

Time commenced: 18:02
Time finished: 19:30

PLANNING CONTROL COMMITTEE

1 June 2023

Present: Councillor Pearce (Chair)
Councillors Bolton, Bonser, Care, Hassall, M Holmes, Nawaz,
Prosser, Rawson,

In Attendance: James Bathurst – Senior Planning Technician
Paul Clarke – Chief Planning Officer
Sara Hodgkinson - Development Control Team Leader
Steven Mason – Democratic Services Officer
Laura Neale – Major Projects Officer
Stephen Teasdale – Solicitor
Ian Woodhead – Development Control Manager

01/23 Apologies for absence

Apologies were received from Councillors Morgan-McGeehan and Onuoha.

02/23 Late items

There were none.

03/23 Declarations of interest

There were none.

04/23 Minutes of the meeting held on 6 April 2023

The minutes of the meeting held on 6 April 2023 were approved.

05/23 Minutes of the Meeting of the Conservation and Heritage Advisory Committee held on 2 March 2023

The minutes of the meeting of the Conservation and Heritage Advisory
Committee held on 2 March 2023 were noted.

06/23 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.

07/23 Development Control Performance – Quarter 4 (Jan. – Mar. 2023)

The Committee received a report of the Chief Planning Officer on Development Control Performance – Quarter 4 (Jan. - Mar. 2023).

Resolved to note the report.

08/23 Public Speaking Protocol at Planning Control Committee

The Committee received a report of the Chief Planning Officer on Public Speaking Protocol at Planning Control Committee.

It was reported that the purpose of the report was to amend the Public Speaking Protocol arrangements to allow an applicant, or their agent, to address the Committee in cases where no members of the public had registered to speak at the Committee meeting, but a request to speak in objection by a Ward Councillor had been received.

Resolved:

- 1. to note the report; and**
- 2. to adopt the revised Public Speaking Protocol attached as Appendix 1 to the report.**

09/23 Site Visits Protocol

The Committee received a report of the Chief Planning Officer on Site Visits Protocol.

It was reported that the purpose of the report was to amend the Site Visits Protocol to clarify that site visits were an extension of the Committee and were for the benefit of Members of the Planning Control Committee and not for third parties.

Resolved:

- 1. to note the report; and**
- 2. to adopt the revised Site Visits Protocol attached as Appendix 1 of the report.**

10/23 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.

23/00220/FUL - College Park Normanton Road Derby

(Erection of a drive through unit (Sui Generis))

Application withdrawn from the agenda before the meeting.

23/00461/FUL – 3 Enfield Road Derby

(Erection of annexe)

The Development Control Manager addressed the Committee. It was reported that a statement had been received from Starbright Living and had been circulated to the Committee.

Extra conditions were proposed in relation to the following:

1. The building hereby approved shall be used solely in connection with the operation of 3 Enfield Road as a children's care home as specified in the letter submitted in support of the application dated 22 May 2023. It shall not be used as further residential accommodation to house additional children.
2. The site area to the front of the proposed annex shall be kept free of obstruction at all times to accommodate off-street car parking to serve the children's care home.

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

Resolved to grant planning with the conditions and for the reasons as outlined in the report, subject to the additional conditions in relation to the building being used solely in connection with the operation of 3 Enfield Road as a children's care home and the site area at the front of the proposed annex being kept free of obstruction.

22/01337/FUL - 16 – 17 Friar Gate Derby

(Change of use from restaurant (Use Class E) and erection of a two storey extension to form four apartments (Use Class C3) and one apartment in multiple occupation (Use Class C4))

The Development Control Team Leader addressed the Committee. It was reported that further objections had been received, a third-party objection and an objection from Councillor Martin. Members noted that a statement had been received from Smith Marston Surveyors. It was also noted that these had all been circulated to the Committee.

Mr Atwal, Stenson Vale Properties Ltd, applicant, addressed the Committee. Ms. Cadman-Jones, addressed the Committee and made representations against the application.

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

22/01338/LBA - 16 - 17 Friar Gate Derby

(Change of use from restaurant (Use Class E) and erection of a two storey extension to form four apartments (Use Class C3) and one apartment in multiple occupation (Use Class C4) and associated internal alterations)

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

Resolved to grant Listed Building Consent with the conditions and for the reasons as outlined in the report.

23/00087/OUT - Bradshaw Retail Park Bradshaw Way Derby

(Demolition of existing buildings. Erection of a phased mixed-use development including residential, commercial and office floor space (Use Classes C3 and E); servicing; car and cycle parking provision; hard and soft landscaping works; and other associated works.)

The Major Projects Officer addressed the Committee. It was reported that a letter had been received from the agent and had been circulated to the Committee. Members noted that updated comments had been received from the Derwent Valley Mills Partnership and had been circulated to the Committee. It was also noted that paragraph three in section 6.2 of the report, Applications involving the provision of housing, needed to be updated as the standard method had changed and the number needed to be altered from 1255 to 1266 per year. It was reported that comments had been received from ICOMOS from the World Heritage Centre and had been circulated to the Committee.

Resolved:

- A. To refer the application to the Secretary of State for Department for Levelling Up, Housing and Communities, in accordance with Paragraph 6 of the Town & Country Planning (Consultation) (England) Direction 2021 due to the objection from Historic England.**
- B. Subject to that referral not generating a call-in for determination by the Secretary of State, to authorise the Director of Planning, Transport and Engineering to negotiate the terms of a Section 106 Agreement to achieve the objectives set out below and to authorise the Director of Legal, Procurement and Democratic Services and Monitoring Officer to enter into such an agreement.**

- C. To authorise the Director of Planning, Transport and Engineering to grant permission upon conclusion of the above Section 106 Agreement.**

11/23 Potential Future Site Visits

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

- **23/00229/FUL - Osmaston Road Business Park Derby; and**
- **23/00649/RES - Former Celanese Site Holme Lane Spondon.**

Resolved not to undertake a site visit in relation to the following applications:

- **23/00434/VAR - St Marys Catholic Voluntary Academy and Nursery Broadway Derby;**
- **23/00458/FUL - Warwick House Bonsall Avenue Littleover;**
- **23/00271/OUT - South Wing Rolls Royce Raynesway;**
- **23/00556/VAR - 8-14 Agard Street Derby; and**
- **23/00567/FUL - Plot D2 Infinity Park Way Derby.**

MINUTES END