

Time commenced – 6.00pm

Time finished – 8.35pm

PLANNING CONTROL COMMITTEE

19 MARCH 2009

Present: Councillor Wood (Chair)
Councillors Baxter, Bolton, Care, Carr, Grimadell, Harwood and Richards

125/08 Apologies for Absence

Apologies for absence were received from Councillors Banwait and Shanker.

126/08 Late Items Introduced by the Chair

There were no late items.

127/08 Declarations of Interest

There were no declarations of interest.

128/08 Confirmation of the minutes of the meeting held on 26 February 2009

The minutes of the meeting held on 26 February 2009 were agreed as a correct record and signed by the Chair.

129/09 Application to register land as a town or village green at Corden Avenue

The Committee considered a report from the Assistant Director – Regeneration on an application to register land as a town or a village green at Corden Avenue together with a letter from the applicant commenting on the report.

Resolved to accept the conclusions in paragraph 5 of the report for the reasons set out in the conclusions to paragraphs 4.1 – 4.5 of appendix 3 and to reject the application to register the land or any part of the land at Corden Avenue, Mickleover, Derby as a town or village green.

130/08 Application to register land as a town or village green at Ainley Close

The Committee considered a report from the Assistant Director – Regeneration on an application to register land as a town or a village green at Ainley Close.

Resolved to accept the conclusions in paragraph 5 of the report for the reasons set out in the conclusions to paragraphs 4.1 – 4.5 of appendix 3 and to reject the application to register the land or any part of the land at Ainley Close, Alvaston, Derby as a town or village green.

131/08 Bi-monthly Report

The Committee considered a report on planning applications to be determined by the Committee, and the applications determined by the Assistant Director – Regeneration under delegated powers.

1. DER/01/09/0045

Application for planning permission to erect an extension to a dwelling house (garage, utility room, breakfast room and enlargement of the kitchen) at 60 Ferrers Way, Allestree.

It was reported that revised plans had been received since the application had been submitted.

Councillor Webb, as ward member, and Mrs Quadri addressed the Committee in objection to the proposal. Mr Roberts addressed the Committee in support of the proposal.

Resolved to refuse the application for planning permission.

Reasons

The proposed extension, by reason of its projection forward of the adjoining properties and its design and particularly roof design, would be detrimental to the visual quality of the host dwelling and the streetscene. The proposal would accordingly, be contrary to policies E23 and H16 of the adopted City of Derby Local Plan Review.

Councillor Harwood was nominated to represent the Council on any future appeal.

2. DER/02/09/00125

Application for planning permission for the siting of two temporary containers for use as changing facilities at the former Sturgess School, Markeaton Street.

It was reported that two additional letters of objection had been received including one from Councillor Repton and consultation responses had been received from the Council's Arboricultural Officer, Derbyshire Constabulary's Crime Prevention Officer, the Environment Agency, Derbyshire Wildlife Trust and the Council's Highways Officers.

In response to the comments received planning officers proposed four additional conditions to those in the report, namely; a condition relating to the

applicant's plans for crime prevention at the site; a condition requiring the applicant to produce a method statement detailing how both power and water would be connected to the site; a condition for the applicant's plans in case of accidental spillage on the site relating to effluent; a condition to restrict lighting unless the authority was provided with full details of any proposal; and amending condition three relating to parking on site to restrict use to match officials and disabled visitors to the site and to require the submission of a management plan in terms of the management of parking on site.

Mr Clarke and Mrs Heard addressed the Committee in objection to the proposal. Mr Dunning addressed the Committee in support of the proposal.

Resolved to refuse the application for planning permission.

Reasons

The proposed development would have an unacceptable impact on, and detract from, the openness and character of Sturgess Fields to such an extent as to be severely detrimental to established Green Wedge policy. This is compounded by the temporary nature of the cladding materials and the poor basic design of the proposal, which will be detrimental to the established setting of the open fields. Accordingly, the proposal would be contrary to policies GD4, E2 and E23 of the adopted City of Derby Local Plan Review.

Councillor Baxter was nominated to represent the Council on any future appeal.

