

Time commenced: 6.00pm
Time finished: 9.00pm

PLANNING CONTROL COMMITTEE 13 September 2018

Present: Councillor Wood (Chair)
Councillors Care, Evans, Froggatt, Harwood, Hassall, S Khan,
McCristal, Nawaz, P Pegg, Potter, Rawson, West

In Attendance: Stephen Bate – Senior Planning Officer
Paul Chamberlain – Group Manager Traffic and Transportation
Paul Clarke – Chief Planning Officer
Steven Mason – Democratic Services Officer
Laura Neale – Major Projects Officer
Karl Suschitzky – Senior Environmental Health Officer
Stephen Teasdale – Solicitor
Chris Thorley – Traffic and Transport Engineer
Ian Woodhead – Development Control Manager

17/18 Apologies for absence

There were none.

18/18 Late items

There were no late items.

19/18 Declarations of interest

There were none.

20/18 Minutes of the meeting held on 19 July 2018

The minutes of the meeting held on 19 July 2018 were agreed.

21/18 Minutes of the meeting of the Conservation Area Advisory Committee held on 5 July 2018

The minutes of the meeting of the Conservation Area Advisory Committee held on 5 July 2018 were noted.

Resolved to note the report.

22/18 Appeal Decisions

The Committee received a report of the Director of Strategic Partnerships, Planning and Streetpride summarising appeal decisions taken in the last month.

Resolved to note the decisions on appeals taken.

23/18 Development Control Performance – Quarter 1 (April – June 2018)

The Committee received a report of the Director of Strategic Partnerships, Planning and Streetpride on Development Control Performance – Quarter 1 (April - June 2018).

Resolved to note the report.

24/18 Applications to be Considered

The Committee considered a report from the Director of Strategic Partnerships, Planning and Streetpride on planning applications which were to be determined by the Committee.

04/17/00429 - Site of former Cock N Bull PH, Sinfin Lane, Sinfin

(Erection of an industrial unit with retail sales and car breaking (mixed use B2/A1/Sui Generis) and associated car parking)

The application had been withdrawn from the agenda before the meeting.

06/18/00975 - 46 St. Peters Street, Derby

(Change of use from retail (Use Class A1) to mixed use restaurant/hot food shop (Use classes A3/A5) including installation of an extraction flue to the rear elevation)

The Senior Planning Officer addressed the Committee and introduced the item.

Mr Malkin, JMI Planning, on behalf of the applicant, addressed the Committee. Councillor Hussain, as Ward Member, addressed the Committee and made representations in support of the application.

Resolved to reject the officer recommendation and grant planning permission, subject to appropriate conditions.

07/18/01055 - 277 Baker Street, Alvaston

(Change of use from a dwelling house (use class C3) to a seven bed house in multiple occupation (sui generis use) including erection of a single storey rear extension)

The Development Control Manager addressed the Committee. It was reported that at the top of page 3 of the report, mention of 'Paragraph 32 of the National Planning Policy Framework' should be replaced with 'Paragraphs 108, 109 and 110 of the National Planning Policy Framework'.

Mr Wale, Aben Living Ltd, on behalf of the applicant, addressed the Committee. Ms Adams, Mr Aveline and Councillors Bayliss and Graves, as Ward Members, addressed the Committee and made representations against the application.

Resolved:

- 1. to reject the officer recommendation and refuse planning permission; and**
- 2. to nominate Councillor Rawson to represent the Committee at any appeal.**

Reason for Refusal

In the opinion of the Local Planning Authority the proposed change of use to a House in Multiple Occupation (HiMO) would create, by virtue of the intensification of the residential use, an unacceptable form of development that would be injurious to the residential amenities enjoyed by neighbouring residents and the required additional parking to serve future residents could not be safely accommodated within the already congested on-street parking levels on Baker Street. The proposed change of use to a HiMO would also have a detrimental impact on the wider character of the area by virtue of the loss of a family dwelling house and, combined with other similar conversions nearby, this would erode the prevailing character of the area. For these reasons the proposal is contrary to adopted policies CP4 and CP23 of the Derby City Local Plan – Part 1: Core Strategy and saved policies GD5 and H13 of the adopted City of Derby Local Plan Review.

