

Time commenced - 6.00 pm  
Time finished - 7.45 pm

## PLANNING CONTROL COMMITTEE 9 FEBRUARY 2006

Present: Councillor Baxter – Chair  
Councillors Bolton, Carr, Chera, Khan, Samra, Travis and Wynn

### 146/05 Apologies for Absence

Apologies for absence were received from Councillors Care and Liversedge.

### 147/05 Late Items Introduced by the Chair

There were no late items but Councillor Baxter said a farewell and thank you to Stewart Todd for his service to the Council and the Planning Control Committee.

### 148/05 Declarations of Interest

Councillor Travis declared a personal and prejudicial interest in item no. DER/1105/1874 , address, as she was a friend of one of the protestors

### 149/05 Minutes of the Meeting held on 22 December 2005

The minutes of the meeting held on 22 December 2005 were approved as a correct record and signed by the Chair.

### 150/05 Development by Local Authorities

The Assistant Director – Regeneration report (Section A) (Local Authorities)

#### **Derby City Council**

<b>Code No</b>	<b>Proposal</b>	<b>Property/Site</b>
1. DER/1105/1883 and DER/704/1380	Demolition of wall	Former Gate Goods Yard, Stafford Street.

Mr Steer and Mrs D'Arcy in objection to the application and Mr Powner on behalf of the applicant addressed the Committee.

#### **DER/1105/1883**

#### **Resolved:**

- 1. to forward the application with all background documents and representations to the Secretary of State with a statement of support requesting that the Secretary of State grants listed building consent for the demolition works, subject to a condition requiring rebuilding to full height.**

2. To incorporate into the supporting statement the following: “Whilst the demolition is not desirable in relation to the duties in Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to the advice in PPG15, the overall benefits and policy considerations above are sufficient to justify the areas of harm to the historic environment.”

**DER/704/1380**

**Resolved:**

1. to note and endorse the details of the wall’s reconstruction as set out in the report, except that the Local Planning Authority considering that the well should rebuilt to full height.
2. to note that the Assistant Director – Regeneration would report all other amendments to a future meeting with other outstanding information, the final recommended conditions and reasons for the decision, at which time any further representations on the amendments will be considered.

## **151/05 Planning and Advertisement Applications**

**Resolved to note the applications for Planning Permission determined by the Assistant Director – Regeneration under delegated powers and detailed in Section E (Delegated) of the report and the applications detailed in Section B1 of the report be dealt with in accordance with the Assistant Director – Regeneration’s, recommendations or as determined by the Committee as follows:**

- a) **Applications Recommended for Approval or that no objections be raised by the Council subject to any conditions set out in the report and**

- b) **Applications determined by the Committee**

1. DER/1105/1830 Variation of condition on planning permission DER/798/827 to allow picking operations between 19.30 and 07.30 hours from Monday to Friday, 201 Slack Lane.

**Resolved to grant planning permission with conditions as set out in the report.**

2. DER/1105/1886 Construction of 8 apartments, Land adjacent to 85 and rear of 79-85 Stanley Street.

Councillor Higginbottom in objection to the application addressed the Committee.

**Resolved to grant planning permission with conditions as set out in the report.**

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| 3. | DER/1105/1867 | Residential development, Site of 92-96 Chain Lane, Littleover. |
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Mr Scully in objection to the application addressed the Committee.

**Resolved:**

- 1. to grant planning permission with conditions as set out in the report.**
  - 2. to ask the Arboricultural Officer to inspect the site to see if any of the trees are worthy of trees for Tree Preservation Order.**
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| 4. | DER/305/533 | Erection of 336 dwelling houses and 261 flats and layout of public open space, Site of Derby College, Pride Park. |
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**Resolved:**

- 1. to confirm that the scheme in its present form is acceptable.**
- 2. to authorise the Assistant Director – Regeneration to finalise negotiations on a new Section 106 Agreement and to issue an approval of reserved matters, subject to conditions to be determined by him, on the completion of the Agreement in (3).**
- 3. to authorise the Corporate Director of Corporate and Adult Social Services and Deputy Chief Executive to enter into an Agreement, that would:**
  - a. secure the cost of the identified highway alterations, and**
  - b. secure a contribution in lieu of the POS shortfall based on a 50/50 split between incidental and major for valuation purposes.**
- 4. to note that the discharge of conditions 6 and 9(b) of the outline permission will be dealt with separately to this current application and to authorise the Assistant Director – Regeneration to discharge these conditions once the agreement of the Environment Agency has been secured.**
- 5. That the Committee resolves that, as this development will give massive community benefits, particularly in public open space and canal restoration facilitation, to the local area of the city as a whole, the facility for emergency access to London Road along the canal towpath live should be afforded.**

Having declared a personal and prejudicial interest Councillor Travis left the meeting during the consideration of the following item.

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| 5. DER/1005/1874 | Erection of 476 dwellings, relocated playing fields and public open space together with scout buildings and changing rooms, Site of University of Derby, Mickleover Campus, off Western Road, Mickleover. |
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A late representation from the applicant was reported.

It was reported that the Arboricultural Officer objected to the proposal but the Environment Agency had withdrawn its objection and the Countryside Agency did not object. No response had been received from Sport England or English Nature.

Mr Crosby in objection to the application addressed the Committee.

**Resolved:**

- 1. that the Secretary of State Deputy Prime Minister and First Secretary of State be notified that the City Council is minded to grant conditional planning permission, subject to the applicants entering into an agreement under Section 106 of the Town and Country Planning Act 1990 to provide affordable housing, mobility housing, public open space, major open space and replacement pitches, education, swimming pool, scout hut, highways including an extended cycle link, and public art.**
- 2. that the secretary of state be asked to impose the conditions set out in the report subject to a modification to condition 20 to require implementation of noise measures and three extra conditions (20 – 25) for pergolas over parking spaces, details of entrance features, bat survey and details of recycling.**

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| 6. DER/1102/1104 | Speedy Tyres, 1102-1104 London Road, Alvaston. |
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A late letter from the site owner, Mr Ahmed, was reported.

**Resolve to authorise the commencement of injunctive action, for the purposes set out in the report, under the initial enforcement notice and/or the subsequent breach of condition notice, subject to the Director of Corporate and Adult Services being satisfied with the sufficiency of the supporting information.**

152/05 Appeals

Code No	Proposal	Location	Decision
DER/605/1051	Erection of two flats	Land to the rear of 472 Osmaston Road.	Dismissed

153/03 Consideration of Major Site Visits.

**Resolved that the Committee did not wish to make any major site visits.**

MINUTES END