

DEVELOPMENT CONTROL COMMITTEE

19th April 2005

PRESENT:-

Labour Group

Councillor Dunn (Chair), Councillor Shepherd (Vice-Chair) and Councillors Bambrick, Richards, Southerd, Southern and Whyman, M.B.E.

Conservative Group

Councillors Bale, Bladen, Ford, Hood and Lemmon.

Independent Member

Councillor Mrs. Walton.

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

Councillor Atkin
Councillor Bell – Minutes Nos. DC/128(b) and DC/129(d)
Councillor Jones – Minute No. DC/129(d)
Councillor Mrs. Renwick – Minute No. DC/133
Councillor Shaw – Minutes Nos. DC/131 and DC/135]

DC/126. **MINUTES**

The Open Minutes of the Meetings held on 1st and 22nd March 2005 were taken as read, approved as true records and signed by the Chair.

DC/127. **DECLARATIONS OF INTEREST**

Councillor Bladen declared a personal interest in the Article 4 Direction (Minute No. DC/138), as a member of Repton Parish Council, Councillor Mrs. Walton declared a prejudicial interest in planning application 9/2005/0079/U [Minute No. DC/129(b)] as she was known to the applicant, Councillor Lemmon and Councillor Southerd declared personal interests in planning application 9/2004/1212/O [Minute No. DC/129(e)] as non-executive Directors of the PCT, Councillor Whyman M.B.E. declared a prejudicial interest in planning application 9/2003/1525/M [Minute No. DC/132] as he was employed by the applicant company and Councillor Southern declared a personal interest in planning application 9/2005/0226/F [Minute No. DC/135] as he was known to the applicants' family.

DC/128. **REPORTS OF MEMBERS**

(a) **Site Visit Procedure**

The Chair referred to the new site visits procedure agreed at the last Meeting and advised that the previous system of the Committee deferring applications would also continue to operate for the foreseeable future.

(b) Live/Work Units

Councillor Bell expressed his views on inconsistencies in delegated decisions relating to the conversion of barns to live/work units in the countryside.

(c) Hierarchy for Telecommunications Masts

Councillor Whyman M.B.E. reported that the Working Panel established would meet on 27th April 2005 to consider a draft document relating to this matter.

MATTERS DELEGATED TO COMMITTEEDC/129. **SITE VISITS**

- (a) The erection of an extension at The Abattoir, Church Broughton Road, Foston (9/2004/1628/F)

Further to Minute No. DC/122(b) of 22nd March 2005, it was reported that Members of the Committee had visited the site prior to the Meeting. It was noted that Officers were investigating the current untidy condition of the site to ascertain if action through the use of enforcement powers was required and this would be the subject of a separate report when investigations had been completed. In this regard, arrangements would be made to meet with the owner on the site.

Consideration was given to the application and, it was,

RESOLVED:-

- (1) ***That planning permission be granted, subject to the conditions set out in the report of the Head of Planning Services to the Meeting held on 22nd March 2005.***
- (2) ***That a report on any enforcement action necessary be submitted to the Committee in due course.***

- (b) The change of use from agricultural building to warehouse/storage with car parking and service area at Newlands Farm, Hatton Fields, Hilton (9/2005/0079/U)

Further to Minute No. DC/122(c) of 22nd March 2005, it was reported that Members of the Committee had visited the site prior to the Meeting. Reference was made to correspondence received from the County Planning Authority and from Councillor Mrs. Littlejohn.

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 Head of Planning Services to the Meeting held on 22nd March 2005.

(Councillor Mrs. Walton declared a prejudicial interest in this application as she was known to the applicant and withdrew from the Meeting during the consideration and determination thereof).

- (c) The change of use from farm land into a drive and garden at Cuttlebridge Cottage, Derby Road, Swarkestone (9/2005/0168/U)

Further to Minute No. DC/122(e) of 22nd March 2005, 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, contrary to the recommendation, planning permission be refused on the grounds of intrusion into the countryside.

- (d) The erection of a dwelling, the blocking of Rose Lane to Main Street and opening Rose Lane to Ingleby Lane and provision of a turning head on Rose Lane at Slade House, Rose Lane, Ticknall (9/2005/0089/F)

Further to Minute No. DC/122(d) of 22nd March 2005, it was reported that Members of the Committee had visited the site prior to the Meeting. Reference was made to a letter received from the County Highways Authority and to a Sweat Path Analysis received from the applicant's highway consultant.

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 Head of Planning Services to the Meeting held on 22nd March 2005.