04/18/00542 - West Park Community School, West Road, Spondon

(Erection of Teaching Block (six classrooms with associated toilet facilities and staff accommodation) together with formation of staff car park and level access)

The Development Control Manager addressed the Committee and introduced the item. Members noted that on page 33 of the report, at 5.2, fourth paragraph, reference was made to 'West Street' instead of 'West Road'. It was also noted that in 'Officer Opinion' midway down page 38 of the report, reference was made to the net gain of car parking spaces on the site being 11, which was incorrect and that the net gain would actually be 19.

Mr K Runcie, YMD Boon, on behalf of the applicant, addressed the Committee. Mr Illsley, and Councillors Roulstone and Poulter, as Ward Members, addressed the Committee and made representations which were primarily aimed at the need for co-ordinated action by the City Council, West Park School and other schools in the immediate area to address on-street parking and traffic issues at school drop-off and pick-up times.

Resolved to grant planning permission for the reasons and subject to the conditions as set out in the report.

(In accordance with the resolution of Members the wording of the condition which relates to an assessment of parking and traffic conditions on West Road and Park Road would be drafted and agreed with the Chair, Vice Chair and Ward Members before the final decision was dispatched).

06/18/01005 - 85 Derby Road, Chellaston

(Retention of the erection of a pergola)

The Senior Planning Officer addressed the Committee. It was reported that a letter in support of the application had been received from the applicant and circulated to the Committee. The officer read out extracts from the letter.

Mr Doyle, on behalf of his parents, addressed the Committee and made representations against the application.

Resolved to grant planning permission for the reasons and subject to the conditions as set out in the report.

Councillor Pegg left the room.

10/15/01314 - Land at Rough Heanor Farm, Rough Heanor Road, Mickleover

(Re-model junction (A516/A38 on and off slip), demolish outbuildings and erect 80 dwellings, a restaurant and a coffee shop with drive-through facilities)

The Major Projects Officer addressed the Committee. It was reported that the following comments had been received from Highways England:

Highways England repeatedly requested additional information, most recently in our response of 26th January 2018. To date there has been no response from the developer and as such we not do have sufficient information to determine whether the application is acceptable.

Mr Simms, SSA Planning Ltd, on behalf of the applicant, addressed the Committee. Mr Froggatt addressed the Committee and made representations against the application.

Resolved to refuse planning permission for the reasons as outlined in the report.

07/18/01062 - 189-191 Blenheim Drive, Allestree

(Change of use of ground floor from a beauty salon (sui generis use) to a drinking establishment (use class A4))

The Senior Planning Officer addressed the Committee and introduced the item.

Councillor Webb, as Ward Member, addressed the Committee and made representations against the application.

Resolved to grant planning permission for the reasons and subject to the conditions as set out in the report.

25/18 Major Site Visits

The Committee was advised of future major applications.

Resolved to undertake a site visit in relation the following planning applications:

- **07/18/01132 - Land north of Andrew Close / Pritchett Drive and, Allan Avenue, Littleover; and**
- **08/18/01214 - Wilkinson's Yard, Stafford Street, Derby.**

Resolved not to undertake site visits in relation to the following planning applications:

- **04/18/00567 - Site of the Former Coes (Derby) Ltd, Thirsk Place, Derby;**
- **05/18/00814 - St. Helen's House and site of chapel and classroom, King Street, Derby (including 1 Arthur Street);**
- **07/18/01011 - Royal Derby Hospital, Uttoxeter New Road, Derby;**
- **07/18/01063 - Disused land adjacent 1 - 5 Railway Cottages, Sinfin Lane, Sinfin;**
- **07/18/01064 - Former The Yarn Spinner PH, Stoney Lane, Spondon;**
- **07/18/01121 - Agard Street Car Park, Agard Street, Derby; and**
- **07/18/01144 - Former Rolls Royce Car Park, Dunstall Park Road, Derby.**

MINUTES END