

DEVELOPMENT CONTROL COMMITTEE

6th November 2001

PRESENT:-

Labour Group

Councillor Brooks (Chair), Councillor Dunn (Vice-Chair) and Councillors Bambrick, Ford, Rose, Shepherd, Southerd, Southern and Whyman.

Conservative Group

Councillors Bale, Bladen, Hood and Mrs. Walton.

(The following Members also attended the Meeting and, with the approval of the Chair, spoke to the Minutes Nos. indicated.

Councillor Carroll – Minutes Nos. DC/61(b), DC/61(c) and DC/61(d)

Councillor Harrison – Minutes Nos. DC/61(c) and DC/61(d)

DC/59. MINUTES

The Open Minutes of the Meetings held on 25th September and 16th October 2001 were taken as read, approved as true records and signed by the Chair.

DC/60. REPORTS OF MEMBERS

(a) Loose Chippings Signs – Ticknall

Councillor Southerd reported that signs were still in evidence on roads approaching Ticknall, indicating loose chippings on the road, despite being no longer appropriate. Accordingly, the County Highways Authority would be requested to remove such signs.

(b) Planning Conditions – Management of Sites

Councillor Southern expressed concern at recent occurrences in Linton involving residents being disturbed by house alarms and enquired whether a condition could be imposed on the grant of planning permission requiring the developer to advise the police of details of keyholders. The Planning Services Manager advised that conditions could not be imposed relating to the manner in which a development site was managed but in such cases, an appropriate informative could be included on the permission, which was agreed. The Chief Executive advised that an offence would be committed by anyone allowing an alarm to sound continually without informing the police.

MATTERS DELEGATED TO COMMITTEE

DC/61. SITE VISITS

- (a) The formation of a golf driving range on part of O.S. Field No. 6100, Broughton Heath Golf Club, Church Broughton Road, Hatton (9/2001/0496/F)

Further to Minute No. DC/56 of 16th October 2001, it was reported that Members of the Committee had visited the site prior to the Meeting. Consideration was given to the application and, it was,

RESOLVED:-

That planning permission be granted, subject to the conditions set out in the report of the Planning Services Manager to the Meeting held on 16th October 2001 and to condition No. 10 being amended to preclude the use until a car park is in place.

(Councillor Hood declared an interest in this application and withdrew from the Meeting during the consideration and determination thereof).

- (b) Variation of condition no. 6 of planning permission 9/2000/0094/F to seek to retain window openings at the premises of Foston Farm Produce, Hay Lane, Foston (9/2001/0693/R)

Further to Minute No. DC/56 of 16th October 2001, it was reported that Members of the Committee had visited the site prior to the Meeting. Consideration was given to the application and, it was,

RESOLVED:-

That planning permission be granted, subject to the conditions set out in the report of the Planning Services Manager to the Meeting held on 16th October 2001.

- (c) The conversion of the public house and hotel into two dwellings and the erection of four dwellings on land to the rear of Kings Newton Ltd., Hardinge Arms, Main Street, Kings Newton (9/2001/0584/F).
The conversion into two dwellings of the public house and hotel including the demolition of the function suite and rear bar area together with the erection of four dwellings at the Hardinge Arms, Main Street, Kings Newton (9/2001/0594/L).

Further to Minute No. DC/56 of 16th October 2001, it was reported that Members of the Committee had visited the site prior to the Meeting.

The Planning Services Manager and the Chair of the Committee referred to further correspondence and a lengthy debate on the merits of the applications ensued. The Planning Services Manager reiterated that he considered there to be no sound reasons for refusal and reminded the Committee that in such previous cases, a Member of the Council had represented the Authority in any subsequent Appeal Inquiry.

RESOLVED:-

That, contrary to the recommendations, planning permission 9/2001/0504/F and Listed Building Consent 9/2001/0584/L be refused for the following reasons:-

The development would result in the loss of a special amenity and meeting place for the residents of Kings Newton that provides a valuable focus in the village. The premises represent an important community facility, employment provider, tourist facility and contribute significantly to the vibrancy of the village. Therefore, the

proposal would result in the loss of an important social facility which helps to define the character and distinctiveness of the village, allows access for disabled people and affords access to a Listed building. As a result, the development would fail to preserve or enhance the character or appearance of the Conservation Area and would be contrary to Environment Policy 9 of the Derby and Derbyshire Joint Structure Plan and Environment Policy 12 of the South Derbyshire Local Plan.

- (d) The conversion of a stable to residential accommodation and the erection of a two-storey extension at No. 9 Potter Street, Melbourne (9/2001/0668/F)

Further to Minute No. DC/56 of 16th October 2001, it was reported that Members of the Committee had visited the site prior to the Meeting. Consideration was given to the application and reference was made to further letters of objection.

RESOLVED:-

That contrary to the recommendation, planning permission be refused due to an overbearing effect on the neighbouring property.

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

- (e) The erection of a pair of semi-detached houses and two detached houses on land adjoining No. 28 New Street, Church Gresley (9/2001/0796/F).

