

DEVELOPMENT CONTROL COMMITTEE

17th September 2002

PRESENT:-

Labour Group

Councillor Brooks (Chair) and Councillors Bambrick, Lauro (substitute for Councillor Southerd), Richards (substitute for Councillor Dunn – Vice-Chair), Rose, Mrs. Rose, Shepherd, Southern and Whyman.

Conservative Group

Councillors Bale, Bladen, Lemmon and Mrs. Walton.

(Councillor Mrs. Wheeler also attended the Meeting).

APOLOGIES

Apologies for absence from the Meeting were received from Councillors Dunn and Southerd.

MATTERS DELEGATED TO COMMITTEE

DC/61. **SWADLINCOTE HERITAGE ECONOMIC REGENERATION SCHEME SUB-COMMITTEE – 15TH MAY 2002**

The Committee received the Minutes of the Meeting of the Swadlincote Heritage Economic Regeneration Scheme Sub-Committee held on 15th May 2002.

RESOLVED:-

That the Minutes of the Swadlincote Heritage Economic Regeneration Scheme Sub-Committee held on 15th May 2002, a copy of which is attached at Annexe 'A' to these Minutes, be received and noted.

DC/62. **TREE PRESERVATION ORDER NO. 195 (2002) – GEORGE STREET AND ALBERT ROAD, CHURCH GRESLEY**

It was reported that this Tree Preservation Order had been made on 19th April 2002 in respect of roadside trees located behind the front boundaries of dwellings fronting George Street and Albert Road, Church Gresley. The Order was made as the trees had important amenity value both individually and as groups. They were mature large specimens that provided an attractive leafy vista in the street scene. The trees were in the front gardens of dwellings fronting the highway and the Tenant Liaison Officer for Housing Services had received enquiries from an occupier which could result in the removal of one of the trees.

A letter of objection to the inclusion of a cherry tree in the Order had been received. It had been claimed that the tree was in the middle of the garden and would prevent the provision of off-street parking. The objector's vehicle had been damaged several times whilst parked on the road and, being

parked near a road junction, the owner was concerned that it may be damaged by another car.

The planning assessment advised that it was considered expedient in the interests of amenity to make these trees the subject of a Tree Preservation Order. The cherry tree was visible in the street scene and its red leaf provided an attractive contrast to the green of the other trees. It was not unusual for cars to be parked on the road due to a lack of off-street parking and therefore, the inconvenience caused by the tree to the occupiers was not unreasonable and did not outweigh the public amenity value of the tree.

RESOLVED:-

That the Order be confirmed without modification.

DC/63. **TREE PRESERVATION ORDER NO. 190 (2002) – KING GEORGE V PLAYING FIELD, ETWALL**

The Committee considered a report on the confirmation of this Tree Preservation Order. A Member queried liability issues and compensation arising from a representation made.

RESOLVED:-

That consideration of the matter be deferred until the next Meeting to enable the liability issues raised to be addressed.

DC/64. **PUBLIC HEALTH ACT 1925, SECTION 17 STREET NAMING**

(a) Castle Gresley

It was reported that a request had been received for street names for the new development under construction on land to the north of Castle Road, Castle Gresley by David Wilson Homes. The suggested names were as follows and reflected the names of universities:-

Anglia, Brunel, Bristol, Buckingham, Cranfield, De-Montfort, Edinburgh, Essex, Greenmount, Glamorgan, Guildhall, Greenwich, Keele, Kent, Kingston, Paisley, Salford, Stirling, Huddersfield, Luton, Moray, Richmond, Portsmouth and Scarborough.

Members queried the local relevance of these names and considered that street names should be reflective of the heritage of the area. However, it was noted that the developer was entitled to choose appropriate names.

RESOLVED:-

That, in accordance with the provisions of Section 17 of the Public Health Act 1925, no objections be raised to the above names.

(b) Linton

It was reported that a request had been received for a street name for a development under construction at Bridge Street, Castle Gresley. The suggested names were “Castle Croft” and “Castle Court”.

RESOLVED:-

That, in accordance with the provisions of Section 17 of the Public Health Act 1925, the suggested name “Castle Croft” be preferred by this Council.

DC/65. **REPORT OF THE PLANNING SERVICES MANAGER**

The Planning Services Manager 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/66. **PLANNING APPROVALS****RESOLVED:-**

That the following applications be granted, subject to the conditions set out in the reports of the Planning Services Manager and to any matters annotated:-

- (a) ***The removal of condition No. 2 of planning permission 9/786/316 to permit the unrestricted occupancy of Badgers Run, Ash Lane, Etwall (9/2002/0581/R) – reference was made to an additional letter of objection.***

(Councillor Southern wished it to be recorded that he was not in favour of this decision).

- (b) ***The formation of a vehicular access to serve No. 39 Church Road, Egginton (9/2002/0680/F).***
- (c) ***Outline application (all matters except means of access to be reserved) for the erection of two houses in the garden of No. 3 South View Cottage, Common End, Etwall (9/2002/0681/O).***
- (d) ***The retention of wood panel fencing and the installation of gates at the front of No. 65 The Crest, Linton (9/2002/0715/F).***
- (e) ***The erection of a garage and wall at No. 15 Tedworth Avenue, Stenson Fields (9/2002/0725/F).***
- (f) ***The erection of a garage and a wall at No. 45 Main Street, Milton (9/2002/0751/F).***
- (g) ***The relocation of a radio mast at No. 41 Woodville Road, Overseal (9/2002/0766/F).***

- (h) *The erection of a detached house and garage together with the alterations to the vehicular access at No. 80 Victoria Street, Melbourne (9/2002/0825/F).*

DC/67. **THE SITING OF SIX ADDITIONAL CARAVANS (THREE RESIDENTIAL AND THREE UTILITY) AT THE FORMER CASTLE VIEW SERVICE STATION, UTTOXETER ROAD, FOSTON (9/2002/0595/F)**

It was noted that this application was situated in the Hatton Ward. The Planning Services Manager advised that in the event of planning permission being refused, his Division would be unlikely to be able to provide an adequate level of representation in accordance with the Professional Code of Conduct appropriate to his officers.

RESOLVED:-

That, contrary to the recommendation, planning permission be refused for reasons to be determined by the Planning Services Manager in consultation with the Chair of the Committee.

DC/68. **THE FORMATION OF AN ACCESS ROAD AND SECURITY GATEHOUSE OFF WOODYARD LANE AND TO ALLOW 24 HOUR OPERATION AS A VARIATION OF CONDITION NO. 3 OF PLANNING PERMISSION 9/1993/0001 AT THE PREMISES OF FOSTON FARM PRODUCE, HAY LANE, FOSTON (9/2001/0908/F)**

RESOLVED:-

That, contrary to the recommendation, planning permission be refused for the reason set out in the report of the Planning Services Manager.

DC/69. **THE ERECTION OF A SINGLE-STOREY OFFICE BUILDING AT ALPHA CONSTRUCTION, ALPHA HOUSE, UTTOXETER ROAD, HILTON (9/2002/0410/F)**

RESOLVED:-

That planning permission be refused for the reason set out in the report of the Planning Services Manager.

DC/70. **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

ARTICLE 4 DIRECTION FOR REPTON CONSERVATION AREA (Paragraph No. 13)

The Committee decided against making an Article 4 Direction for Repton Conservation Area at this time.

L.J. BROOKS

CHAIR