

DEVELOPMENT CONTROL COMMITTEE

28th July 2009

PRESENT:-

Conservative Group

Councillor Ford (Chairman) and Councillors Bale, Mrs. Hood (substitute for Councillor Mrs. Plenderleith), Lemmon, Roberts (substitute for Councillor Jones), Stanton, Watson and Wheeler (substitute for Councillor Bladen).

Labour Group

Councillors Dunn, Richards, Shepherd and Southerd.

Independent Member

Councillor Mrs. Brown.

The following Members also attended the Meeting and, with the approval of the Chairman, spoke to the Minutes Nos. indicated:-

Councillor Mrs. Farrington - Minute No. DC/30

Councillor Harrison - Minute No. DC/33

Councillor Rhind

APOLOGIES

Apologies for absence from the Meeting were received from Councillors Mrs. Plenderleith (Vice-Chairman), Bladen and Jones (Conservative Group).

DC/28. **MINUTES**

The Open Minutes of the Meeting held on 16th June 2009 were taken as read, approved as a true record and signed by the Chairman.

DC/29. **DECLARATIONS OF INTEREST**

Councillor Wheeler declared a prejudicial interest in planning applications 9/2009/0497/NO and 9/2009/0510/NO (Minutes Nos. DC/38 and DC/39), in his capacity as Chairman of the Rosliston Forestry Liaison Group.

Councillors Ford and Shepherd declared personal interests in planning application 9/2009/0510/NO (Minute No. DC/39), as their employer was the agent for the application.

MATTERS DELEGATED TO COMMITTEE**DC/30. COPPICE SIDE PARKING RESTRICTIONS**

Members were reminded, that under Minute No. DC/2 of 16th June 2009, it had been agreed to request the County Highways Authority to continue reviewing this matter through a traffic census and further surveys at a more appropriate time of day. In addition, under Minute No. DC/87 of 3rd March 2009, it had been agreed to request in writing the County Highways Authority's co-operation and serious consideration in changing Coppice Side, Swadlincote, by a traffic order or other means at their disposal to provide a "clear way" with no parking on either side of the road throughout its full length. The County Highways response in this regard was reported at the Meeting on 16th June 2009.

Following reconsideration of the issue, the County Highways Authority had now advised that the site had been visited on a number of occasions since receipt of this Council's written request for reconsideration. At no time had there been any evidence of an excessive number of non-resident vehicles being observed parked on the road and those that were parked caused no identifiable road safety or congestion problems. A number of photographs taken on 11th May 2009 had been submitted to illustrate the County Highways Authority's reluctance to impose traffic restrictions. It was considered that future developments in the vicinity would be unlikely to change on-street parking levels significantly. It was concluded that, unless it could be demonstrated that the level of parking would result in severe congestion and an unequivocal road safety issue, there would be no prospect of parking restrictions.

A further response had also been received following this Council's request that the County Highways Authority consider undertaking a traffic census and further surveys at a more appropriate time of day, as the Committee felt that the photographs were very unrepresentative of a frequently occurring situation. The County Highways Authority was of the view that the photographs were entirely representative of the current conditions. Its officers had visited the site on numerous occasions and viewed very few vehicles parked on Coppice Side.

A local Ward Member advised that she had also taken photographs, which illustrated the parking problems experienced and had forwarded copies to Derbyshire County Council's Deputy Leader/Portfolio Holder for Highways and Transport. These photographs bore no resemblance to the County Highways Authority's photographs shown at the Meeting.

Members expressed concern regarding local residents' unhappiness at the current situation and stressed that the matter required further investigation at appropriate times, suggesting between 4.00 and 6.00 p.m. during weekdays.

RESOLVED:-

That the County Highways Authority be requested to continue reviewing this matter through a traffic census between suggested times of 4.00 and 6.00 p.m. during weekdays.

DC/31. 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/32. OUTLINE APPLICATION (ALL MATTERS TO BE RESERVED) FOR AN AGRICULTURAL WORKER'S DWELLING AT LIBERTY FARM, FINDERN LANE, BURNASTON (9/2009/0454/FM)

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

RESOLVED:-

That planning permission be granted, subject to the conditions set out in the report of the Head of Planning Services.

DC/33. THE RETENTION OF A SUPPORT FOR ORNAMENTAL TREES AT MOUNT HOUSE, COMMERCE STREET, MELBOURNE (9/2009/0156/FH)

The Head of Planning Services read a summary of the comments made by the two public speakers at the Meeting on 12th May 2009 (Minute No. DC/127 refers). Reference was also made to the implications of this application with regard to Minute No. DC/75 of 20th January 2009, when it was agreed to take enforcement action to secure the removal of the metal framework at the property. A mediation meeting had been held on 3rd July 2009 between the applicant, objector, Area Planning Officer and local Ward Member. No agreement had been reached between the applicant and the objector at this Meeting.

RESOLVED:-

- (1) That planning permission be granted.***
- (2) That, in view of resolution (1) above, no further action be taken on the enforcement action previously authorised.***

DC/34. **APPROVAL OF RESERVED MATTERS OF APPLICATION 9/0890/0515 FOR THE ERECTION OF 309 DWELLINGS AND ASSOCIATED WORKS AT PHASE 5, LAND TO THE SOUTH-EAST OF SWADLINCOTE LANE, CASTLE GRESLEY (9/2009/0240/RM)**

The Head of Planning Services reported an additional response received from a neighbour and read a summary of the comments made by the public speaker at the previous Meeting.

