

DEVELOPMENT CONTROL COMMITTEE

8th February 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.

(Councillor Taylor also attended the Meeting and, with the approval of the Chair, spoke to Minute No. DC/102(a))

DC/99. **MINUTES**

The Open Minutes of the Meetings held on 16th November and 14th December 2004 and 11th January 2005 were taken as read, approved as true records and signed by the Chair.

DC/100. **DECLARATIONS OF INTEREST**

Councillor Mrs. Walton declared a personal interest in planning application 9/2004/1551/F (Minute No. DC/106(b)) as a patient of the dental practice concerned.

DC/101. **REPORTS OF MEMBERS**

(a) Telecommunication Masts

Councillor Whyman, M.B.E. advised that the first draft of the Supplementary Document relating to this matter had been considered at the Meeting of the Environmental and Development Services Committee on 27th January 2005. Consideration had been deferred to enable a Working Panel to examine the document in detail in conjunction with Officers and further progress reports would be submitted in due course.

(b) Policy on Extensions

Councillor Bale queried the Council's policy on the size of extensions, particularly in respect of size in relation to existing floor space. It was advised that the Deposit Local Plan treated cases on their merits in particular circumstances in the countryside. The general rule concerned that where there was no harm on the visual impact, there was no limit on the size. The test concerned the identification of any harm of any potential extension in the particular location. The Chair suggested that if any application submitted caused concern to Members, they should request that it be submitted to the Committee for determination, rather than under the Delegation Agreement.

- (c) Land at Main Street/Oversetts Road, Newhall

Councillor Richards advised of the untidy condition of this area of land and it was reported that the site was already under investigation.

MATTERS DELEGATED TO COMMITTEE

DC/102. **SITE VISITS**

- (a) The erection of a detached dwelling on land adjacent to No. 11 Heron Drive, Woodville (9/2004/1320/F)

Further to Minute No. DC/97 of 11th January 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 refused as the development would be detrimental to the street scene and overbearing on the adjoining neighbour.

- (b) Outline application (all matters to be reserved except for siting and means of access) for the erection of a dwelling and garage on land adjacent to No. 86 Commerce Street, Melbourne (9/2004/1450/O)

Further to Minute No. DC/97 of 11th January 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 11th January 2005.

- (c) The conversion into two dwellings of outbuildings at No. 8 South Street, Melbourne (9/2004/1455/F)

Further to Minute No. DC/97 of 11th January 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:-

- (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 11th January 2005.***
- (2) That the applicant be encouraged to undertake the re-roofing of the building with the slates from the demolished outbuilding.***

- (d) The erection of a first floor extension at No. 17 Maple Drive, Aston-on-Trent (9/2004/1411/FH)

Further to Minute No. DC/97 of 11th January 2005, it was reported that Members of the Committee had visited the site prior to the Meeting. Reference was made to additional correspondence from Weston-on-Trent Parish Council. 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 11th January 2005.

DC/103. **DEVELOPMENT CONTROL STATISTICS FOR THE SECOND QUARTER OF 2004/05 (JULY TO SEPTEMBER 2004)**

It was reported that statistics had recently been released by the Government setting out the speed of decision-making of local planning authorities in England for the quarter ending 30th September 2004. The figures indicated that nationally, the number of authorities meeting the target performance standard compared with the corresponding quarter of 2003 represented improvements of 21% on major applications, 22% on minor applications and 19% on other applications.

The national targets against which each authority was judged were as follows:-

- Major applications determined in 13 weeks – 60%
- Minor applications determined in 8 weeks – 65%
- Other applications (mostly householder applications) determined in 8 weeks – 80%

In the year to the end of September, South Derbyshire was positioned fourth of the nine Derbyshire authorities and seventh of the fourteen CIPFA group authorities relating to major applications, third in Derbyshire and sixth in the CIPFA group relating to minor applications and third in Derbyshire and fifth in the CIPFA group relating to other applications. This Council's performance during the period was better than both adjoining authorities in all categories.

RESOLVED:-

That the report be noted and Members' congratulations on the figures be extended to the Officers concerned.

