

MINUTES of a meeting of the **REGULATORY – PLANNING COMMITTEE** held at County Hall, Matlock on 9 July 2018.

PRESENT

Councillor M Ford (in the Chair)

Councillors J Atkin, A Griffiths, L Grooby, R A Parkinson, P J Smith, M Wall (Substitute Member) and B Wright.

Apologies for absence were received from Councillor M Ford for the site visit and Councillor R Mihaly for the site visit and meeting.

Councillor P Makin attended the meeting as local Member in respect of the Laund Nook, Belper item (Minute No 44/18)

Councillor L Grooby declared a non-pecuniary interest in the item at Minute No 46/18 as an employee of Tarmac Limited.

No Significant Lobbying had been received

41/18 **SITE VISIT** In accordance with the Code of Practice Members visited the site of the application at Laund Nook, Belper (Minute No 44/18).

Councillor M Ford (in the Chair)

42/18 **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 14 May 2018 be confirmed as a correct record and signed by the Chairman.

43/18 **PLANNING DELEGATION SUB-COMMITTEE MINUTES** **RESOLVED** that the Minutes of the meeting of the meeting of the Planning Delegation Sub-Committee held on 4 May 2018 be received.

44/18 **APPLICATION FOR CONSTRUCTION OF A NEW TEACHING BLOCK PROVIDING FOUR CLASSROOMS AND A STUDIO, TOGETHER WITH ADDITIONAL CAR PARKING, AT ST JOHN'S CHURCH OF ENGLAND VOLUNTARY CONTROLLED PRIMARY SCHOOL, LAUND NOOK, BELPER - APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NO: CD6/0318/101)** The proposal was for a new teaching block providing four

classrooms and a studio, together with additional car parking at St John's Church of England (C of E) Primary, Laund Nook, Belper.

The proposal had raised issues in relation to access and highways, however, the Strategic Director was satisfied that these issues could be adequately addressed by appropriate conditions. The development was considered to be in accordance with the development plan. It was therefore recommended for approval.

St Johns C of E Primary School was in a predominantly residential area to the north-east of Belper Town centre and was located within the Derwent Valley Mills World Heritage Site (DVMWHS) Buffer Zone. The access to the school was off Laund Nook which formed its north-western boundary. The school site was bounded by residential properties to the north, south and west.

This application sought to provide a new teaching block at the School in order to provide the required increased capacity for primary education places in Belper. The new block would provide four new classrooms and a studio space which would enable the school to increase total pupil capacity at the school to 630. The equivalent number of full-time employees would rise to 35 from the current total of 27.

The new block would be located to the east of the main school building on a landscaped area adjacent to the school playground and sports pitch. The new building would create 471 square metres (m²) of gross internal floor area (inclusive of internal walls). Externally, a hard surfaced area of 330m² would be dedicated to the Reception play area, of which 55m² would be rubber crumb safety surface.

The new block would be of similar scale to the existing school (to eaves level), but with a shallow mono-pitched roof rather than a flat roof. The maximum height of the new block would be approximately 4.4m, which was less than the current school hall.

The new block would be constructed predominantly in red brickwork to match the existing detached classroom blocks and the adjoining housing. Zinc cladding had been specified for the roof as it supported use at very low pitches and weathers to a mid-grey, not dissimilar in colour to the existing concrete tiled roofs of the detached classroom blocks. Polyester powder coated aluminium window and door frames would be used throughout in dark grey, with visually contrasting green doors. The window and cladding colours specified drew inspiration from the colours of the existing school buildings and the school colours/uniform, using a variety of greys and green. The red brickwork would be selected to harmonise with the adjacent housing stock.

Fourteen additional car parking spaces would be created to the west of the site in front of the main school building. These spaces were intended to cater for both the increase in pupil numbers and to address the current under provision at the school.

A self-set Ash tree would be removed to enable construction of the car park. To the rear, a clump of 4 Silver Birch Trees and a clump of small Willow Trees would be removed to enable construction of the new block and its playground. It was proposed to compensate for the removed trees by providing new tree planting to the south-east of the new classroom block.

Details of the application, together with comments received from consultees and following publicity were given in the report of the Strategic Director - Economy, Transport and Environment.

