

Time commenced - 6.00 pm  
Time finished - 8.35 pm

## PLANNING CONTROL COMMITTEE 24 NOVEMBER 2005

Present: Councillor Baxter – Chair  
Councillors Bolton, Care, Carr, Khan, Liversedge, Travis,  
Samra and Wynn

### 101/05 Apologies for Absence

There were no apologies for absence

### 102/05 Late Items Introduced by the Chair

There were no late items

### 103/05 Declarations of Interest

Councillor Travis declared a personal interest in item DER/805/1292 – Eagle Centre Redevelopment Site, Eagle Centre as she was a Council appointed Board Member of Derby Playhouse.

Councillor Samra declared a personal and prejudicial interest in item DER/805/1292 – Eagle Centre Redevelopment Site, Eagle Centre as he owned retail premises along Theatre Walk.

Councillor Wynn declared a personal and prejudicial interest in item DER/805/1247 – Land at da Vinci Community College, St Andrews View as he was the Chair of the PFI Board and the Cabinet Member with responsibility for schools.

Councillor Liversedge declared a personal and prejudicial interest in item DER/805/1247 – Land at da Vinci Community College, St Andrews View as he owned property within a short distance from the college.

### 104/05 Minutes of the Meeting held on 27 October 2005

The minutes of the meeting held on 8 October 2005 were approved as a correct record and signed by the Chair, with the addition of Councillor Chera to the attendance list and the removal of 'site of 181 and 185 Station Road, Mickleover' from the agreed site visits list in minute number 93/05.

### 105/05 Minutes of the Meeting of the Conservation Area Advisory Committee held on 6 October 2005

**Resolved to receive the minutes of the Conservation Area Advisory  
Committee meeting held on 6 October 2005.**

Agreed that Planning Control Committee should see some of the presentations that go to the Conservation Area Advisory Committee where relevant.

## 106/05 Planning Control Committee – Workload and Organisational Issues

The Committee considered a joint report of the Directors of Corporate Services and Development and Cultural Services which gave details of how the six month trial of having two meetings a month had gone and asked the Committee to decide whether to continue with meetings twice a month or to return to one meeting a month.

**Resolved to continue holding two meetings a month, except in January and August and review it again in six months.**

## 107/05 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.**

## 108/05 Tree Preservation Order 2005 No 431 - Land to rear of 189 Duffield Road, Derby

A report of the Assistant Director – Development was considered which sought approval for the confirmation of Tree Preservation Order 2005 Number 431.

It was noted that on 22 June 2005 a Tree Preservation Order - TPO - was made on trees, as shown on the plan attached in Appendix 2 of the report.

A letter of objection was received from Mr Petros Christou who was the owner of 289 Duffield Road. A letter supporting the TPO was received from Ms Hernandez and Mr Moss who reside in the property adjacent to 189 Duffield Road.

**Resolved to confirm Tree Preservation Order 2005 Number 431 (Land to rear of 189 Duffield Road, Derby) without modification.**

## 109/05 Applications dealt with under Buildings 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 October 2005 – 31 October 2005.**

## 110/05 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's, 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 and**

**b) Applications determined by the Committee**

1. DER/905/1625 - Conversion of storage building to residential. Land adjacent to 36 Alvaston Street.

Mr Thompson in objection to the application addressed the Committee.

**Resolved:**

- 1. to grant planning permission with conditions as set out in the report**
- 2. to remind the applicant of her responsibilities under the Wildlife and Countryside Act 1981 and the Conservation Regulations 1994 in respect of the presence on the site of any protected species such as bats**

2. DER/803/1442 - Extension to residential home for elderly people (four bedrooms) 137 Manor Road

**Resolved to grant permission with conditions as set out in the report.**

3. DER/905/1537 - Demolition of existing dwelling houses and erection of 12 apartments. Site of 181 and 185 Station Road, Mickleover

This application was deferred to a future meeting due to revised plans being received which required further consultation.

4. DER/905/1603 - Erection of dwelling house and formation of access. Land rear of 14 Moorland Road, Mickleover.

**Resolved to grant planning permission with conditions as set out in the report.**

5. DER/905/1603 - Extension to dwelling house (kitchen, porch, utility room, study, conservatory, two bedrooms and garage) 7 Thames Close

**Resolved to grant permission with conditions as set out in the report and request an amended plan regarding the existing conservatory.**

6. DER/805/1427 - Extension to dwelling house (garage and enlargement of kitchen and lounge) 34 Chevin Road

**Resolved to grant permission with conditions as set out in the report.**

7. DER/705/1200 - Erection of 12 dwellings, including 48 apartments, 56 townhouses, 3 detached houses and 19 affordable terraced dwellings access roads and public open space. Highfields, Broadway

It was reported that an additional 36 letters had been received in objection to the application.

