

DEVELOPMENT CONTROL COMMITTEE

20th April 2010

PRESENT:-

Conservative Group

Councillor Ford (Chairman), Councillor Mrs. Plenderleith (Vice-Chairman) and Councillors Bale, Mrs. Brown, Mrs. Farrington (substitute for Councillor Bladen), Hewlett (substitute for Councillor Watson), Mrs. Hood (substitute for Councillor Lemmon), Mrs. Patten (substitute for Councillor Stanton) and Roberts (substitute for Councillor Jones).

Labour Group

Councillors Dunn, Richards, Shepherd and Southerd.

The following Members also attended the Meeting:-

Councillor Atkin
Councillor Rhind

APOLOGY

Apologies for absence from the Meeting were received from Councillors Bladen, Jones, Lemmon, Stanton and Watson (Conservative Group).

DC/148. **MINUTES**

The Open Minutes of the Meetings held on 2nd and 23rd March 2010 were taken as read, approved as true records and signed by the Chairman.

DC/149. **DECLARATIONS OF INTEREST**

Councillor Ford declared a prejudicial interest in planning application 9/2010/0179/B (Minute No. DC/154) as an occasional user of the Shooting Club.

MATTERS DELEGATED TO COMMITTEE

DC/150. **TREE PRESERVATION ORDER NO. 326 – LAND AT ETWALL LAWN, MAIN STREET, ETWALL**

It was reported that this Tree Preservation Order was made on 22nd February 2010 in respect of mixed woodland on land at Etwall Lawn, Main Street, Etwall. The Order was made as the woodland was of high amenity value, contributing to the character of the area within the village and the Conservation Area. The woodland was under potential threat from development.

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

- The trees were very close to boundaries of properties on Lawn Avenue and were unsuitable for the environment if they grew very tall and shed needles and cones during windy weather.
- A number of large branches had fallen into the garden of a neighbouring property, narrowly missing the garage window. Needles were also blocking the gutters and lay thickly on the garage roof.
- If the trees were not allowed to be maintained in the future, there was a possibility of damage being caused to nearby properties.

Members were advised of comments made by Officers in response to the issues raised.

RESOLVED:-

That Tree Preservation Order No. 326 be confirmed without modification.

DC/151. **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/152. **THE CHANGE OF USE FROM HATTON BATHROOM SUPPLIES TO AUCTIONEERS AT PROPERTY AT BROOKFIELDS BUSINESS PARK, HEAGE LANE, ETWALL (9/2010/0021/U)**

Members of the Committee had visited the site prior to the Meeting. Mr. P. Diffey (agent) 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 Planning Services.

DC/153. **THE ERECTION OF A TEMPORARY BUILDING FOR USE AS A PHARMACY AT WELLBROOK MEDICAL CENTRE, WELLAND ROAD, HILTON (9/2010/0120/NO)**

Members of the Committee had visited the site prior to the Meeting. The Head of Planning Services reported correspondence received from Derbyshire Constabulary's Crime Prevention Design Advisor. Helen Hutton (on behalf of objector) and Mr. P. Diffey (agent) attended the Meeting and addressed Members on this application.

RESOLVED:-

- (1) That planning permission be granted, subject to the conditions set out in the report of the Head of Planning Services and to the expiry date referred to in condition No.1 being amended to 30th April 2012 and to additional conditions requiring the submission of details of the proposed security measures and the colour of the building.***
- (2) That the Head of Planning Services be authorised to approve the colour of the building in consultation with the Chairman of the Committee and the local Ward Members.***

DC/154. **VARIATION OF CONDITION NO. 5 OF PLANNING PERMISSION 9/0589/027 FOR TEMPORARY PERMISSION FOR SHOOTING ON SUNDAYS BETWEEN 9 AM AND 3 PM FOR A TWELVE MONTH PERIOD AT LOWES LANE SHOOTING CLUB, LOWES LANE, SWARKESTONE (9/2010/0179/B)**

Mr. J. Bowden (objector) and Mr. J. Payne (on behalf of the agent) attended the Meeting and addressed Members on this application.

RESOLVED:-

That planning permission be refused for the reason set out in the report of the Head of Planning Services.

(Councillor Ford (Chairman) declared a prejudicial interest in this application as an occasional user of the Shooting Club and withdrew from the Meeting during the consideration and determination thereof. Councillor Mrs. Plenderleith (Vice-Chairman) assumed the Chair for this item).

DC/155. **THE CONVERSION OF THE GARAGE TO PLAYROOM AT NO. 21 EDGE COTE DRIVE, NEWHALL (9/2010/0124/FH)**

RESOLVED:-

That planning permission be granted, subject to the condition set out in the report of the Head of Planning Services.

DC/156. **ALTERATIONS TO THE STEPS AND WALLS AT THE GRADE II LISTED TOWN HALL, THE DELPH, SWADLINCOTE (9/2010/0294/L)**

RESOLVED:-

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

DC/157. **PLANNING APPEAL**

The contents of the following reports were noted:-

Appeal Dismissed

The conversion and extension of an existing outbuilding to form a two-bedroom dwelling at No. 156 Mount Pleasant Road, Castle Gresley (9/2008/1095/FM).

Appeal Allowed

The erection of a five-bedroom detached dwelling with integral garage at No. 84 Burton Road, Findern (9/2009/0638/FO).

DC/158. **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 23rd March 2010 were received.

ENFORCEMENT ACTION – SWADLINCOTE (Paragraph 2)

The Committee agreed that no action be taken relating to the erection of a fence at Swadlincote.

M. FORD

CHAIRMAN