

PLANNING COMMITTEE

8th May 2012

**PRESENT:-**

**Conservative Group**

Councillor Ford (Chairman), Councillor Mrs. Brown (Vice-Chairman) and Councillors Bale, Mrs. Hall, Jones, Roberts (substitute for Councillor Watson) and Stanton.

**Labour Group**

Councillors Bambrick (substitute for Councillor Richards), Bell, Mulgrew, Shepherd, Southerd and Stuart.

The following Members also attended the Meeting and, with the approval of the Chairman, spoke to the Minute No. indicated:-

Councillor Atkin  
Councillor Pearson  
Councillor Richards – Minute No. PL/150

PL/141. **APOLOGIES**

An apology for absence from the Meeting was received from Councillor Watson (Conservative Group). An apology for absence from the Meeting as a Committee Member was also received from Councillor Richards (Labour Group). However, he was in attendance at the Meeting in a local representative capacity and declared pre-determination or apparent bias in planning application 9/2012/0273/NM (Minute No. PL/150). As a non-Member of the Committee for this Meeting, he would address the Committee as the local Ward Member and would then leave the Meeting for the remainder of the debate and vote.

PL/142. **MINUTES**

The Open Minutes of the Meetings held on 28th February and 20th March 2012 were taken as read, approved as true records and signed by the Chairman.

PL/143. **DECLARATION OF INTEREST**

Councillor Ford (Chairman) declared a personal interest in planning application 9/2012/0167/SMD (Minute No. PL/148) as a Member of the County Planning Authority. Councillor Southerd declared a personal interest in the same application as a former Chair of the school governing body and Councillor Stuart declared a personal interest in the same application as his wife was a member of the school governing body.

**MATTERS DELEGATED TO COMMITTEE****PL/144. TREE PRESERVATION ORDER NO. 357 – LAND AT NO. 2 MELBOURNE LANE, TICKNALL**

It was reported that this Tree Preservation Order had been made on 15th March 2012 in respect of a group of trees in the garden space of No. 2 Melbourne Lane, Ticknall. The trees were in good condition and were considered to have a high degree of amenity due to their prominent location bounding the public realm. The trees contributed substantially to the character of the street scene and the Ticknall Conservation Area. A notice to fell the trees had been received from the owner of the property as it had been claimed that the trees were originally planted too close to the property and, having now grown, their roots were taking moisture out of the ground, causing cracking and subsidence of the property.

Comments received relating to the proposed Order were summarised, together with responses from officers.

It was reported that a Structural Engineer's report had now been received and on this basis, it was recommended that the Tree Preservation Order be modified accordingly and an application invited for the thinning of some of the trees within the Order.

**RESOLVED:-**

***That the Tree Preservation Order be modified to remove those trees identified in the Council's Structural Engineer's report affecting the property and an application be invited for the thinning of further trees to be agreed with the Council's Tree Officer.***

**PL/145. REPORT OF THE HEAD OF COMMUNITY AND PLANNING SERVICES**

The Head of Community and 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.

**PL/146. THE INSTALLATION OF 2 X 50 KW ENDURANCE WIND TURBINES (RADIUS 906M) WITH CABLING ON LAND LYING TO THE SOUTH OF BURNASTON LANE, ETWALL (9/2011/1007/NO)**

It was reported that this item had been withdrawn from the Agenda due to legal issues.

**PL/147. THE ERECTION OF AN EXTENSION AT NO. 6 CHELLASTON COTTAGES, SWARKESTONE ROAD, WESTON-ON-TRENT (9/2012/0152/FH)**

Mr. C. Williamson (objector) attended the Meeting and addressed Members on this application.

**RESOLVED:-**

***That planning permission be granted, subject to the conditions set out in the report of the Head of Community and Planning Services.***

PL/148. **THE ERECTION OF 45 DWELLINGS ON LAND AT SK2818 7032 GLAMORGAN WAY, CHURCH GRESLEY (9/2012/0167/SMD)**

Reference was made to further correspondence from the County Highways Authority, the Derbyshire Wildlife Trust, the National Forest and the applicant company. Mr. J. Deakin (agent) attended the Meeting and addressed Members on this application.

Members expressed concern that the number of primary school places required by the County Education Authority appeared too low and queried the suitability of the calculation for the contribution.

The Chairman suggested that the use of sprinklers in new build houses should be encouraged, as endorsed by the Fire Authority.

**RESOLVED:-**

- (1) That the contributions normally accruing from the development be re-directed in their entirety to assist in the provision of a new school at Pennine Way through an Agreement under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended).***
- (2) That, subject to the satisfactory conclusion of the Agreement in (1) above, planning permission be granted, subject to the conditions set out in the report of the Head of Community and Planning Services together with additional conditions required by the County Highways Authority and requiring the appropriate protection of Hall Wood.***
- (3) That an informative be included on any permission encouraging the use of sprinklers in new build houses, as endorsed by the Fire Authority.***
- (4) That the County Education Authority be requested to clarify the methodology relating to the education contribution.***

(Councillor Ford (Chairman) declared a personal interest in this application as a Member of the County Planning Authority, Councillor Southerd declared a personal interest as a former Chair of the school governing body and Councillor Stuart declared a personal interest as his wife was a member of the school governing body).

PL/149. **THE ERECTION OF A DETACHED DWELLING ON LAND AT ASKEW GROVE, REAR OF NOS. 44 AND 46 MILTON ROAD, REPTON (9/2012/0180/FM)**

**RESOLVED:-**

- (1) That consideration of 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.***

PL/150. **THE INSTALLATION OF A 13.8 METRE HIGH STREET POLE WITH THREE SHROUDED ANTENNAE, ONE VULCAN CABINET AND ANCILLARY DEVELOPMENT AT SAINSBURY'S CAR PARK, HIGH STREET, NEWHALL (9/2012/0273/NM)**

**RESOLVED:-**

- (1) That, contrary to the recommendation, prior approval be refused due to adverse visual amenity reasons.***
- (2) That an informative be included inviting the applicant company to discuss an alternative site with the local planning authority.***

(Councillor Richards declared predetermination or apparent bias in this application and, as a non-Member of the Committee for the Meeting, addressed the Committee as the local Ward Member and then left the Meeting for the remainder of the debate and vote).

PL/151. **APPEAL DECISION**

The content of the following report was noted:-

**Appeal Dismissed**

The erection of a dirty water lagoon to serve a dairy unit at Cropper Farm, Sutton-on-the-Hill.

PL/152. **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 Exempt Minutes of the Meeting held on 28th February 2012 were received.***

M. FORD

CHAIRMAN