

Time commenced - 6.00 pm  
Time finished - 8.10 pm

## **PLANNING CONTROL COMMITTEE 21 JANUARY 2004**

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

### **85/03 Apologies for Absence**

Apologies for absence were received from Councillors Baxter and Beech.

The Committee requested that their best wishes for a speedy recovery should be sent to Councillor Baxter.

### **86/03 Late Items Introduced by the Chair**

There were no late items.

### **87/03 Declarations of Interest**

Councillor Care declared a personal interest in codes no DER/703/1208, as she knew the applicant, DER/803/1451 as she belonged to the Derby Canal Trust and DER/1103/1992 as she was a member of the Derby Cycling Group. Councillor Samra declared a personal prejudicial interest in code no DER/1103/1992 as he was on the board of governors.

### **88/03 Minutes of Previous Meeting**

The Minutes of the meeting held on 18 December 2003 were approved as a correct record and signed by the Chair.

The Chair agreed that clarification would be sought from Councillors Care and Crosby regarding the interests declared at the December meeting.

### **89/03 Minutes of the Conservation Area Advisory Committee – 4 December 2003**

**Resolved to receive the minutes of the Conservation Area Advisory  
Committee meeting held on 4 December 2003.**

## 90/03      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.**

## 91/03      Tree Preservation Order Number 374 - (186 Rykneld Road, Littleover)

A report of the Assistant Director – Development was considered which sought approval for the confirmation of Tree Preservation Order 2003 number 374.

It was noted that on 31 July 2003, the Director of Corporate Services made a Tree Preservation Order on a group of trees at 186 Rykneld Road. A letter of objection had been received from Mr Colin Davenport, the owner of 186 Rykneld Road. A copy of the letter was attached to the report.

**Resolved to confirm Tree Preservation Order 2003 number 374 without modification.**

## 92/03      Development Control Performance Quarter July – September 2003

A report of the Assistant Director – Development was considered which set out statistical information from the Office of the Deputy Prime Minister on Planning Applications and decisions relating to Derby for the period July – September 2003.

**Resolved to note the report.**

## 93/03      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 December 2003 – 31 December 2003.**

## 94/03      Planning in 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**

1. DER/1003/1983 - Retention of alterations and extensions to dwelling house (lounge, kitchen / dining room, two bathrooms and four bedrooms) and retention of detached garage. 7 Brookfield Avenue, Sunnyhill.
2. DER/1003/2036 - Extensions and alterations to bungalow (lounge extension and garage) and formation of rooms in roof space (study and en suite). 15 Cotswold Close, Littleover.
3. DER/1003/1809 - Alterations and extensions to nursing home to provide four additional bedrooms and en suite facilities and construction of two car parking spaces. 155 Duffield Road (Stanley House Nursing Home).

Mr James in objection to the application and Mr Shepperson the applicant, addressed the Committee.

4. DER/603/949 - Erection of garage. Land adjacent to 57 Boulton Lane, Alvaston.

Councillor Jackson in objection to the application addressed the Committee.

5. DER/803/1451 - Residential development. Nottingham Road, Spondon.

To authorise the Assistant Director – Development to negotiate the terms of a Section 106 Agreement to provide affordable housing, mobility provision, if the life of the permission expired, provision for education if a need arises.

To authorise the assistant Director – Development to grant planning permission on the conclusion of an agreement, subject to conditions.

**b) Applications determined by the Committee**

1. DER/1003/1810 - Erection of 24 apartments. Land at former mills, Parliament Street.

To authorise the Assistant Director – Development, to negotiate the terms of a Section 106 agreement to provide for affordable housing, mobility provision and provision of public open space and to authorise the Director of Corporate Services to enter into such agreement.

To authorise the Assistant Director – Development to grant permission on the conclusion of an agreement, subject to conditions including an additional condition requiring cycle parking.

2. DER/1003/1902 - Erection of 27 dwellings. Land to North of Blenheim Drive, Allestree

Mr Warren, in objection to the application and Mr Galij, the applicant addressed the Committee.

two additional late letters of objection had been received.

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

3. DER/703/1208 - Redevelopment for residential purposes. 186/188 Rykneld Road, Littleover.

Mr Foxon in objection and Mr Plumb on behalf of the applicant addressed the Committee.

To grant permission subject to the addition of two further conditions relating to amended plans and an amendment to condition 7 to ensure the closure of redundant access points.

Having declared a personal prejudicial interest in following application, Councillor Samra left the meeting during consideration of the matter. Councillor Ahern declared a personal prejudicial interest and left the meeting during consideration of the matter, as he was a previous member of the Derby Cycling Group.

4. DER/1103/1992 - Erection of 6<sup>th</sup> Form Education Centre. Land adjoining Cathedral Road / Willow Road.

It was noted that revised plans had been received on 14 January to meet highway requirements. It was also noted that disabled access had been clarified and disabled parking for staff and pupils would be provided as well as a drop off point in the underground car park.

It was reported that the Environment Agency had withdrawn its holding objection and that an Environmental Health Officer had confirmed that a ventilation system would mitigate air quality concerns.

Mr Lysaczenko in objection to the application addressed the Committee.

To authorise the Assistant Director – Development to grant approval of reserved matters subject to an amendment to condition one relating to the amended plans received and an amendment to condition 9 to remove the word ‘received on’.

To authorise the Assistant Director – Development to remind applicants to comply with code attached the outlined permission for the development. To discuss with the applicant the need for a footpath/cycleway link from Willow Row to the underground car park and Cathedral Road in connection with further development on the site.

5. DER/1103/2095 - Siting of temporary buildings for used as Health Centre. Land corner of Cathedral Road, Willow Road and Walker Lane.

**c) Applications Refused**

1. DER/1103/2013 - Change of use to hot food shop (Class A3 food and drink) 91 Brackens Lane.

Councillor Jackson in objection to the application addressed the Committee.

An additional letter of objection had been received.

Resolved to refuse the application for change of use on the grounds that the use would be detrimental to the amenity of the neighbourhood due to the potential cumulative effect of 2 hot food shops in close proximity, which would be likely to result in additional cooking smells, traffic, noise and general disturbance.

MINUTES END