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PLANNING COMMITTEE

Minutes of a Meeting held on Tuesday 9 May 2017 at 6.00pm at The Venue, Wyaston Road, Ashbourne.

PRESENT

Councillor Tony Millward BEM - In the Chair

Councillors Jason Atkin, Susan Bull, Sue Burfoot, Albert Catt, Richard FitzHerbert, Helen Froggatt, Chris Furness, Neil Horton, Angus Jenkins, Jean Monks, Tony Morley, Joyce Pawley, Peter Slack, John Tibenham and Joanne Wild.

Sandra Lamb (Head of Corporate Services), Jon Bradbury (Development Manager), Chris Whitmore (Area Planning Officer), Amanda Goodwill and Karen Carpenter (Environmental Health Officers) and Jackie Cullen (Committee Assistant).

21 members of the public.

APOLOGIES

Apologies for absence were received from Councillors Tom Donnelly, Graham Elliott, Garry Purdy, Mike Ratcliffe and Lewis Rose OBE. Councillors Helen Froggatt, Angus Jenkins, Joyce Pawley and John Tibenham attended as Substitute Members.

491/16 – MINUTES

It was moved by Councillor Garry Purdy, seconded by Councillor Tony Millward, BEM and

RESOLVED That the minutes of the Planning Committee held on 11 April 2017 be (unanimously) approved as a correct record.

The Minutes were signed by the Chairman.

492/16 – INTERESTS

Councillor Richard FitzHerbert declared a personal interest in Application No. 16/00633/FUL – ERECTION OF FREESTANDING MARQUEE FOR USE CLASS D2 (ASSEMBLY AND LEISURE) AT YELDERSLEY HALL, DERBY ROAD, YELDERSLEY.

493/16 – APPLICATION NO. 17/00026/OUT – RESIDENTIAL DEVELOPMENT OF UP TO 32 DWELLINGS WITH ACCESS AND ASSOCIATED WORKS (OUTLINE) AT LAND OFF MAIN ROAD, BRAILSFORD

The Committee visited the site prior to the meeting to allow Members to fully assess the impact of the development on the local environment.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised correspondence from the Local Highway Authority in the form of comments and a list of suggested conditions and advisory footnotes, and a comment on the application from a local resident.

In accordance with the procedure for public participation, Cllr. Hugh Stevenson (Brailsford Parish Council), Mrs Pat Laughlin, Mr Simon Thompson and Mr Michael Cannon (Local Residents) spoke against the application; Ms Sue Cowdery (Local Resident) commented on the application, and Mr John Chorlton (Agent) spoke in favour of the application.

It was moved by Councillor Joanne Wild, seconded by Councillor Tony Morley and

RESOLVED

That subject to the Applicant entering into an agreement under the provisions contained at section 106 of the Town and Country Planning Act 1990 to secure:

- Any monies required by the Local Highway Authority to secure the proposed footpath link and upgrades to existing footway infrastructure and the monitoring of the Travel Plan (if considered appropriate given the number of dwellings proposed);
- £85,880.85 towards extending the teaching accommodation to facilitate 6 additional secondary places at Queen Elizabeth's Grammar School;
- £37,255.80 towards extending the teaching accommodation to facilitate 2 additional post 16 places at Queen Elizabeth's Grammar School;
- £68,394.06 towards extending the teaching accommodation to facilitate 6 primary school places at Brailsford CE Controlled Primary School;
- £12,172.80 towards a capital project to accommodate additional patient numbers at the local GP practice, and;
- The delivery of 30% of the units as affordable units on site or an offsite financial contribution of $A \times 0.3 \times £25,450$ (where A represents the total number of new homes to be delivered on site)

outline planning permission be granted subject to the Officer's conditions and advisory footnotes as set out in the report, and conditions and advisory footnotes recommended by the Local Highway Authority as presented to members at the committee meeting, and set out in the late correspondence.

Voting:

For	7
Against	8
Abstentions	1

The Chairman declared the motion defeated.

It was then moved by Councillor Susan Bull, seconded by Councillor Angus Jenkins and

RESOLVED That this item be deferred in order that the Development Manager can seek clarification and further information from Derbyshire County Council Highways Authority on the following:

- (i) The formation of the proposed footing alongside the A52 including a drawing showing its proposed alignment.
- (ii) The assessment undertaken to determine the optimal location and form of the proposed pedestrian crossing over the A52.
- (iii) The consideration of a range of measures to improve highway safety including moving a 30mph sign or alternative traffic calming.

