

Time commenced - 6.00 pm

Time finished - 8.20 pm

## PLANNING CONTROL COMMITTEE 23 MARCH 2006

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

### 171/05 Apologies for Absence

Apologies for absence were received from Councillor Travis.

### 172/05 Late Items Introduced by the Chair

There were no late items.

### 173/05 Declarations of Interest

Councillor Care declared a personal prejudicial interest in the enforcement report regarding 15 Cotswold Close, as she had a number of conversations with the main objectors.

Councillor Bolton and Councillor Wynn on item number DER/1105/1901, said that they had both been at the cabinet meeting on 29 November 2005 when a report on this project had been discussed. They had not participated in that discussion nor was this matter within their individual area of cabinet responsibility. Neither did they regard themselves as having in any way predetermined the application. However to avoid any possibility of appearance of bias they did not intend to take part in the debate or voting on it.

Councillor Khan declared a personal and prejudicial interest in item number DER/1105/1901, as he had spoken on the subject at an overview and scrutiny meeting.

### 174/05 Minutes of the Meeting held on 23 February 2006

The minutes of the meeting held on 23 February 2006 were approved as a correct record and signed by the Chair.

### 175/05 Minutes of the Meeting of the Conservation Area Advisory Committee held on 16 February 2006

**Resolved to receive the minutes of the Conservation Area Advisory  
Committee meeting held on 16 February 2006.**

## 176/05 Enforcement Action: 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.**

## 177/05 Applications dealt with under Buildings 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 1 February 2006 – 28 February 2006.**

## 178/05 Development by Local Authorities

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

### **Derby City Council**

Councillors Bolton, Khan and Wynn left the meeting during consideration of the matter.

<b>Code No</b>	<b>Proposal</b>	<b>Property/Site</b>
1. DER/1105/1901	Demolition of existing building and erection of assessment centre and overnight accommodation	93 Green Lane (former chest clinic building)

Mr Plumb and Mr Hague in objection to the application and Ms Callow on behalf of the applicant addressed the Committee.

It was reported that a late letter from English Nature had been circulated to Members. Comments made by the Conservation Area Advisory Committee and the Architect were also reported.

**Resolved to grant planning permission with conditions as set out in the report, with additional amendments to condition 7 to address the bat issue.**

## 179/05 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**

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|----|-------------|---|
| 1. | DER/405/679 | Erection of dwelling house. Land at 53 The Hollow (Briar Cottage, Littleover) |
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**Resolved to grant planning permission with conditions as set out in the report with alterations to condition 6 to strengthen it.**

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| 2. | DER/106/117 | Change of use from retail (Use Class A1) to Hot Food Shop (Use Class A5). 84 Sunnyhill Avenue. |
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**Resolved to grant planning permission with conditions as set out in the report, with an additional condition relating to no goods or refuse on the forecourt.**

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| 3. | DER/106/81,<br>DER/106/82 and<br>DER/106/83 | DER/106/81 – Erection of retail Unit (A1 retail shop or A2 financial and professional services use) with residential accommodation over.<br><br>DER/106/82 – Erection of retail unit (A5 hot food shop) with residential accommodation over.<br><br>DER/106/83 – Change of use of retail (Class A1) unit to public house (Class A4) and managers accommodation.<br><br>All at 490 – 492 Nottingham Road, Chaddesden. |
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A late response from the police was reported and the receipt of amended plans.

**DER/106/82**

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

**DER/106/82**

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

**DER/106/83**

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

**report, with an additional condition relating to the amended plan.**

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| 4. DER/1105/183 | Erection of a dwelling house. Land at the front of 39a West Avenue South, Chellaston. |
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Dr Choudhury in objection to the application and Mr McLocklin on behalf of the applicant addressed the Committee.

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

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| 5. DER/1005/1712 | The Demolition of the existing printing works and erection of 21 x 2 bedroomed apartments. Site of Clarion Works, Webster Street. |
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A late letter of objection was reported and the receipt of revised plans.

Mr Bradley and Mr Raynard in objection, and Mr Milner on behalf of the applicant addressed the Committee.

**Resolved to refuse planning permission on the grounds of the application being over intensive, massing, and out of character with the area.**

In the event of an appeal Councillor Wynn volunteered to present the Council's case.

At this point Councillor Baxter explained that it was unacceptable for a Councillor to put an application onto the agenda and not attend the meeting to discuss it. It was agreed that at future meetings, if a Councillor asked for an application to be put onto the agenda and did not attend, the application would not be discussed by the Committee but would be returned to the officers to deal with under the delegated powers.

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| 6. DER/106/96 | Residential development (One dwelling).<br>Land to the rear of 397 – 399 Burton Road<br>(Access via Whittaker Road) |
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Mr Moore in objection to the application addressed the Committee.

**Resolved to refuse planning permission.**

## 180/05 Special Items

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

7. Enforcement. 15 Cotswold Close, Littleover

**Resolved to approve the materials used to construct the dormer extensions in accordance with condition 2 attached to planning application DER/705/1098.**

8. Enforcement. 32 Friar Gate, Derby

**Resolved to keep enforcement action in abeyance until 30 June 2006 to allow time for the landowner to bring redevelopment proposals forward.**

## 181/05 Prior Notifications

9. DER/206/249 - Installation of a 12 metre high monopole with 3 antennae and equipment cabinet. Land west of junction of Chellaston Road and Merrill Way.

Mr Ingall and Councillor Tittley in objection to the application, and Mr Pratt on behalf of the applicant addressed the Committee.

It was reported that a letter from Mark Todd MP had been received.

**Agreed that the City Council does not wish to control the details of siting but required that the monopole be colour coated in a colour to match the Council's own street lamps.**

10. DER/106/208 - Erection of a 12.5 metre high monopole with equipment cabinets. Highway verge land off Grampian Way, Sinfin.

It was reported that two letters of objection and an email from Councillor Dhamrait had been received.

**Agreed that the City Council does not wish to control the details of siting but required that the monopole be colour coated in a colour to match the Council's own street lamps and cabinets.**

11. DER/206/230 - Erection of a 10 metre high monopole mast supporting three 1.6 metre high shrouded telecommunication antennae, and ancillary ground level radio equipment housing cabinet and AC pillar. Land at Bus terminal at junction of Stenson Road and Wellesley Avenue.

**Agreed that the City Council does not wish to control the details of siting but required that the monopole and the equipment cabinets be the colour coated in a colour to match the Council's own street lamps.**

## 182/05 Consideration of Major Site Visits.

**Resolved to visit the following site before the 27 April 2006 meeting of the Planning Control Committee:**

- **Land off Wragley Way**
- **Site of The Orchards and The Cottage, Rowditch Place**

MINUTES END