

Time commenced – 6.00pm  
Time finished – 9.20pm

## PLANNING CONTROL COMMITTEE 13 MARCH 2008

Present: Councillor Wood – Chair  
Councillors Ahern, Banwait, Baxter, Bolton, Care, Carr, R Khan,  
S Khan and Willoughby

### 135/07 Apologies for Absence

No apologies for absence were received.

### 136/07 Late Items Introduced by the Chair

There were no late items.

### 137/07 Declarations of Interest

No declarations of interest were made.

### 138/07 Minutes of the Meeting held on 31 January 2008

The minutes of the meeting held on 31 January were agreed as a correct record and signed by the Chair

### 139/07 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/01/08/00028  
The retention of a 1.4m high fence, 124 Sinfin Avenue, Shelton Lock.

Mr Troop addressed the Committee in favour of retention of the fence.

**Resolved:**

- A) to refuse retention of the fence on the grounds of highway safety.**
- B) to make the removal of the fence subject to enforcement action, following a reasonable grace period to be agreed.**

2. DER/11/07/02221  
Erection of dwelling house and detached garage, land rear of 14 Moorland Road, Mickleover.

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

3. DER/01/08/00005  
Erection of 13 flats and two retail units and associated car parking, amenity areas and ancillary storage facilities. Site of former Roebuck Inn PH, Amy Street.

Mr Sangha and Councillor Troup addressed the Committee in objection to 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) to authorise the Assistant Director – Regeneration to grant planning permission on the conclusion of the above agreement, 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 (2 April 2008) consideration to be given in consultation with the Chair, to refuse the application.**

4. DER/12/07/02353  
Erection of four dwelling houses and replacement of replacement church car parking, car park adjacent to Mackworth United Reform Church, Enfield Road.

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

5. DER/12/07/02336  
Erection of six dwelling houses and 16 flats and formation of access, former laundry site, Clarence Road / Palmerston Street.

It was reported that a late objection had been received to the application. Two additional conditions required to address the investigation of the site for contaminants and the closure of an existing vehicular access to highway standards. Ms Slater addressed the Committee in objection to 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) to authorise the Assistant Director – Regeneration to grant planning permission on the conclusion of the above agreement, subject to conditions set out in the report with additional conditions relating to the frontage and the crossway.**
- C) that if the applicant fails to sign the Section 106 Agreement by the expiry of the 13-week target period (2 April 2008) consideration to be given in consultation with the Chair, to refuse the application.**

6. DER/12/07/02352

Demolition of bungalow and erection of residential nursing home and associated parking, site of 453 Burton Road.

Mr Holland and Mrs Jervis addressed the Committee in objection to the proposal. Mr Leask addressed the Committee in support of the proposal.

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

7. DER/01/08/00001

Residential development including demolition of dwelling at No 120 for access, reservoir site and 120 Huntley Avenue, Spondon.

Mr Altoft and Councillor Williams addressed the Committee in objection to the proposal. Ms Hudson 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) to authorise the Assistant Director – Regeneration to grant planning permission on the conclusion of the above agreement, 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 (16 April 2008) consideration to be given in consultation with the Chair, to refuse the application.**

8. DER10/07/01991  
Removal of two Maple trees protected by Tree Preservation Order 1997 No. 6 (Breadsall Hill Top) from rear of 4 Porters Lane to transplant elsewhere (at rear of 5/7 Binscombe Lane). Land behind 4 Porters Lane, Oakwood.

Councillor Wood left the Chamber for the duration of this item and Councillor S Khan chaired this item. Mr Duckitt and Mr Astill in objection to the proposal addressed the Committee. Mr Upton in support of the proposal addressed the Committee.

**Resolved to refuse consent to remove the trees.**

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

Mr Cooper in support of the proposal addressed the Committee.

**Resolved to defer this item to a future meeting.**

10. DER01/08/00001  
Erection of 51 dwellings and a Care Home, with access roads, 7 to 15 Kings Croft, Allestree.

It was reported that a total of 267 representations had been received, not including duplicate representations. Councillor Webb, Dr Smith and Mr Reading in objection to the proposal addressed the Committee. Mr Kibler in support of the proposal addressed the Committee.

**Resolved to refuse planning permission on the following grounds:**

- **Appropriateness of design**
- **Retaining character of landscaping**
- **Adequacy of public space**
- **Carbon emissions and energy efficiency**
- **Lack of S106 provision for schools**
- **Not in keeping with the area**

Councillors Ahern, Banwait, Baxter and Bolton requested that their votes against refusal be recorded. Councillor Willoughby requested that his vote in favour of refusal be recorded.

## 140/07 Special Items

1. Various appeals

**Resolved to note the contents of the report.**

## 141/07 Major site visits undertaken

The Committee received a report from the Assistant Director – Regeneration

regarding the Committee site visit to Reservoir Site and 120 Huntley Avenue, Spondon. Councillor Bolton requested that her apologies for this visit be noted.

**Resolved to note the report.**

## **142/07 Consideration of major application site visits**

DER/11/07/02096 – Site of 34, 36 and Singh Sabha Sikh Temple Pear Tree Street

DER/10/07/02006 – Land at side of 75 Sutton Avenue, Chellaston Derby

**Resolved to visit these sites before the meeting of 3 April 2008.**

MINUTES END