Voting:

For	10
Against	6
Abstentions	0

The Chairman declared the motion carried.

494/16 – APPLICATION NO. 16/00374/FUL – USE OF PREMISES FOR COMMERCIAL DOG BREEDING AND BOARDING PURPOSES, REPLACEMENT KENNEL AND ERECTION OF NEW ISOLATION UNIT AT FOUR LANE ENDS FARM, GIBFIELD LANE, HULLAND WARD

This application had been deferred at the 17 January 2017 meeting for the following reason: “that the Committee felt they did not have sufficient information to make an informed decision. It was agreed that the noise management plan should be submitted for consideration by the Environmental Health team prior to a decision being made.”

The applicant had now submitted a Noise Management Plan (NMP) which was considered in the Officer’s report.

In accordance with the procedure for public participation, Cllr. Suzanna Monteith (Atlow Parish Council) and Mr Robert Hutchinson (Local Resident) spoke against the application, and Mr Brian Reid (Agent) spoke in favour of the application.

It was moved by Councillor Albert Catt, seconded by Councillor Angus Jenkins and

RESOLVED That planning permission be granted subject to the conditions set out in the report, with the following modification:

10. That in order to ensure compliance with Conditions 3 and 4 of the Recommendation, the Noise Management Plan (NMP) must be verified (within 3 months of the date of this decision) by a competent person to certify that the noise levels fall within acceptable parameters.

Voting:

For	13
Against	3
Abstentions	0

The Chairman declared the motion carried.

495/16 – APPLICATION NO. 16/00633/FUL – ERECTION OF FREESTANDING MARQUEE FOR USE CLASS D2 (ASSEMBLY AND LEISURE) AT YELDERSLEY HALL, DERBY ROAD, YELDERSLEY

This item had been deferred at the 22 February 2017 meeting for the following reason: “in order to allow further discussions with the applicant on the viability study and scheme of proposed works submitted, to enable the Committee to truly appraise the social and economic benefits against the environmental harm to the setting of a listed building”.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised correspondence from the Applicant’s Agent regarding the financial appraisal in relation to restoration and planned maintenance of Yeldersley Hall, together with Officer comments thereon; comments from the Ward Member, and representations from four local organisations and individuals that used the hall.

In accordance with the procedure for public participation, Mr Martin Fryer (User of the Facility) and Mr Andrew Bailey (Applicant) spoke in favour of the application.

It was moved by Councillor Peter Slack, seconded by Councillor Tony Morley and

RESOLVED That planning permission be granted, subject to appropriate conditions being attached (including giving delegated authority to the Officer to negotiate with the applicant to determine which 9 months of the year the marquee will be erected) for the following reason:

Reason

That the slight harm caused to the heritage asset is outweighed by public benefit in respect of the local economy, the long term maintenance of the listed building, and the community role that it performs.

496/16 – APPLICATION NO. 17/00087/VCOND – VARIATION OF CONDITION 6 OF PLANNING PERMISSION 15/00660/OUT TO ALLOW RETENTION OF EXISTING ACCESS AT 9 EVERSLEIGH RISE, DARLEY BRIDGE

Correspondence received after publication of the agenda was distributed at the meeting. This comprised a summary of three letters of representation from local residents.

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

It was moved by Councillor Albert Catt, seconded by Councillor Chris Furness and

RESOLVED That condition 15/00660/OUT is removed and that the outline planning permission has the conditions as set out in the report.

Voting:

For	14
Against	1
Abstentions	1

The Chairman declared the motion carried.

497/16 – INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS

It was moved by Councillor Tony Millward BEM, seconded by Councillor Albert Catt and

RESOLVED That the report be noted.
(unanimously)

498/16 - APPEALS PROGRESS REPORT

The Development Manager advised the Committee that Item Reference 16/00220/FUL – The Ostrich, Longford – had been determined after publication of the agenda and that the appeal had been allowed.

It was moved by Councillor Jason Atkin, seconded by Councillor Jean Monks and

RESOLVED That the report be noted.
(unanimously)

MEETING CLOSED 8.27PM

CHAIRMAN