(Councillors Ford and Shepherd wished it to be recorded that they had voted against this decision).

- (e) Outline application (all matters to be reserved) for residential development with access off James Street (involving narrowing part of James Street) on land to the rear of No. 477a Burton Road, Midway (9/2004/1212/O)

Further to Minute No. DC/122(a) of 22nd March 2005, 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 Head of Planning Services to the Meeting held on 22nd March 2005.

(Councillor Southern wished it to be recorded that he had voted against this decision).

(Councillors Lemmon and Southerd declared personal interests in this application as non-executive Directors of the PCT).

DC/130. **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/131. **CONSTRUCTION OF NEW ROAD WITH BRIDGE OVER RIVER TRENT ON LAND BETWEEN LICHFIELD ROAD (A38) AND DRAKELOW ROAD, WALTON-ON-TRENT (9/2003/1525/M)**

It was reported that Members of the Committee had visited this site prior to the Meeting. The Head of Planning Services referred to correspondence received from Walton-on-Trent Parish Council, Netherseal Parish Council, the County Highways Authority, the County Archaeologist, English Nature, Derbyshire Wildlife Trust, County Councillor Mrs. Lauro, the Environment Agency and the applicant company's agent.

It was noted that the Environment Agency would need to be reconsulted on the application in accordance with the requirements of PPG25.

RESOLVED:-

- (1) That the Environment Agency be reconsulted on the application in accordance with the requirements of PPG25.
- (2) That the Head of Planning Services be authorised to deal with any further issues, unless any issues of substance are raised by the Environment Agency.
- (3) That, subject to (1) and (2) above, the applicant company be advised that the Council agrees with the principle of development and that the proposal is such as may be permitted, subject to appropriate conditions, as part of an Agreement under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the removal of any unnecessary signage in Walton-on-Trent, commuted sums for the policing of the 7.5 T weight limit, the maintenance of the bridges, highway provisions, environmental improvements and any other reasonable requirements.
- (4) That the Chief Executive be authorised to conclude the Agreement on the above basis.
- (5) That the conditions set out in the report of the Head of Planning Services together with additional conditions relating to flood control and environmental improvements be approved for imposition on the issue of any planning permission.

(Councillor Bambrick wished it to be recorded that he had voted against this decision).

(Councillor Whyman, M.B.E. declared a prejudicial interest in this application as he was employed by the applicant company and withdrew from the Meeting during the consideration and determination thereof).

DC/132. **THE ERECTION OF A 16 PLACE JUVENILE UNIT AND CAR PARK AT HM PRISON, FOSTON HALL, FOSTON (9/2005/0071/F)**

RESOLVED:-

That the Prison Service be advised that this Council has no objection to the proposal, subject to the conditions set out in the report of the Head of Planning Services.

DC/133. **THE ERECTION OF A STORAGE BUILDING AT NO. 66 TWYFORD ROAD, BARROW-ON-TRENT (9/2005/0096/F)**

It was reported that Members of the Committee had visited this site prior to the Meeting. It was noted that the application site was situated within the Aston Ward, not the Stenson Ward as indicated in the report of the Head of Planning Services.

RESOLVED:-

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

DC/134. **THE ERECTION OF A 10 METRE HIGH TELECOMMUNICATIONS MAST TOGETHER WITH ASSOCIATED EQUIPMENT CABIN AT HIGHWAY VERGE AT EGGINTON ROAD, ETWALL (9/2005/0388/NM)**

It was reported that the applicant company had made a request to defer this application to enable an alternative site to be investigated.

RESOLVED:-

That consideration of this application be deferred, as requested by the applicant and a site visit be held prior to the next Meeting in the event that the matter is included in the agenda.

DC/135. **CONVERSION OF FARM BUILDINGS INTO ONE DWELLING AT BROOKLANDS FARM, SHORTHEATH, SWADLINCOTE (9/2005/0226/F)**

Reference was made to correspondence received from the applicant together with the results of a Bat Survey.

RESOLVED:-

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

(Councillor Southern declared a personal interest in this application, as he was known to the applicant's family).

DC/136. **OUTLINE APPLICATION (ALL MATTERS TO BE RESERVED) FOR THE ERECTION OF ONE DWELLING ON LAND ADJOINING THE BRACKENS, WARDS LANE, STANTON-BY-BRIDGE (9/2005/0315/O)**

RESOLVED:-

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

DC/137. **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 – LAND OFF BURTON ROAD, REPTON (Paragraph 13)

The Committee approved the making of Directions under Articles 4 and 5 to control development.

W. DUNN

CHAIR