

Time commenced – 6.00pm
Time finished – 7.20pm

PLANNING CONTROL COMMITTEE 3 APRIL 2008

Present: Councillor S Khan – In the Chair
Councillors Ahern, Banwait, Baxter, Bolton, Care, and R Khan

143/07 Apologies for Absence

Apologies for absence were received from Councillors Wood, Willoughby and Carr.

144/07 Late Items Introduced by the Chair

There were no late items.

145/07 Declarations of Interest

Councillor Ahern declared a personal and prejudicial interest in item DER/12/07/02305 – Land corner of Audrey Drive and Martin Drive. Councillor Ahern requested to exercise his right to speak as a member of the public on this item, and then to leave the Chamber for discussion of the item. This request was accepted by the Committee.

146/07 Minutes of the Meeting held on 21 February 2008

The minutes of the meeting held on 21 February were agreed as a correct record and signed by the Chair.

147/07 Minutes of the Meeting of the Conservation Area Advisory Committee on 7 February 2008

Resolved to receive the minutes of the Conservation Area Advisory Committee held on 7 February 2008.

148/07 Enforcement Report: Monthly Update

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

Councillor Care noted the enforcement notice in progress at 32 Friar Gate,

and asked if similar action was being taken on car parks on Great Northern Road and Agard Street.

Councillor Care asked if the unauthorised development at 5 Becher Street, Normanton had been completely removed. Paul Clarke advised that a letter had been received by the Department of Development Control claiming mitigating circumstances, and that the rear extension had not been fully removed. He reported that a follow-up letter would be sent to ensure complete removal.

Resolved:

- 1) to note the report.
- 2) that an update regarding car parks on Great Northern Road and Agard Street be brought to a future meeting.

149/07 Applications dealt with under Building 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 of 1 March 2008 to 31 March 2008.

150/07 Tree Preservation Orders

Two reports of the Assistant Director – Regeneration were considered which sought approval for the following:

- 1) Approval of Tree Preservation Order 2008 Number 510 (28 Park Lane)
- 2) Approval of Tree Preservation Order 2008 Number 512 (111 Duffield Road)

Resolved

- 1) to approve confirmation, without modification, of the Tree Preservation Order 2008 Number 510 (28 Park Lane, Allestree)
- 2) to approve confirmation, without modification, of the Tree Preservation Order 2008 Number 512 (111 Duffield Road, Derby)

151/07 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/12/07/02338
Erection of five apartments (amended scheme). Site of 59 Hall Street, Alvaston.

Resolved that the application be dealt with through delegated powers to Officers.

2. DER/01/08/00048
Residential development (erection of two storey dwelling house and detached garage). Land at rear of 83 Palmerston Street.

Resolved:

- 1) to approve the submitted details with conditions set out in the report.**
- 2) to remind the applicant of the outstanding provisions of the original outline approval.**

3. DER/01/08/00072
Residential development, 488-496 Duffield Road, Allestree.

Mr Findlay and Councillor Webb addressed the Committee in objection to the proposal. Mr Emery addressed the Committee in support of the proposal.

Resolved:

- 1) to grant permission with conditions set out in the report with two additional conditions regarding tree protection and energy efficiency.**
- 2) to include an advisory note asking the developers to consider single-storey dwellings in reserved matters.**

4. DER/12/07/02305
Erection of five dwelling houses and garages, land corner of Audrey Drive and Martin Drive.

Having declared a personal and prejudicial interest, Councillor Ahern addressed the Committee in objection to the proposal and then left the Chamber.

Resolved:

- 1) to defer this item to a future meeting once a site visit has been conducted.**

- 2) to request that matters regarding possible land contamination, trees, design, layout and parking in the report be considered by officers.**

5. DER/01/08/00036
Demolition of The Royal Nursing Home and erection of residential care home, site of 346 Uttoxeter New Road (Royal Nursing Home).

It was reported that late objections had been received from neighbours, and these objections were circulated to Members. It was reported that a late submission from Natural England had been received requesting that a bat survey be carried out before planning permission was granted.

Mr Phillips and Ms Payne addressed the Committee in objection to the proposal. Mr Foote addressed the Committee in support of the proposal.

Resolved:

- A) to authorise the Assistant Director – Regeneration to negotiate the terms of a Section 106 Agreement to achieve the objectives set out in 11.5 and to authorise the Director of Corporate Services to enter into such an agreement.**
- B) that on successful completion of the Section 106 Agreement, to grant planning permission subject to conditions set out in the report.**
- C) that if the applicant fails to sign the Section 106 Agreement by the expiry of the 13-week target period (9 April 2008) consideration to be given in consultation with the Chair, to refuse the application.**

6. DER/10/07/02006
Erection of equipment kiosk, land at the side of 75 Sutton Avenue, Chellaston.

Resolved to refuse permission on the grounds of visual prominence and security/ crime prevention measures for the adjoining property.

Councillor Baxter agreed to represent the Committee in the event of an appeal.

152/07 Special Items

1. Various Appeals

Resolved to note the report.

152/07 Consideration of major application site visits

Resolved that no site visits were required before the meeting of 24 April 2008.

MINUTES END