

PLANNING COMMITTEE

5th March 2013

PRESENT:-

**Conservative Group**

Councillor Ford (Chairman), Councillor Mrs. Brown (Vice-Chairman) and Councillors Bale, Mrs. Hall, Jones, Stanton and Watson.

**Labour Group**

Councillors Bell, Mulgrew, Pearson, Rhind (substitute for Councillor Southerd), Richards and Shepherd.

Councillor Wheeler also attended the Meeting and, with the approval of the Chairman, spoke to Minute No. PL/121.

PL/116. **APOLOGY**

An apology for absence from the Meeting was received from Councillor Southerd (Labour Group).

PL/117. **MINUTES**

The Open Minutes of the Meetings held 9th October 2012, 30th October 2012, 20th November 2012, 11th December 2012 and 22nd January 2013 were taken as read, approved as true records and signed by the Chairman.

PL/118. **DECLARATIONS OF INTEREST**

Councillor Ford (Chairman) declared a pecuniary interest in planning application 9/2012/1048/B (Minute No. PL/122) as a customer of the public house and an acquaintance of the applicant. Councillor Shepherd declared a pecuniary interest in planning applications 9/2012/0909/FM (Minute No. PL/124) and 9/2012/0919/FM (Minute No. PL/125) as the owner of the adjacent property. Councillor Wheeler declared predetermination or apparent bias in planning application 9/2013/0037/U (Minute No. PL/121) and would address the Committee as the Local Ward Member but would then leave the Meeting for the remainder of the debate and vote.

**MATTERS DELEGATED TO COMMITTEE**

PL/119. **TREE PRESERVATION ORDER NO. 367 – LAND AT THE JUNCTION OF CADLEY HILL ROAD AND SWADLINCOTE LANE, CHURCH GRESLEY**

It was reported that this provisional Tree Preservation Order had been made on 18th October 2012 in respect of a woodland of numerous trees, mainly Ash and Oak species on land at the junction of Cadley Hill Road and Swadlincote Lane, Church Gresley. The Order was made at the request of the Area Planning Officer following consultation with the Tree Officer upon receipt of a preliminary enquiry to develop the site of The Woodlands, Cadley Hill Road.

Generally, the trees were in a good condition and appeared to have a high degree of amenity value due to their prominent location bounding a main junction. The trees also contributed substantially to the character of the street scene.

Members were reminded that consideration of the matter was deferred at the last Meeting to enable Members of the Committee to visit the site prior to this Meeting. However, since that time, the applicant and his arboricultural consultant had met with the Council's Tree Officer and a detailed agreement had been reached regarding those trees to be included in the Order together with the appropriate description within the Order. This modification, which effectively converted the woodland into a more specific order of individual specimens and groups, had now been agreed and negated the objection. On this basis, with the agreement of the Chairman and the Local Member, a site visit was no longer considered necessary.

**RESOLVED:-**

***That this Tree Preservation Order be confirmed, subject to the modifications outlined above.***

PL/120. **REPORT OF THE HEAD OF COMMUNITY AND PLANNING SERVICES**

The Head of Community and 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.

PL/121. **CHANGE OF USE TO A GYPSY CARAVAN SITE FOR THREE CARAVANS TO ACCOMMODATE ONE FAMILY (AMENDMENT TO EXANT PERMISSION 9/2005/1390) AT LAND NORTH OF CAULDWELL ROAD, LINTON (9/2013/0037/U)**

It was reported that Members of the Committee had visited the site prior to the Meeting. Mr. S. Clarke (agent) attended the Meeting and addressed Members on this application.

Councillor Wheeler had declared predetermination or apparent bias in this application and addressed the Committee as the Local Ward Member then left the Meeting for the remainder of the debate and vote.

