

DEVELOPMENT CONTROL COMMITTEE

26th March 2002

**PRESENT:-**

**Labour Group**

Councillor Brooks (Chair), Councillor Dunn (Vice-Chair) and Councillors Bambrick, Rose, Shepherd, Southerd, Southern and Whyman.

**Conservative Group**

Councillors Bale, Bladen, Hood and Mrs. Walton.

(Councillor Mrs. Wheeler also attended the Meeting, and, with the approval of the Chair, spoke to Minute No. DC/130{e}).

DC/124. **MINUTES**

The Open Minutes of the Meetings held on 12th February and 5th March 2002 were taken as read, approved as true records and signed by the Chair.

DC/125. **REPORT OF MEMBER**

Councillor Southern enquired as to the current position relating to the travellers situated on land at Caldwell Lane, Linton and the Planning Services Manager agreed to investigate the matter and report accordingly.

**MATTERS DELEGATED TO COMMITTEE**

DC/126. **TOWN AND COUNTRY PLANNING ACT 1990, SECTION 172 (AS AMENDED)**  
**UNAUTHORISED USE AS TRAVELLERS' ENCAMPMENT OF LAND AT THE FORMER SHARDLOW NURSERIES, LONDON ROAD, SHARDLOW**

It was reported that following advice received via the Environmental Health Department, a site inspection had revealed that two traditional canvas-roofed caravans were sited on the land which was the site of former nursery gardens. A bus converted to residential use was also in evidence, together with a white touring caravan. Complaints had been received in respect of the unsatisfactory appearance of the site, incidences of noise disturbance, sewage and refuse disposal and damage caused to adjoining properties.

The land was in the ownership of a trust and was currently let to a tenant. Both parties had been advised of the breach of planning control and whilst correspondence had been received from the trustees detailing courses of action open to the Local Planning Authority, neither party had taken any apparent action in the matter. Investigations had indicated that the two traditional caravans had been in evidence for approximately two years but the bus had only appeared recently and had caused concern that this may be the precursor to a proliferation of the unauthorised use. Concern had also been expressed in respect of problems caused by horses straying from the site onto the adjoining highway.

It was considered that the presence of the caravans constituted a clear breach of planning control on land outside the confines of the village. There was ongoing public concern that there may be an increased usage of the site by travellers and the Committee received details of the relevant policies of the Local Plan and the Joint Structure Plan. The site failed to satisfy the relevant tests of the policy because the caravans and converted bus were situated in a manner that constituted a harmful intrusion into open countryside and the regular use of the accesses to the site and other activities was likely to cause material disturbance to adjoining residential and business uses in contravention of Housing Policy 15 of the 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 cessation of the use of the land as a travellers' encampment and the removal from the land of the two canvas-covered caravans, the white caravan and the bus converted into living accommodation.***

DC/127. **TOWN AND COUNTRY PLANNING ACT 1990, SECTION 215**  
**UNTIDY SITE – LAND AT SHARDLOW NURSERIES, LONDON ROAD, SHARDLOW**

Further to Minute No. DC/53 of 16th October 2001, Members were reminded that an Untidy Site Notice had been served to secure an improvement in the appearance of the frontage land at the former Shardlow Nurseries. A site inspection after the expiration of the period allowed for compliance with the terms of the Notice had revealed that no action had been taken.

**RESOLVED:-**

***That, subject to the availability of the necessary evidence, legal proceedings be instituted in respect of non-compliance with the terms of the Notice.***

DC/128. **HISTORIC BUILDING AND CONSERVATION AREA GRANT APPLICATIONS**

It was reported that a Facelift grant of £5,000 together with a Swadlincote HERS grant of £8,549 had been offered for repair and restoration works to No. 75 High Street, Swadlincote. These works were now well advanced and the initial estimate had allowed £480 for repairing the wall of a single-storey range to the rear. However, the wall partially collapsed and had to be rebuilt involving an extra cost of £720 plus VAT. The grant system allowed for supplementary grants to be made, provided that the Council was informed of the additional works in advance, an estimate of cost was submitted and the works were undertaken to a satisfactory standard. All of these provisos had been adhered to and the additional cost could be met with a supplementary grant through the 2002/03 Swadlincote HERS budget. However, as the work was complete, this presented a good opportunity to re-allocate historic building grant funding which could otherwise not be re-allocated. The grant percentages of the HERS scheme varied and re-building would be assisted at 50%. The usual level of Historic Building grant was 40% but in this instance, a 50% grant would virtually match the figure available for re-allocation. The benefits of the scheme were outlined to the Committee.