Mr Reynolds, Mr Faulkner and Councillor Repton in objection to the application and Mr Prior on behalf of the applicant addressed the Committee

**Resolved to grant permission with conditions as set out in the report.**

Councillor Care arrived at this point in the meeting.

8. DER/1005/1718 - Residential Development. Site of Richard C Hartley Limited, Parcel Terrace

**Resolved:**

- 1. to authorise the Assistant Director – Development to negotiate the terms of a Section 106 Agreement to provide affordable housing, mobility housing, highways and public open space provision, subject to the receipt of acceptable details with regard to the traffic implications of the proposal and satisfactory comments from the Environment Agency and to authorise the Director of Corporate Services to enter into such an agreement.**
- 2. to authorise the Assistant Director – Development to grant outline planning permission on the conclusion of the above agreement, with conditions as set out in the report.**
- 3. if the applicant fails to sign the Section 106 Agreement by the expiry of the 13 week target period, consideration will be given, in consultation with the Chair, to refusing the application and to give officers delegated authority to approve the application upon receipt of satisfactory comments from the Environment Agency in accordance with the report.**

9. DER/805/1308 - Demolition of existing dwellings and erection of 12 flats with associated parking. 162-164 Derby Road, Chellaston

It was reported that revised plans had been received and five letters objecting to them.

Mr Hill, Mr King and Councillor Titley in objection to the application addressed the Committee.

**Resolved:**

- 1. to authorise the Assistant Director – Development to negotiate the terms of a Section 106 Agreement to provide mobility housing, public open space and highways contributions and 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 the above agreement, with conditions set out in the report**
  - 3. if the applicant fails to sign the Section 106 Agreement by the expiry of the 13 week target period, consideration will be given, on consultation with the Chair, to refusing the application.**
10. DER/805/1419 & DER/905/1445 - Retention of use as a Community Centre and extensions (WC. Lobby, and enlargement of kitchen). Erection of Hindu Temple with access road. The buildings and site of 96-102 Pear Tree Road

It was reported that an additional letter of comment had been received.

**DER/805/1419**

**Resolved to grant permission with conditions as set out in the report, with additional wording “including for construction traffic” at the end of condition five.**

**DER/905/1445**

**Resolved to grant permission with conditions as set out in the report.**

Having declared personal and prejudicial interests, Councillors Liversedge and Wynn left the meeting during the consideration of the following item.

- |     |              |   |  |
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| 11. | DER/805/1247 | - | Erection of a 20 metre high monopole with 6 antennae, 2 dishes, floodlighting and ancillary development. Land at da Vinci Community College, St Andrews View |
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Ms Till and Councillor Smalley in objection to the application addressed the Committee.

**Resolved to grant permission.**

Having declared a personal and prejudicial interest, Councillor Samra left the meeting during the consideration of the following item.

12. DER/805/1292 - Erection of multi-screen cinema and alteration to Burrows Walk entrance. Eagle Centre, Derby

It was reported that eight additional letters of representation had been received.

Ms Hebden in objection to the application and Mr Huntington on behalf of the applicant addressed the Committee.

**Resolved:**

- 1. to authorise the Assistant Director – Development to negotiate the terms of a Section 106 Agreement to provide upgrading of routes and signposting to the Playhouse, improved links to the City, in particular to encourage travel to the city by modes of transport other than the private car. General improvements to linkages between the Eagle Centre and the rest of the City shopping area as well as other restrictions to protect the vitality of the City centre as a whole. Employment initiatives, public realm improvements and public art provision and 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 the above agreement, with conditions as set out in the report.**

**111/05     Special Items**

- 13.    Enforcement. 15 Cotswold Close, Littleover**

**Resolved to authorise the Director of Corporate Services to take prosecution proceedings.**

**112/05     Major Site Visits**

**Resolved to visit the following sites before the 22 December 2005 meeting of the Planning Control Committee:**

- Leesbrook Community School, Morley Road**

**MINUTES END**