

DEVELOPMENT CONTROL COMMITTEE

4th September 2001

PRESENT:-

Labour Group

Councillor Brooks (Chair) and Councillors Bambrick, Carroll (substitute for Councillor Southerd), Ford, Pabla (substitute for Councillor Dunn – Vice-Chair), Rose, Shepherd, Southern and Whyman.

Conservative Group

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

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

Councillor Evens – Minute No. DC/35(b)
Councillor Richards – Minute No. DC/29(b)
Councillor Routledge
Councillor Taylor)

MATTERS DELEGATED TO COMMITTEE

DC/29. **SITE VISITS**

- (a) The erection of 32 houses on plots Nos. 14-17, 24, 200-226 on land to the south of Eureka Road, Midway (9/2001/0580/F)

Further to Minute No. DC/25 of 14th August 2001, it was reported that Members of the Committee had visited the site prior to the Meeting. Reference was made to a letter from the applicant company.

RESOLVED:-

That consideration of the application be deferred further to enable the Environment Agency to be consulted on the application.

- (b) The erection of a two-storey extension at the front of No. 65 Park Road, Newhall, Swadlincote (9/2001/0575/F)

Further to Minute No. DC/25 of 14th August 2001, it was reported that Members of the Committee had visited the site prior to the Meeting.

RESOLVED:-

That contrary to the recommendation, planning permission be refused due to non-compliance with the Council's Supplementary Planning Guidance in connection with the distance between the bedroom window of the neighbouring window and the proposed extension together with the overbearing effect of the proposal.

- (c) The retention of a boundary wall (including the installation of panels between the wall pillars) at No. 128 Church Street, Church Gresley (9/2001/0621/F)

Further to Minute No. DC/25 of 14th August 2001, 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 Planning Services Manager to the Meeting held on 14th August 2001.

(Councillor Rose wished it to be recorded that he was not in favour of this decision).

DC/30. **TOWN AND COUNTRY PLANNING ACT 1990, SECTION 172 (AS AMENDED) UNAUTHORISED INSTALLATION OF PVC WINDOWS AT NO. 46 DERBY ROAD, MELDOURNE**

Members were reminded that at its Meeting held on 12th October 1999, the former Development Control Sub-Committee had authorised the issue of an Enforcement Notice requiring the removal of unauthorised PVC windows installed in the front elevation of the above property and their replacement by those of a design agreed in writing by the local planning authority. The dwelling was situated within the Melbourne Conservation Area and was affected by an Article 4 Direction, which removed a range of permitted development rights. An appeal was lodged against the issue of the Enforcement Notice on the basis that the period for compliance of five months was inadequate. Following further negotiations with the owner together with the offer of grant assistance, a written undertaking was received to replace the windows by 1st July 2001. On the basis of this assurance, the Enforcement Notice was withdrawn on 29th February 2000.

A site inspection undertaken on 5th July 2001 had revealed that no action had been taken to replace the windows and the owner had now requested an additional period to complete the works, due to financial circumstances. However, there was a clear and ongoing breach of planning control in direct contravention of Environment Policy 9 of the Derby and Derbyshire Joint Structure Plan and Environment Policy 12 of the South Derbyshire Local Plan.

RESOLVED:-

That all necessary action be taken under the provisions of Section 172 of the Town and Country Planning Act 1990 (as amended) to secure the removal of the PVC windows from the front elevation of the terraced house and their replacement with windows of a design set out in a schedule to be attached to the Notice together with the removal of any resulting waste building materials and surplus window frames from the land within fifty-six days of the Notice taking effect.

DC/31. REPORT OF THE PLANNING SERVICES MANAGER

The Planning Services Manager submitted reports for consideration and determination by the Sub-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 report was noted:-

Appeal Allowed – The conversion of outbuildings to three dwellings, the erection of two dwellings and the demolition of flat roofed modern extensions at Bretby Country Club, Geary House, Geary Lane, Bretby.

