

Time commenced - 6.00 pm  
Time finished - 9.10 pm

## **PLANNING CONTROL COMMITTEE 25 MARCH 2004**

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

### **110/03 Apologies for Absence**

Apologies for absence were received from Councillor Baxter, Beech, Lowe and Rehman.

### **111/03 Late Items Introduced by the Chair**

There were no late items.

### **112/03 Declarations of Interest**

Councillor Care declared a personal prejudicial interest in code no DER/104/75, as the applicant was a fellow Councillor. All Members of the Committee present declared a personal interest in code no DER/104/75 as the applicant was a fellow Councillor. Councillor Smalley declared a personal interest in code nos DER/104/7 and DER/1103/2082 as he had a professional relationship with the applicant and was a member of the schools IEB. Councillor Crosby declared a personal prejudicial interest in code no DER/104/41, as her mother may have been affected by the application and DER/104/48, as she had already expressed an opinion on the application.

### **113/03 Minutes of Previous Meeting**

The Minutes of the meeting held on 26 February 2004 were approved as a correct record and signed by the Chair.

### **114/03 Minutes of the Conservation Area Advisory Committee – 12 February 2004**

**Resolved to receive the minutes of the Conservation Area Advisory  
Committee meeting held on 12 February 2004.**

### **115/03 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.**

## 116/03 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 February 2004 – 29 February 2004.**

## 117/03 Development by Local Authorities

The Assistant Director – Development report (Section A) (Local Authority)

### **Derby City Council**

<b>Code No</b>	<b>Property/Site</b>	<b>Proposal</b>
DER/104/7	Lees Brook Community College, Morley Road, Chaddesden	Replacement of fence, vehicular and pedestrian access gates to a height of 2.4m.

Mr Morley and Mrs Ball in objection to the application, and Ms Dibbs, for the applicant addressed the Committee

**Resolved to grant permission with conditions under Regulation 3 of the Town and Country Planning General Regulations 1992, with the deletion of condition 2 and an additional condition requiring planting.**

## 118/03 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**

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

- 1. DER/104/75 - Crown lifting of silver birch tree, felling of evergreen and apple trees protected by Tree Preservation Order No 322 (2002 100-114)

Chain Lane, Littleover). 104 Chain Lane,  
Littleover.

**Resolved to grant consent with conditions.**

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

2. DER/104/48 - Change of use to hot food shop (use class A3 – food and drink uses). 275 Blagreaves Lane.

**Resolved to grant permission with conditions.**

3. DER/1103/2012 - Erection of 7 x 2 storey and 2 and 3 bedroomed houses and 12 x 1 and 2 bedroomed flats in three storeys. Part of former St Georges Works, south of Faire Street.

Mr Strange, Mrs Murphy and Councillor Jackman in objection to the application addressed the Committee.

It was reported that additional letters of objection and photos had been received.

**Resolved**

1. **to authorise the Assistant Director – Development to negotiate the terms of a Section 106 Agreement to provide mobility housing, a contribution to off-site public open space and minor highways improvements including improvements to the bus shelter and bus kerbs.**
2. **to authorise the Assistant Director – Development to grant planning permission on the conclusion of an Agreement, subject to conditions.**

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

4. DER/104/41 - Erection of extensions to form bedroom, en-suite and conservatory and extension to existing kitchen. 52 Donington Drive.

It was reported that an additional letter raising no objections had been received.

**Resolved to grant permission with conditions.**

5. DER/1003/1923 - Demolition of existing tyre fitting and storage building and erection of 37 apartments. CTS Tyres, 55 Mansfield Road.

The comments of the Conservation Area Advisory Committee, Arboricultural Officer and Derby Cityscape were reported. The ability to further reduce impact on the flats to the north was reported.

## **Resolved**

1. to authorise the Assistant Director – Development to negotiate the terms of a Section 106 Agreement, subject to the findings of the flood risk assessment, to provide highways improvements (bus stops and junction improvements), mobility housing, affordable housing off-site and a contribution in lieu of 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 the receipt of further amended plans, condition 1 relating to these and to the amended plans received on 3 and 5 March 2004. Condition 11 to be amended, as the ground study had been received, but would require analysis before approval by the Local Planning Authority.
6. DER/204/193 - Residential development (2 dwellings). Site of 76 Morley Road.

## **Resolved to grant permission with conditions.**

7. DER/1103/2082 - Erection of replacement garages and store and retention of existing garage. Lees Brook Community Sports College, Morley Road, Chaddesden

## **Resolved to grant permission with conditions.**

8. DER/1103/2076 - Extensions to dwelling house (utility room, cloakroom, garage, two bedrooms, wc, and enlargement of kitchen, dining room, bedroom and bathroom. 149 Morley Road.

Mr Thompson in objection to the application and Mr Genever the applicant addressed the Committee.

## **Resolved to grant permission with conditions.**

9. DER/104/29 - Erection of 24 apartments (amendment to previously approved planning application (DER/703/1256). Site of BMW Car Showroom, King Street.

Mr O'Reardon in objection to the application addressed the Committee.

It was reported that another late letter of objection had been received.

## **Resolved**

- 1. to authorise the Director of Corporate Services to enter into a Section 106 Agreement to secure off-site highway works, the provision of mobility housing, and off-site public open space provision.**
  - 2. to authorise the Assistant Director – Development, subject to the completion of the Agreement, to grant planning permission with conditions.**
10. DER/104/9 - Erection of 40-bed care home. 2 Church Street Alvaston.

Mr Hancock and Mr Cottrill in objection to the application and Mr Badley for the applicant addressed the Committee.

## **Resolved to grant permission subject to the following amendments and additions:**

- **the deletion of condition 8**
  - **the insertion of plan numbers to condition 1**
  - **change of wording to condition 6, to read ‘traffic during the construction perios’ instead of ‘construction traffic’**
  - **the insertion of a condition requiring cycle and motor cycle parking**
  - **insertion of a condition requiring that within 15 metres of the Cedar tree, all work must be carried out manually.**
11. DER/304/423 - Extensions and alterations to existing building to increase retail area at ground floor with associated service area at first floor, construction of vehicular access ramp to service the car park at high level in the proposed Eagle Centre development (variation to amend scheme previously approved under Code No. DER/402/504). Victoria Chambers, Nos. 52, 54, 56,58, 60, 62, 64,66, 66a and 66b London Road and car park to the rear of Bourne Street

**Resolved to authorise the Assistant Director – Development to determine the application after the expiry of the publicity period in consultation with the Chair in the event of representations being received within the publicity period, with the additional condition to ensure details of signage and lining at the junction of the proposed ramp and Bourne Street. It was agreed that no development should be brought into use until the junction had been constructed in accordance with the approved details.**

12. DER/1103/2147 - Demolition of existing building and erection of 3 detached dwelling houses and garaging. Land at 33a Brockley, Spondon.

Miss Ritchie and Councillor E Berry in objection to the application addressed the Committee.

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

**Resolved to defer the decision on the application to allow the Committee to hold a site visit.**

13. DER/294/325 - Erection of 10m high monopole, three shrouded antennae and one equipment cabin. Highway verge in front of No. 1234 London Road, Alvaston.

Mr Millett and Councillor Graves in objection to the application addressed the Committee.

**Agreed that the City Council do not wish to control the details of siting and appearance.**

MINUTES END