

Amber Valley
Borough Council

Planning Board

Annual Report

1 January to 31
December 2015

Index

Contents	Page
Foreword by the Chairman	3
The role of the Planning Board	4
Members of the Planning Board	4
Officers supporting the Planning Board	5
Meetings of the Planning Board	5
Determination of planning applications	6
Other decisions of the Planning Board	6
Training	6
Contact	7
Review of planning enforcement 2015	8

Foreword by the Chairman of the Planning Board, Cllr Alan Cox



This is the seventh Annual Report of the Planning Board and sets out the work undertaken by the Planning Board over the period from 1 January to 31 December 2015. The report is also accompanied by a review of enforcement work undertaken in 2015.

Meetings of the Planning Board are normally held every month and focus on the consideration and determination of the most significant planning applications received by the Council.

The Planning Board is probably the most high profile of the meetings held by the Council. The public regularly attend in large numbers to hear debate on planning applications and it is crucial that we demonstrate our commitment to achieving and maintaining the highest possible standards in our decision-making.

We continue to look to ways to improve the format and content of Planning Board meetings, in order to provide members with the quality of information necessary to help them reach what are often difficult decisions, whilst at the same time enabling the public to fully understand and appreciate the Planning Board's decisions.

We also facilitate appropriate training for Planning Board members each year, to ensure that they have up to date knowledge of legislation, policies and other information to support effective decision making.

I hope you will take the opportunity to read this Annual Report and to feedback any suggestions as to how we can improve our performance.

I would like to thank all members of the Planning Board and officers for their excellent work over this year and for the support that they have provided for me in my role as Chairman.

Cllr Alan Cox
Chairman of the Planning Board
January 2016

The role of the Planning Board

The primary role of the Planning Board is to determine planning applications and other functions relating to town and country planning and development control and management. However, the Board also has powers to approve and adopt Supplementary Planning Documents and other non-statutory planning guidance, where these supplement the policies of the adopted Local Plan and other Development Plan Documents.

Members of the Planning Board (as at 31 December 2015)

The Planning Board is composed of 12 Borough Councillors:-

Cllr A G Cox (Chairman)
Cllr R P Ashton
Cllr M Bennett MBE
Cllr C N Bull
Cllr S M Evanson
Cllr B Gration
Cllr B J Lyttle
Cllr J Nelson MBE
Cllr J Orton
Cllr D Taylor (Vice Chairman)
Cllr J A Walker
Cllr M Wilson

Officers supporting the Planning Board

Support to the Planning Board is provided by a range of officers.

Reports on planning applications and other matters are presented by the Assistant Director (Planning & Regeneration) and the Principal Planning Officers, with support from other Planning Officers as necessary.

Legal advice is provided by the Assistant Director (Legal & Democratic Services), whilst the Democratic Services Manager and the Democratic Services Officer (Regulatory & Scrutiny) service the meetings and make arrangements for the distribution of agendas, reports and minutes of the meetings.

The Technical Administration team within Development Management are responsible for compiling the agendas for the Planning Board meetings, notifying applicants and those who have made representations on applications of the date and time of the meetings and preparing electronic presentations to the Planning Board.

Meetings of the Planning Board

Between 1 January and 31 December 2015, there were 14 meetings of the Planning Board, with 4 site visits being undertaken by the Planning Board to view application sites, prior to the consideration of those applications at a subsequent Board meeting.

Applicants, any members of the public who have made representations on an application and local ward members (or their nominee) are all able to speak at the Planning Board meetings.

Determination of planning applications

Between 1 January and 31 December 2015, 976 planning applications were determined by the Council. The majority of these applications (946) (97%) were determined in accordance with the Council's delegated procedures, with the remaining 30 applications (3%) being determined by the Planning Board.

Of the 30 applications determined by the Planning Board, the majority (26) (87%) were approved with conditions, with 4 applications (13%) being refused.

Other decisions of the Planning Board

In addition to the determination of planning applications, the Planning Board also determined an application for works to trees within a Conservation Area, two applications to vary the terms and conditions of an agreement under section 106 of the Town and Country Planning Act 1990 and considered whether or not to take action in response to a planning enforcement complaint.

Training

All Planning Board members have access to a programme of training activities. These training sessions are normally held prior to Planning Board and cover a variety of topics. All other members are also invited to attend the training sessions.

The training sessions held between 1 January and 31 December 2015 covered the following topics:-

- | | |
|--------------|--------------------------------------|
| January 2015 | Making Defensible Planning Decisions |
| June 2015 | Induction for new Board members |
| October 2015 | Material Planning Considerations |

Contact

For further information about the work of the Planning Board, please contact:

Derek Stafford
Assistant Director (Planning & Regeneration)
Amber Valley Borough Council
Town Hall
Ripley
Derbyshire DE5 3BT

Telephone: 01773 841581
Email: derek.stafford@ambervalley.gov.uk
www.ambervalley.gov.uk

REVIEW OF PLANNING ENFORCEMENT 2015

INTRODUCTION

This report sets the context of planning enforcement work during 2015 and makes comparisons with work over previous years. The report includes a review of complaints received, investigations carried out and action taken.