The 2001/02 budget for Historic Building and Conservation Area grants had almost been allocated. The sum of £420 had been allocated towards the cost of window replacements at No. 11 Blanch Croft, Melbourne but the tenants of this property had left unexpectedly prior to the commencement of the grant-aided work and the recipient of the grant offer, being the landlord, decided to sell the property. A standard condition of these grants required repayment if the property was sold within three years and the window replacements were completed recently but as the property had been sold, the grant had not been paid. This unpaid offer could now be re-allocated but must be spent this financial year. As the works at No. 75 High Street, Swadlincote were complete, as outlined above, a payment could be made immediately.

**RESOLVED:-**

***That a flat-rate grant of £420 be offered for re-building work to the rear of No. 75 High Street, Swadlincote towards eligible costs of £846, as set out in the estimate from George W. Heath and Sons dated 22nd January 2002 subject to the usual conditions.***

DC/129. **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.

DC/130. **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) Single dwelling approved under 9/1097/0580/F (Block J) split internally to provide two separate dwellings at Bretby Hall Hospital, Bretby (9/2001/0465).***
- (b) The erection of a detached house in accordance with condition No. 2 of planning permission 9/0698/0231/O on land to the rear of No. 36 Vine Cottage, Twyford Road, Barrow-on-Trent (9/2001/0859).***
- (c) The use as a day micro nursery of part of the dwelling and the use of the garage as additional residential accommodation at No. 18 Calder Close, Hilton (9/2002/0077) – subject to the imposition of an informative advising that the Council is concerned that adequate fire precautionary measures should be installed, particularly in relation to means of escape from the first floor.***
- (d) The use for storage of land at Samuel Jackson Growers Ltd., Cross House, Trent Lane, Kings Newton (9/2002/0108).***

- (e) *Outline application (all matters to be reserved) for the erection of a detached house on land forming part of the side garden of No. 96 Brethby Lane, Brethby (9/2002/0118).*
- (f) *The removal of the existing 15 m high monopole and its replacement with a 20m high lattice tower on land at Hilton Industrial Estate, Sutton Lane, Hilton (9/2002/0121).*

DC/131. **THE ERECTION OF ONE NEW HOUSE, ALTERATIONS AND RESTORATION OF EXISTING COTTAGE, RESTORATION OF EXISTING GARDEN WALL AT BOWER LODGE, WELL LANE, REPTON (9/2001/1261)**

**RESOLVED:-**

- (1) *That, in view of the complex issues involved, this application be deferred to enable Members of the Committee to visit the site prior to the next Meeting.*
- (2) *That Members be authorised to consider any ancillary matters which might arise.*
- (3) *That the local representative be invited to be present in a representative capacity.*

DC/132. **OUTLINE APPLICATION FOR THE RESIDENTIAL DEVELOPMENT AT YEW TREE FARM, STATION ROAD, HATTON (9/2002/0146)**

**RESOLVED:-**

*That consideration of this application be deferred pending a forthcoming public meeting on the matter.*

DC/133. **RESIDENTIAL DEVELOPMENT (OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR FURTHER APPROVAL) AT THE PARISH ROOMS, SCROPTON ROAD, SCROPTON (9/2002/0164)**

**RESOLVED:-**

*That the Secretary of State be advised that, contrary to the recommendation, the Council is minded to grant planning permission in the interests of protecting sustainable facilities in the settlement and because the site is "brownfield".*

DC/134. **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.*

**MINUTES**

***The Committee received the Exempt Minutes of the Meetings held on 12th February and 5th March 2002.***

L.J. BROOKS

CHAIR