

DEVELOPMENT CONTROL COMMITTEE

11th December 2007

PRESENT:-

Conservative Group

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

Labour Group

Councillor 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/74)

Councillor Murray – (Minute No. DC/74)

Councillor Mrs. Patten – (Minute No. DC/70)

Councillor Roberts – (Minute No. DC/73(a))

Councillor Wilkins – (Minute No. DC/74)

APOLOGY

An apology for absence from the Meeting was received from Councillor Mrs. Plenderleith (Conservative Group).

DC/69. DECLARATIONS OF INTEREST

Councillor Mrs. Brown declared a personal interest in the item on Tree Preservation Order No. 282 – Ivy Close Farmhouse, Trusley (Minute No. DC/71) as an acquaintance of the affected party.

Councillor Ford declared a personal interest in planning application 9/2007/1066/F (Minute No. DC/70) as an acquaintance of the applicant's brother.

Councillor Richards declared a prejudicial interest in planning application 9/2007/1030/MR (Minute No. DC/74) as he lived in close proximity to the site.

Councillor Dunn advised that, as he had already stated an opinion in respect of planning application 9/2007/1030/MR (Minute No. DC/74) he would speak in a representational capacity, but would not vote on the application.

DC/70. SITE VISIT – THE ERECTION OF TWO RETAIL UNITS WITH FIRST FLOOR APARTMENTS OVER ON LAND AT THE JUNCTION OF EGGINTON ROAD AND WITHAM CLOSE, HILTON (9/2007/1066/F)

Further to Minute No. DC/65 of 20th November 2007, 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 due to loss of parking, difficult servicing, increased competition for parking in the vicinity and because the scale and height of the building would appear out of keeping in the area, contrary to Shopping Policy 3 of the Local Plan.

(Councillor Ford declared a personal interest in this application as an acquaintance of the applicant's brother).

DC/71. TREE PRESERVATION ORDER NO. 282 – IVY CLOSE FARMHOUSE, TRUSLEY

It was reported that this Tree Preservation Order was made on 22nd June 2007 in respect of two Cedar trees at Ivy Close Farmhouse, Trusley. The Order was made as the trees were an appropriate species in the location that integrated well with the setting of the Grade II Listed Ivy Close Farmhouse. The trees were clearly visible from the road through the village and were considered to be of amenity value in the location.

The applicant had submitted a report from an arboricultural consultant raising a number of issues relating to the Cedars and the applicant's agents had submitted an objection which raised concerns regarding the following issues:-

- Threat to the Grade II Listed Building.
- Effect on turning circle.
- Road safety issues.
- Effect on foul drainage system.
- Suitability of location of trees.
- Threat to other trees.

Members were advised of comments made by the Council's landscape architect in response to the objections received.

The Head of Planning Services advised that the applicant had submitted additional information relating to a compensatory planting scheme and it was noted that a letter had also been forwarded to all Members of the Committee.

RESOLVED:-

That Tree Preservation Order No. 282 not be confirmed.

(Councillor Mrs. Brown declared a personal interest in this matter as an acquaintance of the affected party).

DC/72. 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. The content of the following reports was noted:-

Appeal Dismissed – The erection of an extension to an existing office and additional car parking at The Hill Lodge, Deep Dale Lane, Barrow-on-Trent (9/2007/0076/F).

Appeal Allowed – The felling of one Willow tree on land at No. 128 Merlin Way, Mickleover.

DC/73. PLANNING APPROVALS**RESOLVED:-**

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

- (a) Outline application (all matters reserved except for access and layout) for a truck stop facility including lorry parking, refuelling and drivers' facilities and associated landscaping on land at A50/A511 junction, Dove Valley Park, Foston (9/2007/0325/M) – The Head of Planning Services reported additional comments which had been received from the Police.***
- (b) The reduction in height of six conifers at South Derbyshire Snooker Centre, Nos. 42-44 Grove Street, Swadlincote (9/2007/1239/TC).***
- (c) The installation of floodlighting and erection of additional fencing and gates to the existing Multi User Games Area at Maurice Lee Memorial Park, York Road, Church Gresley (9/2007/1278/F) – subject to no neighbour objections being received during the remainder of the consultation period.***
- (d) The pruning of a Lime Tree covered by South Derbyshire District Council Tree Preservation Order No. 195 at No. 77 George Street, Church Gresley (9/2007/1281/TP).***

DC/74. THE ERECTION OF A RESIDENTIAL DEVELOPMENT OF 24 DWELLINGS AND NEW ACCESS ROAD, TOGETHER WITH A NEW COMMUNITY BUILDING, CAR PARK AND ENGINEERING WORK TO RE-GRADE SPORTS PITCHES ON LAND AT THE RECREATION GROUNDS, CHESTNUT AVENUE, MIDWAY (9/2007/1030/MR)

The Chief Executive addressed the Committee to provide background information with regard to the application and suggested an alternative recommendation removing the need for affordable housing, education and health contributions.

RESOLVED:-

That, subject to the completion of a satisfactory Agreement to secure the timely up-grading of the adjoining recreation facilities (including the completion of the community building hereby permitted), planning permission be granted, subject to the conditions set out in the report of the Head of Planning Services and to an additional condition to secure measures to preclude undue overlooking of particular plots.

(Councillor Richards declared a prejudicial interest in this application as he resided in close proximity to the site and withdrew from the Meeting during the consideration and determination thereof).

(As he had already stated an opinion on this application, Councillor Dunn spoke in a representational capacity and did not vote on the application).

DC/75. THE ERECTION OF A DETACHED DWELLING ON THE GARDEN OF NO. 16 DALSTON ROAD, NEWHALL (9/2007/1292/F)

RESOLVED:-

(1) That consideration of this application be deferred to enable Members of the Committee to visit the site prior to the next Meeting to assess issues of principle arising from a Member's personal knowledge of circumstances on the ground.

(2) That Members be authorised to consider any ancillary matter which might arise.

(3) That the local representatives be invited to be present in a representative capacity.

DC/76. 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 20th November 2007 were received.

ENFORCEMENT ACTION – DALBURY LEES (Paragraph 7)

The Committee agreed that no enforcement action be taken with regard to unauthorised works.

ENFORCEMENT ACTION – SWARKESTONE ROAD, WESTON-ON-TRENT
(Paragraph 7)

The Committee agreed that no enforcement action be taken with regard to unauthorised works.

M.J.P. BALE

CHAIRMAN