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PLANNING COMMITTEE

Minutes of a Meeting held on Tuesday 7 November 2017 at 6.00pm at The Venue, Wyaston Road, Ashbourne.

PRESENT

Councillor Sue Bull - In the Chair

Councillors Jason Atkin, Albert Catt, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Tony Millward BEM, Tony Morley, Lewis Rose OBE, Peter Slack and Joanne Wild.

Sandra Lamb (Head of Corporate Services), Jon Bradbury (Development Manager), Chris Whitmore (Area Planning Officer), Andrew Stock (Area Planning Officer) and Jackie Cullen (Committee Assistant).

Councillor Dermot Murphy attended as an observer.

18 members of the public and 1 member of the Press.

APOLOGIES

Apologies for absence were received from Councillors Sue Burfoot and Garry Purdy. There were no Substitute Members.

169/17 – MINUTES

It was moved by Councillor Tom Donnelly, seconded by Councillor Peter Slack and

RESOLVED That the minutes of the Planning Committee held on 10 October 2017 be approved as a correct record.
(unanimously)

The Minutes were signed by the Chairman.

170/17 – INTERESTS

Councillor Sue Bull declared a personal and pecuniary interest in Agenda Item 4.5 (Application no. 17/00374/FUL – Erection of building for 38 retirement living apartments at Land at King Edward Street, Ashbourne) as this application borders her business premises and may affect future access.

Councillor Lewis Rose OBE declared a pecuniary interest in Agenda Item 4.7 (Application no. 17/00835/FUL – Change of use from C2 (Residential Institution) to B1a (Offices) at St Mary’s Nursing Home, Painters Lane, Ednaston), as his firm acted for the Applicant.

Cllrs Bull and Rose were not present during discussion and voting of these respective items.

171/17 – APPLICATION NO. 17/00664/FUL – ERECTION OF BUILDING TO FORM A DEPENDENT RELATIVE UNIT AND GARAGE AT BROOKLANDS, BROOK FARM, THE SQUARE, BOYLESTONE

The Committee visited the site prior to the meeting to allow Members to appreciate the site and context.

In accordance with the procedure for public participation Mr Russell King, Mr James Tomkinson and Mrs Marlene Elliott (local residents) and Mr Simon Elliott (Applicant) spoke in favour of the application.

It was moved by Councillor Tony Morley, seconded by Councillor Tony Millward BEM and

RESOLVED
(unanimously)

1. That planning permission be granted for the following reason:

Reason

That the increased height and glazed elements of the development are not sufficiently incongruous so as to conflict with Local Plan Policies SF4, SF5 and part of H3. As such it is considered that the harm to the setting of this former farm group is modest weighed against the necessity for a dependent relative’s unit and the benefits of the scheme consequently outweigh any conflict with Local Plan policy.

2. That delegated authority be given to the Development Manager to secure appropriate Conditions, including specifying appropriate building materials to be used; approval of design elements; and occupancy restrictions.

It was noted that no S106 contribution was warranted under the circumstances because the proposed building was associated with the main dwelling.

172/17 – APPLICATION NO. 17/00876/OUT – ERECTION OF A DWELLING AND GARAGE WITH ACCOMMODATION IN THE ROOF SPACE AT LAND AT ASHMORE COTTAGE, DERBY ROAD, DOVERIDGE

The Committee visited the site prior to the meeting to allow Members to appreciate the proposal in the context of its surroundings.

In accordance with the procedure for public participation Mrs Rachel Golding (Applicant) spoke in favour of the application.

It was moved by Councillor Peter Slack, seconded by Councillor Albert Catt and

RESOLVED

1. That planning permission be granted for the following reason(s):

Reason

Taking into account that the proposed development will be in the garden of the property, which is surrounded by industrial development at the rear and a bund and planting to the North, it is considered that on balance although the proposed development is outside the Settlement Framework Boundary it would not lead to a significant encroachment into the countryside. As such the benefits of this development are considered to outweigh the harm and any conflict with development plan policies.

Voting:

2. That delegated authority be given to the Development Manager to liaise with the Applicant in respect of appropriate Conditions.

For	10
Against	1
Abstentions	0

The Chairman declared the motion carried.

173/17 – APPLICATION NO. 17/00839/FUL – PROPOSED ELECTRICITY GENERATION AND STORAGE FACILITY AT TWIN OAKS, YELT LANE, DOVERIDGE

This item was withdrawn.

174/17 – APPLICATION NO. 17/00910/FUL – CONVERSION OF STEEL FRAMED BARN TO DWELLING – REVISED SCHEME OF CONVERSION INCORPORATING SECONDARY STRUCTURAL ELEMENTS, AMENDMENTS TO EXTERNAL APPEARANCE AND INSTALLATION OF SEWAGE TREATMENT PLANT AT BARN 1, WALLANDS FARM, BRASSINGTON

The Committee visited the site prior to the meeting to allow Members to consider the extent of rebuilding required and the impact of the development on the local environment.

Correspondence received after publication of the Agenda was distributed at the meeting. This comprised representations from a local resident, and advice relating to a statement to the Chair and Members of the Planning Committee that had been circulated prior to the meeting, clarifying a number of points in the Officer's report. This was attached as Appendix 1 to the Late Correspondence sheets.

