

Time commenced – 6.00pm

Time finished – 7.40pm

PLANNING CONTROL COMMITTEE

26 NOVEMBER 2009

Present: Councillor Wood (Chair)
Councillors Baxter, Bolton, Care, Carr, Grimadell, Harwood,
Hickson, Richards and Shanker

82/09 Apologies for Absence

There were no apologies for absence received.

83/09 Late Items Introduced by the Chair

The Chair asked officers to update the Committee on applications DER/08/09/00994 & DER/08/09/00995 which involves the installation of plant equipment and an ATM unit at The Blue Pool Public House, Stenson Road, Derby. This application was considered by the Committee at their last meeting. Officers were asked then to send out the neighbour notification letters again for these applications.

It was reported that the notification letters had been re-sent to all the relevant neighbouring properties and the deadline for responses is 30 November 2009. To date one addition letter of representation had been received.

Resolved to authorise the Assistant Director – Regeneration subject to consultation with the Chair and Vice Chair on any responses received subsequent to this meeting, to grant planning permission on the conclusion of the consultation deadline.

84/09 Declarations of Interest

There were no declarations of interest.

85/09 Confirmation of the minutes of the meeting held on 15 October 2009

The minutes of the meetings held on 15 October 2009 were agreed as a correct record and signed by the Chair.

86/09 Appeals Decisions Report

The Committee considered a report from Assistant Director – Regeneration on Appeals Decision Report. The attached appendix gave details of the decisions taken.

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

87/09 Enforcement Report: Monthly Report

The Committee considered a report from Assistant Director – Regeneration on Enforcement Action: Monthly Report. The report gave brief details of enforcement actions authorised in the last year. The intention is that an updated report will be taken to a Committee meeting each month.

Resolved to note the enforcement action taken in the last year

88/09 Crompton Street Car Park

Members were asked to consider a report relating to concerns about the car park and the apparent lack of any formal planning permission at Crompton Street.

It was reported that the car park was sold to the present owner on 21 July 2005 and has operated as a car park since then. Previously the land was a parking facility for the Hippodrome theatre but since the land was sold planning permission would be required to sustain its operation as an independent car park.

Additional representations have been received from the owner stating that the land has been used as a car park by the general public before it was purchased. The land owner also stated in his letter that the land has an established use going back more than ten years.

Resolved to note the report and invite the owner to submit a planning application for the retention of the land as a short term car park.

89/09 Bi-monthly Report

The Committee considered a report on planning applications to be determined by the Committee, and the applications determined by the Assistant Director – Regeneration under delegated powers.

1. DER/06/09/00639

Erection of a residential development at land and buildings at Craddock Avenue, Langley Road and Arnhem Terrace, Spondon, Derby

Councillor Berry addressed the Committee in objection to the proposal.

Resolved to grant outline planning permission with additional conditions requiring; cycle parking; mobility scooter charging facilities, that the development should provide access through to the existing public open space and that the development should be built to Level 5 of the Code for Sustainable Homes. And for officers to encourage the

applicant to consider providing an element of retail use/corner shop facility.

2. DER/08/09/00953

Extension to bungalow (porch, swimming pool, spa area, double garage and formation of rooms in the roof space with dormers and alterations to roof amendment to the previously approved planning permission Code No. DER/08/08/01264 at 3 Chaddesden Park Road, Derby

Councillor Rawson addressed the Committee in objection to the proposal.

Resolved to refuse the application for planning permission.

Reasons

The architectural design and detail of the proposal is considered to be intrusive and detrimental to visual amenity and residential character of the area which would be intrusive in the streetscene and contrary to the established principles of policies H16 and E23 of the adopted City of Derby Local Plan Review.

The proposal would be significantly harmful to the amenities of the adjacent dwelling at 5 Chaddesden Park Road and the adjacent Social Club by reason of overlooking and would, thereby, be contrary to policies H16 and GD5 of the adopted City of Derby Local Plan Review.

Councillor Hickson was nominated to represent the Council on any future appeal, with Councillor Bolton as reserve.

3. DER/10/09/01172

Formation of an exit and the removal of a tree at a car park at Derby Railway Station, Railway Terrace, Derby

Resolved to refuse the application for planning permission.

