

MINUTES of a meeting of the **REGULATORY – PLANNING COMMITTEE** held at County Hall, Matlock on 11 July 2016.

PRESENT

Councillor T Southerd (in the Chair)

Councillors D Charles, Julie Hill, R Hosker, D Taylor (substitute Member), J Twigg, J Williams and B Wright

Apologies for absence were received from Councillors M Ford and R A Parkinson

No Declarations of Interest were received.

51/16 **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 6 June 2016 be confirmed as a correct record and signed by the Chair.

52/16 **PROPOSED ERECTION OF SECURITY FENCING AND GATES AT ST ANDREW'S SCHOOL AND CHILDREN'S CENTRE, HADFIELD ROAD, GLOSSOP APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NO: CD1/0416/1)** The application proposed the erection of security fencing and gates at St Andrew's Junior School and Children's Centre, Hadfield Road, Glossop. The works were being undertaken as part of improvement of the school's site security measures. Details of the proposal, together with comments, including objections, received from consultees and following publicity were addressed in the report of the Strategic Director for Economy, Transport and Communities.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004; other material considerations had also been taken in to account. The key planning considerations were need for the development, design and visual impact, and heritage impact, and these were examined in the report.

The Strategic Director's representative presented the report and photographs of the site were shown to the Committee.

The Strategic Director commented in his report that he considered the proposed security fencing and gates to be of an appropriate design and scale and would be positioned so as not to adversely affect the setting of the

unlisted school buildings or the adjacent Conservation Area or have an adverse impact on residential amenity. It was noted that no objections had been raised by the Highway Authority and no public rights of way were affected. He was satisfied that the development accorded with the policies of the adopted High Peal Local Plan.

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

53/16 SECTION 73 APPLICATION TO NOT COMPLY WITH CONDITION 9 OF PLANNING PERMISSION CW4/1214/115 TO PERMANENTLY RETAIN THE TEMPORARY CAR PARK PROVIDED FOR THE REMEDIATION OF TAR SLUDGE/WASTES AND SUBSEQUENT RESTORATION TO AMENITY USES AT GRASSMOOR LAGOONS, GRASSMOOR COUNTRY PARK APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NO: CW4/1215/126) (Minute No 125/11) The report of the Strategic Director for Economy, Transport and Communities stated that the approved development to which it related was the treatment of the contaminated material in and around the former Grassmoor Lagoons and the restoration of the area to beneficial public amenity uses, incorporating the land into the adjacent Grassmoor Country Park. The access to the site used for the remediation works had required the informal car park off Mansfield Road, Corbriggs to be closed and an alternative, temporary car park, to be provided nearby. The project was nearing completion and it was now proposed that the temporary car park be retained on a permanent basis to improve the facilities for users of the park. Background information on the site and details of the proposals, together with comments received from consultees and following publicity were contained in the Strategic Director's report and objections received and the planning considerations were addressed in the report.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004; other material considerations had also been taken in to account. The Strategic Director reported that the temporary car park had been constructed to a high standard with a height restrictive access barrier with screening bunds formed around the perimeter and it was considered that the temporary car park was wholly suitable for permanent retention. He had concluded that, subject to appropriate conditions, approval of the application would not give rise to any adverse impacts or delay the incorporation of the restored site into the Country Park and would conform with the provisions of the development plan.

The officer presenting the report on behalf of the Strategic Director showed photographs of views of the site and the informal car park and adjacent lengths of road to the Committee. He reported that discussions had

taken place with residents regarding the location, size and shape of the temporary car park when the original application was considered. He commented that concerns raised at that time about headlights from vehicles in the car park shining into properties opposite had been addressed by sloping the exit road downwards.

Two local residents who had each made representations in objection to the application addressed the Committee about their concerns. Mr N Hubbock commented that residents had originally been consulted regarding the car park on the basis that it would be a temporary arrangement which would not outlast the period of the reclamation works. The car park was on the outside of the village and not used by residents.

Mrs Thompson commented that light from headlamps of cars in the car park shone into a bedroom of her property. She also commented that residents had been informed that the car park would be temporary and then returned to its previous state; flooding around the car park entrance caused problems with skidding; and the police had been contacted about night time misuse of the car park. She felt let down by the proposal and did not understand why the original car park could not be re-used instead.

Councillor Hill commented that she had met previously with County Council officers to discuss the car park and had at that meeting expressed concerns regarding the bunds, use by bikers, flooding issues, glaring lights and unsociable activity at the site. She also questioned the adequacy of sight lines from the car park in view of the speed eastward bound vehicles could reach on the straight section of road adjacent to the car park entrance.

The officer was invited to comment in response to the issues raised by speakers. He was unable to comment on the police issue mentioned by Mrs Thompson since the Strategic Director had not been involved with it. He confirmed that the Council as Highway Authority had considered that the design of the car park entrance would be safe for use as a site entrance for works vehicles as well as cars. He also clarified that there had been no information immediately available when the Strategic Director's report was written which indicated that Councillor Hill had any concerns about the car park or the proposal.

It was agreed that further consideration of the application by the Committee should be deferred to enable the Committee Members to first undertake a visit to the application site.

RESOLVED that further consideration of the application by the Committee be deferred to enable the Committee Members to undertake a site visit.

54/16 PROPOSED ERECTION OF SECURITY FENCING AND GATES AT SWANWICK HALL SCHOOL, THE GREEN, SWANWICK, ALFRETON APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NO: CD6/0316/145)

This application proposed the erection of 2.4m high weldmesh security fencing, incorporating vehicle and pedestrian gates at Swanwick Hall School. The works were being undertaken as part of a wider reorganisation and improvement of the school's staff car parking (which did not require planning permission) and site security measures. Details of the proposal, together with comments received from consultees and following publicity, were contained in the report of the Strategic Director for Economy, Transport and Communities. Objections received were addressed in the report.

