

Time commenced – 6.00pm  
Time finished – 7.25pm

## PLANNING CONTROL COMMITTEE 29 JULY 2010

Present: Councillor Wood (Chair)  
Councillors Bolton, Carr, Harwood, Hickson, S Khan and Richards.

In attendance: Councillors Davis, Graves, Holmes, Williams and L Winter

### 29/10 Apologies for Absence

Apologies for absence were received from Councillors Grimadell and Shanker.

### 30/10 Late Items Introduced by the Chair

There were no late items.

### 31/10 Declarations of Interest

There were no declarations of interest.

### 32/10 Confirmation of the minutes of the meeting held on 17 June 2010

The minutes of the meetings held on 17 June 2010 were agreed as a correct record and signed by the Chair.

### 33/10 To receive the minutes of the meeting of the Conservation Area Advisory Committee held on 10 June 2010

The minutes of the Conservation Area Advisory Committee meeting held on 10 June 2010 were received as a correct record and noted by the Committee.

### 34/10 Applications dealt with under Building Regulations and associated legislation

The Committee considered a report from the Director of Planning and Transportation on Applications dealt with under Building Regulations and Associated Legislation. Appendix 2 gave details of the decisions taken. The intention is that a report will be taken to a Committee meeting each month.

**Resolved to note the decisions taken in the last month.**

## 35/10 Enforcement Report: Monthly Report

The Committee considered a report from Director of Planning and Transportation on enforcement action. The report gave brief details of enforcement actions authorised in the last year.

**Resolved to note the enforcement action taken in the last year.**

## 36/10 Appeals Decisions Report

The Committee considered a report from Director of Planning and Transportation on appeals decisions. The attached appendix gave details of the decisions taken.

**Resolved to note the decisions on appeals taken in the last month.**

## 37/10 Tree Preservation Order 2010 No. 556 (Chester Court, Langley Road, Spondon)

The Committee considered a report from Director of Planning and Transportation seeking the confirmation of Tree Preservation Order 2010 No.556.

**Resolved to confirm Tree Preservation Order 2010 No.556.**

## 38/10 Bi-monthly Report

The Committee considered a report on planning applications to be determined by the Committee, and the applications determined of the Director of Planning and Transportation under delegated powers.

### 1. DER/10/09/01255

Change of use and extension of storage building to form boxing club at unit to the rear of 4 Poplar Avenue, Spondon, Derby

Mr Thorpe and Councillor Williams addressed the Committee in objection to the application .

**Resolved to refuse the application for planning permission.**

### **Reasons**

Proposed alterations and extension to building to form boxing club would have an overbearing and dominant impact on the rear garden and habitable room windows of the adjacent dwelling at 4 Poplar Avenue, by reason of scale, height, massing of the development and its location on the rear boundary of the property. It would result in a significant loss of amenity for the occupants of the neighbouring dwelling and, therefore, be contrary to policies GD5 and E23 of the adopted City of Derby Local Plan Review.

Councillor Harwood was nominated to represent the Council on any future

appeal.

2. DER/03/10/00383

Erection of 14 dwellings and the formation of access at the site of the former Palm Court Restaurant, Duffield Road, Derby

Mrs Hudson, Mr Knight and Councillor Davis addressed the Committee in objection to the proposal.

**Resolved to refuse the application for planning permission**

**Reasons**

- A.** The proposed development would be over intensive and appear cramped in the streetscene, by reason of the number of dwellings, scale and height of the built form and layout, resulting in a scheme, which would be visually intrusive in a prominent location in the locality and out of character with the type and layout of housing in the surrounding residential area. It would, therefore, be contrary to policies H13, GD4 and E23 of the adopted City of Derby Local Plan Review.
- B.** The layout, massing and scale of the development would have an overbearing impact on the living conditions of nearby residential properties in Devonshire Avenue and Kings Croft, resulting in an unreasonable loss of amenity for local residents. The proposal would, therefore, be contrary to policies GD5 and H13 of the adopted City of Derby Local Plan Review.

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

3. DER/04/10/00455

Change of use from offices (use class A2) to hot food takeaway (use class A5) on the ground floor and residential (use class C3) on the first floor and the erection of a staircase to the rear at 1255 London Road

Councillors Graves and L Winter addressed the Committee in objection to the proposal.

**Resolved to grant planning permission with the conditions contained in the report**

4. DER/06/10/00647

Extension to dwelling house (study, w.c., bathroom, bedroom, en-suite and enlargement of kitchen and dining room) at 5 Chelwood Road, Chellaston, Derby

Councillor Holmes addressed the Committee in objection to the proposal.

**Resolved to grant planning permission with the conditions contained in the report**

5. DER/04/10/00412

Erection of a 2.4m high boundary fence and store at St. Werburghs C of E

School, Church Street, Spondon, Derby

An amendment to condition five to take into account revised plans was reported at the meeting.

**Resolved to grant planning permission with the conditions contained in the report**

6. DER/02/08/00291

Conversion of a Magistrates Court building to form offices at the former Derby and South Derbyshire Magistrates Court, Derwent Street, Derby

**Resolved to grant listed building consent with the conditions contained in the report**

7. DER/05/10/00538

Change of use and extension of a single retail unit (use class A1) into two separate units; retail (use class A1) and a hot food takeaway (use class A5) at 117 Dale Road, Spondon, Derby

An amendment to condition five changing the word 'dwelling' to 'building' was reported at the meeting.

**Resolved to grant planning permission with the conditions contained in the report**

## 39/10      Consideration of major application site visits

The Committee were advised that there was three future major application site visits to report.

**Resolved to visit the proposed major application site at 2-8 Strand, Derby, 13 and 15 St. James Street and 50 Sadler Gate. Members of the Conservation Area Advisory Committee were also to be invited to attend.**

MINUTES END