

PLANNING COMMITTEE

20th October 2020

PRESENT:-

Conservative Group

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

Labour Group

Councillors Gee, Dr. Pearson, Shepherd, Southerd and Tilley

In Attendance

Councillors Mrs. Haines, Hewlett and Richards.

PL/78 **APOLOGIES**

The Committee was informed that no Apologies for absence had been received.

PL/79 **DECLARATIONS OF INTEREST**

Committee was informed that Councillor Ford declared a personal interest in regard to Item PL/82.

PL/80 **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/81 **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/82 **THE ERECTION OF A BUILDING TO HOUSE A BIOMASS PLANT AT SHADES FARM, UNNAMED ROAD FROM GEARY LANE TO TOWN FARM, BRETBY, BURTON ON TRENT, DE15 0RD**

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

The Planning Delivery Team Leader informed Members that the report was brought before Committee at the request of Councillor Mrs. Haines due local concerns. The Planning Delivery Team Leader appraised the Committee of the proposal highlighting that no concerns had been raised by the Highways Agency and that new sustainable energy and power generation was supported by local and national policies. Members were asked to approve additional conditions to ensure that no waste wood could be used and that the boiler fitted would be that as submitted within the supporting information. A third condition for a landscaping scheme was also recommended for approval.

The Applicant's Agent attended the Meeting and addressed Members on the application.

Councillor Haines addressed the Committee as a Local Member and raised queries about the size and location of the biomass boiler, the storage of pellets, whether all the power generated would be used for the site and sought clarity about an air quality and noise assessments.

The Planning Delivery Team Leader clarified the boiler size and that it would be situated along with the hopper where pellets were to be stored.

The Head of Environmental Services confirmed that a nationally accepted air screening assessment had been undertaken and as a consequence the stack height had increased to ensure safe air dispersion and that the noise level had been set very low.

Concerns were raised by Members regarding a fire risk assessment information in relation to the storage of pellets.

RESOLVED:

That planning permission was approved as per the amended recommendation with an additional condition securing a scheme of fire risk management.

PL/83

THE DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES AND THE ERECTION OF 25 DWELLINGS AND ASSOCIATED WORKS ON LAND OFF ORCHARD STREET, NEWHALL, SWADLINCOTE, DE11 0JS

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

The Planning Officer appraised Members of the proposal and explained that it was before Committee in the interest of transparency as the Council owned of part of the site. Approval was sought for an amendment to Condition 2 and an additional Condition for delegated powers in relation to affordable housing and Homes England Funding.

RESOLVED:

That planning permission was approved as per the amended recommendation in the report of the Strategic Director (Service Delivery) with the additional condition in relation to delegated powers.

PL/84 **OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS, LAYOUT (EXCLUDING INTERNAL LAYOUT OF BUILDINGS) AND SCALE TO BE RESERVED) FOR SELECTED DEMOLITION OF OUTBUILDINGS (RETAINING OTHERS WITH THE EXISTING FARMHOUSE) ALONG WITH THE CONVERSION OF RETAINED OUTBUILDING AND THE ERECTION OF FURTHER BUILDINGS TO DELIVER A TOTAL OF 14 ADDITIONAL DWELLINGS WITH ASSOCIATED DRAINAGE AND ACCESS INFRASTRUCTURE ON LAND AT MICKLEMEADOW FARM, 233 RYKNELD ROAD, FINDERN, DERBY**

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

The Senior Planning Officer appraised the Committee of proposal and explained that it was before Members for approval as the site was not within a settlement boundary, was contrary to policy and did not fit into the Local Plan but that there were material considerations that weighed in favour of the development.

Members strongly supported the application as an improvement to the condition of the site.

RESOLVED:

That planning permission be approved as per the recommendation in the report of the Strategic Director (Service Delivery).

PL/85 **THE ERECTION OF TWO STOREY AND SINGLE STOREY REAR EXTENSIONS AND A DETACHED GARAGE WITH ASSOCIATED EXTERNAL LANDSCAPING AND THE INSTALLATION OF REPLACEMENT WINDOWS AT THE COTTAGE, 1 BLACKWELL LANE, MELBOURNE, DERBY, DE73 8JG**

The Planning Officer appraised the Committee of the proposal within a conservation area which was called in by Councillor Hewlett following local concerns.

An Objector attended the Meeting and addressed the Committee on the application.

The Planning Officer responded to comments raised by the Objector and explained that the rear extension would be mostly out of sight of key vantage points and that conditions would be in place to ensure character continuity.

Councillor Hewlett addressed Committee on behalf of the local residents and raised concerns regarding the height of the extension that would reduce the view of the conservation area.

Councillor Watson addressed the Committee in support of the officer's recommendations.