Further to Minute No. DC/56 of 16th October 2001, it was reported that Members of the Committee had visited the site prior to the Meeting. Consideration was given to the application and, it was,

RESOLVED:-

That planning permission be granted, subject to the conditions set out in the report of the Planning Services Manager to the Meeting held on 16th October 2001.

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

DC/62. SWADLINCOTE HERITAGE ECONOMIC REGENERATION SCHEME SUB-COMMITTEE – 6TH SEPTEMBER 2001

The Committee considered the Minutes of the Swadlincote Heritage Economic Regeneration Scheme Sub-Committee held on 6th September 2001.

RESOLVED:-

That the Minutes of the Swadlincote Heritage Economic Regeneration Scheme Sub-Committee held on 6th September 2001, a copy of which is attached at Annexe 'A' to these minutes, be received and noted.

DC/63. BRIDLEWAY NO. 11 AND APPLICATION TO ADD A FOOTPATH LINK TO THE STATUTORY LIST AND VARY THE DETAILS OF BRIDLEWAY NO. 11, WILLINGTON

Further to Minute No. DC/51 of 16th October 2001, it was reported that a formal consultation had now been received from Derbyshire County Council on an application to add to the Statutory Register a footpath that followed the bank of the River Trent, vary the particulars relating to bridleway 11 and clarify the extent of bridleway 11.

Following the resolution at the last Meeting of the Committee to forward a letter in support of local residents to the County Highways Authority, the formal views of this Council had been requested prior to the despatch of the letter. The Council had been invited to provide any information or comments in respect of the applications and whilst unable to add any local knowledge to the matter, Officers had studied the aerial photographs on this matter. These suggested that a track did exist at the date of the photographs along the river bank which carried some weight to the view that a footpath had existed along the river bank, although this needed to be the subject of expert interpretation.

The Planning Services Manager referred to correspondence from a local resident, the Derbyshire County Angling Club and Councillor Evens. Members reiterated their support of local residents in this matter and it was understood that the necessary evidence was available.

RESOLVED:-

That a letter in support of the applications be forwarded to the County Council together with all relevant information available.

DC/64. 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/65. 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 use of land for the storage of touring caravans at Seale Lodge Farm, Burton Road, Acresford (9/2001/0055/U).***
- (b) The formation of a new vehicular access and turning head on land at Welland Road, Hilton (9/2001/0857/F).***
- (c) The retention of a hay barn at No. 37 Valley Road, Overseal (9/2001/0899/F) – reference was made to correspondence from the applicants.***

- (d) The erection of one detached house and one detached bungalow on land adjoining No. 30 Belfield Road, Etwall (9/2001/0906/D).**
- (e) The erection of a 2.4 metre high garden wall at Amazonica, No. 75 Burton Road, Repton (9/2001/0935/F).**

DC/66. APPLICATIONS DEFERRED FOR SITE VISITS

RESOLVED:-

- (1) That consideration of the following applications be deferred for the reasons outlined to enable Members of the Committee to visit the sites prior to the next Meeting:-**
 - (a) The erection of four dwellings at Longlands Hotel, Longlands Lane, Findern (9/2001/0451/F) - to assess the impact on the village together with access arrangements. Reference was made to further correspondence on amended plans.**
 - (b) The erection of one detached house and garage on land to the rear of No. 36 Hartshorne Road, Woodville (9/2001/0636/F) - to assess the impact on the neighbouring property.**
 - (c) The use as an operating base for 5 private hire cars and the erection of a six metre high radio mast attached to the roof apex of the dwelling at No. 199 High Street, Newhall (9/2001/0715/U) - to assess this proposed change of use in a residential area. It was noted that this site was situated in the Midway Ward.**
 - (d) The retention of car parking and change of use of dwelling to offices at Donald Ward, Moira Road, Woodville (9/2001/0852/F) - to assess the concern raised by the Parish Council and by a local resident, as outlined in the report.**
 - (e) The erection of a detached dwelling on land off Cheviot Close, Swadlincote (9/2001/0919/F) - to assess the impact on nearby properties.**

(Councillor Southern declared an interest in this application and withdrew from the Meeting during the consideration and determination thereof).

- (2) That Members be authorised to consider any ancillary matters which might arise.**
- (3) That the local representatives be invited to be present in a representative capacity, as appropriate.**

(Councillor Whyman left the Meeting at 8.25 p.m.).

DC/67. THE ERECTION OF AN EXTENSION AT NO. 6 COTE HOUSE FARM, WATERY LANE, SCROPTON (9/2001/0864/F)

RESOLVED:-

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

DC/68. 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.

TREES ON LAND AT BURTON ROAD, WOODVILLE (Paragraphs 12 and 14)

It was reported that the removal of a building had enabled trees to recover fully and it was agreed to take no further action on legal proceedings previously authorised.

UNAUTHORISED FELLING OF PROTECTED TREES – SWADLINCOTE (Paragraphs 12 and 14)

Following works undertaken to several trees within a Tree Preservation Order, the Committee agreed that the landowner be required to plant replacement trees of species to be agreed.

L.J. BROOKS

CHAIR