

DEVELOPMENT CONTROL COMMITTEE

4th November 2008

PRESENT:-

Conservative Group

Councillor Ford (Vice-Chairman in the Chair) and Councillors Bladen, Mrs. Farrington (substitute for Councillor Bale), Jones, Lemmon, Mrs. Plenderleith, Roberts (substitute for Councillor Stanton) and Watson.

Labour Group

Councillors Dunn, Richards, Shepherd and Southerd.

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

Councillor Mrs. Coyle – Minute No. DC/47(b)

Councillor Wheeler – Minute No. DC/49

APOLOGIES

Apologies for absence from the Meeting were received from Councillors Bale (Chairman) and Stanton (Conservative Group) and Councillor Mrs. Brown (Independent Member).

MATTERS DELEGATED TO COMMITTEE

DC/44. **PROCEDURE FOR VISITING APPLICATION SITES**

Under Minute No. DC/38 of 14th October 2008, a report had been requested on a revised procedure for visiting application sites prior to Meetings. It was noted that any revised procedure could avoid inconvenience to members of the public and public speakers, who currently may attend a Meeting at which an application is deferred for a site visit, then would have to attend the following Meeting to hear its determination after the site visit.

Site visits were currently held on applications following the Committee's decision on this course of action. It was usual practice for a motion to be proposed immediately after the Officer's visual presentation, which was normally carried without opposition. The site visit would then be undertaken prior to the next Meeting three or four weeks later and Members were advised of several adverse issues arising from the current procedure. Various alternative procedures to alleviate these issues had been discussed with the Chairman and the following process was now suggested:-

- Prior to the printing of the agenda, the Head of Planning Services would discuss each application with the Chairman and assess whether it would be in the public interest and beneficial for Members to visit the site prior to the Meeting bearing in mind the issues involved and representations made.

- Arising from the above, the Head of Planning Services, in consultation with the Chairman, would be authorised to determine which applications should be subject to a site visit prior to the Meeting. The schedule of site visits would be despatched with the agenda, as at present.

It was stressed that a site visit on any application could still be agreed at any Committee Meeting. This would then be held prior to the next Meeting, as per the current arrangements.

RESOLVED:-

That the revised procedure for visiting application sites, as outlined above, be approved and adopted.

DC/45. **TREE PRESERVATION ORDER NO. 307 – LAND AT MILLSTONES, MILLFIELD, SHARDLOW**

It was reported that this Tree Preservation Order was made on 25th July 2008 in respect of four individual trees at Millstones, Millfield, Shardlow. The Order was made as the trees made a valuable contribution to the visual amenity of the area, being visible from several adjacent properties and public open space. They also made a valuable contribution to the historic setting of the Conservation Area and the Monkey Puzzle tree was a particularly rare historic species. The trees were the subject of proposed extensive works as the result of a recent planning application, and were therefore under threat.

Comments had been received from occupants of neighbouring properties, raising concerns regarding the following issues:-

- The occupiers of Millstones were attempting to improve the appearance of the property, as there were a number of overgrown, untidy and deceased trees.
- The trees in question were overgrown, had an impact on telephone reception and could cause danger should they fall.
- The trees were not of high amenity value as they were screened by a hedge.
- The loss of the trees would not impact adversely on the appearance of the area, as there were a sufficient number of other trees already in the village.
- Their loss would probably improve the appearance of Wilne Lane, which would appear more open.

Members were advised of comments made by the Council's Consultant Arboriculturist in response to the comments raised.

RESOLVED:-

That Tree Preservation Order No. 307 be confirmed without modification.

DC/46. **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/47. **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) ***Approval of Reserved Matters of application 9/2006/0305/M for the erection of 55 residential units at land to the east of Station Road, Melbourne (9/2008/0811/RSD) – subject to the amendment of condition No. 2 to include further details required on the large scale drawings; the amendment of condition No. 6 to include drawing numbers relating to the revised plans; an additional condition removing permitted development rights and additional informatives requested by the Highways Authority.***
- (b) ***The demolition of the existing bungalow and construction of a new replacement dwelling with separate garden room at No. 3 Main Street, Ambaston (9/2008/0843/FM) – Members of the Committee had visited the site prior to the Meeting. Mr. Waters (objector) and Mr. N. Leighton (applicant) attended the Meeting and addressed Members on this application.***
- (c) ***The erection of three log cabin chalets on land adjacent to Oaklands Farm, Mount Pleasant, Church Broughton (9/2008/0849/F). Mr. A. Large (agent) attended the Meeting and addressed Members on this application.***
- (d) ***The siting of a mobile home (amended scheme to previously approved application 9/2008/0043/FH) to the rear of No. 42 Rosliston Road, Walton-on-Trent (9/2008/0925/FH) – the Head of Planning Services reported that the Highways Authority had advised that it had no objections to this proposal, subject to no loss of car parking spaces. Members of the Committee had visited the site prior to the Meeting.***

DC/48. **CHANGE OF USE AND EXTENSION OF EXISTING GYPSY CARAVAN SITE TO ALLOW SITING OF TOURING CARAVANS FOR MEMBERS OF THE GYPSY COMMUNITY AS A TRANSIT SITE TOGETHER WITH ANCILLARY ACCESS ROAD AND REPLACEMENT FACILITIES BLOCK AT FORMER CASTLE VIEW SERVICE STATION, UTTOXETER ROAD, FOSTON (9/2008/0577/NU)**

RESOLVED:-

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

- ***The Council is mindful of the recent Derbyshire Gypsy & Traveller Accommodation Assessment which is not site specific and which is subject to consultation via the draft East Midlands Regional Spatial Strategy 2015 which the Council has objected.***

- *Considering the number of vacant pitches at other sites within the vicinity, the Council considers that the issue of need with regard to further transit pitches is not established.*
- *The Council considers that the extension of the existing lawful site compounds the adverse impact on the character of the area, as recognised by the previous appeal inspector contrary to Local Plan Housing Policy 15.*

DC/49. **THE CHANGE OF USE OF GARDEN TO ACCOMMODATE STATIC CARAVANS AT NO. 179 THE BUNGALOW, LINTON HEATH, LINTON (9/2008/0764/U)**

The Head of Planning Services reported the amendment of recommended condition No. 4 to require no more than a total of two caravans to be sited on the site at any one time, together with an additional condition to secure a suitable landscaping scheme.

Members questioned the established need for the proposal.

RESOLVED:-

That consideration of the application be deferred to enable further information to be obtained on the established need.

DC/50. **OUTLINE APPLICATION FOR THE EXTENSION AND ALTERATION OF EXISTING BUILDINGS TO FORM AN EGG PACKING FACILITY AT BADGER FARM, WILLOW PIT LANE, HILTON (9/2008/0866/SGF)**

Mr. I. Pick (agent) attended the Meeting and addressed Members on this application.

RESOLVED:-

That, contrary to the recommendation, planning permission be approved, as it is considered that the proposal is in accordance with Local Plan Employment Policy 1 and has no adverse impact on the countryside, subject to appropriate conditions to be determined by the Head of Planning Services.

(Councillors Dunn, Mrs. Plenderleith, Richards, Shepherd and Southerd wished it to be recorded that they were not in favour of the decision).

DC/51. **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.

ENFORCEMENT ACTION – SCROPTON (Paragraph 2)

The Committee agreed to take no action in respect of unauthorised works in Scropton.

M. FORD

CHAIRMAN