

DEVELOPMENT CONTROL COMMITTEE

19th January 2010

**PRESENT:-**

**Conservative Group**

Councillor Ford (Chairman), Councillor Mrs. Plenderleith (Vice-Chairman) and Councillors Bale, Bladen, Mrs. Farrington (substitute for Councillor Lemmon), Jones, Stanton and Watson.

**Labour Group**

Councillors Dunn, Richards, Shepherd and Southerd.

**Independent/Non-Grouped Member**

Councillor Mrs. Brown.

**APOLOGY**

An apology for absence from the Meeting was received from Councillor Lemmon (Conservative Group).

**MATTERS DELEGATED TO COMMITTEE**

DC/108. **TREE PRESERVATION ORDER NO. 317 – LAND AT BIRCH AVENUE, NEWHALL**

It was reported that this Tree Preservation Order was made on 22nd October 2009 in respect of one Sycamore Tree at No. 26 Birch Avenue, Newhall. The Order was made as the tree was of good wildlife amenity value and was situated within the National Forest.

Comments had been received from occupants of a neighbouring property, raising concerns regarding the following issues:-

- The tree sheds propeller-like seeds over the windows, garden area and garden furniture at the complainant's property. Due to the occupier being registered disabled, it was becoming difficult to keep the areas tidy.
- The tree was less than forty years old and had been planted after the building of the bungalow at No. 26 Birch Avenue.

Members were advised of comments made by Officers in response to the comments raised.

**RESOLVED:-**

***That Tree Preservation Order No. 317 be confirmed without modification.***

DC/109. **REPORT OF THE HEAD OF PLANNING SERVICES**

The Head of Planning Services submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

DC/110. **THE CHANGE OF USE FROM INDUSTRIAL TO GYM AT UNIT NO. 5 HEARTH COTE ROAD, SWADLINCOTE (9/2009/0822/U)**

Members of the Committee had visited the site prior to the Meeting. The Head of Planning Services reported updated comments received from the County Highways Authority requesting additional conditions with regard to the provision of car parking spaces during the daytime and evening. The applicant now wished to provide an additional ten car parking spaces outside of the application site, during the evening. The County Highways Authority had no objection to this additional provision, subject to control of the additional parking spaces being secured. It was noted that the consultation period for the amended scheme now expired on 4th February 2010. Reference was made to the publication of Planning Policy Statement 4, which now superseded Planning Policy Statement 6.

Mr. S. Taylor (applicant) attended the Meeting and addressed Members on this application.

Members felt that the conditions to be imposed on any planning permission should not restrict membership numbers or the insertion of a mezzanine floor.

**RESOLVED:-**

- (1) That the Head of Planning Services, in consultation with the Chairman of the Committee, be authorised to deal with any subsequent issues arising from the outstanding consultation period received by 4th February 2010.***
- (2) That, contrary to the recommendation, subject to the Head of Planning Services being satisfied that any subsequent issues as detailed in (1) above have been dealt with and to the submission of an amended application site plan to include 22 additional evening car parking spaces, planning permission be granted, since the application is regarded as a leisure industry in an appropriate location, creating additional job opportunities.***
- (3) That the Head of Planning Services be authorised to approve appropriate conditions for imposition on any planning permission, in consultation with the Chairman of the Committee.***

DC/111. **THE ERECTION OF A DETACHED GARAGE WITH ANCILLARY ACCOMMODATION FOR A DEPENDANT RELATIVE AT NO. 2 SCROPTON OLD ROAD, HATTON (9/2009/0923/FH)**

Members of the Committee had visited the site prior to the Meeting. Mr. P. Diffey (agent) attended the Meeting and addressed Members on this application.

**RESOLVED:-**

***That planning permission be refused, for the reasons set out in the report of the Head of Planning Services.***

DC/112. **PLANNING APPEAL**

The content of the following report was noted:-

Appeal Allowed – The erection of a detached house on land adjoining No. 155 Station Street, Castle Gresley (9/2009/0405/B).

M. FORD

CHAIRMAN

The Meeting terminated at 6.45 p.m.