

Time commenced - 6.00 pm  
Time finished - 7.45 pm

## PLANNING CONTROL COMMITTEE 24 MARCH 2005

Present: Councillor Smalley – Chair  
Councillors Baxter, Bolton, Chera, Liversedge, Marshall,  
Rehman, and Travis.

### 103/04 Apologies for Absence

Apologies for absence were received from Councillors Care and Wynn.

### 104/04 Late Items Introduced by the Chair

There were no late items.

### 105/04 Declarations of Interest

Councillor Chera declared a personal prejudicial interest in item DER/1204/2402 as he attended the temple.

Councillor Baxter declared a personal interest in item DER/1204/2319 as he knew the applicant and item DER/804/1663 as he was a Rolls Royce pensioner.

### 106/04 Minutes of Previous Meeting

The Minutes of the meeting held on 24 February 2005 were approved as a correct record and signed by the Chair.

### 107/04 Minutes of the Conservation Area Advisory Committee – 10 February 2005

**Resolved to receive the minutes of the Conservation Area Advisory  
Committee meeting held on 10 February 2005.**

### 108/04 Enforcement Action: Monthly Update

A report of the Assistant Director – Development was considered giving details of enforcement action authorised in the last year.

**Resolved to note the report.**

### 109/04 Tree Preservation Order 2004 No 411 – 55 Morley Road

A report of the Assistant Director – Development was considered which sought approval for the confirmation of Tree Preservation Order 2004 Number 411.

It was noted that on 29 September 2004 a Tree Preservation Order was made on a single willow tree, as shown on the plan attached as Appendix 2.

Two letters of objection were received. The first objection was from Mr Nigel Cheetham of 55 Morley Road, the second objection was from Mrs V Hulland of 28 Deborah Drive. A letter from a Chaddesden resident supporting the Tree Preservation Order, was also reported at the meeting.

**Resolved to confirm Tree Preservation Order 2004 Number 411 (55 Morley Road, Derby) without modification.**

#### 110/04 Applications dealt with under Building Regulations and Associated Legislation

**Resolved to note the report of the Assistant Director – Development setting out the summary of applications determined under Building Regulations and Associated Legislation during the period 1 February 2005 – 28 February 2005.**

#### 111/04 Planning and Advertisement Applications

**Resolved to note the applications for Planning Permission determined by the Assistant Director – Development 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 – Development, 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/1204/2398 & - Erection of garage and 2m high garden wall and  
DER/1204/2397 installation of patio doors. 4 North Parade

**Resolved to grant planning permission and listed buildings consent with conditions as set out in the report, with an additional condition relating to the revised plans received on 14 March 2005.**

2. DER/1204/2323 - Erection of four flats and seven maisonettes  
(amendments to previously approved scheme under code no DER/803/1491). 18-20 Wood Road, Chaddesden

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

3. DER/1104/2121 - Change of use of ground floor and basement to licensed restaurant including disabled access and erection of gate and railings. Part of 99-102 Friar Gate and car park to rear of 4-10 Stafford Street

**Resolved to grant planning permission with conditions as set out in the report, with the deletion of condition 10 and with the insertion of 24 March 2005 into condition 1.**

4. DER/1204/2319 - Conversion from single dwelling into two apartments (including bedroom and bathroom extension) and erection of two apartments. 25 South Street.

**Resolved to grant planning permission with conditions as set out in the report, with the amendment to condition 3 to refer to revised plans received 10 March 2005.**

5. DER/105/56 - Residential development. 14A-16 West Avenue.

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

6. DER/1104/2223 - Change of use of ground floor and basement to licensed restaurant including disabled access and erection of gate and railings and change of use to second floor to create one apartment. No. 100 and east wing of 99 Friar Gate.

**Resolved to grant listed building consent with conditions as set out in the report, with an additional condition to refer to revised plans received on 10 and 24 March 2005.**

7. DER/1104/2130 - Construction of fire resistant partition to rear of two ground floor doors in connection with change of use of ground floor to licensed restaurant. Part of 99 Friar Gate

**Resolved:**

- 1. to refer the application to the Secretary of State as it included works to the interior of a Grade II\* listed building, with a letter of support from the Council.**
- 2. to grant listed building consent with a condition set out in the report, subject to confirmation that the above works are acceptable to the Secretary of State.**

Having declared a personal prejudicial interest in the following item, Councillor Chera left the meeting during consideration of the matter.

8. DER/1204/2402 - Change of use from industrial building to place of worship. The former Blue Wave Jeans, Princes Street.