A further letter from Mr Briggs (dated 5 June 2016), which drew attention to felling of trees which had been part of an avenue within the application site was circulated at the meeting, together with an officer paper that had subsequently been prepared in order to address this occurrence.

The Strategic Director's representative presented the report and photographs of views of the site were shown to the Committee. The key planning considerations of the application were the need for the development, design and visual impact, and the setting of heritage assets, and these were examined in the report. The report concluded that the proposed security fencing and gates were of an appropriate design and scale, and would be positioned so as not to adversely affect the setting of the two listed school buildings or the adjacent listed Church. The development would improve security at the school and alleviate safeguarding concern, which had been raised in relation to car park security. The Strategic Director considered that the design of the fencing was appropriate for the location and he did not consider that the development would have an adverse impact on residential amenity, the character of the locality or on the wider landscape in visual terms. The Strategic Director was satisfied that the benefits of the development would outweigh the minor impacts and the development, which would comply with the National Planning Policy Framework's presumption in favour of sustainable development, would accord with the saved policies of the adopted Amber Valley Borough Local Plan. He confirmed that no objections had been raised by the Highway Authority and that no public rights of way were affected.

Mr Briggs attended the meeting and addressed the Committee. He objected to the planning application on the basis that the proposals would be contrary to the planning policies in the National Planning Policy Framework, the Amber Valley Local Plan and the emerging Swanwick Neighbourhood Plan and did not feel that the impact of the proposal on heritage assets had been given sufficient significance. He also commented on the removal of four mature trees from the site.

The Strategic Director's representative explained that the felling of the trees had concerned car parking at the school and was understood not to form part of the development under the planning application which had been reported for consideration by the Committee, and that there had not been any Tree Preservation Orders on them. It was confirmed that the proposed fencing could be installed without removing an existing hedge.

Several Committee Members expressed disappointment about the occurrence of the tree felling that had been reported to the meeting and emphasised that they would normally expect any tree removal to be taking place outside the bird nesting season. The Committee nevertheless accepted that the tree felling which had occurred did not form part of the development under consideration.

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

55/16 **CURRENT ENFORCEMENT ACTION** **RESOLVED** to receive the report on current Enforcement Action.

56/16 **OUTSTANDING APPLICATIONS** **RESOLVED** to receive the list on decisions outstanding on 11 July 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.

57/16 **CURRENT APPEALS/CALLED-IN APPLICATIONS** **RESOLVED** to note the report on current appeals/called-in applications relating to County matters.

58/16 **DEVELOPMENT MANAGEMENT MONTHLY PERFORMANCE MANAGEMENT STATISTICS** **RESOLVED** to receive the Planning Services Development Management Monthly Performance Management Statistics for June 2016.

59/16 **MATTERS DETERMINED BY THE STRATEGIC DIRECTOR FOR ECONOMY, TRANSPORT AND COMMUNITIES UNDER DELEGATED POWERS** **RESOLVED** to note that the following applications had been approved by the Strategic Director for Economy, Transport and Communities under delegated powers on:-

(a) Delegation Meeting – 9 June 2016

- 1 Proposed Erection of a Multi-Use Games Area at Park Primary School, Rupert Street, Lower Pilsley
Applicant: Derbyshire County Council
Planning Application Code No: CD4/0516/10

(b) Delegation Meeting – 16 June 2016

- 1 Proposed Replacement of Window with Door at Buxworth Primary School, Station Road, Buxworth
Applicant: Derbyshire County Council
Planning Application Code No: CD1/0416/5
- 2 Groundworks within Infant Playground involving Excavation and Remedial Works to Surface Water Drainage Runs, Resurfacing to a Tarmacadam Playground, Remedial Works to Retaining Wall and Associated Earthworks, and the Demolition of a Small Brick Store at Howitt Primary Community School, Cottage Garden, Heanor
Applicant: Derbyshire County Council
Planning Application Code No: CD6/0416/6

(c) Delegation Meeting – 23 June 2016

- 1 Delegation Decisions on Schemes Required by Planning Conditions:
 - SM2852
 - SD2848
 - SD2849

(d) Delegation Meeting – 30 June 2016

- 1 Application for Non-Material Amendment to Planning Permission CD4/0515/28 at Ashover Primary School, Narrowleys Lane, Ashover
Applicant: Derbyshire County Council
Planning Application Code No: NMA/0516/49

(e) Delegation Meeting – 7 July 2016

- 1 Construction of Replacement Community College and Sports Facilities, with the Provision of Additional Areas of Car Parking and Landscaping, along with the Demolition of existing School Buildings at Glossopdale Community College, Newshaw Lane, Hadfield, Glossop
Applicant: Derbyshire County Council
Planning Application Code No: CD1/0206/137

- 2 Proposed Erection of a Detached Modular Nursery Block at Anthony Bek Community School, Rotherham Road, Pleasley
Applicant: Derbyshire County Council
Planning Application Code No: CD5/1015/108
- 3 Upgrading of Existing Sewage Pumping Station to include New Motor Control Centre Kiosk, Underground Storage Well and Pumps, New Vehicle Turning Area and Formulation of New Site Access and Track to the Site from Ashbourne Road (A517) at Belper Bridge Foot Pumping Station, Ashbourne Road, Belper
Applicant: Severn Trent Water
Planning Application Code No: CW6/1114/97
- 4 Application for Non-Material Amendment to Planning Permission CD5/0515/27 at Blackwell Primary School, Primrose Hill, Blackwell
Applicant: Derbyshire County Council
Planning Application Code No: NMA/0616/504
- 5 Delegation Decisions on Schemes Required by Planning Conditions:
 - SD2816
 - SD2845
 - SM2348