DC/104. **TREE PRESERVATION ORDER NO. 228 – LAND AT NOS. 529 AND 543 BURTON ROAD, MIDWAY**

It was reported that this Tree Preservation Order had been made on 4th October 2004 in respect of an area of trees located at Nos. 529 and 543 Burton Road, Midway and the reasons for the Order were outlined. One letter had been received in support of the Order and one letter of objection had also been received from the agents who had submitted a planning application for residential development on the land. The objections were outlined together with Officers' comments in response.

It was considered expedient in the interests of amenity that this area of trees should be protected by a Tree Preservation Order. The trees were located in an elevated position and were visible from public vantage points, including the highway network and public open space. The owners' enjoyment of their properties would not be unduly prejudiced by the Order and applications to undertake works to the trees would be considered in the interests of ensuring that the trees' amenity value to the area was not diminished. Dead, dying or dangerous trees within the Order were exempt from such control, provided replacement trees were planted.

The Head of Planning Services reiterated that a survey on the trees would be undertaken in due course and if necessary, a revised Order relating to groups and individual trees would be imposed.

RESOLVED:-

That the Tree Preservation Order be confirmed.

DC/105. **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 following item was noted:-

Prosecution relating to unauthorised damage to trees on former railway land at the end of Sorrel Drive, Woodville (Tree Preservation Order No. 187).

DC/106. **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) The extension of existing offices at Manor Farm House, London Road, Shardlow (9/2004/1064/F) – reference was made to an additional objection from the Environment Agency relating to the possibility of flooding and the need for an appropriate assessment and on this basis, the applicant company's agent had withdrawn the proposed two storey offices element of the application.***
- (b) The erection of a dental surgery at No. 4 Cherry Garth, Hilton (9/2004/1551/F) – subject to an additional condition restricting access from Derby Road only. Reference was made to additional correspondence from Hilton Parish Council.***

(Councillor Mrs. Walton declared a personal interest in this application as a patient of the dental practice.)

- (c) The erection of a conservatory at No. 2 Cloverdale, Midway (9/2004/1630/FH).***

- (d) The demolition of the existing dwelling and the erection of a new dwelling at No. 1 Littleholme, Coton Park, Linton (9/2005/0005/F).**

DC/107. **APPLICATIONS DEFERRED FOR SITE VISITS**

RESOLVED:-

- (1) That consideration of the following applications be deferred for the reasons indicated to enable Members of the Committee to visit the sites prior to the next Meeting:-**
- (a) The erection of a single storey granny annexe at Highfield Farm, Heage Lane, Etwall (9/2004/1094/F) – to enable the issues to be clarified.**
 - (b) The erection of two garages and gazebo, external alterations and new access at The Greyhound Public House, Health Lane, Findern (9/2004/1373/F) – to enable the issues to be clarified, including the access from Heath Lane and the proposed gazebo.**
 - (c) The erection of a two storey extension at No. 12 Penkridge Road, Church Gresley (9/2004/1452/FH) – to enable the issues to be clarified.**
 - (d) The formation of a small Romany gypsy site for five caravans at land to the north side of Uttoxeter Road, Hilton (9/2004/1472/U) – to enable the issues to be clarified.**
 - (e) Outline application (all matters reserved except for means of access and siting) for one dwelling at Moorend, Uttoxeter Road, Hilton (9/2004/1544/O) – to enable the issues to be clarified. Reference was made to additional correspondence from Hilton Parish Council.**
- (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.**

DC/108. **EXTENSION TO THE EXISTING CARAVAN SITE AT BLUE POST CARAVAN, BURTON ROAD, EGGINTON (9/2004/1395/U)**

Members expressed serious concern at this proposal regarding possible flooding, highway safety, impact on the Conservation Area and listed buildings and disposal of foul water.

Reference was made to an additional objection recently received from the Environment Agency, advising of the need for a Flood Risk Assessment and the likelihood that the site would be unsuitable for development. It was also acknowledged that there was an omission in the report relating to the Inspector's report on a previous appeal decision on the adjoining land. In this regard, it was noted that the Inspector had concluded that no more than three caravans should be located on the site in the interests of highway safety and visual amenity.

In the light of the above two issues now raised, a revised recommendation to refuse permission was considered appropriate.

RESOLVED:-

That planning permission be refused for reasons relating to flooding, impact on the Conservation Area and listed buildings, visual impact and highway safety on the A38.

W. DUNN

CHAIR

The Meeting terminated at 7.35 p.m.