Councillor P Makin, as the local Member, addressed the Committee and stated that whilst he had some sympathy with those objecting to the application, the Council had a legal obligation to provide education which overrode other objections. Councillor Makin noted however, that Phase 1 of the project involved an increase in pupil numbers of 70 and suggested that the increase be split if it was possible into two phases of 35, to mitigate the immediate impact of the development. The Strategic Director's representative at the meeting indicated that this might require another planning application to be submitted.

The residents who had submitted representations on the application to the Council and indicated they wished to speak at the meeting then addressed the committee for up to three minutes each.

Lee Stevenson addressed the Committee to express his concerns over the health and safety of the children at the School, which was the second largest primary school in the County. Of particular concern was the safety of children coming to and from the School owing to the increased traffic and parking. The provision of an additional 14 parking spaces was not adequate, he considered, for the proposed increase in traffic numbers. Mr Stevenson felt that the Council should consider two options to help mitigate the traffic issues around the School. Firstly, using Dovedale as an access to the School and secondly, the introduction of a residents parking permit scheme.

Ian Wilson addressed the Committee and expressed concerns over the likely impact on the welfare and education of pupils at the School, should pupil numbers be increased. Already there was considerable pressure at lunchtimes where pupils already have to eat in shifts and on some occasions, pupils do not have time to eat. The proposals involved no increase in the size of the core school building. There was also already considerable playground

congestion to the extent that no running or playing of games such as football were allowed. There was no provision for disabled access or for children with special educational needs despite there being a number of such pupils. At the entrance to the School, the only protection between the pavement and the road was from two sections of metal barrier. In winter in particular, the level of vehicle emissions around the School would be unacceptably high. Mr Wilson also indicated that according to the Office for National Statistics, the birth rate was at a ten year low, so in the future, it was likely that the School would be undersubscribed in terms of pupil numbers.

Brian Caple commented to the Committee that he did not consider that the additional 14 car parking spaces in front of the School would be adequate given the increase in pupil numbers and the associated increase in teaching and support staff required. He also expressed concern that there would be around 600 parents standing on the pavement on a blind bend waiting to pick their children up from school.

Alan Wragg addressed the Committee to express concern regarding the access to the School given the potential increase in numbers of pupils and staff. The cost of providing a footway between the School and Dovedale was £90k which represented a cost per pupil head of only £150. This was a small cost for a footway which would be safer for the pupils and which would help alleviate the traffic problems on Laund Nook. Mr Wragg also questioned whether the new block was in the right place as its proposed location would prevent any further car park expansion in the future.

Alison Critchlow addressed the Committee to express concern over the size of the play areas for the children which were already so crowded that the Headteacher did not allow ball games to be played and pupils were not allowed to run. This was at a time where obesity in children was a major problem.

Sue Pegg, Head of Development for Children's Services for Derbyshire County Council informed the Committee that the playground size for the School met the current Department for Education Guidelines BB103 which set out the minimum and maximum play areas. Not all existing schools met these criteria. The plans for the School left space for some internal remodelling further in the future if this was to become necessary. There were plans to introduce a "one-way" system for parents and pupils in cars, to help alleviate congestion at school leaving time, which would be set out in a revised School Transport Plan (STP).

Councillor P J Smith stressed that it was important that all parties were fully engaged and consulted on the preparation of a revised STP in order to avoid simply going through the motions to produce a document that was never

referred to. Councillor Smith also suggested that the introduction of residents only parking schemes was not as simple as it appeared as charges were applied and residents would have no guarantee of a nearby parking space. If such a scheme was introduced, its implementation would need to be monitored. Councillor Smith asked whether the Dovedale entrance option had been considered as part of this application.

The Strategic Director's representative responded to the questions that had been raised. He indicated that travel to school was a national issue. The School had engaged with the County Council's STP Co-ordinator with a view to maximising sustainable means of getting to school. The conditions for approval which were recommended included a requirement for the STP to be updated further in the light of the planning proposal. An informative note could be included in a decision notice to encourage a community Liaison Committee to be established by the school which could assist with the revision of the STP. He confirmed that no creation of a Dovedale entrance had been presented as part of this application, and that a new entrance could not be required through its determination. .

Councillor M Wall expressed concern that that deliveries would be arriving at times when children were entering and leaving school, because the proposed condition regarding construction deliveries to the site would allow them between 7am and 7pm from Monday to Friday. The Committee considered that the condition should be amended to not allow deliveries to the site between the hours of 8am to 9am and 3pm to 4pm.

