

Time commenced - 6.00 pm
Time finished - 9.40 pm

PLANNING CONTROL COMMITTEE 22 APRIL 2004

Present: Councillor Smalley – Chair
Councillors Ahern, Baxter, Bolton, Care, Chera, Crosby, Lowe,
Samra, Travis, Willitts and Wynn

119/03 Apologies for Absence

An apology for absence was received from Councillor Rehman.

120/03 Late Items Introduced by the Chair

There were no late items.

121/03 Declarations of Interest

Councillor Willitts declared a personal prejudicial interest in code no DER/1003/1971 as he had already expressed an opinion on the application.
Councillor Lowe declared a personal interest in code no DER/1203/2263 as he was a resident of Palmerston Road.

122/03 Minutes of Previous Meeting

The Minutes of the meetings held on 15 March and 25 March were approved as a correct record and signed by the Chair, subject to the deletion of Councillor Samra's attendance on 15 March 2004 and the insertion of the word 'other' in declarations of interest on 25 March 2004, to read 'All other Members of the Committee present declared a personal interest in code no DER/104/75 as the applicant was a fellow Councillor.'

123/03 Minutes of the Conservation Area Advisory Committee – 11 March 2004

**Resolved to receive the minutes of the Conservation Area Advisory
Committee meeting held on 11 March 2004.**

124/03 Enforcement Action: Monthly Update

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

Resolved to note the report.

125/03 Tree Preservation Order 2003 No 386 (Land at Anglers Lane/Nottingham Road)

A report of the Assistant Director – Development was considered which sought approval for the confirmation of Tree Preservation Order 2003 Number 386. It was noted that on 20 November 2003 the Director of Corporate Services made a Tree Preservation Order in respect of trees located on land at Anglers Lane/Nottingham Road, Spondon, as indicated on the plan attached as Appendix 2 to the report.

A letter of objection, specifically relating to T1 being included in the order had been received from Matthew Montague Architect, as agent for the landowner. A copy of the report was attached as Appendix 3 to the report.

Resolved to confirm Tree Preservation Order 2003 Number 386 without modification.

126/03 Rear Extensions to Dwelling Houses

The Committee considered a report from the Assistant Director – Development that set out the proposed change to the Council's non-statutory 45° Policy that was applied when assessing the depth of rear 2 storey and first floor extensions to residential dwellings.

Resolved

- 1. not to approve the recommended changes to the Council's non-statutory 45° policy**
- 2. to refer the proposals back to Council Cabinet following the comments of the Committee.**

127/03 Applications dealt with under Building Regulations and Associated Legislation

Resolved to note the report of the Assistant Director – Development setting out the summary of applications determined under Building Regulations and Associated Legislation during the period 1 March 2004 – 31 March 2004.

128/03 Planning and Advertisement Applications

Resolved to note the applications for Planning Permission determined by the Assistant Director – Development 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 – Development, 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**
- b) Applications determined by the Committee**

- 1. DER/1203/2183 - Installation of double postal pouch box. Land outside 16a South Street.

It was noted that CAAC had raised objections to the application.

Resolved to defer the application on the grounds of poor siting, within the conservation area and to authorise the assistant Director – Development to negotiate a re-siting.

- 2. DER/104/168 - Residential Development. Site of 17 Swinburne Street.

It was reported that an additional 2 letters of objection had been received.

Resolved

- 1. to authorise the Assistant Director – Development to negotiate the terms of a Section 106 Agreement to achieve mobility housing, highway improvements to Burton Road and incidental public open space provision. To authorise the Director of Corporate Services to enter into such an Agreement.**
- 2. To authorise the Assistant Director – Development to grant planning permission on the conclusion of an Agreement subject to conditions.**
- 3. DER/1203/2263 - Erection of six town houses and 16 apartments. Former Laundry, Clarence Road/ Palmerston Street.

Mr Lingham, Mr Chapman and Councillor Jackman in objection to the application and Mr McLocklin, representing the applicant, addressed the Committee.

It was reported that an additional 21 letters of objection had been received to the amended plans.