**RESOLVED:-**

***That planning permission be granted, subject to the conditions set out in the report of the Head of Community and Planning Services and to an additional condition requiring wall treatment prior to occupation and the imposition of an additional informative advising of the need for separate permission for sewage treatment package.***

PL/122. **THE REMOVAL OF CONDITION NO. 3 OF PLANNING PERMISSION 9/2012/0528/NO AT THE BULLS HEAD, NO. 84 HIGH STREET, REPTON (9/2012/1048/B)**

Councillor Ford (Chairman) declared a pecuniary interest in this application as a customer of the public house and an acquaintance of the applicant and withdrew from the Meeting. Councillor Mrs. Brown (Vice-Chairman) assumed the Chair for the item.

Mrs. M. Evans (objector) and Mr. R. Pope (applicant) attended the Meeting and addressed Members on this application.

**RESOLVED:-**

- (1) That consideration of this application be deferred to enable Members of the Committee to visit the site prior to the next Meeting.***
- (2) That Members be authorised to consider any ancillary matters which might arise.***
- (3) That the local representative be invited to be present in a representative capacity.***

PL/123. **THE CHANGE OF USE AND CONVERSION OF THE PUBLIC HOUSE INTO FIVE APARTMENTS AND THE ERECTION OF THREE DWELLINGS AT BARLEY MOW PUBLIC HOUSE, PARK ROAD, CHURCH GRESLEY (9/2009/1026/FX)**

It was reported that the Local Education Authority had not requested any education contributions.

**RESOLVED:-**

***That planning permission be granted, subject to the conditions set out in the report of the Head of Community and Planning Services and to an additional condition requiring the incorporation of painted concrete cills and lintels to the front elevation of the new terrace block subject to submitted details and the imposition of an additional informative requesting remedial work to the unadopted road in front of the property.***

PL/124. **THE ERECTION OF AN EXTENSION AND CONVERSION OF EXISTING BARN INTO A DWELLING AT NO. 10 HIGH STREET, TICKNALL (9/2012/0909/FM)**

It was reported that Members of the Committee had visited the site prior to the Meeting.

**RESOLVED:-**

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

(Councillor Shepherd declared a pecuniary interest in this application, as the owner of the adjacent property and withdrew from the Meeting during the consideration and determination thereof).

PL/125. **THE DEMOLITION OF THE EXISTING BUNGALOW AND THE ERECTION OF TWO DETACHED DWELLINGS AND GARAGES AT NO. 10 HIGH STREET, TICKNALL (9/2012/0919/FM)**

It was reported that Members of the Committee had visited the site prior to the Meeting.

**RESOLVED:-**

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

(Councillor Shepherd declared a pecuniary interest in this application, as the owner of the adjacent property and withdrew from the Meeting during the consideration and determination thereof).

PL/126. **THE SITING OF TWO STATIC CARAVANS AT NO. 171 LONDON ROAD, SHARDLOW (9/2012/1075/U)**

It was reported that Members of the Committee had visited the site prior to the Meeting.

**RESOLVED:-**

***That planning permission be granted, subject to the conditions set out in the report of the Head of Community and Planning Services and to additional conditions limiting the permission for a period of three years with one caravan only.***

PL/127. **THE DISPLAY OF TWO FACILITY SIGNS AND A HAND PAINTED WALL SIGN AND LIGHTS ON THE FRONT OF THE HAWK & BUCKLE PUBLIC HOUSE, NO. 46 MAIN STREET, ETWALL (9/2013/0029/A & 9/2013/0030/L)**

**RESOLVED:-**

***That advertisement consent and listed building consent be granted, subject to the conditions set out in the reports of the Head of Community and Planning Services.***

PL/128. **THE REMOVAL OF AN OAK TREE COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 359 AT NO. 41 HILLSIDE, FINDERN (9/2012/0954/TP)**

It was reported that this application had been withdrawn by the applicant.

PL/129. **APPEAL DECISIONS**

The contents of the following reports were noted:-

Appeal Dismissed

Advertisement lettering on an 11 kw wind turbine at Betty's Farm, Castle Way, Willington.

Appeal Allowed

The erection of a first floor rear extension and a small ground floor side extension at No. 4 Watery Lane, Scropton.

PL/130. **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 Meetings held on 20th November and 11th December 2012 were received.***

M. FORD

CHAIRMAN