In order to alleviate concerns over the safety of children and parents entering and leaving the School site, it was suggested that a Road Traffic Regulation Order should be made to restrict speed limits in the roads around the School to 20 mph.

RESOLVED that (a) planning permission be granted, subject to conditions as set out in the recommendation in the report except for amendment to condition 3 to disallow deliveries during the hours of 8am to 9am and 3pm to 4pm; and

(b) the Council as local highway authority be requested to investigate and consult on as the making of a Road Traffic Regulation Order to restrict speed limits on roads around the School to 20mph;

(c) A note be attached to the decision notice to advise the school to establish a community liaison committee to meet regularly and which could be consulted on the content of a school travel plan.

(Councillor B Wright voted against the resolution).

45/18 APPLICATION UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT TO NOT COMPLY WITH CONDITION 5 OF PLANNING PERMISSION CW4/0414/8 TO INCREASE THROUGHPUT AT THE SITE TO 5,000 TONNES PER ANNUM TO REFLECT ADDITIONAL DEMAND FOR RECYCLING OF GREEN WASTE AT THE BIRCHES, OLD BRAMPTON, CHESTERFIELD, DERBYSHIRE - APPLICANT: HALL PLANT HIRE LIMITED - CODE NO: CW4/0218/96

The original planning permission (code no. CW4/0414/8) permitted the development of a small scale, on farm composting operation. The application sought permission not to comply with the limitation of Condition 5 in the current planning permission code no. CW4/0414/8, which restricted the import of green waste for composting at the site to no more than 2,000 tonnes of waste per annum. The applicant proposed to increase the waste imported and composted at the site to 5,000 tonnes per annum. The green waste composting facility was located on an existing farm and is within the setting of a Grade II listed building and the North East Derbyshire's Green Belt. The final compost product was used as a soil improver on the applicant's surrounding agricultural land. The development complied with local and national policies and would not result in any significantly adverse impacts on residential amenity. Taking into consideration the applicant's stated need to increase to amount of green waste on site per annum, the Strategic Director was satisfied that the proposal as acceptable and it was therefore recommended for approval, subject to recommended conditions.

Councillor M Wall expressed concern over the increase in heavy traffic on rural roads in Old Brampton and the potential adverse impact this could have, particularly at peak times. It was agreed that the proposed conditions be amended to prohibit heavy goods vehicle movements to and from the site during the hours of 7am to 9am and 5.30pm to 7.30pm.

RESOLVED that (a) planning permission be granted subject to the conditions set out in the report of the Strategic Director - Economy, Transport and Environment; and

(b) Conditions be amended to restrict heavy goods vehicle movements to and from the site during the hours of 7am to 9am and 5.30pm to 7.30pm.

46/18 SCHEME FOR THE MANAGEMENT AND MAINTENANCE OF THE EASTERN AVENUE AT ELVASTON CASTLE UNDER AN OBLIGATION PURSUANT TO SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 RELATING TO PLANNING PERMISSION CM9/0805/73 FOR A PROPOSED NORTHERN EXTENSION TO ELVASTON SAND AND GRAVEL PIT, RESTORATION OF THE LAND FOR

AGRICULTURE AND THE CREATION OF LAKES FOR AMENITY AND CONSERVATION, ELVASTON QUARRY, ELVASTON, NR DERBY - APPLICANT: TARMAC LTD - SUBMISSION NO: SM2612

The Strategic Director – Economy, Transport and Environment reported that this application was a submission under an obligation of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, relating to planning permission CM9/0805/73 at Elvaston Quarry, Elvaston, Derby.

Planning permission (code number CM9/0805/73) for the extraction of 1.85 million tonnes of sand and gravel from 57.6 hectares of land situated between Elvaston Country Park and the village of Ambaston had been granted by this Authority on 2 August 2013. The development area extended northwards from an earlier, now restored, phase of working known as Bellington Hill, west of Ambaston Lane. It was the latest permission for a number of similar sites, beginning west of the M1 in the 1950s and progressing westwards that, collectively, had become known as Elvaston Quarry. No mineral extraction operations had taken place at the quarry for 20 years, although site restoration operations continued into the mid-2000s. The planning permission was subject to a number of planning conditions and was also accompanied by a legal agreement under Section 106 of the Town and Country Planning Act 1990, as amended.

