

Time commenced: 18:01pm
Time finished: 19:31pm
Held Remotely - Via Skype

PLANNING CONTROL COMMITTEE 16 July 2020

Present: Councillor S Khan
Councillors Bettany, Care, Carr, Hassall, Nawaz, Pearce,
P Pegg, West

In Attendance: James Bathurst – Senior Planning Technician
Sara Claxton – Development Control Team Leader
Steven Mason – Democratic Services Officer
Stephen Teasdale – Solicitor
Chris Thorley – Traffic and Transport Engineer
Ian Woodhead – Development Control Manager

01/20 Apologies for absence

Apologies were received from Councillor McCristal.

02/20 Late items

The Chair advised committee that the Secretary of State has elected not to 'call in' the application for the Landmark Building on Phoenix Street which had been reported to the June meeting. On completion of the s106 Agreement that decision can be issued.

03/20 Declarations of interest

There were none.

04/20 Minutes of the meeting held on 18 June 2020

The minutes of the meeting held on 18 June 2020 were agreed as a correct record. Councillor West stated that she would like reference to Helen Oakes to be recorded following the tribute by the Chief Planning Officer.

05/20 Minutes of the meeting of the Conservation Area Advisory Committee held on 5 March 2020

The minutes of the meeting of the Conservation Area Advisory Committee held on 5 March 2020 were noted.

06/20 Appeal Decisions

The Committee received a report of the Chief Planning Officer summarising appeal decisions taken in the last month. The Development Control Manager gave a summary of those items and Councillor Carr questioned the rationale of the Inspector's decision at Marks Close (under code no. 18/01848).

Resolved to note the decisions on appeals taken.

07/20 Applications to be Considered

The Committee considered a report from the Chief Planning Officer on planning applications which were to be determined by the Committee.

19/01432/FUL – 149 Almond Street

(Change of use from dwelling house (Use Class C3) to an eight bedroom house in multiple occupation (Sui Generis Use) including installation of doors to the rear elevation)

The Development Control Manager addressed the Committee. Members were reminded that the comments of the Highways officer within the report were made in relation to the original 10 bedroom proposal.

Councillor J Khan, as Ward Councillor, 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 P Pegg to represent the Committee at any future appeal.**

Reasons for Refusal

In the opinion of the Local Planning Authority the proposed conversion of this property to an 8 bedroom House in Multiple Occupation (Sui Generis) would create, by virtue of the general disturbance and activity associated with the use, including additional vehicle movements to the site, an unacceptable intensification of the residential use which would be detrimental to the residential amenities enjoyed by neighbours and others who live nearby in this high density part of the city. Therefore, the proposal is contrary to saved policy GD5 of the adopted City of Derby Local Plan Review and the over-arching guidance in the NPPF which seeks to protect the amenities of those affected by the development of land and buildings.

Informative Note

The Planning Control Committee indicated that it would like the developer to proactively engage with local ward councillors and local residents to determine the most appropriate future use of this building.

19/01070/FUL – Land Between 42 and 46 Middleton Avenue, Derby

(Erection of a dwelling (Use Class C3) and felling of a Eucalyptus tree protected by Tree Preservation Order no. 492)

The Development Control Manager addressed the Committee. It was reported that the submission of a late supporting statement from Indigo Architecture and an email of support from a neighbour had been received and circulated to the Committee. Members noted that in relation to part 7.2 of the report, it was confirmed that the Council's Arboricultural Team had a schedule of works to plant two limes trees in the verge outside 129a and 129b Manor Road.

Resolved:

- A. To authorise the Director of Strategy Partnerships, Planning and Streetpride to negotiate the terms of a Section 106 Agreement to achieve the objectives set out in the report and to authorise the Director of Governance to enter into such an agreement.**
- B. To authorise the Director of Strategy Partnerships, Planning and Streetpride to grant permission upon conclusion of the above Section 106 Agreement, for the reasons and subject to the conditions as set out in the report.**

20/00478/FUL – 48 Leacroft Road, Derby

(Change of use from dwelling house (Use Class C3) to a seven bedroom house in multiple occupation (Sui Generis use) and single storey rear extension and installation of a dormer to the rear elevation.

The Development Control Team Leader addressed the Committee and introduced the item.

Resolved:

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

Reasons for Refusal

In the opinion of the Local Planning Authority the proposed change of use of the dwelling to a 7 bedroom House in Multiple Occupation (Sui Generis) would create, by virtue of the resulting intensification of the residential use, an unacceptable form of development that would be; injurious to the residential

amenities enjoyed by neighbouring residents; detrimental to the character of the street; by reason of 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 and would result in a poor living environment for the occupants by reason of cramped layout of bedrooms. For these reasons the proposal is contrary to saved policies GD5 and H13 of the adopted City of Derby Local Plan Review and the over-arching guidance in the NPPF which seeks to protect the amenities of those affected by the development of land and buildings.

20/00471/TPO – 103 and 105 Whitaker Road, Derby

Felling of a Lime tree, crown lift to 3m of two Yew trees and reduction of lateral branch growth on the south east corner of the crown to give 1.3m clearance of 103 Whitaker Road of a Corsican Pine tree protected by Tree Preservation Order no. 280.

The Development Control Team Leader addressed the Committee. It was reported that at Appendix 1 of the report, the recommendation should read, 'to grant TPO consent' and not, 'to grant planning permission'.

Resolved to grant TPO consent with the conditions as outlined in the report.

08/20 Potential Future Site Visits

The Committee was advised of future major applications.

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

- **20/00535/VAR – Plot L, Fernhook Avenue, Raynesway;**
- **20/00664/VAR – Site of former Fitness Centre, Carrington Street, Derby; and**
- **20/00684/FUL – Surface Car Park, Liversage Street, Derby.**

MINUTES END