

MINUTES of a meeting of the **REGULATORY – PLANNING COMMITTEE** held at County Hall, Matlock on 15 February 2016.

PRESENT

Councillor T Southerd (in the Chair)

Councillors D Charles, J Dixon, M Ford, S Freeborn (substitute Member), Julie Hill, J Innes (substitute Member), R Hosker, R A Parkinson and J Twigg

Apologies for absence were received from Councillors J Williams and B Wright

No Declarations of Interest were received.

10/16 **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 11 January 2016 be confirmed as a correct record and signed by the Chair.

11/16 **APPLICATION FOR PERMISSION FOR THE LAYING OUT AND CONSTRUCTION OF A PROPOSED MULTI-USER TRAIL (PHASE 3) FROM CHURCH ROAD, DARLEY DALE TO HARRISON WAY, DARLEY DALE WITHOUT COMPLIANCE WITH CONDITION 5 OF PLANNING PERMISSION CD3/1214/122 BY WORKING 0700 HOURS TO 1200 HOURS ON SATURDAYS SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NO: CD3/1015/99)** Planning permission CD3/1214/122 for Phase 3 of the layout and construction of the Matlock to Rowsley section of a proposed multi-users trail had been granted on 7 May 2015, subject to a number of conditions. The current application sought permission not to comply with Condition 5, which related to the hours of operation. The applicant wished to amend the hours of operation on Saturdays from 0900 hours – 1700 hours to 0700 – 1200 hours to fit in with the appointed contractor's hours of operation. The Monday to Friday hours of operation would be unchanged.

Consultations had taken place and it was reported that concerns had been raised by Derbyshire Dales District Council and Darley Dale Parish Council on grounds of the impact of noise on residential properties on a Saturday morning between 0700 – 0900 hours. One letter of representation had been received concerned about the potential for users of the trail to cut across Church Lane allotments, whilst noting the concerns the Strategic

Director for Economy, Transport and Environment commented that the principle of the use of the land as a multi-user route had been determined when planning permission had been granted and these comments were not relevant to the consideration of the current application.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. Other material considerations, including the National Planning Policy Framework, had also been taken into account.

The Strategic Director had considered the concerns relating to the impact of noise on residential properties. He commented that the majority of the route of this phase of the development was away from residential properties, with the exception of the south-eastern end and north-western end of Phase 3 which were close to properties on Church Road and Butts Road and Dale Road North. He concluded that the proposed amended working hours were, in general, unlikely to have a significant adverse impact on local amenity. However, as there was potential for localised impacts to occur in the areas mentioned, he considered that a condition should be imposed limiting working of specific areas within these vicinities to after 0900 on Saturdays.

RESOLVED that planning permission be granted, subject to the conditions contained within the report of the Strategic Director for Economy, Transport and Environment.

12/16 APPLICATION FOR A CERTIFICATE OF LAWFULNESS OF EXISTING USE FOR THE PROCESSING, RECYCLING AND STORAGE OF METAL AND WASTE AND OTHER WASTE MATERIALS (INCLUDING VEHICLE DISMANTLING) AND ASSOCIATED STORAGE OF RECYCLING CONTAINERS ON LAND AT GRIFFON ROAD, ILKESTON APPLICANT: DONALD WARD LIMITED (CODE NO: CL8/1115/110) The application had been withdrawn by the applicant.

13/16 PROPOSED SIX CLASSROOM EXTENSION, NEW SCHOOL HALL WITH COMMUNITY FACILITIES AND RELOCATION OF EXISTING MULTI-USE GAMES AREA AT STENSON FIELDS COMMUNITY PRIMARY SCHOOL, STENSON FIELDS APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NO: CD9/0715/65) The school was located within an area which was currently experiencing significant residential expansion. Two temporary modular classrooms on site had a temporary planning permission until 30 September 2016. The application proposed the permanent provision of a 6-classroom extension and new hall, along with the relocation of the existing Multi-Use Games Area and the extension and remodelling of the car park to provide an additional 5 car parking spaces and 10 bicycle spaces. Details of the proposals, together with comments received

from consultees and following publicity were contained in the report of the Strategic Director for Economy, Transport and Environment.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and other material considerations had also been taken into account, including the National Planning Policy Framework. The key planning considerations for this development were the need for the development, design and visual impact, sustainability, highways and on-site parking, impact on trees, and community use. These were examined in the Strategic Director's report.

The Strategic Director concluded that whilst this was a substantial expansion of the existing school, he was satisfied that the proposed development would be appropriate in the location and would be sufficient to deal with the anticipated increase in pupil numbers associated with new residential development in the area and consider that, subject to the outlined conditions, the proposal would be in accordance with the relevant development plan policies.

RESOLVED that planning permission be granted, subject to the conditions contained within the report of the Strategic Director for Economy, Transport and Environment.

14/16 **CURRENT ENFORCEMENT ACTION** **RESOLVED** to receive the report on current Enforcement Action.

15/16 **OUTSTANDING APPLICATIONS** **RESOLVED** to receive the list on decisions outstanding on 15 February 2016 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.

16/16 **CURRENT APPEALS/CALLED-IN APPLICATIONS** **RESOLVED** to note the report on current appeals/called-in applications relating to County matters.

17/16 **DEVELOPMENT MANAGEMENT MONTHLY PERFORMANCE MANAGEMENT STATISTICS** **RESOLVED** to receive the Planning Services Development Management Monthly Performance Management Statistics for January 2016.

18/16 **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:-

(a) Delegation Meeting – 14 January 2016

- 1 Retrospective Planning Application for the Retention of a Timber Play Fort and Timber Potting Shed at Palterton Primary School, Back Lane, Palterton
Applicant: Derbyshire County Council
Planning Application Code No: CD5/1115/115
- 2 Delegated Decision on Schemes Required by Planning Conditions:
 - SM2573
 - SM2575

(b) Delegation Meeting – 21 January 2016

- 1 Proposed Alteration to an Existing Entrance to Create a New Main School Entrance at Ashover Primary School, Narrowleys Lane, Ashover
Applicant: Derbyshire County Council
Planning Application Code No: CD4/1115/109
- 2 Proposed Installation of Timber Trim Trail Play Equipment at Aston on Trent Primary School, Long Croft, Aston on Trent
Applicant: Derbyshire County Council
Planning Application Code No: CD9/1115/113

(c) Delegation Meeting – 28 January 2016

- 1 Delegated Decision on Schemes Required by Planning Conditions:
 - SD2788
 - SD2804

(d) Delegation Meeting – 4 February 2016

- 1 Proposed Removal of the Existing Pedestrian Bridge over the Former Railway with the Construction of a 1:20 Access Ramp and Other Access Improvements from Mitchell Street to the Linear Park, Clowne
Applicant: Derbyshire County Council
Planning Application Code No: CD5/1015/98

(e) Delegation Meeting – 11 February 2016

- 1 Proposed Replacement of an Existing Building to House Waste Recycling Facilities at the Old Ironworks Site, off Crompton Road, Ilkeston

Applicant: Stanton Recycling Limited
Planning Application Code No: CW8/0915/90

- 2 Delegated Decision on Schemes Required by Planning Conditions:
- SD2820
 - SW2821
 - SW2822
 - SD2815

H:\New Democratic Arrangements\Regulatory and Appeals Committees\Planning\MINUTES\2016\2016.02.15.doc