RESOLVED (1) to approve the scheme submitted in respect of obligation 2.1.3 of the Deed of Agreement pursuant to Section 106 of the Town and Country Planning Act 1990, as amended, relating to the management and maintenance of the double line of trees known as the Avenue at Elvaston Castle, subject to the applicant being informed that all works to the Avenue be undertaken in accordance with the following document:

Elvaston Castle Eastern Avenue 20y Tree and Avenue Management Plan 2018 – 2037' (Report ref 8559 Revision V03) produced by Ecus Ltd dated April 2018.

(2) that the applicant be informed that any works to the Avenue would also need to be the subject of an application for tree works, subject to a Tree Preservation Order (TPO) which would need to be made to the local planning authority which, in this instance, was South Derbyshire District Council prior to any works associated with the management of the Avenue being undertaken.

47/18 CURRENT ENFORCEMENT ACTION RESOLVED to receive the report on Current Enforcement Action.

48/18 OUTSTANDING APPLICATIONS RESOLVED to receive the list on decisions outstanding on 9 July 2018 relating to EIA applications

outstanding for more than sixteen weeks, major applications outstanding for more than thirteen weeks and minor applications outstanding for more than eight weeks.

49/18 CURRENT APPEALS/CALLED-IN APPLICATIONS RESOLVED

to note the report on current appeals/called-in applications relating to County matters.

50/18 DEVELOPMENT MANAGEMENT PERFORMANCE The Strategic Director – Economy, Transport and Environment presented the Performance Management Statistics covering the period 1 April to 9 July 2018.

RESOLVED to note the report.

51/18 MATTERS DETERMINED BY THE STRATEGIC DIRECTOR FOR ECONOMY, TRANSPORT AND ENVIRONMENT UNDER DELEGATED POWERS RESOLVED to note that the following applications had been approved by the Strategic Director for Economy, Transport and Environment under delegated powers on:-

10 May 2018

- 1 Proposed New Teaching Block to Comprise of Three Classroom Spaces, Associated Ancillary and Group Rooms, and External Works, including Removal of Trees at St Oswald's Church of England Primary School, off Mayfield Road, Ashbourne

Applicant: Derbyshire County Council

Planning Application Code No: CD3/0218/97

17 May 2018

- 1 Change of Use of the Tapton Lock Visitor Centre to a Café at Tapton Lock Visitor Centre, 59 Lockoford Lane, Chesterfield

Applicant: Derbyshire County Council

Planning Application Code No: CD2/0318/106

- 2 Application under Section 73 of the Town and Country Planning Act 1990 Seeking |Permission to not Comply with Condition 3 of Planning Permission R3/0198/20, in Order to Allow Changes to the Approved Working of Bonemill Quarry, Ryder Point, Hopton, Wirksworth

Applicant: Longcliffe Quarries Limited

Planning Application Code No: CM3/0617/27

- 3 Application under Section 73 of the Town and Country Planning Act 1990 to Vary Condition 4 of Planning Application CW9/0615/48:
Erection of a 15MW Renewable Energy Centre and Associated Infrastructure on Land at the Former Drakelow C Power Station, off Walton Road, Drakelow

Applicant: Future Earth Energy Ltd

Planning Application Code No: CW9/0218/94

24 May 2018

- 1 Delegation Decisions on Schemes Required by Planning Conditions:
 - SM3108
 - SM3109
 - SM3110
 - SD3115
 - SD3116
 - SD3117
 - SM3072

31 May 2018

- 1 Section 73 Application to not comply with Condition 4 of Planning Permission CW2/0317/110 at Sheepbridge Works Trading Estate, Sheepbridge Lane, Chesterfield

Applicant: Hall Plant Hire Ltd

Planning Application Code No: CW2/0218/95
- 2 Delegation Decisions on Schemes Required by Planning Conditions:
 - SM3095
 - SM3018

7 June 2018

- 1 Delegation Decisions on Schemes Required by Planning Conditions:
 - SD3112
 - SM3083
 - SD3119

14 June 2018

- 1 Proposed Construction of a Multi-Use Games Area at Field House County Infant School, Lower Whitworth Road, Ilkeston, DE7 4LT

Applicant: Derbyshire County Council

Planning Application Code No: CD8/0318/107
- 2 The Installation of a Green Metal Shed and the Extension of the Current Tarmac Base at Larklands Infant School, Park Road, Ilkeston, DE7 5DR

