

DEVELOPMENT CONTROL COMMITTEE

23rd March 2004

PRESENT:-

Labour Group

Councillor Dunn (Chair), Councillor Shepherd (Vice-Chair) and Councillors Richards, Southerd, Southern and Whyman, M.B.E.

Conservative Group

Councillors Bale, Bladen, Ford, Hood, Lemmon and Mrs. Walton.

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

Councillor Atkin - Minutes Nos. DC/122(b) and (c)

Councillor Taylor - Minute No. DC/119(c)

Councillor Isham - Minute No. DC/119(c)]

DC/117. **DECLARATION OF INTEREST**

Councillor Whyman, M.B.E. declared a prejudicial interest in respect of application 9/2004/0067/M.

DC/118. **MEMBERS' QUESTIONS AND REPORTS**

Councillor Whyman, M.B.E asked for an update on the landscaping of Tetron Point. It was reported that over 7,500 trees had been planted during the past month and planting for this stage had now been completed.

Councillor Whyman also asked for an update on the tree enforcement case of Cranberry Foods. It was reported that this week, the Company was successfully prosecuted resulting in a £1,000 fine and an award of costs in favour of the Council.

Councillor Richards reported that the long awaited street lighting scheme for Cadley Hill Road had now been agreed.

MATTERS DELEGATED TO COMMITTEE

DC/119. **SITE VISITS**

- (a) Outline application (all matters to be reserved except for access) for the residential development of land to the rear of No. 127 Station Road, Hatton (9/2004/0026/O).

Further to Minute No. DC/116 of 2nd March 2004, 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 Planning Services Manager to the Meeting held on 2nd March 2004 and to an additional condition restricting development to one bungalow only, to reflect Members' concerns over a possible adverse impact upon existing dwellings.

- (b) The erection of 24 two bedroom apartments and associated external works at Horse & Jockey, Meadow Lane, Newhall (9/2003/1180/D).

(At 6.15 p.m., Councillor Southerd joined the Meeting.)

Further to Minute No. DC/116 of 2nd March 2004, it was reported that Members of the Committee had visited the site prior to the Meeting. Reference was made to additional correspondence from the Housing Department. Consideration was given to the application and, it was,

RESOLVED:-

That, contrary to the recommendation, planning permission be refused for the following reasons:-

- (1) ***If permitted, the development would unduly overbear on the dwellings around the site thereby detrimentally affecting residential amenity, contrary to the provisions of the Council's Supplementary Planning Guidance and therefore Housing Policy 11 of the Local Plan and Policy ENV21 of the emerging Local Plan.***
- (2) ***The proposed building would appear out of scale when compared to other buildings around the site and by virtue of its scale and massing it would therefore also appear as an alien feature in the street scene, contrary to Housing Policy 11 of the Local Plan and Policy ENV21 of the emerging Local Plan.***
- (c) Removal of four trees closest to the north side of the building addressed as No. 8 Moira Road covered by South Derbyshire District Council Tree Preservation Order No. 217 at No. 8 Moira Road, Woodville (9/2003/1503/TP).

Further to Minute No. DC/116 of 2nd March 2004, it was reported that Members of the Committee had visited the site prior to the Meeting. Reference was made to additional correspondence received from the Environmental Health Department. Consideration was given to the application and, it was,

RESOLVED:-

That consideration of the application be deferred further, pending additional expert advice from an engineer and exploration of any other options.

DC/120. PLANNING CUSTOMER SATISFACTION SURVEY

The Committee received a report on the results of the Best Value Performance Indicator (BVPI) survey recently completed and submitted to the Office of the Deputy Prime Minister (ODPM). The South Derbyshire BVPI Planning Survey 2003 Interpretative Report had been completed by the Institute of Public Finance on behalf of the Local Planning Authority which undertook the survey in accordance with the requirement of BVPI 111. The authority had set a target of 80% of customers satisfied with the service and the findings indicated that this target had been exceeded, with a total of 83% being satisfied overall.

A total of 1,784 surveys had been despatched to 800 applicants, resulting in 438 valid responses (55% response rate). The sampling frame covered applications that had been determined between April and September 2003.

