

Time commenced - 6.00 pm
Time finished - 10.05pm

PLANNING CONTROL COMMITTEE 27 MAY 2004

Present: Councillor Smalley – Chair
Councillors Ahern, Baxter, Bolton, Care, Chera, Crosby, Lowe,
Rehman, Samra, Travis, and Willitts

129/03 Apologies for Absence

Apologies for absence were received from Councillors Beech and Wynn.

130/03 Late Items Introduced by the Chair

It was noted that application number DER/304/537, University of Derby, Kedleston Road had been withdrawn and would be reported to the meeting on 1 July 2004.

131/03 Declarations of Interest

Councillor Chera declared a personal interest in code no DER/304/609 as he was a former tenant of the Normanton Allotments Association.

Councillor Bolton declared a personal interest in code no DER/304/500 as her father was on the Committee of the Derbyshire County Cricket Club.

Councillor Smalley declared a personal prejudicial interest in code no DER/504/889 as he was a member of the schools IEB.

Councillor Baxter declared a personal interest in code no DER/1203/2201 as he was a Rolls Royce pensioner.

Councillor Samra declared a personal prejudicial interest in code no DER/1103/2080, as he was a member of the governing body of Derby College.

Councillor Care declared a personal interest in code nos DER/304/609 and DER/304/595 as she knew the applicants. She also declared a personal prejudicial interest in code no DER/503/789 as a fellow Councillor was acting on behalf of the applicant and in DER/1203/2201 as her husband worked for Rolls Royce.

132/03 Minutes of Previous Meeting

The Minutes of the meeting held on 22 April 2004 were approved as a correct record and signed by the Chair.

133/03 Minutes of the Conservation Area Advisory
Committee – 7 April 2004

**Resolved to receive the minutes of the Conservation Area Advisory
Committee meeting held on 7 April 2004.**

134/03 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.

135/03 Development Control Performance Quarter October
– December 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 October – December 2003.

Resolved to note the report.

136/03 Request to add Way between Scarsdale Avenue
and Quarn Drive to the Definitive Map and
Statement for the City of Derby

The Committee considered a report from the Assistant Director of Development that detailed a request from a member of the public to add a footpath between Scarsdale Avenue to Quarn Drive, Allestree, Derby to the Definitive Map and Statement for the City of Derby.

It was reported that Mr Henry Pearce of 26 Scarsdale Avenue had requested that the Council consider adding a footpath running from Scarsdale Avenue to Quarn Drive in Allestree as a public right of way. The request was received in response to the nailing shut across the path of a gate adjacent to No.31 Scarsdale Avenue, which, it was believed, occurred in June 2001.

A plan of the claimed way was attached in Appendix E.

**Resolved that the Council should not modify the Definitive Map and
Statement by adding the footpath between Scarsdale Avenue to Quarn Drive,
Allestree, Derby.**

137/03 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 April 2004 – 30 April 2004.

138/03 Development by Local Authorities

The Assistant Director – Development report (Section A) (Local Authority)

Derby City Council

Code No	Property/Site	Proposal
DER/404/660	Ridgeway Infants/Gayton Junior School, Gayton Avenue, Littleover	Erection of boundary fence, vehicular and pedestrian access gates to a height of 2.4m.

Resolved to grant permission with conditions, as set out in the report, under Regulation 3 of the Town and Country Planning General Regulations 1992.

DER/504/891	Site of Hardwick Infant and Junior Schools, Hastings Street	Erection of school building and development of site for associated facilities.
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It was noted that an additional letter of objection had been received.

Resolved to approve details with conditions, as set out in the report, subject to the receipt of no adverse representations upon expiry of the publicity period. Or in the case of representations being received, to authorise the Assistant Director – Development, in consultation with the Chair, to determine the application.

Having declared a personal prejudicial interest in the following application, Councillor Smalley left the meeting during consideration of the matter.

DER/504/889	High View Technology Centre, St Andrew's View	Erection of school and associated facilities.
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It was reported that an additional letter of representation had been received.