Resolved

- 1. to authorise the Assistant Director – Development to negotiate the terms of a Section 106 Agreement to provide 2 mobility units and a commuted sum for public open space. To authorise the Director of Corporate Services to enter into such an agreement.**
- 2. to authorise the assistant Director – Development to grant planning permission on the conclusion of an Agreement, subject to conditions.**

4. DER/104/153 - Demolition of existing club, hall, link to presbytery and transepts. Extensions to the church, erection of parish centre, priests house and construction of car park. Land at St Albans Church, Roe Farm Lane, Chaddesden.

Mr Langtry-Langton, the applicant addressed the Committee.

It was noted that additional letters of representation had been received.

Resolved to grant permission with conditions.

5. DER/304/421 - Works to various trees protected by tree preservation order no. 177 (1998 Land South of Sinfin Moor Lane, Chellaston) and removal of Hawthorn hedge. Public open space off Courtway Crescent, Chellaston.

Mr O'Reilly in objection to the application and Mr Galij, for the applicant addressed the Committee.

Resolved to grant tree preservation order consent.

6. DER/304/445 - Extensions to public house (function room and toilet for disabled people). Brackens Hotel, Brackens Lane, Alvaston.

Resolved to grant permission with conditions.

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

7. DER/1003/1971 - Erection of 165 dwellings with associated garaging, parking and provision of open space. Chellaston Phase 2, Wilson Area – Plots 1-77, 301-359 and 401-429 on land to the north and south of Sinfin Moor Lane, Chellaston.

Ms Coles, Mr Barber and Councillor Liversedge in objection to the application and Mr Galij, for the applicant, addressed the Committee.

It was noted that additional late letters of representation had been received.

Resolved

- 1. to refuse the application on the grounds that the proposal did not achieve a satisfactory standard of layout which was sympathetic to the character of the area. It was considered that the higher density parts of the proposal represented an over intensive development of the site in relation to the existing dwellings, which would detract from residential amenity. It was therefore considered that the proposal was contrary to policy H28 of the adopted City of Derby Local Plan.**
 - 2. to nominate Councillor Samra to represent the Committee if the applicant appealed against the decision made.**
8. DER/1103/2147 - Demolition of existing building and erection of 3 detached dwelling houses and garaging. Land at 33a Brockley, Spondon.

Miss Ritchie and Mr Wallace in objection to the application addressed the Committee.

Resolved to defer a decision on the application and delegate powers of authority to Officers to discuss reducing the proposal to the erection of 2 detached dwellings instead of 3. If the applicant did not agree to revised proposals, to refuse the application.

9. DER/104/28 - Erection of 34 dwellings and construction of road. Land fronting Locko Road and Royal Hill Road, Spondon.

Mrs Rivers and Mr Robinson in objection to the application and Mr Baldwin, on behalf of the applicant, addressed the Committee.

It was noted that additional late representations had been received.

It was reported that amended plans had been submitted on 20 April and circulated with a supplementary report on 21 April 2004. Changes to the elevations were displayed at the meeting on 22 April 2004.

Resolved

- 1. to authorise the Assistant Director – Development to negotiate the terms of a Section 106 Agreement to provide affordable and mobility housing and enhancement of public transport facilities. To authorise the Director of Corporate Services to enter into such an Agreement.**
- 2. To authorise the Assistant Director – Development to grant planning permission on the conclusion of an Agreement, subject to conditions.**

10. DER/204/207 & DER/204/208 - Alterations and change of use to club, restaurant and bar (Use Class A3, food and drink) and removal of lightweight partitions, formation of new stair and lift wells, relocation of wall and door openings, installation of remedial steel frame and structural repairs, new partitions and plant. 9-11 Bold Lane (former Magistrates Courts).

It was noted that amended plans had been received on 22 April 2004 that retained the original sash windows.

Resolved

- 1. to grant planning permission amended to refer to the amended plans relating to materials, with conditions**
 - 2. to refer the application for listed buildings consent to the Government Office with the amended plans and with the Advice that the City Council was minded to grant consent.**
11. - Breach of planning control. Speedy Tyres, 1102-1104 London Road.

Resolved to note the report.

12. DER/304/592 - Installation of a 12m-slimline pole supporting tri-sector antennas in a tubular housing along with radio equipment housing cabinets. Highway Verge, Southbound A38, Kingsway.

Mr Tate in objection to the application and Mr Adams, the applicant, addressed the Committee.

It was reported that an additional 9 letters of objection had been received.

It was resolved that the City Council did not wish to control the details of siting and appearance.

MINUTES END