DC/32. 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 to the abattoir and the retention of three silos at the premises of Messrs Brooks, Brookside Farm, Malthouse Lane, Foston (9/2000/0870/F) – subject to an additional condition requiring landscaping.***
- (b) The erection of two garages at Spring Cottage, No. 42 High Street, Ticknall (9/2001/0206/F) – reference was made to a further letter of objection and a letter from the agent.***

(Councillor Shepherd wished it to be recorded that he was not in favour of this decision).

(Councillor Whyman left the Meeting at 6.55 p.m.)

- (c) The erection of a dwelling and attached garage in substitution of planning permission 9/0698/0263/F on land to the south of No. 42 Weston Road, Aston-on-Trent (9/2001/0401/F).***
- (d) Temporary classroom accommodation at Bladon House School, Newton Road, Newton Solney (9/2001/0537/F).***
- (e) Alterations to the kitchen and the erection of a conservatory at No. 84 Red House, Main Street, Etwall (9/2001/0588/L)(Listed Building Consent).***
- (f) Alterations to the kitchen and the erection of a conservatory at No. 84 Red House, Main Street, Etwall (9/2001/0589/F)***
- (g) The erection of five detached houses (all matters except siting and means of access reserved) on land to the rear of No. 23 Woodville Road, Overseal (9/2001/0613/O) – subject to additional highway conditions. Reference was made to further correspondence received from the County Highways Authority, the Parish Council and an objector.***

- (h) The erection of a 40 metre lattice telecommunications tower accommodating 3 antennae and 2 dishes within a fenced compound and the siting of an associated equipment cabin at Roger Bullivant Ltd., Walton Road, Drakelow (9/2001/0672/F).**

(It was noted that Councillor Whyman had declared an interest in this application prior to his departure from the Meeting).

DC/33. **PLANNING REFUSALS**

RESOLVED:-

That the following applications be refused for the reasons set out in the reports of the Planning Services Manager and to any matters annotated:-

- (a) The extension and conversion into two dwellings of The Mill, Main Street, Smisby (9/2000/1087/F).**
- (b) The conversion into living accommodation of the public house known as The Wheel, No. 50 Main Street, Ticknall (9/2001/0579/U).**

DC/34. **THE RETENTION OF SIGNS ON THE NORTHERN AND SOUTHERN ELEVATIONS OF SPORTSWEAR, VICTORIA HOUSE, NO. 33 HIGH STREET, WOODVILLE (9/2001/0215/A)**

RESOLVED:-

- (1) That Express Consent be granted, subject to the condition set out in the report of the Planning Services Manager.**
- (2) That legal proceedings be instituted to secure the removal of window signs on all elevations, subject to the Legal and Members' Services Manager being satisfied with the availability of the necessary evidence.**

DC/35. **APPLICATIONS DEFERRED FOR SITE VISITS**

RESOLVED:-

- (1) That consideration of the following applications be deferred for the reasons outlined to enable Members of the Sub-Committee to visit the sites prior to the next Meeting:-**
- (a) Outline application (all matters except means of access to be reserved) for the erection of a bungalow on land forming part of the garden at No. 84 Victoria Street, Melbourne (9/2001/0593/O) – to assess this back land development.**
- (b) The erection of twenty-four houses on the site of the former Willington House Hotel, Hall Lane, Willington (9/2001/0676/D) – due to the intensity of the development and to assess any overbearing impact. It was noted that amended plans had been received and reference was made to**

correspondence from the County Highways Authority indicating its acceptance to the proposal subject to several conditions.

- (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/36. **THE CONTINUED DISPLAY OF ADVERTISEMENTS AT “THE CHESTERFIELD ARMS” ASHBY ROAD, BRETBY (9/2001/0616/A)**

RESOLVED:-

- (1) That Express Consent be granted, subject to the conditions set out in the report of the Planning Services Manager.*
- (2) That the “Two for One” signs on the south-east and north-west gable end elevations, the “Two for One” sign on the free-standing sign and the free-standing sign next to the car park entrance, all indicated on the submitted plans, be not permitted in any form for the reason set out in the report of the Planning Services Manager.*
- (3) That legal proceedings be instituted to secure the removal of the signs referred to in (2) above, subject to the Legal and Members’ Services Manager being satisfied with the availability of the necessary evidence.*

L.J. BROOKS

CHAIR

The Meeting terminated at 7.20 p.m.