

Time commenced: 6.00pm  
Time finished: 7.47pm

## PLANNING CONTROL COMMITTEE 13 MARCH 2014

Present: Councillor Bolton (Chair)  
Councillors Bailey, Harwood, Hickson, J Khan, Nawaz, Turner and Wood

### 98/13 Apologies for Absence

Apologies for absence were received from Councillors Carr, Naitta, S Khan and Sandhu.

### 99/13 Announcements from the Chair

The Chair reported that the Member training for Committee Members for the next municipal year would be held at 4.00pm on Thursday 12 June in the Council Chamber. It was noted that further details would be circulated in due course.

### 100/13 Late Items

There were no late items.

### 101/13 Declarations of Interest

Councillor Harwood, having sought advice from the legal officer, declared in relation to application number DER/10/13/01236 (1-50 Keys Street, 1-20 Alice Street and 6-10 Robert Street, Derby), under minute number 105/13 that as he was on the board of trustees of the Liversage Trust, although not having a disclosable pecuniary interest, he would not take part in the decision but wished, with the leave of the Chair, to speak on the application.

Councillor Turner, having sought advice from the legal officer, declared in relation to application number DER/10/13/01236 (1-50 Keys Street, 1-20 Alice Street and 6-10 Robert Street, Derby), under minute number 105/13 that as he was on the board of trustees of the Liversage Trust, although not having a disclosable pecuniary interest, he would not take part in the decision.

### 102/13 Minutes of the Meeting Held on 6 February 2014

The minutes of the meeting held on 6 February 2014 were agreed as a correct record and signed by the Chair subject to the following amendment:

- (a) DER/11/13/01284 – Residential development of up to 215 dwellings, 60 extra care units and associated infrastructure and public open space at Land at Brook Farm, north of Oregon Way, Chaddesden.

### **Reason for Refusal**

In the opinion of the Local Planning Authority the detailed principal access arrangements to serve the development site, in the form of a proposed mini-roundabout at the existing junction of Oregon Way and Ellendale Road, would be injurious to the free and safe movement of vehicles and pedestrians on the public highway. As such, the proposed access arrangements would be to the detriment of highways users on this particular part of the local highway network. Therefore, for this reason, the proposal is contrary to saved policies GD5 and T4 of the adopted City of Derby Local Plan Review.

### **103/13 Minutes of the Meeting of the Conservation Area Advisory Committee Held on 19 December 2014**

The minutes of the meeting of the Conservation Area Advisory Committee held on 19 December 2014 were received and noted by the Committee.

### **104/13 Tanglewood Mill, Coke Street, Derby**

The Committee received a report of the Strategic Director of Neighbourhoods on Tanglewood Mill, Coke Street, Derby. It was reported that the developer had requested that planning obligations were waived due to the viability of the development in the current economic climate. It was proposed that contributions were waved up front but that the developer would enter into an agreement with the Council to pay contributions at the end of the construction phase should this be shown to be viable.

**Resolved to note the report and the intention to waive planning obligations on the above development unless economic conditions improve.**

### **105/13 Applications to be Considered**

The Committee considered a report from the Strategic Director of Neighbourhoods on planning applications which were to be determined by the Committee, together with applications determined by the Strategic Director of Neighbourhoods under delegated powers.

- (b) 08/13/00995 – Residential development for up to 250 dwellings with associated infrastructure at land rear of 122-198 Derby Road and adjacent to Acorn Way, Spondon, Derby

The Planning Officer provided an update on the representations received advising that in total 99 representations had been received, of which 2 were in favour of the development and 97 were against. It was reported that outline planning permission

had been refused in 1981 on this site, then known as Spondon Park. The Planning Officer proposed amendments to the reason for the refusal as set out in the report.

Members noted that a revised condition had been circulated prior to Committee.

Councillors Poulter and Williams addressed the Committee to object to the application.

**Resolved to refuse planning permission in accordance with the Planning Officers amended reasons.**

### **Reason for Refusal**

1. In the opinion of the Local Planning Authority, residential development on the application site would be prominent and intrusive leading to the narrowing of the Chaddesden / Spondon green wedge, damaging its openness, undeveloped character and strong boundaries. It would reduce the extent to which the countryside is able to penetrate the urban area and would create a potential for the gradual coalescence of the Chaddesden and Spondon neighbourhoods. As such, the proposal would compromise the role and function of the green wedge in this location, contrary to the aims of saved policy E2 of the adopted City of Derby Local Plan Review
2. In the opinion of the Local Planning Authority residential development on this site would struggle to directly identify with the prevailing built form of either Chaddesden or Spondon. Given the strong physical boundaries between the site and its neighbours, it is considered that it would be difficult to secure a layout of development that relates well to existing housing in the locality. The existing houses on Derby Road turn their backs to the site and because Acorn Way is a clear boundary forming the eastern edge of Chaddesden and green wedge would remain to the east of the site separating it from Spondon; it would virtually be an island of development that would struggle to relate to neighbouring communities. As such, the Local Planning Authority has little confidence that reserved matters submissions could deliver an overall layout that would provide a high quality design that would relate well to existing housing in the locality. The proposal is therefore contrary to saved policies GD4, H13 and E23 of the adopted City of Derby Local Plan Review and the over-arching design guidance in the National Planning Policy Framework.