In accordance with the procedure for public participation Mr Jonathan Jenkin (Agent) spoke in favour of the application.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Richard FitzHerbert and

RESOLVED

1. That planning permission be granted for the following reason(s):

Reason:

Having regard to the previous Prior Notification Permission to convert this building, if the scheme were completed to reflect that Prior Notification, notwithstanding the unauthorised works, it was considered that this development, alongside the second barn conversion on site would enhance the surroundings of the site albeit in open countryside. As such the benefits of the development would thus outweigh any harm.

Voting:

2. That delegated authority be given to the Development Manager to secure appropriate Conditions to secure conversion in line with the Prior Notification previously granted.

For	8
Against	3
Abstentions	0

The Chairman declared the motion carried.

175/17 – APPLICATION NO. 17/00374/FUL – ERECTION OF BUILDING FOR 38 RETIREMENT LIVING APARTMENTS AT KING EDWARD STREET, ASHBOURNE

Councillor Albert Catt took the Chair for this item.

The Committee visited the site prior to the meeting to allow Members to assess the proposal in its context.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised comments received from the Local Highway Authority, and a note advising that since the Committee report was written further discussions had occurred between the Applicant and the District Valuer regarding the viability of the scheme, resulting in an offer of £145,000 contribution towards affordable housing provision. Subject then to the Applicant entering into a unilateral undertaking (S106 Agreement) for financial contributions of £130,500 towards affordable housing provision and £14,500 towards General Practices locally as requested by the CCG, an amended Recommendation had been proposed, such that planning permission be granted subject to conditions covering those matters listed in the late correspondence (and set out in the Resolution hereunder).

In accordance with the procedure for public participation Cllr Sandra Spencer (Ashbourne Town Council) spoke against the application and Ms Kim Langford (Agent) spoke in favour of the application.

It was moved, as amended, by Councillor Lewis Rose OBE, seconded by Councillor Jason Atkin and

RESOLVED That subject to the Applicant entering into a unilateral undertaking (S106 Agreement) for financial contributions of £130,500 towards affordable housing provision and £14,500 towards General Practices locally, delegated authority be given to the Development Manager to grant planning permission and secure appropriate conditions, including those set out below:

1. Time limit
2. Highway matters
3. Materials
4. Landscaping
5. Site storage during construction
6. Hours of operation during demolition and construction
7. Site contamination assessment and remediation
8. Site drainage
9. Flood Risk Assessment compliance
10. Ecological enhancements
11. Written scheme of archaeological investigation
12. Designing out crime
13. Age restriction on occupancy

Voting:

For	9
Against	1
Abstentions	0

The Chairman declared the motion carried.

176/17 – APPLICATION NO. 17/00381/OUT – ERECTION OF COMMERCIAL UNITS FOR B1(a), B1(c) AND B8 USE AT FIELD NORTH OF GP PRODUCE, THE HILL, CROMFORD

Councillor Sue Bull took the Chair.

Councillor Graham Elliott left the meeting at 7.49pm prior to discussion of this item.

In accordance with the procedure for public participation Mr Roger Yarwood (Agent) spoke in favour of the application.

It was moved by Councillor Richard FitzHerbert, seconded by Councillor Tom Donnelly and

RESOLVED That this Application be deferred to enable the Committee to visit the site to consider the issues raised in the Officer's report, including landscaping and the provision of adequate drainage.

Voting:

For	9
Against	0
Abstentions	1

The Chairman declared the motion carried.

177/17 – APPLICATION NO. 17/00835/FUL – CHANGE OF USE FROM C2 (RESIDENTIAL INSTITUTION) TO B1(a) (OFFICES) AT ST MARY’S NURSING HOME, PAINTERS LANE, EDNASTON

Councillor Lewis Rose OBE left the meeting at 8.02pm prior to discussion of this item.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised a summary of representations received from the occupants of The Lawn.

In accordance with the procedure for public participation Ms Patricia Laughlin and Mr Keith Palmer (local residents) commented on the application, with particular regard to the secondary access and the reinstatement of Recommendation 4 in the Officer’s report, which was considered redundant based on the Highway Authority’s comments.

In light of the speakers’ comments, it was felt that Condition 4 should be re-worded to incorporate a traffic management plan.

It was moved by Councillor Albert Catt, seconded by Councillor Joanne Wild and

RESOLVED That this Application be deferred to allow the Committee to visit the site to gain a better understanding of the secondary access.

For	4
Against	5
Abstentions	0

The Chairman declared the motion defeated.

It was then moved by Councillor Tony Millward BEM, seconded by Councillor Tom Donnelly and

RESOLVED That planning permission be granted subject to the conditions set out in the report, including the reinstatement of Condition 4 as amended to incorporate a traffic management plan.

For	5
Against	2
Abstentions	2

The Chairman declared the motion carried.

178/17 – INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS

Councillor Richard FitzHerbert left the meeting at 8.25pm prior to discussion of this item.

It was moved by Councillor Tony Millward BEM, seconded by Councillor Joanne Wild and

RESOLVED That the report be noted.
(unanimously)

179/17 - APPEALS PROGRESS REPORT

It was moved by Councillor Jason Atkin, seconded by Councillor Tom Donnelly and

RESOLVED That the report be noted.
(unanimously)

MEETING CLOSED 8.26PM

CHAIRMAN