

DEVELOPMENT CONTROL COMMITTEE

10th May 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, Harrison (substitute for Councillor Lemmon) and Hood.

Independent Member

Councillor Mrs. Walton.

[Councillor Taylor also attended the Meeting and, with the approval of the Chair, spoke to Minute No. DC/146(b)].

APOLOGY

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

DC/139. **JOHN BIRKETT – HEAD OF PLANNING SERVICES**

The Chair announced that this would be Mr. Birkett's last Meeting prior to his retirement and presented him with a card on behalf of Members. Members paid tribute to Mr. Birkett's service over many years and Mr. Birkett responded to these sentiments, thanking Members for their support.

DC/140. **STAFF OF THE PLANNING DEPARTMENT**

The Chair introduced two members of staff from the Planning Department, Nicky Toon and Linda Thornewill, and welcomed them to the Meeting.

DC/141. **DECLARATIONS OF INTEREST**

Councillor Harrison declared a prejudicial interest in planning application 9/2005/0398/M [Minute No. DC/146(b)] as a personal friend of the applicant, Councillor Shepherd declared a personal interest in planning application 9/2004/1515/M (Minute No. DC/147) as a Member of the Etwall Leisure Centre Joint Management Committee and Councillor Whyman, M.B.E. declared a prejudicial interest in planning application 9/2005/0298/F [Minute No. DC/145(b)] as he was employed by the applicant company and a personal interest in planning application 9/2004/1515/M (Minute No. DC/147) as Chair of the Governors of John Port School.

DC/142. **REPORTS OF MEMBERS**(a) Planning Training

The Chair advised Members that the annual planning training session update would be held on 5th July 2005.

(b) Hierarchy for Telecommunications Masts

Councillor Whyman, M.B.E. reported that the Working Panel established had met on 27th April 2005 and had agreed amendments and modifications to a draft document. This would now be reconsidered by the Environmental and Development Services Committee.

MATTERS DELEGATED TO COMMITTEEDC/143. **PUBLIC HEALTH ACT 1925, SECTION 17**
STREET NAMING - ETWALL

It was reported that a new street name was required for a development under construction at land off Hilton Road, Etwall. The suggested name by the Parish Council was "Mitchells Close", to which the developer and the Royal Mail had no objection.

RESOLVED:-

That, in accordance with the provisions of Section 17 of the Public Health Act 1925, no objections be raised to the suggested name "Mitchells Close".

DC/144. **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.

DC/145. **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 erection of a steel-framed agricultural building at The Stables, Cockshut Lane, Melbourne (9/2005/0169/F).***
- (b) ***Land levelling works and excavation/removal of concrete structures together with re-instatement of the ground using either on-site or inert imported materials at the former Drakelow Power Station, Walton Road, Drakelow (9/2005/0298/F) – Members requested strongly that lorries should adhere to the approved route and the Head of Planning Services agreed to discuss this with the applicant company.***

(Councillor Whyman, M.B.E. declared a prejudicial interest in this application and he was employed by the applicant company and withdrew from the Meeting during the consideration and determination thereof.)

DC/146. **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 demolition of the existing shop and premises and the erection of six new dwellings at No. 109 Swadlincote Road, Woodville (9/2004/1495/F) – to assess the implications in connection with parking provision.***
 - (b) The demolition of the existing dwelling and erection of 17 apartments including relocation of existing vehicular access at No. 147 Burton Road, Woodville (9/2005/0398/M) – to assess traffic issues and the effect on the street scene.***

(Councillor Harrison declared a prejudicial interest in this application as a personal friend of the applicant and withdrew from the Meeting during the consideration and determination thereof.)

- (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.***

DC/147. **OUTLINE APPLICATION (ALL MATTERS TO BE RESERVED) FOR THE ERECTION OF A RESIDENTIAL DEVELOPMENT AT AREA H23 AND H24, FORMER HILTON DEPOT, HILTON (9/2004/1515/M)**

Reference was made to two letters received on behalf of the applicant company.

RESOLVED:-

- (1) That the applicant company be advised that the Council agrees with the principle of development and that the proposal is such as may be permitted, subject to appropriate conditions, as part of an Agreement under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the provisions set out in the report of the Head of Planning Services.***
- (2) That the Government Office for the East Midlands be advised that the Council is minded, subject to the satisfactory conclusion of the Section 106 Agreement in the terms set out in the report of the Head of Planning Services, to grant outline permission subject to the conditions set out in the report.***

- (3) *That the Chief Executive be authorised to conclude the Agreement on the above basis.*
- (4) *That the conditions set out in the report of the Head of Planning Services be approved for imposition on the issue of any planning permission.*

(Councillor Shepherd declared a personal interest in this application as a Member of the Etwall Leisure Centre Joint Management Committee and Councillor Whyman, M.B.E. declared a personal interest as Chair of the Governors of John Port School.)

DC/148. **THE ERECTION OF A 10 METRE HIGH TELECOMMUNICATIONS MAST TOGETHER WITH ASSOCIATED EQUIPMENT CABIN ON THE HIGHWAY VERGE AT EGGINTON ROAD, ETWALL (9/2005/0388/NM)**

It was noted that Members of the Committee had visited this site prior to the Meeting. Consideration was given to the application and, it was

RESOLVED:-

- (1) *That prior approval be required.*
- (2) *That prior approval be refused due to the siting and design of the mast.*

DC/149. **THE ERECTION OF A REPLACEMENT DWELLING AND DETACHED GARAGE AT CROPPER FARM, SUTTON-ON-THE-HILL (9/2005/0144/F)**

It was reported that this application had been withdrawn.

DC/150. **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.

UNAUTHORISED REMOVAL OF HEDGEROW (Paragraphs 12, 13 and 14)

The Committee authorised the Head of Planning Services to issue a Hedgerow Replacement Notice.

W. DUNN

CHAIR