Applicant: Derbyshire County Council

Planning Application Code No: CD8/0318/108
- 3 Erection of a New 28000mm x 12000mm Multi-Use Games Area, KS4 Support Centre, Mikado Road, Sawley

Applicant: Derbyshire County Council

Planning Application Code No: CD8/0418/4
- 4 Planning Application Includes Retrospective, Proposed and Future Schemes as Detailed Below:

Works include for the Replacement of Timber Framed Windows for a New Double Glazed Aluminium Profile Window System and the Creation of New Final Exit Doors at Melbourne Junior School, Pack Horse Road, Derby, DE73 8JE

Applicant: Derbyshire County Council

Planning Application Code No: CD9/0418/1
- 5 Delegation Decisions on Schemes Required by Planning Conditions:
 - SD3134
 - SD3114
 - SM2629

21 June 2018

- 1 The Proposal is to Form a Secure Main Entrance to the School Building by Part Demolishing the Existing School Office/Entrance Pitch Roof and Gable Wall, Build a Flat Roof Secure Entrance Lobby and Reception in its Place, Linking onto a New Pitched Roof School Office Extension at Woodthorpe Church of England Primary School, Seymour Lane, Woodthorpe, S43 3DA

Applicant: Derbyshire County Council

Planning Application Code No: CD2/0418/2

- 2 The Creation of a New Entrance on the West Elevation of the Main School Building, Surfacing of the Area in Front of the Proposed Entrance Door to Form a Level Threshold, Installation of a 1:12 Gradient Access Ramp to the Proposed Entrance and 2.4 Metres High Security Mesh Fencing with two Single Gates along the Existing Pathway at Bramley Vale Primary School, York Crescent, Bramley Vale, Derbyshire, S44 5PF

Applicant: Derbyshire County Council

Planning Application Code No: CD5/0418/7

- 3 Delegation Decisions on Schemes Required by Planning Conditions:
 - SD3111
 - SD3133
 - SD3113
 - SD3135
 - SM3098

28 June 2018

- 1 Construction of a New Play Area at Stanton Vale School, Thoresby Road, Long Eaton, NG10 3NP

Applicant: Derbyshire County Council

Planning Application Code No. CD8/0418/6

- 2 Demolition of Youth Centre Building and Construction of Car Parking Area at Melbourne Junior School, Pack Horse Road, Derby DE73 8HP

Applicant: Derbyshire County Council

Planning Application Code No: CD9/0318/111

- 3 Proposed Installation of External Door to Allow Access from Male Changing Room to School, Playing Fields and Creation of New Tarmac Pathway Linking the Proposed New Door to Existing School Pathways at William Allitt School, Sunnyside, Swadlincote

Applicant: Derbyshire County Council

Planning Application Code No: CD9/0518/13

- 4 Delegation Decisions on Schemes Required by Planning Conditions:

- SW3127
- SW3129
- SW3130
- SD3136

5 July 2018

- 1 Proposed New Secure Lobby and Office with New Main Entrance Aluminium Framed Double Doors, 1.5 Metres High Weldmesh Fencing with 2.5 Metres High Gates and Replacement Camera, Control Panel and Buzzer at Westfield Infant School, Vincent Crescent, Chesterfield, S40 4NW

Applicant: Derbyshire County Council

Planning Application Code No: CD2/0518/12
- 2 Provision of a New Multi-Use Games Area (MUGA) Adjacent to the School Playground and Playing Field at Mickley County Infant School, Milton Avenue, Stretton

Applicant: Derbyshire County Council

Planning Application Code No: CD4/0418/8
- 3 Extension to the existing Multi-Use Games Area to include New Outdoor Gym and Relocation/Provision of New Security Fencing at Morton Primary School, Main Road, Morton DE55 6HH

Applicant: Derbyshire County Council

Planning Application Code No: CD4/0518/11
- 4 Proposed Timber 'Nurture' Shed sited on School Playground, with a Low Pitched Monopitch Felt Roof and Deal Shiplap Horizontal Cladding at The Green Infant School, New Street, South Normanton, DE55 2BS

Applicant: Derbyshire County Council

Planning Application Code No: CD5/0518/9
- 5 Delegation Decisions on Schemes Required by Planning Conditions:
 - SM3066
 - SM3075
 - SW3125
 - SW3126
 - SW3145