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## **SOUTHERN AREA PLANNING COMMITTEE**

**Minutes of a Special Meeting held on Tuesday 25 March 2014 at 6.00pm at Ashbourne Sports and Community Centre.**

### **PRESENT**

Councillor Tony Millward - In the Chair

Councillors Steve Bull, Albert Catt, Tom Donnelly, David Fearn, Richard FitzHerbert, Steve Flitter, Cate Hunt, Angus Jenkins, Andrew Lewer, Mike Ratcliffe, Andrew Shirley, Geoff Stevens MBE, Carol Walker.

Sandra Lamb (Head of Corporate Services), Jon Bradbury (Development Control Manager), Bill Shaw (Senior Planning Officer) and Jackie Cullen (Committee Assistant).

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

### **APOLOGIES**

Apologies for absence were received from Councillors Richard Bright, David Frederickson and Lewis Rose OBE. Councillor Carol Walker attended as a substitute member.

### **391/13 – MINUTES**

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

**RESOLVED** That the minutes of the meeting of the Southern Area Planning Committee held on 11 March 2014 be approved as a correct record.  
(unanimously)

The Minutes were signed by the Chairman.

### **392/13 – INTERESTS**

Councillor Richard FitzHerbert declared a pecuniary interest in Application No. 13/00911/OUT – Residential development of up to 200 dwellings with public open space, highway improvements and landscaping (outline) at land off Derby Road, Ashbourne, as he is a close friend of the Applicant. Councillor FitzHerbert was not present during discussion and voting of this application.

Councillor Andrew Lewer declared that to avoid an appearance of bias given by close links with the community he was withdrawing from the meeting during discussion and voting of Application No. 13/00826/FUL – erection of 50 dwellings and primary school with associated infrastructure and amenity spaces at land off Luke Lane, Brailsford. Councillor Lewer distributed a letter of explanation at the meeting in accordance with the Planning Code of Good Practice.

**393/13 – APPLICATION NO. 13/00839/FUL – ERECTION OF 50KW WIND TURBINE (24.8m TO HUB AND 34.5m TO BLADE TIP) AT BRADLEY LODGE, HULLAND WARD**

The Committee visited the site prior to the meeting to enable them to assess the impact of the proposed development on the local landscape.

In accordance with the procedure for public participation, Marie Stacey, Agent, spoke in favour of the application.

Two letters of representation had been received, as summarised in the report.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Geoff Stevens MBE and

**RESOLVED** That planning permission be refused for the reason set out in the report.

**Voting:**

For	9
Against	5
Abstentions	0

**394/13 – APPLICATION NO. 13/00826/FUL – ERECTION OF 50 DWELLINGS AND PRIMARY SCHOOL WITH ASSOCIATED INFRASTRUCTURE AND AMENITY SPACES AT LAND OFF LUKE LANE, BRAILSFORD**

Councillor Lewer left the meeting during discussion and voting of this item, and distributed copies of his letter at the meeting.

The Committee visited the site prior to the meeting to enable them to assess the impact of the development on its surroundings and to fully appreciate the issues involved.

In accordance with the procedure for public participation, Nick Tompkins, representing Brailsford Parish Council, spoke against the application;  
Barry Nixon, local resident, spoke against the application;  
Susan Walker, Chairman of Action for Brailsford Community and local resident spoke against the application;  
David Wood, representing Brailsford Primary School, spoke in favour of the application;  
Matthew Bartram, Applicant, spoke in favour of the application.

The Development Control Manager advised the Committee that a further condition would be added to the Officer's Recommendation should Members vote in favour of the application, as follows:

*That prior to the commencement of development the Applicant submits updated house details incorporating chimneys, in accordance with the site plan which the Applicant submitted on 31 January 2014. The development shall then be carried out in accordance with the revised details.*

In response to a question regarding the timing of the provision of the school the Committee was advised that a standard phasing condition should be added to the conditions set out in the Officers' recommendation to secure provision of the school in line with the emerging plan policy.

It was moved by Councillor Albert Catt, seconded by Councillor David Fearn and

**RESOLVED**  
(unanimously)

That subject to two extra conditions being added to the Officers' Recommendation as set out below, authority be delegated to the Corporate Director to grant full planning permission subject to the completion of a Section 106 Planning Obligation Agreement to secure the appropriate on-site affordable housing provision, a financial contribution to the health care centre, funding for highway and footpath improvements, roadside parking restrictions, speed limit review and travel plan monitoring, and any other matters that cannot be dealt with by conditions, and subject to the conditions set out in the report.

Extra conditions:

1. That prior to the commencement of development the Applicant submits updated house details incorporating chimneys, in accordance with the site plan which the Applicant submitted on 31 January 2014. The development shall then be carried out in accordance with the revised details.
2. That prior to commencement of the development details of the phasing of the school construction to accord with emerging plan policy shall be submitted and agreed in writing by the Local Planning Authority.

**395/13 – APPLICATION NO. 13/00911/OUT – RESIDENTIAL DEVELOPMENT OF UP TO 200 DWELLINGS WITH PUBLIC OPEN SPACE, HIGHWAY IMPROVEMENTS AND LANDSCAPING (OUTLINE) AT LAND OFF OLD DERBY ROAD, ASHBOURNE**

Councillors David Fearn and Richard FitzHerbert left the meeting at 7.10pm prior to discussion of this item.

The Committee visited the site prior to the meeting to enable them to assess the impact of the development on its surroundings and to fully appreciate the issues involved.

Correspondence received after preparation of the Agenda was circulated at the meeting. This included a summary of the results of a geophysical survey submitted by the Applicant in response to comments from the Development Control Archaeologist, the outcome of which was that the officer recommendation was amended to remove the second reason for refusal from the recommendation.

In accordance with the procedure for public participation, Cllr John Barrs, representing Ashbourne Town Council, spoke against the application; Stuart Green, local resident, spoke against the application, and Kay Davies, Agent, spoke in favour of the application.

The Committee was advised that there had been an error in the site plan submitted by the Applicant with regard to the issue of a private garden; this had been raised with the Applicant and the Council were now in possession of a new site plan which had removed this garden.

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Steve Flitter and

**RESOLVED** That planning permission be refused for reason (1) set out in the report.

**Voting:**

For	11
Against	1
Abstentions	0

The Chairman declared the motion carried.

**396/13 – TREES PROGRESS REPORT – DDDC APPLICATIONS**

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

**RESOLVED** That the report be noted.  
(unanimously)

**397/13 – APPEALS PROGRESS REPORT**

It was moved by Councillor Steve Flitter, seconded by Councillor Tony Millward and

**RESOLVED** That the report be noted.  
(unanimously)

**MEETING CLOSED – 7.45PM**

**Chairman**