3. DER/01/09/00093

Application for outline planning permission to erect a detached dwelling house at land to the rear 156 Station Road, Mickleover.

It was reported that revised plans had been received since the application had been submitted showing the location of additional bin storage as well as the receipt of two additional objections including one from the ward member Councillor Hird. Also reported were the views of the Arboricultural Officers, who raised no objection to the proposal subject to suitable protection measures being in place during construction and the Highways Officers, who had initially raised concern with the turning circle detailed in the proposal but on further consideration decided that it was acceptable. Planning officers recommended an additional condition be added to those detailed in the report in relation to the revised plans

Councillor Jones, as ward councillor, and Mr Stokes addressed the Committee in objection to the proposal. Mr Millhouse addressed the Committee in support of the proposal.

Resolved to grant outline planning permission with the conditions contained in the report together with an additional condition relating to the submission of revised plans.

4. DER/02/09/00118

Application for the retention of extensions to dwelling house (garage, kitchen, bedroom, shower room, wc, two bedrooms and enlargement of living room) at 22 Fairfax Road.

It was reported that a supplementary letter had been received from the Agent in support of the application

Councillor F Khan, as ward member, addressed the Committee in support of the proposal.

Mr Anthony addressed the Committee in support of the proposal.

Resolved to refuse the application for planning permission in line with the officer's recommendation and subject to the Chief legal officer being satisfied with the evidence to authorise the taking of enforcement action as considered by the Assistant Director – Regeneration appropriate.

5. DER/11/08/01640

Application for change of use from retail (use class A1) to hot food takeaway (use class A5) at 174 Normanton Road.

Mr Aslam addressed the Committee in objection to the proposal.

Resolved to grant the application for planning permission subject to the conditions contained in the report and with an advisory note be sent to the applicant regarding waste management.

In addition it was requested that environmental health investigate and monitor the current situation in the vicinity of the site.

6. DER/11/08/01654

Application for planning permission to erect an extension to a care home (bedrooms, lounge, dining rooms and associated store rooms, offices and WC facilities) at 62 Blagreaves Lane, Littleover.

It was reported that Highways Officers have confirmed that they have no objection to the proposal subject to secure cycle and motorcycle parking being confirmed and two disabled car parking spaces. Revised plans were recently received showing possible provision of cycle parking or motorcycle parking but it was suggested that an addition condition be required to provide full details of the parking. A second condition was also requested of the Committee to secure an extra disabled parking space in addition to the one already indicated by the plans. A third condition was suggested that the development proceeds with the drainage proposals outlined submitted in the submitted plans.

It was reported that an extra letter of objection had been received by the authority stating that the shadow lines were not representative on the plans.

Councillor Troup, as ward member, addressed the Committee in objection to the proposal.

Mr Hiley and Mr Newsham also addressed the Committee in objection to the proposal.

Resolved to defer consideration of the item subject to the Committee visiting the site.

7. DER/06/08/00944

Application for planning permission to erect 12 bedroomed sheltered housing accommodation with warden's flat at land adjacent to 50-52 Hartington Street.

Committee were asked to note typographical errors in the report in that the reason given for condition 2 on page 8 should refer to E18 and not A8 and that condition 9 should read Leonard Close and not Leonard Walk and to include within the recommendation authorisation to refuse permission should the applicant fail to complete the section 106 agreement within expiry of the period for determination of the application.

Councillor Khan, as ward member, addressed the Committee in objection to the proposal.

Resolved that:

- A. The Assistant Director – Regeneration be authorised to negotiate the terms of a Section 106 Agreement to achieve the objectives set out in section 11.5 of the report and that the Director of Corporate and Adult Services be authorised to enter into such an agreement; and**
- B. The Assistant Director – Regeneration be authorised to grant planning permission on the conclusion of the above agreement with the conditions contained in the report and an amended condition relating to cycle parking.**
- C. Officers be authorised to refuse the proposal if the Section 106 agreement is not signed by the applicant by 14 April 2009.**

132/08 Consideration of major application site visits

The Committee were advised that there was one future Major Application Site Visit to report.

Resolved to visit the major application site suggested at Sutton House,

Newport Court, Alvaston.

MINUTES END