

Time commenced: 6.00pm
Time finished: 7:57pm

PLANNING CONTROL COMMITTEE 11 April 2019

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

In Attendance: James Bathurst – Senior Planning Technician
Paul Clarke – Chief Planning Officer
Sara Claxton – Development Control Team Leader
Steven Mason – Democratic Services Officer
Julia Stewart – Senior Planning Officer
Stephen Teasdale – Solicitor

57/18 Apologies for absence

Apologies were received from Councillors Hassall, McCristal and P Pegg.

58/18 Late items

There were none.

59/18 Declarations of interest

The Chair declared an interest in application 19/00059/FUL – 46 Babington Lane, Derby, as he was a Director of Disability Direct (the applicant). The Chair reported that he would leave the room during consideration of that application.

60/18 Minutes of the meeting held on 14 February 2019

The minutes of the meeting held on 14 February 2019 were agreed as a correct record.

61/18 Minutes of the meeting of the Conservation Area Advisory Committee held on 24 January 2019

It was noted that the minutes of the meeting of the Conservation Area Advisory Committee held on 6 December 2018 were incomplete and it was agreed that they be brought back to the next meeting.

62/18 Appeal Decisions

The Committee received a report of the Chief Planning Officer summarising appeal decisions taken in the last month.

Resolved to note the decisions on appeals taken.

63/18 Heritage Conservation Work Priorities 2019/20

The Committee received a report of the Chief Planning Officer on Heritage Conservation Work Priorities 2019/20.

It was noted that the purpose of the report was to update members of the work priorities of the Conservation service following the deletion of the full time Conservation officer's post as part of the recent budget saving exercise.

It was also noted that the report informed members of the processes and procedures that would be put in place to help mitigate any financial/reputational issues in acknowledgement that the workload and complexity of the Conservation service for a city the size of Derby could not be carried out effectively with this diminished level of resources.

Resolved:

- 1. to acknowledge the main work priorities for the Conservation service along with those work items that will not receive any professional time and support going forward;**
- 2. to acknowledge the processes and procedures put in place to manage this service with the limited professional resources available; and**
- 3. to recommend that Council Cabinet should reconsider the staffing levels of the Conservation Service, during the review of finances in the forthcoming year.**

64/18 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.

18/01925/FUL – site of 37 Carlton Road, Derby

(Demolition of existing dwelling and erection of nine apartments and one detached dwelling house (Use Class C3))

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

Mr Rowland, the developer, addressed the Committee in support of the application. Mr Taylor, Mr Aslam and Councillor Afzal, as Ward Member, addressed the Committee and made representations against the application.

Resolved to grant planning permission with the conditions and for the reasons as outlined within the report.

19/00028/FUL – 20 Vicarage Avenue, Derby

(Change of use from dwelling house (Use Class C3) to a nine bedroom house in multiple occupation (sui generis use))

The Development Control Team leader addressed the Committee. It was reported that further representations had been received from the applicant and had been circulated to the Committee.

Mr Jones addressed the Committee and made representations against the application.

Resolved:

- 1. to reject the officer recommendation and refuse planning permission; and**
- 2. to agree Councillor S Khan to represent the Committee at any future appeal.**

Reasons 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 over intensive form of development that would be injurious to the residential amenities enjoyed by neighbouring residents by increase in noise disturbance and the required additional on street parking to serve future residents, which could not be safely accommodated within the already congested on-street parking levels on the highway. There would also be an inadequate amount of communal room space and private amenity space for use of the future residents which would fail to provide a satisfactory living environment, with a detrimental impact residential amenity in the wider 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.

19/00034/FUL – 300 Uttoxeter New Road, Derby

(Change of use from a dwelling house (Use Class C3) to a 10 bedroom house in multiple occupation (Sui Generis Use), including the installation of a new window and the creation of an enlarged frontage parking area, incorporating retaining walls.)

The Chief Planning Officer addressed the Committee.

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

Resolved to grant planning permission with the conditions and for the reasons as outlined within the report, subject to the addition of advisory notes in relation to recycling and the creation of a gradient on the parking area to reduce the number of steps required.

18/01848/OUT – Garage Court, Marks Close, Derby

(Demolition of garage block. Erection of replacement garages with one apartment above)

The Development Control Team Leader addressed the Committee. It was reported that one further objection had been received, relating to loss of privacy from the apartment of a neighbouring property, and had been circulated to the Committee.

Mr Keighley and Ms. Fletcher, who were registered to speak, were not in attendance. Councillor Skelton, as Ward Member, addressed the Committee and made representations against the application.

Resolved to agree that the application be deferred to a future meeting, to allow for a site visit to be undertaken.

Councillor Wood left the room and Councillor Potter assumed the Chair.

19/00059/FUL – 46 Babington Lane, Derby

(Change of use from retail (Use Class A1) to office (Use Class B1))

The Senior Planning Officer addressed the Committee. It was reported that the applicant had highlighted the incorrect property on the site location plan. It was also reported that an updated plan had been received and that the application was out for consultation for a further 21 days. Members noted that the recommendation had been amended as follows:

To delegate authority for officers to issue a decision following expiry of the new consultation period, if no objections have been received.

Resolved to delegate authority for officers to issue a decision following expiry of the new consultation period, if no objections have been received.

Councillor Wood returned to the room and assumed the Chair.

18/01788/FUL – 37 Bass Street, Derby

(Change of use from a six bedroom house in multiple occupation to a seven bed house in multiple occupation (sui generis use))

The Chief Planning Officer addressed the Committee. It was reported that a letter of objection had been received from Councillor A Pegg and had been circulated to the Committee.

Councillor A Pegg, who had registered to speak, was not in attendance.

Resolved to agree that as Councillor A Pegg was not in attendance, the matter should be delegated to officers.

65/18 Potential Future Site Visits

The Committee was advised of future major applications.

Resolved to undertake site visits in relation to the following planning applications:

- **19/00033/FUL - site of 12 Louvain Road, Derby; and**
- **19/00180/FUL - Mickleover Sports Club, Station Road, Mickleover**

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

- **18/01853/FUL – site of 226A Osmaston Road and Douglas Court, 1 Douglas Street, Derby;**
- **18/01925/FUL – site of 37 Carlton Road, Derby;**
- **19/00220/FUL – Land to the South of Victory Road, Victory Park, Derby;**
- **19/00237/FUL – Royal Derby Hospital, Uttoxeter Road, Derby;**
- **19/00274/VAR – Former Rolls Royce Car Park, Dunstall Park Road, Derby; and**
- **19/00356/VAR – land at junction of Cathedral Road, Willow Row and Walker Lane, Derby.**

MINUTES END