The nature of the applications was outlined and with regard to performance and satisfaction, the Council had scored very well for most factors. Customers considered that they had been treated fairly (68%), had received help and advice to submit the application (72%) and understood the reasons for the decision (79%). For the remaining two factors, 63% agreed they had been dealt with promptly but only 52% felt that the Council kept them informed of progress. This latter factor was the main area requiring minor improvement by the Council.

With regard to satisfaction with the service provided, 36% were very satisfied and 47% fairly satisfied with the service provided by the Council in the processing of the planning application. When satisfaction was cross-tabulated with the acceptance or refusal of the application, there were some differences in opinion. Of those whose application had been granted, 87% were satisfied overall. However, of those whose application had been refused, only 41% were satisfied overall. Conversely, of those whose applications had been granted, only 5% were dissatisfied overall, but of those whose application was refused, as many as 34% were dissatisfied overall. The BVPI margin of error for the satisfaction question was plus or minus 3.5% at the 95% confidence level (based on 55% response rate to the survey). This was exceptionally good and it was noted that the ODPM target was plus or minus 5%. It was also noted that 92.5% of the Council's applications had been granted and only 7.5% had been refused, which put the results into context.

It was clear that South Derbyshire's service had remained generally the same during the last three years, which was the case across all factors. Those considering the service had improved varied between 13% for information on the progress of the application and clarity of reasons for decisions to 16% for advice and help provided with the application, promptness of dealing with the application and fairness of dealing with the application. Those considering the service had worsened varied from 4% for advice and help provided to 8% for information on progress and 12% for promptness in dealing with the application.

In general, customers appeared to be very satisfied with the service provided by South Derbyshire. If the service was considered to be good, it could be difficult to make major improvements, hence applicants finding it had remained the same. It was those whose applications had been refused that had a degree of dissatisfaction but these were in a small minority.

Accordingly, it was considered that the service should be maintained at present levels but the levels of promptness in dealing with applications and keeping applicants informed of progress should be improved.

Members congratulated staff in the Planning Services Department for their continuing efforts.

RESOLVED:-

That the report be noted and the proposed recommendations for action outlined above be approved.

DC/121. **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. The following report was noted:-

Appeal Dismissed – The erection of a residential development at No. 59 Ashby Road, Woodville.

Appeal Allowed – The change of use from agricultural use to Class B1 (light industrial) use at Sapperton Manor, Church Broughton.

DC/122. **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 an extension to the Express 4 building at the premises of Roger Bullivant Ltd., Walton Road, Drakelow (9/2004/0067/M) - Reference was made to additional correspondence from the Environment Agency.

(Councillor Whyman, M.B.E. declared a prejudicial interest in this application as an employee of the applicant company and withdrew from the Meeting during the consideration and determination thereof.)

(b) The erection of an extension to provide an additional four hotel letting rooms at the Crewe & Harpur Arms, Derby Road, Swarkestone (9/2004/0079/F).

(c) The erection of an extension to provide an additional four hotel letting rooms at the Crewe & Harpur Arms, Derby Road, Swarkestone (9/2004/0080/L) (Listed Building Consent).

(d) The erection of a single-storey summer house at Breachlands, Breach Lane, Melbourne (9/2004/0198/F).

DC/123. **THE ERECTION OF FIFTEEN DWELLINGS AT YEW TREE FARM, THE HAYS, HATTON (9/2003/1460/F)**

RESOLVED:-

- (1) That consideration of this application be deferred to enable Members of the Committee to visit the site prior to the next Meeting to assess the implications of the proposal. Reference was made to additional correspondence from a neighbour, the Environment Agency and the Land Drainage Officer.*
- (2) That further investigations be made into the possibility of maintaining or extending the current Section 106 Agreement.*
- (3) That Members be authorised to consider any ancillary matters which might arise.*

DC/124. **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.

CASTLE VIEW GYPSY SITE (Paragraph 12)

The Committee noted legal advice in connection with the occupation of this site by members of the gypsy community only.

W. DUNN

CHAIR