



This information is available free of charge in electronic, audio, Braille and large print versions on request.

For assistance in understanding or reading this document or specific information about these Minutes please call Democratic Services on 01629 761133 or e-mail committee@derbyshiredales.gov.uk

PLANNING COMMITTEE

Minutes of a Meeting held on Tuesday 15 January 2019 at 6.00pm at The Venue, Wyaston Road, Ashbourne.

PRESENT

Councillor Garry Purdy - In the Chair

Councillors Sue Bull, Sue Burfoot, Albert Catt, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Helen Froggatt, Susan Hobson, Tony Morley, Dermot Murphy and Peter Slack.

Sandra Lamb (Head of Corporate Services), Jon Bradbury (Development Manager), Helen Frith (Senior Planning Officer), Andrew Stock (Senior Planning Officer) and Jackie Cullen (Committee Assistant).

21 members of the public.
1 member of the Press.

APOLOGIES

Apologies for absence were received from Councillors Jason Atkin, Lewis Rose OBE and Joanne Wild. Councillors Helen Froggatt and Susan Hobson attended as Substitute Members.

289/18 – MINUTES

It was moved by Councillor Purdy, seconded by Councillor Tom Donnelly and

RESOLVED That the minutes of the Planning Committee held on 04 December
(unanimously) 2018 be approved as a correct record.

The Minutes were signed by the Chairman.

290/18 – APPLICATION NO. 18/00859/FUL – USE OF GROUND FLOOR AS AN ADULT GAMING CENTRE (SUI GENERIS USE) AT 1 UNION STREET, ASHBOURNE

In accordance with the procedure for public participation Mr Darren Archer (local resident) spoke against the application; Mr Darren Archer also read a statement on behalf of Mr Steven Pountain (local resident) against the application, and Mr Morabbi (Applicant) spoke in favour of the application.

It was moved by Councillor Tony Morley, seconded by Councillor Sue Bull and

RESOLVED That this application be deferred for the following reason:
(unanimously)

Reason:

To enable the Committee to carry out a site visit in order to assess the mixture of residential and commercial properties, and to assess how the amenity of the nearby residential properties are affected by other commercial properties in the area and might be affected by the proposed use.

The Chairman declared the motion CARRIED.

291/18 – APPLICATION NO. 18/01133/FUL – FIRST FLOOR SIDE EXTENSION AT BRIDGE FARM, WINN LANE, ATLOW

Correspondence received after publication of the agenda was distributed at the meeting. This comprised a letter of support for the Application from Atlow Parish Council.

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

RESOLVED That planning permission be granted, subject to the conditions set
(unanimously) out in the report.

292/18 – APPLICATION NO. 18/01237/REM – APPROVAL OF RESERVED MATTERS FOR THE ERECTION OF 22 DWELLINGS (OUTLINE APPLICATION 16/00832/OUT) AT LAND EAST OF LES ARDENNES, HULLAND WARD

Councillor Sue Bull left the meeting at 6.41pm during discussion of this item.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised a summary of a letter received from a local resident; a response from the Lead Local Flood Authority; further comments from Derbyshire Wildlife Trust requiring an additional Condition to the Recommendation and a variation of Condition 12 of the Recommendation to accommodate the ecology requirements, both as set out in the Resolution below; further comments from the Council's Trees and Landscape Officer requiring an additional Condition for the protection of trees, as set out in the Resolution below; and additional Conditions in respect of badger surveys and external lighting strategy. It was also reported that amended plans had now been received which addressed the concerns raised in respect of Plots 6, 7 and 21, but an additional Condition was recommended regarding the positioning of side windows on the amended details for Plot 21, as set out in the Resolution below.

In accordance with the procedure for public participation Cllr. Peter Birkbeck (Hulland Ward Parish Council) and Mr Ian McHugh (Agent) spoke in favour of the application.

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

RESOLVED
(unanimously)

That planning permission be granted subject to the conditions set out in the report, together with the additional conditions as set out below and variation of Condition 12 as set out below, and subject to the variation of the legal agreement dated 24th April 2017 to secure the part off-site contribution.

Variation to Condition 12:

A landscape management plan, which shall include the details of the submitted management and maintenance document and make reference to the submitted LEMP, whilst also including long-term design objectives, management responsibilities and maintenance schedules for all landscape and play areas (other than small, privately owned, domestic gardens) shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the site or building. The landscape management shall be carried out in strict accordance with the approved details.

Reason:

To ensure the proper management of the landscaped areas in the interests of amenity.

Additional Condition 14:

Prior to the occupation of the first dwelling details, including specifications, heights and locations of swift and swallow boxes shall be submitted to and agreed in writing by the Local Planning Authority. The boxes shall be installed on site in accordance with the agreed details prior to the occupation of the last unit.

Reason:

In the interest of ecology and biodiversity in accordance with policy PD3 of the Adopted Local Plan 2017.

Additional Condition 15:

Prior to the commencement of development a plan detailing appropriate tree and hedgerow protection along with an Arboricultural Method Statement shall be submitted to and agreed in writing by the Local Planning Authority. Works shall commence in strict accordance with the agreed details.

Reason:

To ensure the appropriate protection of existing vegetation in accordance with policies S1, S3, PD1 and PD5 of the Adopted Local Plan 2017.

Additional Condition 16:

Prior to the commencement of development a detailed badger survey and mitigation measures shall be submitted to and agreed in writing by the local planning authority. The mitigation measures shall be fully implemented on site throughout the construction phase and following the completion of the development.

Reason:

In the interest of ecology and biodiversity in accordance with policy PD3 of the Adopted Local Plan 2017.

Additional condition 17:

Prior to the installation of any external lighting on the site a detailed lighting strategy for the entire site designed to minimise the effects of development upon habitats and species shall be submitted to and agreed in writing by the Local Planning Authority. The lighting shall be installed in strict accordance with the agreed details.

Reason:

In the interest of ecology and biodiversity in accordance with policy PD3 of the Adopted Local Plan 2017.

Additional Condition 18:

Notwithstanding the amended details for plot 21, this dwelling shall be handed to ensure the side windows are overlooking the footpath to the south and to ensure there shall be no windows to the northern facing side elevation of plot 21.

Reason:

To protect residential amenity and ensure appropriate natural surveillance over the public footpath in accordance with policies S1 and PD1 of the Adopted Local Plan 2017.

293/18 – INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS

It was moved by Councillor Garry Purdy, seconded by Councillor Albert Catt and

RESOLVED That the report be noted.
(unanimously)

294/18 - APPEALS PROGRESS REPORT

It was moved by Councillor Garry Purdy, seconded by Councillor Tom Donnelly and

RESOLVED That the report be noted.
(unanimously)

MEETING CLOSED 6.55PM

CHAIRMAN