

Time commenced – 6.00pm

Time finished – 8.00pm

## PLANNING CONTROL COMMITTEE

26 FEBRUARY 2009

Present: Councillor Wood (Chair)  
Councillors Banwait, Baxter, Bolton, Care, Carr, Harwood,  
Richards and Shanker

### 115/08 Apologies for Absence

Apologies for absence were received from Councillor Grimadell.

### 116/08 Late Items Introduced by the Chair

There were no late items.

### 117/08 Declarations of Interest

The present Committee members all declared a Personal Interest in planning application DER/01/09/00086 as the applicant is an elected member of Derby City Council.

The present Committee members also declared a Personal Interest in planning application DER/01/09/00031 as the applicant is an employee of Derby City Council.

Councillor Harwood declared a Personal Interest in planning application DER/12/08/01696 as he knows the head teacher.

Councillor Carr declared a Personal Interest in planning application DER/05/08/00790 as he knows one of the objectors to the planning application.

### 118/08 Confirmation of the minutes of the meeting held on 5 February 2009

The minutes of the meeting held on 5 February 2009 were agreed as a correct record and signed by the Chair.

### 119/09 To receive the minutes of the meeting of the Conservation Area Advisory Committee held on 8 January

The minutes of the Conservation Area Advisory Committee meeting held on 8 January 2009 were received as a correct record and noted by the Committee.

## 120/08 Enforcement Report: Monthly Report

The Committee considered a report from Assistant Director – Regeneration on Enforcement Action: Monthly Report. The report gave brief details of enforcement actions authorised in the last year. The intention is that an updated report will be taken to a Committee meeting each month.

**Resolved to note the report and for councillors to decide in their political groups who will sit on the cross-party working group and let officers know.**

## 121/08 Applications dealt with under Building Regulations and associated legislation

The Committee considered a report from Assistant Director – Regeneration on Applications dealt with under Building Regulations and Associated Legislation. Appendix 2 gave details of the decisions taken. The intention is that a report will be taken to a Committee meeting each month.

**Resolved that the Committee noted the decisions taken in the last month.**

## 122/08 Appeals Decision Report

The Committee considered a report from Assistant Director – Regeneration on Appeals Decision taken by the Planning Inspectorate. The attached appendix gave details of the decisions taken.

**Resolved to note the decisions on appeals taken in the last month and in particular to thank Councillor Baxter for his efforts in representing the Council at the recent inquiry relating to Markeaton Street/Kedleston Road.**

## 123/08 Bi-monthly Report

The Committee considered a report on planning applications to be determined by the Committee, and the applications determined by the Assistant Director – Regeneration under delegated powers.

### 1. DER/12/08/01696

Application for planning permission to erect extensions to the school (changing rooms) and creation of all weather sports pitch and floodlighting at Chellaston School, Swarkestone Road, Chellaston.

The Head of Development Control informed the Committee that 151 letters had been received in support of the application and 177 letters of objection. One petition had also been received.

Councillors Holmes and Ingall addressed the Committee as ward members in objection to the proposal.

Mr Bailey and Mr Singh addressed the Committee in objection to the proposal.

Mr Ruszczynski addressed the Committee in support of the proposal.

**Resolved to grant the application for planning permission with the conditions contained in the report and an additional condition adding greater restrictions to the shielding of the floodlights.**

2. DER/10/08/01542

Application for planning permission for the demolition of a bungalow and the erection of 20 apartments at 59 Wilkins Drive, Allenton.

Councillor Graves as ward member also addressed the Committee in objection to the proposal.

Mrs Lang and Mrs Blaney addressed the Committee in objection to the proposal.

Mr Ubhi addressed the Committee in support of the proposal.

**Resolved:**

- A. That the Assistant Director – Regeneration be authorised to negotiate the terms of a Section 106 Agreement to achieve the objectives set out in 11.5 of the report and to authorise the Director of Corporate and Adult Services to enter into such an agreement;**
  
- B. The Assistant Director – Regeneration be authorised to grant planning permission on the conclusion of the above agreement , subject to the conditions contained within the report as supplemented by an extra condition regarding disabled parking provision**

3. DER/05/08/00790

Application for planning permission to erect one dwelling house at land between 9 and 11-15 Cornhill, Allestree.

It was reported that there had been three additional letters of objection in response to the updated plans. The objections noted the improvements to the proposal but did not feel they had overcome their previous objections.

Mr Mouncey addressed the Committee in objection to the proposal.

**Resolved to grant planning permission with the conditions contained in**

**the report and two additional conditions. One relates to root protection and service/trench details in relation to a Eucalyptus tree that is in the grounds of No.11 and the other states that both elements of the parking are provided and maintained.**

4. DER/11/08/01554

Application for the erection of a hotel 89 apartments, restaurant/bar (use class A3) and car parking (amendment to previously approved planning permission code no. DER/09/07/01793) at the site of the former BMW car showroom, King Street.

**Resolved subject to the completion of a section 106 agreement to ensure that the planning obligations secured in regards to permission no. DER/09/07/01793 equally attach to this permission to grant planning permission with the conditions contained in the report.**

5. DER/11/08/01588

Application for change of use from retail (use class A1) to hot food takeaway (use class A5) at 4 Cavan Drive, Chaddesden.

**Resolved to grant the application for planning permission subject to the conditions contained in the report but amending condition 3 to agree the number of bins.**

6. DER/01/09/00031

Application for planning permission to install windows to the front elevation at 2 Cornhill, Allestree.

It was reported that one additional letter had been received stating that the windows were in a poor state of repair.

**Resolved to grant the application for planning permission subject to the conditions contained in the report and the content contained in the amended plans.**

7. DER/12/08/01731 & DER/12/08/01732

Application for planning permission to demolish a garage block and the erection of three dwelling houses at garage block (no. 8) off Elms Street (rear of 49-55 Kedleston Road).

It was reported that revised plans had been received and now presented an acceptable layout.

**Resolved to grant the application for planning permission and conservation area consent subject to the conditions contained in the report as supplemented by a condition to ensure the car ports are not used for other domestic use and no garage doors are erected across**

**them.**

8. DER/01/09/00086

Application for planning permission for an extension to a dwelling house (two bedrooms, enlargement of kitchen/breakfast room, enlargement of existing bedrooms with en-suite and formation of bedroom in roof space with dormers) at 16 Main Avenue, Allestree.

It was reported that revised plans had been received correcting a mistake on the original submission.

**Resolved to grant the application for planning permission subject to the conditions contained in the report plus an extra condition clarifying the revised plans.**

124/08 Consideration of major application site visits

The Committee were advised that there were two future Major Application Site Visits to report and that Councillor Repton had asked the Committee to visit works being carried out to a tree in Norfolk Gardens.

**Resolved not to visit the two major application sites suggested but agreed to visit the works on the tree located in Norfolk Gardens.**

MINUTES END