

Time commenced: 18:01  
Time finished: 19:57  
Held Remotely - Via Skype

## PLANNING CONTROL COMMITTEE 10 September 2020

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

In Attendance: Kathryn Armstrong-Prior – Senior Planning Officer  
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

### 09/20 Apologies for absence

Apologies were received from Councillor Hassall.

### 10/20 Late items

The Development Control Manager informed the Committee that Joan D'Arcy had passed away. She was a highly valued member of the Conservation Area Advisory Committee, over many years. She had very ably represented the Derbyshire Archaeological Society. Her knowledge of heritage in Derby and beyond was immense and she had undertaken much detailed research herself. Joan's contributions at the Conservation Area Advisory Committee meetings and to the planning process were always well considered, constructive and regarded as most valuable by fellow Conservation Area Advisory Committee Members.

### 11/20 Declarations of interest

There were none.

### 12/20 Minutes of the meeting held on 16 July 2020

The minutes of the meeting held on 16 July 2020 were agreed as a correct record.

## 13/20 Minutes of the meeting of the Conservation Area Advisory Committee held on 16 April 2020 and 11 June 2020

The minutes of the meetings of the Conservation Area Advisory Committee held on 16 April 2020 and 11 June 2020 were noted.

## 14/20 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.**

## 15/20 Development Control Performance – Quarter 1 (April – June 2020)

The Committee received a report of the Chief Planning Officer on Development Control Performance – Quarter 1 (April – June 2020).

**Resolved to note the report.**

## 16/20 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.

### 20/00587 – 9 Breedon Hill Road, Derby

(Change of use from a six bedroom house in multiple occupation (Use Class C4 to a six bedroom, eight occupant house in multiple occupation (Sui Generis use))

The Development Control Manager addressed the Committee. It was reported that at 5.1 of the report, it should read 'Breedon Hill Road' and not Breedon Hell Road'.

Councillor Hussain, as Ward Member, 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 change of use of the property to a 8 person 6 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 and 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. The proposal would also result in a poor living environment for the occupants by reason of the 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.

#### **20/00299 – Land Between Slack Lane, Etwall Street and Junction Uttoxeter Old Road**

(Erection of twelve apartments in a four storey building for student accommodation (Sui Generis use))

The Development Control Manager addressed the Committee. It was noted that reference in the report to a 'disabled parking space', should read 'DDA compliant accessible parking space'.

Councillor A Pegg, as Ward Member, 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:**

1. In the opinion of the Local Planning Authority the proposed development would create, by virtue of its over-intensive footprint and inadequate supply of on-site car parking, an unacceptable form of development that would exacerbate existing on-street car parking problems in the immediate area, where resident's parking restrictions are being formally considered, to the detriment of the residential amenities enjoyed by local residents; who would be directly affected. For this reason 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.

2. In the opinion of the Local Planning Authority the proposed development would create, by virtue of its scale and mass, an unacceptable form of development that would be out of character with the prevailing scale of the surrounding area to the detriment of the appearance of the wider street-scene and to the detriment of the residential amenities enjoyed by local residents, who would be directly affected. For this reason the proposal is contrary to saved policies GD5 and H13 of the adopted City of Derby Local Plan Review, policies CP3 and CP4 of the Derby City Local Plan - Part 1: Core Strategy and the over-arching guidance in the NPPF which advocates high quality design and which also seeks to protect the amenities of those affected by the development of land and buildings.

19/01387 – 27A Darley Park Road, Derby

(Two storey side and single storey rear extensions to dwelling house, installation of render and cladding and formation of a raised patio area to the rear)

The Development Control Team Leader addressed the Committee. It was reported that a late letter of objection had been received but that due to IT issues it had not been possible to circulate it. To address the concerns raised in relation to loss of privacy and overlooking from the flat roof of the single storey rear extension. An additional condition was recommended to prevent the flat roof being used as a balcony or raised patio.

**Resolved to grant planning permission with the conditions and for the reasons as outlined in the report and with additional condition to prevent flat roof of extension being used as a balcony/raised patio.**

19/01353 – 2 Repton Avenue, Derby

(Retention of single storey rear extension to dwelling house (kitchen/dining area and lounge) and erection of an outbuilding (garden room))

The Development Control Team Leader addressed the Committee. It was reported that a late letter of support had been submitted by the agent on behalf of the applicant, which compared the dimensions of the current proposals with those of the previous approvals and concluded that the outbuilding was reduced in size and the rear extension has increased in depth. It was noted that at 7.1 of the report, it should read 'has increased from 7m to 8.44m' and not 'has increased significantly from 4.3m to 8.44m'.

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

## 17/20 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:**

- **20/00741/FUL – Land at Rykneld Road, Littleover;**
- **20/00858/FUL – 10-14 St Helen's Street, Derby;**
- **20/00939/FUL – Land on South West Side of Barlow Street, Derby;  
and**
- **20/00937/FUL – Land at Rykneld Road, Littleover.**

MINUTES END