RESOLVED:

That planning permission be approved as per the recommendation in the report of the Strategic Director (Service Delivery).

PL/86 **TWO-STOREY EXTENSION AT 2 TRENT LANE, WESTON ON TRENT, DERBY, DE72 2BT**

The Planning Officer presented the application to the Committee outlining the key points within the proposal.

RESOLVED:

That planning permission be approved as per the recommendation in the report of the Strategic Director (Service Delivery).

PL/87 **ADDITIONAL ENVIRONMENTAL APPROVAL FOR PERMISSION REF. 9/2017/0021 (RELATING TO IMPROVEMENTS AND INCREASES TO VOLUME OF THE EXISTING DRAINAGE DITCHES) SO TO ALLOW FOR IMPLEMENTATION OF THE DEVELOPMENT ON OR BEFORE 1 MAY 2021 AT THULSTON FIELDS FARM, SNELSMOOR LANE, THULSTON, DERBY**

The Planning Delivery Team Leader appraised Members about the application and explained that it was brought before the Committee as it was a new type of approval, not within the Council's Scheme of Delegation, that was introduced as a temporary modification to the Business and Planning Act 2020 in response to the delays caused by the impact of Covid-19.

RESOLVED:

That planning permission be approved as per the recommendation in the report of the Strategic Director (Service Delivery).

PL/88 **ADDITIONAL ENVIRONMENTAL APPROVAL FOR PERMISSION REF. 9/2017/0420 AND RELEVANT DEMOLITION CONSENT REF. 9/2017/0285 (RELATING TO THE DEMOLITION AND REPLACEMENT TO THE SAME HEIGHT OF A ROADSIDE WALL) AT THE OLD RECTORY, TRUSLEY, ASHBOURNE, DE6 5JG**

The Planning Delivery Team Leader appraised Members regarding the application and explained that it was brought before the Committee as it was a new type of application not within the Council's Scheme of Delegation and that the new form of approval was introduced as a temporary modification to the Business and Planning Act 2020 in response to the delays caused by the impact of Covid-19.

RESOLVED:

That planning permission be approved as per the recommendation in the report of the Strategic Director (Service Delivery).

PL/89 **PLANNING AND OTHER APPEALS**

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

DMPA/2019/0853	Milton Road, Repton	Repton	Dismissed	Delegated
DMPA/2020/0055	Coalpit Lane, Coton in the Elms	Seales	Dismissed	Delegated

PL/90 **REMOVAL OF BT PUBLIC TELEPHONES**

The Senior Planning Officer presented the report to the Committee regarding the proposed response to BT regarding the removal of public telephones.

RESOLVED:

1.1 That the Committee approved the feedback of objections (to BT) received from Willington and Etwall Parish Councils for the BT public payphones to remain at Castle Way Willington and Bellfield Road, Etwall.

1.2 That the Committee approved the agreed response to the proposed removal of the other two BT public payphones without any objection.

PL/91 **VARIATION TO AFFORDABLE HOUSING PROVISIONS WITHIN SECTION 106 AGREEMENT RELATING TO LAND SOUTH OF THE MEASE, HILTON, DERBY**

The Planning Delivery Team Leader presented the report to the Committee and highlighted the reasons for the proposed Deed of Variation to remove restrictions on five properties.

RESOLVED:

- 1.1 That the Committee endorses the request to remove the Designated Protected Areas (DPA) status of the specific plots on this site by means of a waiver request to Homes England for consideration to approve the request.**

PL/92 **VARIATION TO AFFORDABLE HOUSING CLAUSES WITHIN SECTION 106 AGREEMENT RELATING TO LAND AT DERBY ROAD AND STATION ROAD, HATTON**

The Planning Delivery Team Leader appraised the Committee of the proposed Deed of Variation so that the agreement aligned with affordable housing in relation to Section 106 Agreements and sought approval for a further two recommendations within the report.

RESOLVED:

- 1.1 That the Committee approves the request to amend the section 106 (s106) agreement by means of a Deed of Variation (DoV) to include a standard Mortgage in Possession (MiP) clause, give clarity to the affordable intermediate housing tenure by defining these dwellings explicitly as a shared ownership homes and capping the maximum delivery of these homes to 'up to 25%' of all the affordable housing delivery, and update the definition of Affordable Housing Provider (AHP) to refer to a not-for-profit AHP.**
- 1.2 That the Committee approves the request, if found to be necessary, to amend the s106 agreement by means of a DoV to capture a current section 73 application to vary the original permission.**
- 1.3 That the Committee delegate authority to the Head of Planning and Strategic Housing to agree the finer detail and wording of the obligations to be secured under the DoV.**

PL/93 **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 20:25 hours.

COUNCILLOR MRS L BROWN

CHAIRMAN