

Time commenced: 18:03pm

Time finished: 20:43pm

PLANNING CONTROL COMMITTEE

21 November 2019

Present: Councillor Hassall
Councillors Care, Carr, S Khan, McCristal, Nawaz, Pearce,
P Pegg, Potter, West

In Attendance: Nicky Bartley – Planning Policy Team Leader
James Bathurst – Senior Planning Technician
Paul Chamberlain - Group Manager - Traffic and Transportation
Paul Clarke – Chief Planning Officer
Sara Claxton – Development Control Team Leader
Andy Gibbard – Acting Group Manager
Arran Knight – Senior Planning Officer
Rachel Reid – Planning Officer
Julia Stewart – Senior Planning Officer
Karl Suschitzky – Senior Environmental Health Officer
Stephen Teasdale – Solicitor
Ian Woodhead – Development Control Manager

33/19 Apologies for absence

There were none.

34/19 Late items

There were none.

35/19 Declarations of interest

Councillor West wished it to be noted that planning application 19/01263/FUL – Sinfin Moor Social Club, Arleston Lane, Sinfin, was in her Ward and that she used to be a member of the social club.

36/19 Minutes of the meeting held on 10 October 2019

The minutes of the meeting held on 10 October 2019 were agreed as a correct record.

37/19 Minutes of the meeting of the Conservation Area Advisory Committee held on 5 September 2019

The minutes of the meeting of the Conservation Area Advisory Committee held on 5 September 2019 were noted.

38/19 Appeal Decisions

The Committee received a report of the Director of Strategic Partnerships, Planning and Streetpride summarising appeal decisions taken in the last month.

Resolved to note the decisions on appeals taken.

39/19 Development Control Performance – Quarter 2 (July – September 2019)

The Committee received a report of the Director of Strategic Partnerships, Planning and Streetpride on Development Control Performance – Quarter 2 (July - September 2019).

Resolved to note the report.

40/19 Potential Future Site Visits

The Committee was advised of future major applications.

Resolved to undertake a site visit in relation to the following planning application:

- 19/00371/OUT – 145 Wallbrook Road, Derby.

Resolved not to undertake a site visit in relation to the following planning application:

- 19/01525/VAR – Land at Holmleigh Way, Chellaston.

41/19 Applications to be Considered

The Committee considered a report from the Chief Planning Officer on planning applications which were to be determined by the Committee.

19/00763/FUL – Land North of Onslow Road and East of Station Road, Mickleover

(Erection of 203 dwellings (Use Class C3) with associated infrastructure, open space and landscaping)

The Development Control Team Leader addressed the Committee. It was reported that two revised site layouts, additional comments from the Land Drainage Team and additional comments from Parks had been submitted and circulated to the Committee.

Mr Harley of Oxalis Planning, on behalf of the applicant, addressed the Committee. Mr Froggatt, Mr Neale and Councillor Pattison, as Ward Member and on behalf of the other Ward Members, addressed the Committee and made representations against the application.

Resolved to defer the application, to address highway details/connections and to clarify ecological details, to a future meeting of the Committee.

19/01263/FUL – Sinfin Moor Social Club, Arleston Lane, Sinfin

(Change of use from a social club (Use Class D2) to a place of worship and a community hub (Use Class D1))

The Planning Officer addressed the Committee and introduced the item.

Councillor Shanker and Councillor Peatfield, as Ward Members, addressed the Committee and made representations against the application.

Resolved to grant planning permission with the conditions and for the reasons as outlined in the report.

04/13/00351 – Land North of Snelsmoor Lane, Chellaston

(Outline Planning Application – for up to 800 dwellings (Class C3) with all matters reserved except access; access to be fixed off Snelsmoor Lane and Field Lane, a sustainable drainage system of attenuation ponds/swales, new primary school (Class D1) with playing field, alongside open space including creation of country park (including footpath/cycleways, wildflower meadows, public orchard etc.) and Green Infrastructure network. Full Planning Application – for 245 dwellings (Class C3) including site roads, Infrastructure, landscaping, attenuation ponds and play areas.)

The Development Control Manager addressed the Committee. It was reported that an alternative recommendation had been circulated to the Committee, which sought to handle an additional publicity period that was required to embrace an extension to the application site red edge to facilitate drainage works. Members noted that this warranted an addendum to the environmental statement, which had also been circulated, along with the agent's commentary. It was also noted that this required recommendation A to be amended as follows:

A. To authorise the Director of Strategy Partnerships, Planning and Streetpride to:

- i) negotiate the terms of a Section 106 Agreement to achieve the objectives set out in the report and to authorise the Director of Governance to enter into such an agreement; and
- ii) continue negotiations to resolve all outstanding issues surrounding technical matters and the wording of conditions and to consider any substantive comments in conjunction to the Chair and Vice Chair that are made in response to the required additional publicity period for the supplementary environmental information.

The solicitor advising that this recommendation be subject to the proviso that any substantive issues arising during the further publicity period should be reported back to the Committee for its consideration.

It was reported that the Environment Agency had returned comments and had no objections to the amended proposal. It was also reported that a letter from Barton Wilmore had been circulated, that addressed the technical issue of access from the development and into the adjoining BM2 site and a relevant condition had been drafted to facilitate access across the sites. It was reported that two further letters of objection had been received and circulated to the Committee.

Mr Ayres of RPS, on behalf of the applicant, addressed the Committee. Mr Chambers-Kirk and Ms Warren addressed the Committee and made representations against the application.

Resolved:

A. To authorise the Director of Strategy Partnerships, Planning and Streetpride to:

- i) negotiate the terms of a Section 106 Agreement to achieve the objectives set out in the report and to authorise the Director of Governance to enter into such an agreement; and**
- ii) continue negotiations to resolve all outstanding issues surrounding technical matters and the wording of conditions and to consider any comments in conjunction to the Chair and Vice Chair that are made in response to the required additional publicity period for the supplementary environmental information, with the proviso that any substantive issues arising during the further publicity period be reported back to the Committee for its consideration.**

B. To grant permission upon the resolution of all outstanding technical issues and the wording of conditions and expiry of the required additional publicity period for the supplementary environmental information and the conclusion of the S106 Agreement.

19/01265/FUL – Land at Rykneld Road, Littleover (South of the Hollybrook PH)

(Erection of a retail unit (Use Class A1) with new access and parking)

The Senior Planning Officer addressed the Committee. It was reported that reason for refusal 2 on page 145 of the report should read, 'As a result of its position relative to the existing neighbourhood centre.' It was also reported that reason for refusal 3 at the top of page 146 should read, 'would fail to make a positive contribution to the character and appearance of the surrounding locality.' Members noted that on page 147 it should read, 'If members decide to go against the officer recommendation.' It was also reported that two additional consultation responses had been submitted from the Highways officer and the Environmental Health Officer.

Mr Clarke and Mr Milner addressed the Committee and made representations against the application.

Resolved to refuse planning permission for the reasons as outlined in the report.

MINUTES END