

Meeting PLANNING AND LICENSING COMMITTEE

Date Tuesday 12 March 2019 (commencing at 10.30 am)

**Membership**

Persons absent are marked with `A`

**COUNCILLORS**

Chris Barnfather (Chairman)

Jim Creamer (Vice-Chair)

Pauline Allan	Tracey Taylor
Andy Brown	Keith Walker
Richard Butler	Stuart Wallace
Paul Henshaw	Andy Wetton
John Longdon	Yvonne Woodhead
A - Rachel Madden	

**OFFICERS IN ATTENDANCE**

Pete Barker - Chief Executive's Department  
Rachel Clack - Chief Executive's Department  
Sally Gill - Place Department  
David Marsh - Place Department  
Oliver Meek - Place Department  
Dan Sullivan – Place Department

**1. MINUTES OF LAST MEETING HELD ON 29<sup>th</sup> JANUARY 2019**

The minutes of the meeting held on 29<sup>th</sup> January 2019, having been circulated to all Members, were taken as read and were confirmed and signed by the Chair.

**2. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Madden.

Councillor Butler replaced Councillor Rostance, Councillor Wallace replaced Councillor Clarke and Councillor Woodhead replaced Councillor Fielding, all for this meeting only.

### **3. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS**

No declarations of interest were made.

### **4. DECLARATIONS OF LOBBYING OF MEMBERS**

No declarations of lobbying were made.

In view of the fact that the only public speaker present was for Item 6, Styrrup Quarry – Variation of Condition to Allow Continuation of Waste Deposit on Site, the Committee agreed that the order of items be changed to consider that item first.

### **5. STYRRUP QUARRY – VARIATION OF CONDITION TO ALLOW CONTINUATION OF WASTE DEPOSIT ON SITE**

Mr Meek introduced the report which concerned a planning application for an extension of time to restore part of the existing quarry void by means of inert landfill.

Mr Meek informed members that the key issues related to planning policy and the need for inert disposal, traffic, ecology and other restoration benefits.

There were no questions.

Following the introductory remarks of Mr Meek, Mr Carlon, an agent for the applicant, was given the opportunity to speak and a **summary** of that speech is set out below:-

- The applicant has worked closely with officers of the Council
- The applicant is now confident that sufficient inert material will become available to complete the scheme in 2023
- The ephemeral ponds are being created now and work will continue to move across the site in the direction of the access
- The road sweeper is on call most days and can be on site in 15 minutes

There were no questions.

Members then debated the item and on a motion by the Chair, duly seconded, it was:-

#### **Resolved 2019/005**

1. That the Corporate Director – Place be instructed to enter into an agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to ensure no further sand or sandstone is exported from the land; to secure a HGV routeing agreement; and to secure a fifteen year aftercare programme.

2. That subject to the completion of the legal agreement before the 12 June 2019 or another date which may be agreed by the Team Manager Development Management in consultation with the Chairman and Vice Chairman, the Corporate Director – Place be authorised to grant planning permission for the above development subject to the conditions set out in Appendix 1 of the report.

In the event that the legal agreement is not signed before the 12 June 2019, or within any subsequent extension of decision time agreed with the Waste Planning Authority, it is Recommended that the Corporate Director – Place be authorised to refuse planning permission on the grounds that the development fails to provide for the measures identified in the Heads of Terms of the Section 106 legal agreement within a reasonable period of time.

## **6. CARLTON DIGBY SCHOOL – VARIATION OF PERMISSION TO INCREASE PUPIL NUMBERS**

Mr Meek introduced the report which concerned an application seeking the variation of conditions that limit an increase in the number of pupils at Carlton Digby School without consideration of traffic and other impacts.

Mr Meek informed members that the key issues related to potential traffic and noise impacts that may arise from more than 70 pupils attending the school.

Following Mr Meek's introductory remarks, Members debated the item and the following queries and comments were responded to:-

- Increasing the number of pupils should reduce journey times, which can be long to schools of this type given the small number of such schools.
- There is a shortage of these type of school places. The school is of a significant size with the capacity to take extra pupils.
- No school in the county is without its parking problems but this school does have a designated drop off/collection area which should relieve the pressure on on-street parking and a protocol is in place.
- The conditions on the original application were imposed as a result of residents' initial concerns, but those fears have been allayed over time.

The Chair asked officers to pass on the Committee's displeasure at the fact that some of the conditions imposed on the previous application had not been adhered to, despite the applicant being the County Council. Officers present shared the Committee's frustration and confirmed that such observations would continue to be raised.

On a motion by the Chair, duly seconded, it was:-

## **RESOLVED 2019/006**

That planning permission be granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions set out in Appendix 1 of the report.

## **7. PROPOSED AMENDMENTS TO THE COUNTY COUNCIL'S CODE OF BEST PRACTICE**

Mr Meek introduced the report which sought approval of a minor amendment to the existing Code of Best Practice to take on board financial implications for the County Council in connection with Planning Performance Agreements. Mr Meek informed members that approval was also being sought to undertake a wider review of the delegated decision scheme which set out which applications must be reported to Planning and Licensing Committee for determination.

Following the introductory remarks of Mr Meek, members debated the item and the following comments and questions were responded to:-

- The review of the scheme is partly inspired by the situation where, given certain circumstances, the building of a new school can be undertaken without referring the application to either the Planning & Licensing Committee or the Chair and Vice Chair.
- The exercise of delegated powers saves both the Committee and officers time, but the balance needs to be correct.
- Whatever changes are approved a review period should be agreed to avoid any unintended consequences
- No applications have been received with a floorspace of 10,000 sqm
- Any member of the County Council should be able to request that an application be considered by the Planning & Licensing Committee
- Although the two planning applications considered at today's meeting of the Committee were minor, both would still come to Committee in future if this report's recommendations are approved
- Once the scheme has been amended it would be a useful exercise to examine past reports to see which ones would still have come to Committee
- Officers will hold progress meetings with the Chair and Vice Chair to discuss proposals that can be brought back to Committee for approval

On a motion by the Chair, duly seconded, it was:-

**RESOLVED 2019/007**

- 1) That the amendment to Section 2A.2 (d) of the Code of Best Practice be approved to read as follows (amendment shown in **bold**):

Applications which have S106 agreements/Planning obligations **or a Planning Performance Agreement** and those which have other financial implications for the County Council.

- 2) That a wider review of the current list of applications which must be referred to Planning and Licensing Committee for a decision be undertaken and the findings and recommendations be brought back to a future meeting of this Committee for approval.

**8. DEVELOPMENT MANAGEMENT PROGRESS REPORT**

Mrs Gill introduced the report and invited questions on individual applications.

Mrs Gill asked members to confirm with Jonathan Smith if they wished to attend the visit to the Springs Road site and confirmed that security was on site.

On a motion by the Chair, duly seconded, it was:-

**RESOLVED 2019/008**

That no further actions are required as a direct result of the contents of the report.

The meeting closed at 11.33am

**CHAIR**