

DEVELOPMENT CONTROL COMMITTEE

15th December 2009

PRESENT:-

Conservative Group

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

Labour Group

Councillors Mrs. Lane (substitute for Councillor Southerd), Richards and Taylor (substitute for Councillor Shepherd).

Independent/Non-Grouped 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 Dunn – Minute No. DC/103.

Councillor Rhind – Minute No. DC/99.

Councillor Southerd – Minute No. DC/99.

Councillor Stanton – Minute No. DC/100.

APOLOGIES

Apologies for absence from the Meeting were received from Councillors Mrs. Plenderleith (Vice-Chairman), Bale, Bladen, Jones, Stanton and Watson (Conservative Group) and Councillors Dunn, Shepherd and Southerd (Labour Group).

DC/97. **DECLARATIONS OF INTERESTS**

Councillor Ford (Chairman) and Councillor Lemmon declared their apparent predetermination in planning application 9/2009/0883/SMD (Minute No. DC/99) as Members of the Committee who had considered the application at the last Meeting.

MATTERS DELEGATED TO COMMITTEE

DC/98. **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/99. **THE ERECTION OF 18 DWELLINGS AND ASSOCIATED ACCESS, TURNING AND PARKING ON LAND AT WILMOT ROAD, SWADLINCOTE (9/2009/0883/SMD)**

Councillor Ford (Chairman) and Councillor Lemmon withdrew from the Meeting for this item due to their apparent predetermination as Members of the Committee who had considered the application at the last Meeting. In the absence of the Chairman and Vice-Chairman, Councillor Wheeler was appointed Chairman for the item.

Members of the Committee had visited the site prior to the Meeting. The Head of Planning Services reported comments received from a neighbour. Mr. Goodall (objector) attended the Meeting and addressed Members on this application.

Councillor Southerd (Local Member) spoke on the application and then withdrew from the Meeting along with Councillor Dunn, due to their apparent predetermination as Members of the Committee who had considered the application at the last Meeting.

RESOLVED:-

That, subject to the receipt of contributions of £42,762 towards a signal-controlled pedestrian crossing and any other traffic control measures on Wilmot Road, Swadlincote, planning permission be granted under Regulation 4, subject to the conditions set out in the report of the Head of Planning Services.

DC/100. **THE CHANGE OF USE TO A RESIDENTIAL CARAVAN SITE TO ACCOMMODATE FOUR GYPSY FAMILIES WITH A TOTAL OF EIGHT CARAVANS AND FOUR AMENITY BLOCKS AT LAND AT GRAVELPIT HILL ROAD, HARTSHORNE (9/2009/0842/NU)**

Members of the Committee had visited the site prior to the Meeting. The Head of Planning Services reported comments received from a local Ward Member together with further information from the agent. Mrs. N. Wilton (on behalf of Julie Routledge-Martin (objector)) and Mr. A. Statham (agent) attended the Meeting and addressed Members on this application.

RESOLVED:-

That, contrary to the recommendation, planning permission be refused as the development would be contrary to the provisions of Circular 01/2006 relating to sustainability issues and Transport Policy 6 of the Local Plan relating to highway issues.

DC/101. **THE CHANGE OF USE FROM INDUSTRIAL TO GYM AT UNIT 5, HEARTHCOTE ROAD, SWADLINCOTE (9/2009/0822/U)**

RESOLVED:-

- (1) That consideration of the application be deferred to enable Members of the Committee to visit the site prior to their next Meeting to clarify further issues of principle, other than those specified in the report which arise from Members' personal knowledge of circumstances on the ground and to assess implications which might arise for consistency of decision-making in other similar cases.*
- (2) That Members be authorised to consider any ancillary matters which might arise.*
- (2) That the local representatives be requested to be present in a representative capacity.*

DC/102. **TO EXTEND THE TIME ALLOWED UNDER CONDITION NO. 1 OF PREVIOUSLY APPROVED OUTLINE APPLICATION 9/2006/0780 FOR THE ERECTION OF TWENTY DWELLINGS AT NO. 22 COPPICE SIDE, SWADLINCOTE (9/2009/0847/BSM)**

Mr. P. Diffey (on behalf of the applicant) attended the Meeting and addressed Members on this application.

RESOLVED:-

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

DC/103. **THE ERECTION OF A DWELLING ON THE SITE OF COUNCIL GARAGES (TO BE DEMOLISHED) BETWEEN NOS. 3 & 5 BUXTON CLOSE, NEWHALL (9/2009/0964/FM)**

The Head of Planning Services reported correspondence received from a neighbour and the County Highways Authority.

RESOLVED:-

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

DC/104. **THE DEMOLITION OF LITTLE CROFT, THE ERECTION OF FIVE DWELLINGS AND THE FORMATION OF A NEW VEHICULAR ACCESS TO PIERS RIDING AT LITTLE CROFT, SUTTON LANE, ETWALL (9/2009/0893/FX)**

Members of the Committee had visited the site prior to the Meeting. Members queried the status of the boundary wall adjoining the application site.

RESOLVED:-

That consideration of the application be deferred to enable further advice to be sought on the status of the boundary wall adjoining the application site.

DC/105. **PLANNING AND OTHER APPEALS**

The contents of the following reports were noted:-

Appeal Allowed

The erection of a three-bay garage/carriage barn at No. 9 Acresford Road, Overseal (9/2009/0629/FH).

Appeals Dismissed

- (a) Ground-floor extensions to the kitchen area and first-floor extensions to create an additional bedroom, including the provision of pitched dormer roofs at Nos. 18 and 20 Willowfields, Hilton (9/2009//0523/FH).
- (b) The demolition of the existing bungalow and erection of two four-bedroomed houses, together with vehicular access at No. 10 Darklands Road, Swadlincote (9/2008/0899/FM).

Appeal Dismissed/Part Allowed

Enforcement notice relating to the change of use of land at New Barn Farm, Coton Park, Linton from mixed use for agricultural and residential purposes to mixed use for C3 (residential), B1 (light industrial) and B8 (storage and distribution) (E/2005/00352).

DC/106. **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.

ENFORCEMENT ACTION – WALTON-ON-TRENT (Paragraph 2)

The Committee agreed that no action be taken relating to the erection of a stable block at Walton-on-Trent.

M. FORD

CHAIRMAN