COMPLAINTS

Any individual cases may have several complainants. The statistics below show an 18% increase in complaints received between 2014 and 2015.

Year	Cases opened	Cases closed
2010	484	508
2011	377	402
2012	318	302
2013	293	320
2014	428	396
2015	504	502

INVESTIGATIONS

The number of open cases, under investigation at 31/12/2015 is 242. During 2015, enforcement investigations lead to the submission of 86 related applications.

FORMAL ACTION

The following table illustrates historic enforcement action taken. This shows the information provided on the Government PS1/PS2 returns but excludes some types of action, for example Section 215 Untidy Site Notices.

Year	Enforcement Notices **	Stop Notices	Temp Stop Notices	Planning Contravention Notices	Breach of Condition Notices	Injunctions
2011*	7	0	0	1	0	0
2012	27	0	0	1	1	0
2013	14	0	1	2	4	0
2014	12	0	2	5	0	0
2015	14	0	2	1	2	0

* Quarters 2-4 only.

** Including Listed Building Enforcement Notices

FORMAL ACTION TAKEN DURING 2015

The following table sets out the Notices issued during 2015 and their current status.

Case Ref	Site Address	Breach	Type of Notice Served	Date Served	Comments
ENF/2014/0242	The Paddocks Land east of Milnhay Road Langley Mill	Stables development does not comply with the planning permission	BCN	9 Jan 2015	Notice not complied with. Successful Prosecution
ENF/2014/0149	Somme Road Allestree	Caravan on the land that may be being lived in	ENF	15 Jan2015	Notice complied with
ENF/2014/0198	1 Postern View Ashbourne Road Turnditch	Shared driveway constructed between 1 and 2 Postern View	ENF	15 Jan 2015	Appeal dismissed but Notice varied
ENF/2014/0283	Barn at The Field Shipleigh Heanor	Ancillary garage being used as separate residential accommodation	ENF	15 May 2015	Appeal lodged
ENF/2014/0431	Housing site Waingroves Road Codnor	Breach of condition regarding delivery hours	BCN	22 May 2015	Notice withdrawn, new application approved
ENF/2014/0018	Smalley Mill Farm Smalley Mill Road Horsley	Barn not constructed in accordance with approved plans	ENF	22 May 2015	Appeal lodged
ENF/2014/0028	Smalley Mill Farm Smalley Mill Road Horsley	Continued occupation of residential unit, beyond temporary time period	ENF	22 May 2015	Notice withdrawn – retrospective application subsequently approved
ENF/2015/0131	Golden Valley Equestrian Centre Coach Road Riddings	Engineering works to agricultural land	TSN	29 May 2015	Negotiations undertaken to enable resolution of breach
ENF/2015/0109	14 Golden Valley Riddings	Parking of Catering Vans at residential property	ENF	30 Jun 2015	Breach being monitored

ENF/2015/0237	Land On Corner Of Coach Rd Butterley Hill Ripley	Catering unit operational	TSN	03-Jul-15	Notice complied with
ENF/2014/0396	The Vicarage 30 Moorside Lane Holbrook	Construction of tree house	ENF	07-Jul-15	Appeal lodged
ENF/2015/0100	7 Casson Street Ironville	Change of use running sweet shop from shed	ENF	24-Sep-15	Appeal lodged
ENF/2014/0083	Flat 1 82 Bridge Street Belper	UPVC windows installed	ENF	30-Sep-15	Appeal lodged
ENF/2015/0214	Land Between 10 And 12 Ashbourne Road Kirk Langley	Storage container and motorhome on land	ENF	28-Oct-15	Compliance being monitored
ENF/2015/0036	15 Chesterfield Road Belper	Erection of close boarded fence adjacent to highway	ENF	10-Nov-15	Appeal lodged
ENF/2015/0028	27 Jodrell Avenue Belper	Garage converted into a full taxi office, the house is being used to run a taxi business	ENF	11-Nov-15	Notice complied with
ENF/2015/0075	10 Openwoodgate Belper	Overflowing skips affecting visual amenities of the surrounding area	Sec 215	01-Dec-15	Compliance being monitored
ENF/2014/0383	The Wesleyan Kilbourne Road Belper	Work to listed buildings	LB ENF	02-Dec-15	Compliance being monitored

OUTSTANDING PROSECUTION ACTION

ENF/2011/0096 – Storage of non-agricultural use at land rear of 45A Fall Road, Newlands, Heanor – Prosecution against non-compliance with Enforcement Notice. Trial arranged for Crown Court, 22-Feb-2016.

ENF/2013/0018 – Breach of Condition relating to landscaping/open space at Cromford View, former Butterley Works, Ripley – Successful prosecution against non-compliance with BCN, 24-March-2015. Case remains unresolved and negotiations are ongoing.