(c) DER/06/13/00662–Erection of 4 bungalows at land between 11 and 20 Thanet Drive, Alvaston, Derby.

The Planning officer provided an update on the representations advising that there had been 11 emails/letters received and a 94 signatory petition. It was suggested that an additional condition of a construction management plan and a note for the applicant regarding the installation of sprinklers be included should permission be granted.

Mr Murney addressed the Committee to object to the application. Mr McNeil, Derby City Council, on behalf of the applicant addressed the Committee in support of the application.

**Resolved to grant planning permission in accordance with the recommendation and with the conditions as outlined in the report.**

(d) DER/11/13/01328 – Erection of 3 classroom block and enlargement of hall at Walter Evans C of E School, Darley Abbey Drive, Darley Abbey, Derby.

The Planning officer provided an update on the representations advising that there had been 5 further objections, including a letter from Councillor Radford and an email from Councillor Repton. It was noted that there was not a traffic regulation order at the front of the school but a zig zag line in place to prevent parents using this point for a drop off/pick up zone. The officer reported that there had been additional drawing received and an update on the service water drainage layout, along with landscaping details.

Mr Parker and Mr Lintott addressed the Committee to object to the application. Mr McCrea on behalf of Walter Evans School, addressed the Committee in support of the application.

**Resolved to grant planning permission in accordance with the recommendation and with the conditions as outlined in the report.**

(e) DER/12/13/01486 – Erection of 46 apartments, hotel, offices, commercial uses (Use Class A1/A2/A3/A4), car parking, alterations to access and associated works at site of former Derby Police Station, Full Street, Derby;

The Planning officer provided an update to confirm that the magistrates court site did not form part of the application. It was reported that further comments had been received from the Environment Agency that removed the need for condition 20. It was noted that condition 22 was no longer required and condition 23 was amended. The Officer confirmed details had been provided for condition 15 for the drop kerb. It was noted that there had been amendments submitted to the phase 1 details of ventilation grills, of which had a minimal affect on the overall look of the building.

**Resolved**

- 1. To authorise the Director of Planning and Property Services to negotiate the terms of a Section 106 Agreement to achieve the objectives set out below and authorise the Director of Legal and Democratic Services to enter into such an agreement;**
- 2. To authorise the Director of Planning and Property Services to grant permission subject to the conditions outlined in the report upon conclusion of the above Section 106 Agreement for the reasons set out in the report;**

DER/12/13/01503 – Erection of 46 apartments, hotel, offices, commercial uses (A1/A2/A3/A4) and associated works at site of former Derby Police Station, Full Street, Derby

**Resolved to grant consent conditionally.**

- (f) DER/10/13/01236 – Installation of replacement front doors at 1-50 Keys Street, 1-20 Alice Street and 6-10 Robert Street, Derby.

The Planning officer confirmed that the reason for condition 4 was to preserve the character of the Conservation Area.

Councillor Harwood, with the leave of the Chair, addressed the Committee, as a resident, in objection to the application and took no part in the decision.

Councillor Turner took no part in the decision.

**Resolved:**

- 1. to refuse planning permission; and**
- 2. to nominate Councillor Bolton to represent the Committee on appeal should it be necessary.**

Reasons for Refusal

1. use of inappropriate materials.

- (g) DER/01/13/00055 – Residential development at garages adjacent Lilac Court, Lilac Close, Alvaston, Derby.

**Resolved to grant consent in accordance with the recommendation and with the conditions as set out in the report.**

- (h) DER/02/12/00190 – Part demolition of hotel and erection of hotel building at 220 Osmaston Road, Derby (Former La Gondola)

**Resolved to grant consent in accordance with the recommendation and with the conditions as set out in the report.**

- (i) DER/10/13/01231 – Installation of replacement windows and mouldings at 65 Friar Gate, Derby

**Resolved to grant consent in accordance with the recommendation and with the conditions as set out in the report.**

## 106/13 Major Application Site Visits

The committee was advised that there were three future major applications.

**Resolved to undertake a site visit in relations to planning application:**

- **DER/02/14/00198-Land off North Avenue**

**Resolved not to undertake a site visit in relation to planning applications:**

- **DER/01/14/00044 (Site of East Midlands Nuffield Hospital, Rykneld Road, Littleover)**
- **DER/01/14/00104 (Site at Land off North Avenue, Darley Abbey)**

MINUTES END