

Time commenced: 6.00pm  
Time finished: 7.40pm

## PLANNING CONTROL COMMITTEE 14 AUGUST 2014

Present: Councillor Bolton (Chair)  
Councillors Care, Carr, Harwood, M Holmes, S Khan, Nawaz, Pegg,  
Turner and Wood

### 12/14 Apologies for Absence

Apologies for absence were received from Councillors Hickson, Sandhu and Tittley.

### 13/14 Announcements from the Chair

The Chair reported that the planning tour was arranged for Thursday 4 September.

### 14/14 Late Items

There were no late items.

### 15/14 Declarations of Interest

Councillor M Holmes declared a disclosable pecuniary interest in application number DER/02/14/00283 – Installation of 25m monopole, 6 x antennas, equipment cabinets and ancillary development at London Road Community Hospital, London Road, Derby, and left the room prior to consideration of that application, as he was currently employed by the applicant, the NHS. Councillor Wood declared a disclosable pecuniary interest in application number DER/02/14/00268 – Retention of change of use of domestic outbuilding to music studio for teaching purposes (Use Class D1) at 75 St. Albans Road, Derby, and left the room prior to consideration of that application as he was a shareholder in a company that uses Derby School of Music.

### 16/14 Minutes of the Meeting held on 3 July 2014

The minutes of the meeting held on 3 July 2014 were agreed as a correct record and signed by the Chair.

### 17/14 Minutes of the Meetings of the Conservation Area Advisory Committee held on 5 June

The minutes of the meeting of the Conservation Area Advisory Committee held on 5 June 2014 were received and noted by the Committee.

## 18/14      Development Control Performance

The Committee received a report of the Strategic Director of Neighbourhoods on the development control performance, that gave details of the statistical performance reported to the Department for Communities and Local Government (CLG) on decisions made during the period April to June 2014.

The Committee gave thanks to all officers for their performance in the first quarter of the year and was also praiseworthy that officers always endeavoured to achieve positive outcomes with applications. The report was supplemented by the presenting officer who highlighted that the total number of recorded decisions for the CLG return was 388 decisions with 116 decisions also being dispatched in the non-recorded categories, as highlighted in paragraph 4.1 of the report. It was noted that this level of performance, of over 500 decisions, was the largest quarterly return since the July – September quarter of 2008.

**Resolved to note the report.**

## 18/14      Enforcement Report

The Committee received a report of the Strategic Director of Neighbourhoods on the enforcement report that summarised the current workload of the enforcement officer.

The presenting officer highlighted that the planning enforcement had recently acquired evidence that the completed development of the balcony at 393 Duffield Road did not appear to be in full accordance with the approved plans. It was noted that discussions with the Legal Division would take place in due course to assess the options for securing compliance with the approved plans.

**Resolved to note the report.**

## 19/14      Re-negotiation of Section 106 contributions at land adjacent to the former Technograv site, Nottingham Road, Spondon

The Committee received a report of the Strategic Director of Neighbourhoods on the renegotiation of Section 106 contributions. The Committee noted that a report was brought to them in July and whilst Members agreed with the recommendation to re-negotiate the contributions on the site, they asked Officers to address some concerns raised. The presenting officer reported that due to the constraints and risks involved in the development of the site, the developers were unable to negotiate on the profit level and viability of the site remained difficult however they were prepare to offer an element of on-site affordable housing. The options reported that the developer were able to offer were either all the S106 contributions going towards affordable housing, which would equate to seven affordable units on site, or a combination of part on site affordable housing (3 units) and part financial contribution.

**Resolved to re-negotiate the terms of the Section 106 agreement as follows, 3 on-site rented affordable units and an off site contribution of £5000 per unit on the remaining 73 units.**

## 20/14      Affordable housing and Section 106 contributions for residential development at Lodge Lane / St Helen's Street / Willow Row, Derby

The Committee received a report of the Strategic Director of Neighbourhoods on the affordable housing and Section 106 contributions for residential development. The Committee noted that planning permission was sought for the development of the brownfield city centre site into 25 apartments. The District Valuer has confirmed that no on-site affordable housing was viable and only minimal contributions could be afforded up front.

**Resolved to not accept the reduction in Section 106 financial contributions as proposed in the report and instructed officers to re-negotiate terms with the applicant with the outcome to be reported back to committee.**

## 21/14      Development Control Monthly Report

The Committee considered a report from the Strategic Director of Neighbourhoods on planning applications which were to be determined by the Committee, together with applications determined by the Strategic Director of Neighbourhoods under delegated powers.

- (a) DER/04/14/00494– Single Storey rear extension to dwelling house and alterations to patio at 32 Evans Avenue, Allestree

Mr Frogatt, in support, Mr Widdowson in objection and Councillor Davis, who was neither for nor against the proposal, addressed the Committee.

**Resolved to grant planning permission in accordance with the terms set out in the report with an additional condition to secure a form of boundary screening on the boundary between the application site and 30 Evans Avenue.**

- (b) DER/04/14/00545 – Change of use from residential care home (Use Class C2) to student accommodation (Sui Generis use) to 2 Cowley Street, Derby (Victoria Hotel Care Home)

The presenting officer reported the additional comments of the Noise & Pollution Team that had been circulated before the meeting.

Councillor Repton addressed members in objection to the application.

**Resolved to grant planning permission in accordance with the terms set out in the report subject to the deletion of condition nos. 6 and 7 and the inclusion of a condition to preclude any form of access onto the roof terrace of the building by future occupants.**

Having previously declared a disclosable pecuniary interest Councillor Holmes was absent from the meeting throughout the consideration of the following matter:

- (c) DER/02/14/00283 – Installation of 25 m monopole, 6 x antennas, equipment cabinets and ancillary development at London Road Community Hospital, London Road, Derby

**Resolved to grant planning permission in accordance with the terms set out in the report.**

Having previously declared a disclosable pecuniary interest Councillor Wood was absent from the meeting throughout the consideration of the following matter:

- (d) DER/02/14/00268–Retention of change of use of domestic outbuilding to music studio for teaching purposes (Use Class D1) at 75 St Albans Road, Derby

The presenting officer provided clarification of certain details in the report in relation to the number of roof windows in the existing building and clarification that condition 2 should accommodate a Saturday closing time of 18:00 hours and not 17:00 hours, as included in the report. The presenting officer also highlighted the additional information that had been sent by the neighbours, Mr and Mrs Bater, which had also been circulated to members before the meeting.

Mr Bater addressed members in objection to the application.

**Resolved to grant planning in accordance with the terms set out in the report subject to the amendment to condition 2, a condition giving a temporary 1 year permission only to gauge the on-going operation of the use, a condition to preclude the use of the building for amplified music and music recording purposes and a condition to secure disabled persons access into the building.**

- (e) DER/06/12/00685 – Installation of 8 replacement ground floor double glazed timber windows at The George Hotel, 15 Midland Road, Derby

**Resolved to grant planning permission in accordance with the terms set out in the report.**

## 22/14 Major Application Site Visits

The committee was advised that there were nine future major applications.

**Resolved not to undertake site visits to the proposed sites in the report.**

MINUTES END