RESOLVED:-

That consideration of the application be deferred for further consultation with the applicant company and the County Highways Authority on the widening of the development access from Swadlincote Lane and the County Highways Authority also be requested to provide the analysis on its decision regarding the proposed access.

DC/35. **APPLICATION FOR CONSENT TO CONSTRUCT AND OPERATE A COMBINED CYCLE GAS TURBINE POWER STATION ON THE SITE OF DRAKELOW POWER STATION, WALTON ROAD, DRAKELOW (9/2009/0321/J)**

RESOLVED:-

- (1) That the Secretary of State for the Environment be advised that this Council raises no objection to the principle of redevelopment of the site based on the Environmental Statement submitted that the buildings would be 25 metres in height.*
- (2) That, should the detailed design result in a building in excess of 25 metres in height, the Council wishes to have the opportunity to evaluate this impact.*
- (3) That the matters of concern raised in the report of the Head of Planning Services be considered by the Secretary of State for the Environment as appropriate, including the conditions and notes to the applicant as set out in the report.*

Councillor Shepherd left the Meeting at 7.35 p.m.

DC/36. **THE ERECTION OF A DETACHED DWELLING ON LAND TO THE NORTH OF NO.1 THE GARDENS, CHAPEL LANE, CHURCH BROUGHTON (9/2009/0399/FM)**

RESOLVED:-

That planning permission be granted, subject to the conditions set out in the report of the Head of Planning Services.

DC/37. **THE ERECTION OF AN EXTENSION FOR LIGHT INDUSTRIAL AND OFFICE USE AT BRIDGE FARM, SINFIN LANE, BARROW-ON-TRENT (9/2009/0468/SOF)**

Members of the Committee had visited the site prior to the Meeting.

RESOLVED:-

- (1) That planning permission be granted, subject to the conditions set out in the report of the Head of Planning Services and to an additional landscaping condition.***
- (2) That Officers assess the current belt of trees on the site in connection with any Tree Preservation Orders deemed necessary.***

DC/38. **THE ERECTION OF FIVE NURSERY B1 UNITS WITH ANCILLARY ACCOMMODATION AT ROSLISTON FORESTRY CENTRE, BURTON ROAD, ROSLISTON (9/2009/0497/NO)**

RESOLVED:-

That planning permission be granted, subject to the conditions set out in the report of the Head of Planning Services.

(Councillor Wheeler declared a prejudicial interest in this application, in his capacity as Chairman of the Rosliston Forestry Liaison Group and withdrew from the Meeting during the consideration and determination thereof).

DC/39. **THE ERECTION OF A COVERED EXTERNAL TEACHING AREA AT ROSLISTON FORESTRY CENTRE, BURTON ROAD, ROSLISTON (9/2009/0510/NO)**

RESOLVED:-

That planning permission be granted, subject to the conditions set out in the report of the Head of Planning Services.

(Councillor Wheeler declared a prejudicial interest in this application, in his capacity as Chairman of the Rosliston Forestry Liaison Group and withdrew from the Meeting during the consideration and determination thereof).

(Councillors Ford and Shepherd declared a personal interest in this application, as their employer was the agent for the application).

DC/40. **THE CONVERSION OF AN EXISTING OUTBUILDING TO RESIDENTIAL USE AT 'SOUTHLANDS', BURNASTON (9/2009/0373/U)**

Members of the Committee had visited the site prior to the Meeting.

RESOLVED:-

That, contrary to the recommendation, planning permission be granted, as the proposed conversion for a disabled person involved in an established rural business is considered to be an exceptional circumstance, in respect of which Planning Policy Statement 3 seeks to ensure that decent homes are available for all sectors of the community. In addition, Planning Policy Statement 7 allows for the residential conversion of rural buildings and the conversion would provide a lifetime home to the local village housing stock.

DC/41. **PLANNING APPEALS**

The contents of the following reports were noted:-

Appeals Allowed:-

- (a) The change of use to extend the existing caravan site to allow the stationing of touring caravans on six transit pitches, with ancillary access road, hardstanding and the replacement of the existing facilities block, on land at the former Castle View Service Station, Uttoxeter Road, Foston (9/2008/0577/NU).
- (b) The change of use of apartment block (C3 use) to nursing home for the elderly and infirm (C2 use), including a side extension and a rear and side single-storey extension, together with minor alterations to the external layout at Jason Hylton Court, Wilmot Road, Swadlincote (9/2009/0019/NO).

Appeals Dismissed:-

- (a) The change of use to D2 and erection of a sign at Unit 6, Woodhouse Business Centre, Woodhouse Street, Woodville (9/2008/0777/U).
- (b) The conversion of a former telephone exchange to form a dwelling without vehicular access on land adjoining No. 70 Burton Road, Overseal (9/2008/1126/FM).

DC/42. **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.

MINUTES

The Exempt Minutes of the Meeting held on 16th June 2009 were received.

M. FORD

CHAIRMAN