Reasons

The application is refused on the grounds that the proposal would have a detrimental impact on the visual amenity of the area as a result of the loss of a tree.

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

4. DER/09/09/01054

Erection of a dwelling house, garage and formation of vehicular access at land at 18 Welney Close, Mickleover, Derby

It was reported that nine letters of representation had been received by the department and not eight as stated in the report.

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

5. DER/10/08/01500

Erection of offices, hotel, retail units and associated development including piazza at the site of car park and car park sales garage off Siddals Road, Derby (including a section of Copeland Street).

Officers advised amending the conditions recommended in the report so that condition 16 g to read Post Office Services, and for the final sentence of condition 18 to be deleted in its entirety.

Resolved:

A. To authorise the Assistant Director – Regeneration to negotiate the revised terms of a Section 106 Agreement to achieve the objectives and to authorise the Director of Corporate Services to enter into such an agreement;

B. To authorise the Assistant Director – Regeneration to grant permission upon conclusion of the above Section 106 Agreement with recommended conditions as amended;

6. DER/10/09/01223

Removal of condition 8 of previously approved planning permission Code No. DER/05/09/00573/PRI to remove the requirement for a 'Green Roof,' at Island Service Station, 2 Raynesway, Derby

Resolved to grant planning permission with the conditions attached to planning permission DER/05/09/00573 but excluding condition 8 as such a condition was accepted as not appropriate in this particular case, however to advise the applicant that the committee didn't accept the applicant's suggestions that green roofs created significant issues of maintenance.

7. DER/06/09/00743

Extension to dwelling house (enlargement of kitchen) at 40 Howard Street

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

8. DER/10/09/01208

Installation of nine wind turbines at the University of Derby, Kedleston Road, Derby

It was reported that four further representations had been received bringing the total up to eight letters objecting to the proposal and one of support.

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

9. DER/12/08/01676

Erection of 3-7 storey building comprising of office use (use class B1 (A) and ancillary retail/leisure units (Use Classes A1 (Retail), A2 (Financial and Professional services), A3 (Restaurant/Café), A4 (Drinking establishments), D1 (Non residential institutions), D2 (Assembly and Leisure) with associated access and car parking at land at Agard Street, Friar Gate, Ford Street, Derby

It was reported that a letter support from the applicant had been received and a representation from Councillor Repton expressing concerns relating to car parking, scale and massing of the development and the Council's inability to control materials and the design of finished developments. Both representations related to applications DER/12/08/01676, DER/12/08/01677 and DER/06/09/00620.

Resolved:

A. To authorise the Assistant Director – Regeneration to negotiate the terms of a Section 106 Agreement to achieve the objectives set out in section 11.5 of the report and to authorise the Director of Corporate Services to enter into such an agreement; and

B. To authorise the Assistant Director – Regeneration to grant permission upon conclusion of the above Section 106 Agreement.

Under Council Procedure Rule 101 Councillors Bolton and Hickson asked their vote against the proposal be recorded in the Minutes.

10. DER/12/08/01677

Demolition of 4-6 Agard Street and erection of 3-7 storey building comprising of office use (use class B1 (A) and ancillary retail/leisure units (Use Classes A1 (Retail), A2 (Financial and Professional services), A3 (Restaurant/Café), A4 (Drinking establishments), D1 (Non residential institutions), D2 (Assembly and Leisure) with associated access and car parking at 4-6 Agard Street and land at Agard Street, Friar Gate, Ford Street, Derby

Resolved to grant planning consent with the conditions contained in the report.

Under Council Procedure Rule 101 Councillors Bolton and Hickson asked their vote against the proposal be recorded in the Minutes.

11. DER/06/09/00620

Partial demolition of boundary wall to facilitate erection of 3-7 storey building comprising office use and ancillary retail/leisure units at 30-31 Friar Gate, Derby

Resolved to grant planning consent with the conditions contained in the report.

Under Council Procedure Rule 101 Councillors Bolton and Hickson asked their vote against the proposal be recorded in the Minutes.

90/09 Consideration of major application site visits

The Committee were advised that there was one future Major Application Site Visit to report.

Resolved to not visit the suggested site.

MINUTES END