

Time commenced - 6.00 pm
Time finished - 8.30 pm

PLANNING CONTROL COMMITTEE 26 JANUARY 2006

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

133/05 Apologies for Absence

There were no apologies for absence.

134/05 Late Items Introduced by the Chair

There were no late items.

135/05 Declarations of Interest

There were no declarations of interest.

136/05 Minutes of the Meeting held on 8 December 2005

The minutes of the meeting held on 8 December 2005 were approved as a correct record and signed by the Chair.

137/05 Minutes of the Meeting of the Conservation Area Advisory Committee held on 15 December 2005

**Resolved to receive the minutes of the Conservation Area Advisory
Committee meeting held on 15 December 2005.**

138/05 Special Report Regarding Receipt of Late Correspondence

A report of the Assistant Director – Regeneration was considered giving reasons and explanations of why late correspondence was received. The committee were informed that as it was a duty to take all relevant correspondence into account when reaching a decision, it was important that the message was put across to customers that a letter handed in just before the start of the meeting was unacceptably late and was unlikely to receive the same degree of analysis as one received during the consultation period.

It was noted that the Legal Division had been asked to consider the implications of not accepting late representations and intended to report any additional comments to a future meeting.

Resolved to note the report.

139/05 Enforcement Action: Monthly Update

A report of the Assistant Director – Regeneration was considered giving details of enforcement action authorised in the last year.

Resolved to note the report.

140/05 Applications dealt with under Buildings Regulations and Associated Legislation

Resolved to note the report of the Assistant Director – Regeneration setting out the summary of applications determined under Building Regulations and Associated Legislation during the period 1 December 2005 – 31 December 2005.

141/05 Tree Preservation Order 2005 No 439 – 1 Spinney Close, Darley Abbey

A report of the Assistant Director – Regeneration was considered which sought approval for the confirmation of Tree Preservation Order 2005 Number 439.

It was noted that on 7 September 2005 a Tree Preservation Order was made on the land at 1 Spinney Close, Darley Abbey, as shown on the plan attached in Appendix 2 of the report.

A letter of objection was received from Mr Robert Owen, who was a resident of 7 Waterside Close. Mr Owen's residence was situated adjacent to 1 Spinney Close.

Resolved to confirm the Tree Preservation Order 2005 Number 439 (1 Spinney Close, Darley Abbey)

142/05 Development by Local Authorities

The Assistant Director – Regeneration report (Section A) (Local Authorities)

Derby City Council

Code No	Proposal	Property/Site
1. DER/1105/1883 and DER/704/1380	Demolition of wall	Former Gate Goods Yard, Stafford Street.

This item was withdrawn from the agenda and would be heard at a future meeting.

143/05 Planning and Advertisement Applications

Resolved to note the applications for Planning Permission determined by the Assistant Director – Regeneration 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 –

Regeneration'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/1005/1693 - Erection of dwelling house. Land at side of 1 Oakover Drive, Allestree.

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

2. DER/1105/1880 - Erection of double garage. 25 Chain Lane, Mickleover

Mrs Grimwood and Mrs Stacey in objection to the application attended and addressed the Committee.

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

3. DER/1105/1875 - Erection of petrol filling station including retail sales building (Use Class A1) forecourt, car parking and underground tanks. 27 Duffield Road (Allens Service Station)

Mr Badwal in objection to the application and Mr Vose, on behalf of the applicant, attended and addressed the Committee.

It was reported that a further letter of objection had been received.

Resolved to grant the planning permission with conditions as set out in the report, with an additional condition relating to waste refuse details and the inclusion of 23 January 2006 in condition 1.

4. DER/1105/1824 - Erection of clubhouse, bowling green, multi-use games area, and erection of 24 dwellings, car parking and access road. Site of Mickleover British Legion Lodge, and sports field to rear of Western Road, Mickleover.

Councillor Hird, Mrs Asquith and Mrs Peam in objection to the application, and Miss Thompson on behalf of the applicant, attended and addressed the Committee.

Resolved:

1. to authorise the Assistant Director – Regeneration to negotiate the terms of a Section 106 Agreement to provide mobility housing, public open space provision, replacement sports pitches, community use of

pitches and activity wall, and highways works, and to authorise the Corporate Director of Corporate and Adult Social Services to enter into an agreement.

- 2. to authorise the Assistant Director – Regeneration to grant planning permission on the conclusion of the above agreement with conditions as set out in the report with additional conditions relating to a lift facility for the club house, storage facilities and a marketing plan for future use of the club.**
 - 3. if the applicant fails to sign the Section 106 Agreement by the expiry date of the 13 week target period consideration be given, in consultation with the Chair, to refusing the application.**
5. DER/1105/1862 - Erection of 24 apartments. Site of 235 Village Street, Derby.

Ms Malia and Mr Gibbons in objection to the application attended and addressed the Committee.

Resolved:

- 1. to authorise the Assistant Director – Regeneration to negotiate the terms of a Section 106 Agreement to provide mobility housing, public open space and highway contributions, and to authorise the Corporate Director of Corporate and Adult Social Services to enter into an agreement.**
 - 2. to authorise the Assistant Director – Regeneration to grant planning permission on the conclusion of the above agreement with conditions as set out in the report with additional conditions relating to protective fencing for the site development and when constructing parking bays, a detailed timescale for construction works and a detailed method statement for the laying of root protection.**
 - 3. if the applicant fails to sign the Section 106 Agreement by the expiry date of the 13 week target period, consideration be given, in consultation with the Chair, to refusing the application.**
6. DER/1005/1699 - Alteration and extensions to retail unit to form six retail units. Land at 446 Nottingham Road, Spondon.

Resolved

- 1. to authorise the Assistant Director – Regeneration to negotiate the terms of a Section 106 Agreement to provide a contribution towards highway transport corridor improvements, and to authorise the Corporate Director of Corporate and Adult Social Services to enter into an agreement.**
- 2. to authorise the Assistant Director – Regeneration to grant planning**

permission on the conclusion of the Agreement, with conditions as set out in the report.

7. DER/1005/1697 - Residential development. South side of Nottingham Road, Spondon.

Resolved

- 1. to authorise the Corporate Director of Corporate and Adult Social Services to enter into a Section 106 Agreement to provide affordable housing, mobile housing, public open space and a contribution for highway and transport improvements.**
- 2. subject to the receipt of a flood risk assessment to the satisfaction of the Environment Agency, to authorise the Assistant Director – Regeneration to grant planning permission on the conclusion of the agreement subject to conditions with the addition of any further ones arising from the flood risk assessment and the expansion of condition 7 to put a limit on density.**

144/05 Appeals

Code No	Proposal	Location	Decision
DER/405/612	Formation of room in roof space	105 Arthur Street	Dismissed

145/05 Major Site Visits

Resolved to visit the following site before the 9 February 2006 meeting of the Planning Control Committee:

- University of Derby, Off Western Road, Mickleover**

And to visit the following sites before the 23 February 2006 meeting of the Planning Control Committee:

- Clarion Works, Webster Street**
- Site of 16 Edmund Road**

MINUTES END