**Resolved to grant planning permission with conditions as set out in the report, with an amendment to condition 8 to read “Within 3 months of the commencement...” and an additional condition relating to hours of operation.**

9. DER/305/381 - Various pruning works to trees and felling of Norway Maple and Sycamore. Land at Highfields, Broadway.

Ms Adams, on behalf of the applicant, addressed the Committee.

It was reported that five additional letters of representation had been received.

**Resolved:**

- 1. to authorise the Assistant Director – Development, to determine the application and subject to completion of the publicity period, without any objections to grant consent with conditions set out in the report and;**
- 2. to consult the Chair and Vice Chair in the event of adverse representations being received.**

10. DER/1104/2203 - Erection of four storey apartment block comprising 16 units. Site of 4-6 and car park to rear of 4-10 Stafford Street.

**Resolved:**

- 1. to authorise the Assistant Director – Development to negotiate the terms of a Section 106 Agreement to contribute to off-site public open space and mobility housing as set out in the report and to authorise the Director of Corporate Services to enter into such an agreement.**
- 2. to authorise the Assistant Director – Development to grant planning permission on the conclusion of the above agreement, with conditions set out in the report, with an additional condition concerning reinstatement of the footway, to minimize danger to pedestrians, in the interests of safety.**

11. DER/804/1663 - Erection of offices and construction of car park. Rolls Royce, Sinfin D Site Wilmore Road.

**Resolved:**

- 1. to authorise the Assistant Director – Development to negotiate the terms of a Section 106 Agreement to provide contributions to off-site highway works and a Travel Plan Coordinator with an assigned budget and an annual statement submitted to the Council as set out in the report. To authorise the Director of Corporate Services to enter into such an agreement.**
- 2. to authorise the Assistant Director – Development to grant planning permission on the conclusion of the above agreement, with conditions set out in the report.**

12. DER/1104/2204 - Demolition of two storey building and adjoining links to Stafford House and 102 Friar Gate. 4-6 Stafford Street

**Resolved to grant conservation area consent.**

13. DER/1104/2187 - Installation of replacement windows. 32 Church Street, Spondon.

**Resolved to grant listed building consent.**

14. DER/1204/2419 - Erection of non food retail unit (use class A1), builders yard, garden centre and dairy (duplicate application) Land south west of supermarket, off Peak Drive (including site of MCS Dairies)

**It was noted that this item had been withdrawn from the agenda.**

15. DER/1104/2183 - Erection of single storey buildings for food and non-food retail, restaurant uses, car parking and access (approval of reserved matters pursuant to previously approved outline application DER/101/119) and amendment to previously approved reserved matters application

DER/902/1405. Former Mackworth College  
Campus, Normanton Road.

It was reported that amended plans had been received on 16 March 2005.

**Resolved to refuse approval of details as set out in the report, with additional grounds for refusal relating to boundary treatment and landscaping.**

16. DER/599/591 - Residential development, variation of drainage details. Land at corner of Kedleston Road and Markeaton Lane.

Ms Heard and Ms Armitage and Councillor Webb, in objection to the proposed details and Robert Hepwood, the applicant, addressed the Committee.

It was reported that an additional letter of representation had been received on 24 March 2005.

**Resolved to defer decision on the proposed details pending further information, details and consultation with interested parties.**

## 112/04 Special Item

17. DER/903/1619 - Change of use and addition of two further storeys to create 51 apartments, Gower House, Gower Street.

**Resolved to negotiate the terms of a Section 106 Agreement without any affordable housing contribution.**

Councillor Rehman left the meeting at this point.

18. - 125 Rutland Street

**Resolved:**

- 1. to take no action in relation to the unauthorised 1m of extension on the rear of 125 Rutland Street.**
- 2. to write to the owner of No. 125 Rutland Street to make clear the continued unauthorised nature of the extension and the difficulties this may pose should he wish to sell the property.**

## 113/04 Appeal Decisions

Code No	Proposal	Location	Decision
DER/304/569	Outline planning application for residential development	Land adjacent 233 Rykneld Road, Littleover (Micklemeadow)	Dismissed

Farm)

## 114/04 Prior Notifications

19. DER/205/185 - Installation of 12m monopole including three antennas and equipment cabinets. Highway verge at junction of Derby Road and Parkway, Chellaston.

**Agreed that the City Council does not wish to control the details of siting and appearance.**

20. DER/105/112 - Installation of six antennas and four dishes with six cabinets. Mast south of Orient Way, Pride Park

**Agreed to confirm that the City Council does not wish to control the details of siting and appearance.**

MINUTES END