

DEVELOPMENT CONTROL COMMITTEE

5th March 2002

PRESENT:-

Labour Group

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

Conservative Group

Councillors Bale, Bladen, Hood and Mrs. Walton.

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

Councillor Bell – Minute No. DC/119

Councillor Mrs. Wheeler – Minutes Nos. DC/120(g) and DC/121

APOLOGIES

Apologies for absence from the Meeting were received from Councillors Southerd and Whyman (Labour Group).

MATTERS DELEGATED TO COMMITTEE

DC/117. **SWADLINCOTE HERITAGE ECONOMIC REGENERATION SCHEME SUB-COMMITTEE – 24TH JANUARY 2002**

RESOLVED:-

That the Open Minutes of the Swadlincote Heritage Economic Regeneration Scheme Sub-Committee held on 24th January 2002, a copy of which is attached at Annexe 'A' to these Minutes, be received and noted.

DC/118. **UNAUTHORISED FENCE NO. - 14 CLIFTON CLOSE, SWADLINCOTE**

It was reported that following a complaint received, site inspections undertaken at the above property together with an adjoining property had revealed that a wooden panel fence supported by concrete posts and gravel boards was in evidence on the north-eastern boundary of No. 14 Clifton Close. The materials from which the fence had been constructed did not appear to be new, although a trellis topping to the fence appeared recent. There was also evidence that the fence had been relocated by approximately 0.3 metre into the curtilage of No. 14 Clifton Close. Several measurements were taken at various points along the fence which revealed that the maximum height of the fence was 2.1 metres. The erection of a fence in excess of two metres in height between properties required the submission of a planning application. The owner had been contacted but had not submitted a regularising application or reduced the height of the fence.

Although the fence marginally exceeded the permitted level, the amenities of adjoining properties were not significantly affected by its presence as it was approximately nine metres from the nearest dwelling. Planning Policy Guidance Note PPG18 on “Enforcing Planning Control” recommended that, in considering any enforcement action, the decisive issue for the Local Planning Authority should be whether the breach of control would unacceptably affect public amenity or the existing use of land and buildings meriting protection in the public interest. It was considered that an Enforcement Notice would be difficult to justify upon any appeal in view of the marginal nature of the breach of control.

RESOLVED:-

That no action be taken on the matter.

DC/119. **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 items were noted:-

Appeal Allowed – The erection of five detached houses with associated garages on land adjoining Netherhall, Netherhall Road, Hartshorne.

(Councillor Bell expressed his grave discontent at this decision and the apparent disregard for relevant policies. He advised that the current planning process may be considered by the Corporate Scrutiny Committee in due course).

Appeal Dismissed – The retention of a free-standing illuminated sign on land at the front of Snooty Fox, Woodville Road, Hartshorne.

DC/120. **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) Refurbishment, alterations and extension of buildings, plus new buildings to form B1, B2 and B8 accommodation together with ancillary loading areas, car parks, access and landscaping on land at the former Swadlincote Colliery, Hearthcote Road, Swadlincote (9/2001/0762).

(Councillors Rose and Mrs. Rose wished it to be recorded that they were not in favour of this decision).

(b) The erection of three detached houses in accordance with condition No. 2 of 9/1999/0074/O on the site of the Methodist Chapel, Coton Park, Linton (9/2001/0848).

- (c) *The erection of 7 detached houses, 8 semi-detached houses and 3 apartments (single three-storey block) on the site of Castle Gresley Victory Club, Bridge Street, Castle Gresley (9/2001/0894).*
- (d) *The erection of four houses on land being the site of Nos. 12 – 16 Main Street, Newhall (9/2001/1050) – subject to the County Highways Authority being requested to consider traffic calming measures on the Main Street approach to the roundabout.*
- (e) *The retention of a 2.7 metre high retaining wall at No. 18 Clamp Drive, Swadlincote (9/2001/1143) – subject to an additional condition limiting permitted development on the retaining wall.*
- (f) *The demolition of an outbuilding and the erection of a detached house on land at the rear of The County Stores, The Green, Findern (9/2001/1162).*
- (g) *The erection of 185 dwellings in accordance with condition No. 2 of planning permission 9/0890/0515/O on Area B on land to the north of Castle Road, Castle Gresley (9/2001/1195) (Approval of Details) - subject to additional conditions required by the County Highways Authority and controlling the installation of a pumping station. Reference was made to correspondence from the County Highways Authority.*
- (h) *The erection of a detached 3 car garage at The Elms, Trent Lane, Kings Newton (9/2001/1254).*
- (i) *Use of part of existing agricultural building as a store for one touring caravan on land forming part of O.S. Field No. 1200, Rosliston Road, South Drakelow (9/2002/0001).*
- (j) *The erection of two single-storey buildings and the formation of a car park at Safepharm Laboratories Ltd., Manor Farm, London Road, Shardlow (9/2002/0027) – subject to an additional condition requiring the fence to be coloured green.*
- (k) *The demolition of steel framed farm buildings on land at the rear of Hollies Farmhouse, Ingleby Road, Stanton-by-Bridge (9/2002/0073) (Conservation Area Consent.*

DC/121. **THE USE AS A DWELLING OF THE PUBLIC HOUSE KNOWN AS CHEQUERS INN, NO. 27 HIGH STREET, TICKNALL (9/2001/1244)**

RESOLVED:-

That planning permission be refused for the reasons set out in the report of the Planning Services Manager together with an additional reason relating to the effect of the proposal on the character of the Listed Building.

DC/122. **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 WORKS TO TREES WITHIN TREE PRESERVATION ORDER AT BELMONT STREET, SWADLINCOTE (Paragraphs 12 and 14)

The Committee accepted a compensatory landscaping scheme submitted following the unauthorised pruning of trees.

L.J. BROOKS

CHAIR