

DEVELOPMENT CONTROL COMMITTEE

30th July 2002

PRESENT:-

Labour Group

Councillor Brooks (Chair), Councillor Dunn (Vice-Chair) and Councillors Richards (substitute for Councillor Bambrick), Rose, Southerd, Southern and Whyman.

Conservative Group

Councillors Bale, Bladen, Hood (substitute for Councillor Lemmon) and Mrs. Walton.

(Councillor Mrs. Wheeler also attended the Meeting).

APOLOGIES

Apologies for absence from the Meeting were received from Councillors Bambrick, Mrs Rose and Shepherd (Labour Group) and Councillor Lemmon (Conservative Group).

MATTERS DELEGATED TO COMMITTEE

DC/39. **DEVELOPMENT CONTROL STATISTICS FOR THE FIRST QUARTER OF 2002 (JANUARY – MARCH)**

The Committee received a summary of statistics published quarterly by the Government, which indicated that generally, the Council had maintained its position relative to other authorities. The Council's speed of determination compared favourably with the national average of 65%. The speed of turnaround had decreased by 1% from 75% during the year and 2% from 75% over the quarter when compared with the same periods for 2000/01. At the same time, the cases determined had increased by 67 or 6%, reflecting a continuously rising workload that was matched exactly on a national basis. Indeed, applications received to date in 2002 and projected forward to the end of the year would produce a further 6.5% increase above last year's figures. Members were advised that this factor and the recent staff vacancies had combined to produce a severe decrease in the required turnaround period of eight weeks for the quarter ended June 2002 and the relevant figure for this period was 54%.

The percentage of applications delegated represented a new performance indicator that the Government expected authorities to report. With notable exceptions such as Derby City, Bolsover and mid-Bedfordshire, there appeared to be a positive correlation between speed of decision-making and delegation.

Members expressed their congratulations to Officers for their efforts in difficult circumstances.

DC/40. **TREE PRESERVATION ORDER NO. 194 (2002) - LAND AT NO. 18 MAIN STREET, HARTSHORNE**

It was reported that this Tree Preservation Order had been made on 28th March 2002 in respect of one beech tree in the garden of No. 18 Main Street, Hartshorne. The Order was made as this related to a fine specimen of a mature beech tree which, in an elevated position and close to the public highway, was highly visible and an attractive focus in the village street scene. There was a proposal to construct a boundary wall approximately three metres from the trunk of the tree, which was likely to sever its roots and kill the tree. In view of the tree's amenity value, it was considered expedient that the Order be made.

The owner considered that the Order should not be confirmed and his comments and observations were summarised to the Committee. The Council's Tree Specialist had advised that the proposed wall would sever the structural roots supporting this large tree. An architectural metal mesh fence could be used, supported with ground cover planting. A fence and planting scheme would not allow children to fall down the bank, as claimed by the owner. Roots would occur within three metres of a mature tree and BS5837 stated that protective fencing should be used eight metres from the trunk. This was an old tree and any construction work could have a terminal effect. Decline was indicated by the previous failing of one or two branches. With regard to the owner's comment on subsidence, the Council's Tree Specialist had advised that this occurred only on shrinkable clays and evidence had not been provided to identify this soil type. A distance of 11 metres was reasonable from the house and 15 metres may be an improvement. Beech was a low water demanding tree and no subsidence damage had been advised to the Planning Authority.

This mature beech tree was very prominent in the village street scene and its amenity value appeared to be undisputed. The purpose of the report involved the Committee's consideration whether it was expedient in the interests of amenity to preserve the tree. With regard to potential root damage, no expert evidence had been submitted to counter the views of the local planning authority but the authority would be prepared to consider any such evidence. It appeared that less intrusive alternative solutions were available to provide a secure boundary in the interests of safety.

RESOLVED:-

That the Tree Preservation Order be confirmed without modification.

DC/41. **PUBLIC HEALTH ACT 1925, SECTION 17**
STREET NAMING – OVERSEAL

It was reported that a request had been received for a street name for the development under construction off Woodville Road, Overseal. The suggested name was 'Hannah's Yard', which had been agreed by the Royal Mail and the Parish Council.

RESOLVED:-

That, in accordance with the provisions of Section 17 of the Public Health Act 1925, no objections be raised to the suggested name 'Hannah's Yard'.

DC/42. **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/43. **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 erection of extensions, stables, a three bay car port and a machinery store at Meadow View, Hunts Lane, Netherseal (9/2002/0364/F) – reference was made to a request from the local Ward Member for a site visit.***
- (b) The use as domestic garden of Education Authority land at the rear of No. 24 Eaton Close, Hatton (9/2002/0533/U) – subject to the imposition of a condition removing permitted development rights.***

DC/44. **OUTLINE APPLICATION (ALL MATTERS EXCEPT MEANS OF ACCESS TO BE RESERVED) FOR THE ERECTION OF FOUR DWELLINGS ON LAND AT THE SIDE AND REAR OF NO. 113 WOOD LANE, NEWHALL (9/2002/0338/0)**

Reference was made to three additional letters of objection from neighbours.

RESOLVED:-

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

L.J. BROOKS

CHAIR

The Meeting terminated at 6.10 p.m.