

Time commenced – 6.00pm

Time finished – 7.35pm

PLANNING CONTROL COMMITTEE 29 NOVEMBER 2007

Present: Councillor Wood – Chair
Councillors Ahern, Banwait, Baxter, Bolton, Care, Carr, R Khan,
S Khan and Willoughby

87/07 Apologies for Absence

No apologies for absence were received.

88/07 Late Items Introduced by the Chair

There were no late items.

89/07 Declarations of Interest

Councillor Care declared a personal and prejudicial interest in application numbers DER/08/07/01560 and DER/08/07/01580 as she attended the Quaker Meeting House close to the application sites and her husband had submitted a letter and information to application DER/08/07/01560.

Councillor Bolton declared a personal and prejudicial interest in application numbers DER/09/07/01679 and DER/09/07/01892 as the applications were for a school site in the City of Derby and she had promoted the school and delivered reports in Cabinet as Cabinet Member for Children and Young People.

Councillor Carr declared a personal interest in application numbers DER/08/07/01560 and DER/08/07/01580 as one of the objectors was known to him.

90/07 Minutes of the Meeting held on 18 October 2007

The minutes of the meeting held on 18 October 2007 were agreed as a correct record and signed by the Chair.

91/07 Minutes of the Meeting of the Conservation Area Advisory Committee held on 4 October 2007

Resolved to receive the minutes of the Conservation Area Advisory

Committee meeting held on 4 October 2007.

92/07 Enforcement Report: Monthly Update

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

Resolved to note the report.

93/07 Applications dealt with under Building Regulations and Associated Legislation

Resolved to note the report of the Assistant Director – Regeneration setting out the summary of applications determined under Building Regulations and Associated Legislation during the period of 1 September 2007 and 30 September 2007.

94/07 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/09/07/01791 & DER/09/07/01792
Conversion of mill to form flats and offices (B1 Use), erection of four and five storey buildings to form 93 apartments, formation of car parking area, erection of railings and demolition of buildings to rear of mill. Site at Bath Street Mills, Bath Street.

DER/09/07/01791

It was reported that two further letters of objection and late representations from Environment Agency and the Victorian Society had been received. Mr Lane and Mrs During spoke in objection to the application. Mr Jackson spoke in support of the application.

Resolved:

A. to authorise the Assistant Director – Regeneration to negotiate the terms of a Section 106 Agreement to achieve the objectives set out in 11.5 and to authorise the Director of Corporate and Adult Services to enter into such an agreement.

B. to authorise the Assistant Director – Regeneration to grant planning permission on the conclusion of the agreement with conditions set out in the report and with an additional condition regarding flood risk.

C. if the applicant fails to sign the Section 106 Agreement by the expiry of the 13 week target period (18 January 2008) consideration be given in consultation with the Chair, to refusing the application.

DER/09/07/01792

It was reported that two further letters of objection and late representations from the Victorian Society had been received.

Resolved to grant Conservation Area Consent subject to a condition set out in the report

2. DER/03/07/00472

Change of use from retail (Use Class A1) to Hot Food Shop (Use Class 5), 310 Normanton Road.

Resolved to grant planning permission subject to conditions set out in the report with the following change to Condition 3:

In the last sentence, the word “development” should be changed to “use”.

It was noted that the description in the report related to the ground floor of the premises only.

3. DER/09/07/01793

Erection of hotel, 89 apartments, casino, restaurant/bar (Use Class A3) and car parking. Site of former BMW car showroom, King Street.

This item was withdrawn from the agenda.

4. DER/07/07/01404

Residential development (one Bungalow), land at side of 2 St John's Close, Allestree.

Resolved to grant planning permission subject to conditions set out in the report.

5. DER/08/07/01560

Erection of 182 apartments, site of 4 Orchard Street -adjacent land and buildings between 16 and St. Helen's Court, St. Helen's Street.

Having declared a personal and prejudicial interest, Councillor Care left the Chamber for the duration of this item.

It was reported that one additional letter of objection was received. Mr Evens spoke in objection to the application.

Resolved:

A. to authorise the Assistant Director – Regeneration to negotiate the terms of a Section 106 Agreement to achieve the objectives and to authorise the Director of Corporate and Adult Services to enter into such an agreement.

B. to authorise the Assistant Director – Regeneration to grant planning permission on the conclusion of the above agreement, subject to conditions set out in the report with an additional condition regarding amended plans.

C. if the applicant fails to sign the Section 106 Agreement by the expiry of the 13 – week target period (25 December 2007) consideration be given in consultation with the Chair to refusing the application.

6. DER/08/07/01580

Conversion of Nos. 10 -14 St. Helen's Street and rebuilding of No. 16 St. Helen's Street to form 17 apartments, 10-16 St Helen's Street.

Having declared a personal and prejudicial interest, Councillor Care left the Chamber for the duration of this item.

Resolved:

A. to authorise the Assistant Director – Regeneration to negotiate the terms of a Section 106 Agreement to achieve the objectives and to authorise the Director of Corporate and Adult Services to enter into such an agreement.

B. to authorise the Assistant Director – Regeneration to grant planning permission on the conclusion of the above agreement, subject to conditions set out in the report.

C. if the applicant fails to sign the Section 106 Agreement by the expiry of the 13 – week target period (25 December 2007) consideration be given in consultation with the Chair to refusing the application.

7. DER/08/07/01658

Residential development (one dwelling house), land at rear of 83 Palmerston Street.

Resolved to grant outline planning permission subject to conditions set out in the report with an additional condition regarding protected species and an advisory note reminding the applicant about their

responsibilities under separate legislation.

8. DER/09/07/01679 & DER/09/07/01892

DER/09/07/01679 - Erection of 20 metre high monopole, six antennae, four 0.6 diameter dishes, 6 equipment cabinets and associated ancillary development. Land west of Village Community School.

DER/09/07/01892 - Erection of 22.5 metre high monopole mast with 6 antenna and ancillary ground level equipment cabinets. Land west of Village Community School.

Having declared a personal and prejudicial interest, Councillor Bolton left the Chamber for the duration of these items.

Mrs Green spoke in objection to both applications. Mr Hosker spoke in support of application DER/09/07/01892.

DER/09/07/01679 & DER/09/07/01892 - Resolved to grant planning permission subject to conditions set out in the report and with an additional condition.

9. DER/08/07/01664

Erection of two bungalows, land between 151, 155 and 159 Vicarage Road, Mickleover.

Resolved to grant planning permission subject to conditions set out in the report.

10. DER/08/07/01503

Retention of first floor windows and insertion of ground floor windows in front elevation, 26 Kingston Street.

Resolved to grant planning permission subject to conditions set out in the report.

95/07 Major site visits undertaken

A report from the Assistant Director – Regeneration was considered giving details of Committee site visits to St Joseph's Hall, Mill Hill Lane. This visit took place on 6 November.

Resolved to note the report.

96/07 Consideration of major application site visits

Resolved to consider any major site visits that may be required before the meeting on 13 December 2007:

DER11/07/02094 - Former Allotments, north of Ashbourne Road, Derby

Resolved to visit this site.

Resolved to consider any major site visits that may be required, but not necessarily before the next meeting:

Elton Road and Glossop Street

Resolved to visit this site.

MINUTES END