
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 14 NOVEMBER 2017

Present: Councillors Denness (Chair), Savage (Vice-Chair), Barnes-Andrews, Claisse (except Minute number 41), Murphy and Wilkinson

Apologies: Councillors Hecks

38. **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

The Panel noted the apologies of Councillor Hecks.

39. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED: that the minutes for the Panel meeting on 24 October 2017 be approved and signed as a correct record.

40. **PLANNING APPLICATION - 17/01461/FUL - FORMER FORD MOTOR CO WIDE LANE**

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Application for removal of condition 2 (Restricted Use and Operational Hours) of planning permission 16/02035/MMA to allow Unit 2 for use as an industrial laundry on a 24 hour basis

Steven Harley (agent) was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that a noise report had now been received and assessed and that Environmental Health were now content to remove their holding objection. The Panel noted that the noise report stated with the development would achieve the standards set out in the Council's policy. The presenting officer advised that a condition would secure that the development would be used in accordance with the noise report.

The Panel considered the recommendation to delegate authority to the Service Lead: Planning, Infrastructure and Development to grant planning permission. Upon being put to the vote the recommendation was carried unanimously.

RESOLVED that the Panel:

- (i) Delegated approval to the Service Lead – Planning, Infrastructure and Development Manager to grant planning permission subject to the conditions set

out in the report and the additional condition securing compliance with the noise report and subject to the completion of a S.106 legal agreement Deed of Modification to ensure that Unit 2 is bound by the terms of the 16/00885/FUL permission (as set out in the Panel report attached at Appendix 1).

- (ii) In the event that the legal agreement is not completed within two months of the Panel the Service Lead – Planning, Infrastructure and Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
- (iii) That the Service Lead – Planning, Infrastructure and Development be given delegated powers to add, vary and/or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

Additional condition

NOISE MITIGATION MEASURES

The development shall be implemented in accordance with the recommendations contained within the submitted Sharps Redmore Noise Impact Report as updated by the Sharps Redmore Technical Note (31st October 2016), with the exception of Unit 2, which as hereby approved shall be operated as a commercial laundry in accordance with the amended Sharps Redmore Environmental Noise Assessment (dated 9th November 2017), which confirms that the overall noise level from Unit 2, and its associated land (including plant and noise break out), shall be at least 10dB below the pre-existing background noise level as set out in further detail within the Assessment itself.

Prior to the first and subsequent occupation of each building detailed noise mitigation measures, to include a scheme of management measures to include details of reversing alarms of fork lift trucks and lorries, yard surface material and maintenance, equipment maintenance, acoustic barrier maintenance, site facilities including attenuation, design and location of external plant, vehicle management arrangements, staff management arrangements and a 'Night Time Management Plan' (detailing measures between 2300 and 0700 hours to mitigate noise; including car parking management in connection with shift change) shall have been submitted to and approved in writing by the Local Planning Authority. These measures shall confirm that all refrigeration vehicles serving the site shall use electrical hook up facilities rather than diesel engines and that all refrigeration equipment within the buildings shall utilise electric compressors and not diesel. The approved measures shall be implemented before first occupation of each building and retained thereafter.

REASON: To limit noise and disturbance and to protect the amenities of neighbours, particularly given the 24 hour nature of the proposed operation.

41. PLANNING APPLICATION - 17/01414/FUL - 170 PORTSWOOD ROAD

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development recommending that conditional planning permission be granted in respect of an application for a proposed development at the above address.

Proposed change of use from shop (Class A1) to restaurant/takeaway (Class A3/A5) (with associated extraction flue)

The presenting officer updated the report explaining that 8 objections had been received and not 7 as noted in the papers. Officers noted that the development was in line with Council policy for District Centre and clarified that the hours of use condition would be until 12 Midnight.

The Panel then considered the recommendation to grant conditional planning permission. Upon being put to the vote the recommendation was carried unanimously.

RESOLVED that the Panel grant conditional planning permission as set in the report.

NOTE: Councillor Claisse declared an interest and withdrew from the meeting.