Resolved

- 1. to approve the application with conditions, as set out in the report, subject to the receipt of no adverse representations or consultation responses upon the expiry of the publicity and consultation period and subject to no adverse implications arising from the traffic impact study.**

3. DER/204/327 - Demolition of four dwellings and erection of 11 detached dwellings. Tall Trees, Homelands, Cloud Hill and 5 Lime Lane, Oakwood

Resolved to grant permission with conditions, as set out in the report together with an additional condition requiring provision of a footway on the Lime Lane frontage.

4. DER/304/495 - Erection of 3 terraced houses and 5 flats. Land to the rear of the Coach and Horses Public House, Mansfield Road.

Mr Davies in objection and Mr Cokayne, the applicant, addressed the Committee.

Resolved

1. **to grant permission with conditions, as set out in the report, but subject to the amendment of condition 7 to read ‘No development shall take place until a flood risk assessment has been submitted to and approved in writing by the Local Planning Authority’ and the insertion of a standard condition relating to cycle parking.**
2. **To authorise the assistant Director – Development to encourage the developer to provide one mobility unit.**

5. DER/304/575 - Retention of site for temporary storage (siting of 10 containers) and security fence until 31 March 2005. Land off Woodford Road/Wimbledon Road, Mackworth.

Resolved to grant permission with conditions, as set out in the report, subject to an additional condition requiring details of perimeter security fencing to be approved by the planning authority.

6. DER/204/317 - Change of use to hot food shop. 17 Pear Tree Road, Normanton.

Resolved to refuse planning permission.

7. DER/304/403 - Erection of sports hall, single storey changing areas, multi-gym, community room and office with associated car parking. Woodlands Community School, Blenheim Drive, Allestree.

It was reported that on 13 May 2004 an amended site layout had been received.

Resolved to grant permission with conditions, as set out in the report, but subject to the omission of condition 8, and the insertion of conditions relating to the receipt of amended plans and a condition regarding access crossing details.

8. DER/304/524 - Change of use to house in multiple occupation. 1105 London Road.

It was noted that an additional letter of objection had been received.

Mr Timon, Ms Regan and Councillor Graves in objection and Ms Burrows, the applicant, addressed the Committee.

Resolved to grant permission.

9. DER/304/397 - Extensions to dwelling house (lounge, kitchen, bathroom, breakfast room, 3 bedrooms and enlargement of dining room). 178 Warwick Avenue.

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

10. DER/304/595 - Change of use to dental surgery, including the construction of a car park. 602 Burton Road.

Mr Ward-Brown in objection and Mr Arbon, on behalf of the applicant, addressed the Committee.

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

11. DER/504/892 - Erection of school and associated facilities. Merrill College, Brackens Lane, Alvaston

It was reported that 3 further letters of representation had been received.

Resolved

- 1. to approve the application with conditions, as set out in the report, subject to the receipt of no adverse representations or consultation responses upon expiry of the publicity and consultation period and subject to no adverse implications arising from the traffic impact study, or**
- 2. in the event of receipt of representations, consultation responses or adverse implications arising from the TIA, to authorise the Assistant Director – Development, in consultation with the Chair, to determine the application.**

Having declared a personal prejudicial interest in the following application, Councillor Care left the meeting during consideration of the matter.

12. DER/503/789 - Erection of 79 dwellings (comprising 50, 1 & 2 bedroom apartments, together with 29 houses in two and three storeys. Former site of Forte Posthouse and land adjacent Pastures Hill, Littleover.

It was noted that 7 further representations and a statement had been made available to Members.

Mrs Wright and Mr Clarke in objection to the application and Mr Swann, representing the applicant addressed the Committee.

Resolved

- 1. to authorise the Assistant Director – Development to negotiate the terms of a Section 106 Agreement to provide affordable housing, mobility housing, public open space, education facilities and if required, highways work.**
- 2. to authorise the Assistant Director – Development to grant planning permission on the conclusion of an Agreement, with conditions as set out in the report, but with condition 10 to be amended in line with the County Archaeologist Officers recommendations and with an additional condition relating to the protection of bats.**

13. DER/204/266 - Permanent change of use from retail/residential to Muslim teaching centre to operate between the hours of 16:00 to 19:00 hours with additional times in the school holidays. 112 Rutland Street.

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

14. DER/304/609 - The siting of a storage container. Land at Normanton Allotments, off Foremark Avenue

Mrs Wild, the secretary of the Allotments Society, addressed the Committee.

