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services with the addition of a revised Informative.

PL/224 **PROPOSED TREE PRESERVATION ORDER 446 – LAND AT SK3021 4304 BURTON ROAD, MIDWAY**

RESOLVED:-

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

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.

The meeting terminated at 7.05pm.

COUNCILLOR A ROBERTS

CHAIRMAN