

Time commenced – 6.00pm

Time finished – 7.30pm

## PLANNING CONTROL COMMITTEE

4 FEBRUARY 2010

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

### 107/09 Apologies for Absence

There were no apologies for absence received.

### 108/09 Late Items Introduced by the Chair

There were no late items.

### 109/09 Declarations of Interest

Councillor Care declared a personal and prejudicial interest in application DER/11/09/01360 as her husband works for Rolls Royce.

Councillor Carr declared a personal and prejudicial interest in application DER/11/09/01360 as he was formerly employed by Rolls Royce.

Councillor Harwood declared a personal and prejudicial interest in applications DER/10/09/01267 & DER/10/09/01268 as he is chairman of the football league that the club who use the site play in.

### 110/09 Confirmation of the minutes of the meeting held on 17 December 2009

The minutes of the meetings held on 17 December 2009 were agreed as a correct record and signed by the Chair.

### 111/09 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.**

### 112/09 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 Committee asked for an update on the appeal against the enforcement action related to Sunnyhill Service Station, Blagreaves Lane, Littleover and The Old Bell Hotel, Sadler Gate. It was reported that the inspector's decision was awaited. It was also reported that the prosecution relating to the display of the banner at the Old Bell Hotel in Saddler Gate had been adjourned for two weeks for discussions to take place regarding removal of the banner.

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

**113/09 Applications dealt with under Building Regulations and associated legislation**

The Committee considered a report from Assistant Director – Regeneration 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.**

**114/09 Development Control Performance – Quarterly Report; July – October 2009**

The Committee considered a report from Assistant Director – Regeneration on Development Control Performance July – October 2009. This report gave details of statistical performance on planning applications and decisions during the periods July – October 2009.

**Resolved to note the report with thanks to the continuing work of the officers**

**115/09 Bi-monthly Report**

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

**1. DER/10/09/01267**

Change of use and extension of Leisure Centre (Use Class D2) to Offices (Use Class B1) and formation of access road and car parking at Borrowash Road, Spondon, Derby

**DER/10/09/01268**

Change of use of Leisure Centre (Use Class D2) to Offices (Use Class B1) and formation of access road and car parking at Borrowash Road, Spondon, Derby

Councillor Harwood left the Council Chamber during the consideration of the two above items.

It was reported that the Secretary of State had issued directions under Article 14 Town and Country Planning (General Development Procedure) Order 1995 for both of the applications preventing the Council granting permission without referring them to the Secretary of State to consider their call in.

It was reported that updated floorspace and footprint figures have been received by the agent, in relation to 10/09/01267 for the change of use and extensions, taking into account the two outbuildings to be demolished, one of which is the clubhouse of one of the sports clubs which is 202 sq m. The resulting increase in footprint for application DER/10/09/01267 would therefore be 76 sq m and the additional floorspace would be 684.5 sq m, which is a 43 percent increase on the existing.

Committee was advised that in relation to both applications that the Council's Tree Officer was now satisfied with the proposed tree protection measures, subject to replacement planting to mitigate for the tree removal. He has also highlighted that a Lime tree on Borrowash Road boundary is protected by TPO. An additional condition on both permissions was proposed to secure a replacement tree for protected Lime tree, which is to be removed because it is diseased.

It was reported that an additional letter objecting to both of the applications had been received a summary of the contents was provided by officers.

Councillor Berry, Mr Dickens and Mr Peat addressed the Committee in objection to the proposal. Mr Brailsford addressed the Committee in support of the proposal.

**Resolved in relation to each of the applications:**

- A. To be minded to grant permission subject to referral to the Sec. of State under the terms of Article 14 of the Town and Country Planning (General Development Procedure) Order 1995 and the additional condition relating to the replacement of the protected Lime Tree; and**
- B. In the event of the application not being called in to grant planning permission with the conditions contained in the report and the additional condition relating to the replacement of the protected Lime Tree, and detailed access arrangements and a note to the applicant regarding the precise site area and to give officers delegated authority to draft, amend or add to them in consultation with the Chair.**

In accordance with Council Procedure 69 Councillor Hickson requested that his vote against the proposal be recorded in the Minutes.

2. DER/11/09/01360

Erection of a manufacturing building with associated offices and staff changing accommodation and associated vehicular access (amendment to previously approved application DER/08/08/01269/PRI) at North West part of Rolls Royce Marine Ltd, Raynesway, Derby

Councillors Care and Carr left the Council Chamber during the consideration of the above item.

Prof. Johnson addressed the Committee in objection to the proposal.

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

3. DER/10/09/01172

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

It was reported that officers had explored various alternatives with the applicant seeking to enable the installation of an exit without loss of the tree but that they were not able to find a solution. Members were advised that the Chair of the Conservation Area Advisory Committee was consulted on the options and he considered that they had overcome the concerns raised by the Committee.

**Resolved to grant planning permission with conditions and subject to an amendment to condition 4 to read:**

**‘The tree to be felled shall be replaced with at least two trees of a similar species and suitable size to be planted on the station forecourt, in accordance with details which shall have been approved in writing by the Local Planning Authority within three months of the felling of the tree. The date of the felling shall be notified to the Local Planning Authority and the replacement trees shall be planted during the first planting season or within 12 months, whichever is the sooner, following the felling of the tree.’**

In accordance with Council Procedure 69 Councillors Bolton and Hickson requested that their votes against the proposal be recorded in the Minutes

## **116/09 Consideration of major application site visits**

The Committee were advised that there were two future Major Application Site Visits to report.

**Resolved to visit Land to the rear of Tesco Store (Former Blue Pool).  
The Committee did not wish to visit TDG Novacold, Parcel Terrace.**

**The Committee also resolved to visit Riverlights Bus Station and Connecting Derby.**

MINUTES END