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

Having declared a personal prejudicial interest in the following application, Councillor Care left the meeting during consideration of the matter.

15. DER/1203/2201 - Erection of two new manufacturing facilities with associated car parking. Rolls Royce, Sinfin D Site, Wilmore Road

Resolved

- 1. to authorise the Assistant Director – Development to negotiate the terms of a Section 106 Agreement to make provision for traffic junction improvements**
- 2. to authorise the Assistant Director – Development to grant permission, with conditions as set out in the report, together with an additional condition requesting a detailed dispersion model with respect to PM10 emissions.**

16. DER/104/139& - Erection of 24 residential flats. Site of 65-71
DER/104/149 Ashbourne Road

It was noted that an objection to the application had been withdrawn.

Mr Hamilton in objection and Mr Goodwill-Hodgson, on behalf of the applicant, addressed the Committee.

Resolved

- 1. to authorise the Assistant Director – Development to negotiate the terms of a Section 106 Agreement to provide mobility housing and incidental public open space provision.**
- 2. to authorise the Assistant Director – Development to grant conservation area consent and planning permission on the conclusion on an Agreement, with conditions as set out in the report, together with additional conditions to provide for continuous pavement and dropped kerbs.**

17. DER/504/869 - Erection of dwelling. Plot 44, Quarndon Heights, Allestree.

It was reported that an additional 5 letters of objection had been received.

Resolved to authorise the Assistant Director – Development to grant permission with conditions, as set out in the report, subject to no adverse representations being received before expiry of the publicity period. Or in the event of representations, to authorise the Assistant Director, in consultation with the Chair, to determine the application.

Councillor Bolton left the meeting before consideration of the following item.

18. DER/304/500 - Erection of floodlights. County Cricket Ground, Nottingham Road.

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

19. DER/404/827 - Extension to Church, (toilets and installation of West End doors). St Peter's Church, Church Street, Littleover.

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

- 20 DER/404/761 - Erection of 18m slimline monopole, three antennas, two cabinets and two dishes. Land at Meridian Clothing, Coronation Street.

It was reported that an additional 2 letters of objection had been received.

Resolved to grant planning permission.

Having declared a personal prejudicial interest in the following application, Councillor Samra left the meeting during consideration of the matter.

21. DER/1103/2080 - Residential development, ancillary community facilities and public open space. Derby College, Pride Parkway.

It was reported that a late letter of support had been received.

Resolved

1. to refer the application to the Secretary of State with a supporting statement setting out why the City Council considers that planning permission should be granted.
2. to authorise the Assistant Director – Development to negotiate the terms of a Section 106 Agreement to provide:
 - affordable and mobility housing
 - the provision of open space to the requirements of the Local Planning Authority concurrently with the development and its subsequent transfer to the City Council with commuted sums for maintenance.
 - A contribution to the expansion of educational facilities sufficient to enable the proposed nearby primary school to be expanded from a 1 ½ to a 2 form entry.
 - The provision of, or funding for:
 - a. Such highway works outside the site as are shown to be necessary to deal adequately with traffic flows generated by the development;
 - b. A secondary means of access for emergency purposes;
 - c. Improvements to public transport infrastructure.
3. in the event of the Secretary of State not calling in the application, to authorise the Assistant Director – Development, to issue an outline planning permission subject to the conditions as set out in the report, with the addition of a condition for the provision of recycling facilities.

22. - 14 St James Road. Ramgarhia Sabha (Sikh Temple).

Resolved to note the report.

23. DER/404/650 - Erection of a 12.5m high slimline monopole supporting three shrouded antennae and one equipment cabinet. Land opposite 218 Warwick Avenue.

Agreed that the City Council does not wish to control the details of siting and appearance.

140/03 Appeal Decisions

Code No	Proposal	Location	Decision
DER/103/167	Extension to dwelling (garage, bedroom and enlargement of day room)	88 Stoney Lane, Spondon	Dismissed
DER/303/474	Change of use to house in multiple occupation	67 Empress Road	Dismissed
DER/503/814	Erection of a dwelling	Rear of 112 Locko Road, Spondon	Dismissed

MINUTES END