

Time commenced – 6.00pm
Time finished – 8.20pm

PLANNING CONTROL COMMITTEE 17 JUNE 2010

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

In attendance: Councillors Ashburner, Holmes, Ingall and Jennings

11/10 Apologies for Absence

There were no apologies for absence.

12/10 Late Items Introduced by the Chair

There were no late items.

13/10 Declarations of Interest

There were no declarations of interest.

14/10 Confirmation of the minutes of the meeting held on 29 April 2010

The minutes of the meetings held on 29 April 2010 were agreed as a correct record and signed by the Chair.

15/10 To receive the minutes of the Conservation Area Advisory Committee held on 13 May 2010

The minutes of the Conservation Area Advisory Committee meeting held on 13 May 2010 were received as a correct record and noted by the Committee

16/10 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.

17/10 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.

18/10 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/11/09/01322

Extension to school (changing rooms) and creation of all weather sports pitch and floodlighting at Chellaston School, Swakestone Road, Chellaston, Derby

Mr Bailey and Mr Billington addressed the Committee in objection to the proposal. Councillor Ingall also addressed the Committee in objection to the proposal.

Mr Ruszczyński addressed the Committee in support of the proposal.

Resolved to refuse the application for planning permission

Reasons

The proposed pitch in the location proposed would be severely detrimental to the residential amenities of adjoining residents by virtue of unacceptable noise and disturbance imposed at a time when those residents could reasonably expect to benefit from the peaceful enjoyment of their homes. The Committee considered all of the specialist evidence from our own environmental health officer and the decibel levels we had been advised about in reaching that decision.

The above resolution was passed with the casting vote of the Chair.

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

2. DER/01/10/00010

Erection of 15 dwelling houses, formation of vehicular access, boundary treatments and erection of garden sheds at land to the rear of Tesco Store (formerly the Blue Pool Public House), Stenson Road, Derby (Accessed from Bosworth Avenue)

It was reported that a petition containing 423 names had been received opposing the proposal. The officer stated that the consultation period on the proposal was still open on revised plans which were received after the publication of the report. Members were informed that permission on this application would not be possible until this had passed. It was reported that revised finished site levels were also received following the publication of the monthly report. This alteration would affect the floor levels of some of the proposed dwellings and in turn impact on the scale and massing of the site.

Neighbouring properties were not consulted on this change prior to the meeting. It was suggested by officers that any resolution passed by the Committee reflected this and Members should delegate the final decision to the Director of Planning and Transportation. In the event of adverse representations being received, these should be dealt with in consultation with the Chair and Vice Chair of the Committee prior to determining the application. Comprehensive land drainage details have been submitted and these were considered to meet the national policy guidelines full landscaping details and details of measures to protect trees had also been submitted and both were acceptable. No comments have been received from Severn Trent Water.

Mr Murphy and Mr Higgeson addressed the Committee in objection to the proposal.

Mr Gisbourne addressed the Committee in support of the proposal.

Resolved to refuse the application for planning permission

Reasons

On the grounds of the loss of amenity to the residents of Bosworth Avenue and over intensification on the proposed site.

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

3. DER/02/10/00104

Residential Development including the demolition of the existing dwelling and buildings (extension of time limit of previously approved outline application code DER/01/08/00072) at land at 488-496 Duffield Road, Derby

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

4. DER/08/09/00986

Erection of a School of Nursing at Royal Derby Hospital, Uttoxeter New Road, Derby

The comments of an objector, Mr Smount, who was unable to attend the meeting were reported by an officer.

Mr Frey addressed the Committee in objection to the proposal. Councillor Ashburner also addressed the Committee in objection to the proposal.

Mr Brooksbank addressed the Committee in support of the proposal.

Resolved to refuse the application for planning permission

Reasons

On the grounds of inadequate parking for the facility proposed.

The above resolution was passed with the casting vote of the Chair.

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

5. DER/03/10/00376

Display externally illuminated fascia sign and projecting sign at 4 Queen Street, Derby (Avisa Financial Services)

Mr Mortimer addressed the Committee in objection to the officer's recommendation to refuse the proposal for an externally illuminated sign.

Resolved:

- 1. To grant advertisement consent with conditions for the externally illuminated fascia sign; and**
- 2. To refuse advertisement consent for the externally illuminated projecting sign**

Reasons

The projecting sign by virtue of its non-traditional bulky design, first floor siting and source of illumination fails to respect the character of the application property and neither preserves nor enhances the special character and appearance of the City Centre Conservation Area. Accordingly the proposal is considered to be contrary to saved policies GD4, E18 and E26 of the adopted City of Derby Local Plan Review and the recommendations of the City Council's draft Shop Front and Advertisement Guide.

6. DER/12/09/01514

Erection of 12 bedroomed sheltered housing accommodation with wardens flat and associated car parking at land adjacent to 50-52 Hartington Street, Derby

Resolved:

- 1. To authorise the Director of Planning and Transportation 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 Legal and Democratic Services to enter into such an agreement;**
- 2. To authorise the Director of Planning and Transportation to grant permission upon conclusion of the above Section 106 Agreement.**

7. DER/02/10/00203

Change of use from Retail (Use Class A1) to Hot Food Take-Away (Use Class A5) at 175 Pear Tree Road, Derby

Resolved to grant planning permission with conditions

8. DER/03/10/00393

Residential development (one dwelling house) at land between 19 and 21 Keswick Avenue, Sunnyside, Derby

It was reported that five representations had been received and not four as stated in the report. A late representation from Councillor Dhindsa objecting to the application was circulated to Members prior to the meeting.

Resolved to grant outline planning permission with conditions

9. DER/11/09/01402

Extension to dwelling house (Kitchen/dining/lounge room, lounge) and formation of rooms in roof space (3 bedrooms, 2 bathrooms, 2 store rooms and wardrobe) including alterations to roof and installation of dormer windows (amendment to previously approved DER/11/09/01402/PRI) at 28 Church Lane, Darley Abbey, Derby

It was reported that this application was not properly advertised in accordance with the Council's statement of community involvement. The notification letters which were sent met the Government's requirements but not that of the Council. All parties were notified but one property immediately to the south of the property. As no one objected to the scheme planning permission was granted. However, the property to the south subsequently objected to the application. Members were advised that revocation orders should only be made if the original decision is considered to be grossly wrong.

Resolved to not make an order revoking the permission granted to planning application DER/11/09/01402

10. DER/03/10/00331

Extension to dwelling house (Kitchen/dining/lounge room, lounge) and formation of rooms in roof space (3 bedrooms, 2 bathrooms, 2 store rooms and wardrobe) including alterations to roof and installation of dormer windows (amendment to previously approved DER/11/09/01402/PRI) at 28 Church Lane, Darley Abbey, Derby

Resolved to grant planning permission with conditions

11. DER/03/10/00343

Extension to dwelling (utility room and w.c) and alterations to car parking space at 3 Hall Dyke, Spondon

Resolved to grant planning permission with conditions

19/10 Consideration of major application site visits

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

Resolved to not visit the proposed major application sites.

MINUTES END