

Applications to be Considered

Purpose

- 1.1 Attached at Appendix 1 are the applications requiring consideration by the Committee.

Recommendation(s)

- 2.1 To determine the applications as set out in Appendix 1.

Reason(s)

- 3.1 The applications detailed in Appendix 1 require determination by the Committee under Part D of the Scheme of Delegations within the Council Constitution.

Supporting information

- 4.1 As detailed in Appendix 1, including the implications of the proposals, representations, consultations, summary of policies most relevant and officers recommendations.

Public/stakeholder engagement

- 5.1 None.

Other options

- 6.1 To not consider the applications. This would mean that the Council is unable to determine these applications, which is not a viable option.

Financial and value for money issues

- 7.1 None.

Legal implications

- 8.1 None.

Other significant implications

- 9.1 None.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal		
Finance		
Service Director(s)		
Report sponsor	Paul Clarke	08/07/2020
Other(s)	Ian Woodhead	08/07/2020

Background papers:	None
List of appendices:	Appendix 1 – Development Control Report

Planning Control Committee 16/07/2020
Items to be Considered Index

Item No.	Page No.	Application No.	Location	Proposal	Recommendation
1	1 – 9	19/01432/FUL	149 Almond Street Derby	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	To grant planning permission with conditions.
2	10 – 21	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	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 below 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.
3	22 – 31	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	To grant planning permission with conditions.
4	32 – 39	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	To grant planning permission with conditions.

Committee Report Item No: 1

Application No: 19/01432/FUL

Type: Full Application

1. Application Details

1.1. Address: 149 Almond Street, Derby

1.2. Ward: Normanton

1.3. Proposal:

Change of use from dwelling house (use class C3) to an eight bedroom house in multiple occupation (sui generis use) to include the installation of doors to the rear elevation.

1.4. Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/19/01432/FUL>

Brief description

Permission is sought to change the use of the building from a four-bedroom dwelling house to an eight-bedroom house in multiple occupation (HMO) to include communal cooking and eating space on the ground floor. The application has been amended to make changes to the total number of bedrooms (reduced from ten); proposed cycle and car parking and bin storage layout in the rear yard/garden area, and the existing side-facing bathroom windows would be replaced with a single larger window in the interests of the outlook and daylighting of bedroom seven.

2. Relevant Planning History:

Application No:	08/89/01408	Type:	Full Application
Decision:	Granted	Date:	08/03/1990
Description:	Extensions to boarding house		

3. Publicity:

Neighbour Notification Letter sent to two addresses.

Site Notice

This publicity is in accordance with statutory requirements and the requirements of the Council's adopted Statement of Community Involvement.

4. Representations:

Thirteen representations have been received, including a petition with fifty five signatories, in objection on the following points:

- Increased noise and activity;
- Increased pressure on parking capacity around the site and detrimental effects on highway safety;
- Potential for antisocial and intimidating behaviour, noise, litter;
- The loss of a family dwelling.

Cllr J Khan has also objected to the proposal.

5. Consultations:

5.1. Highways Development Control:

(NOTE: This response relates to the earlier version of the scheme which proposed ten bedrooms).

The Highway Authority has No Objection to the proposals, subject to conditions.

Observations:

In response to the Highway Authority comments of 21/10/2019, the applicant/developer has provided a revised plan "19070-P-001 Rev A" which shows a revised parking layout suitable for the parking of up to three cars, and a revised cycle store layout in the rear yard off Crewe Street,; with the gates opening inwards and the dropped footway crossing 'protected' by an 'H' marking.

The site is within an area of high historic parking demand, with few residents having access to off-road parking. At the time of the highway Case Officer visit (7.30hrs on a weekday) there were limited opportunities for highway parking in the site vicinity and evidence of some abuse of nearby waiting restrictions.

Nevertheless, the site is within close proximity of local shops and public transport opportunities and is therefore considered to be in a sustainable location.

It is noted that refuse containers are shown as being stored an appropriate distance from the highway for collections.

Considering the potential for highway parking demand:

The 2011 Census Summary Report (published by Policy, Research & Engagement – Derby City Council) suggests that 28.9% of households do not own a car or van.

As previously stated, the number of beds associated with the existing residential use is 4; making the assumption that the parking associated with the existing residential use is contained within the parking area means that the nett increase in parking (which is by no means a certainty) is that associated with the 6 additional rooms.

Taking a coarse assessment that 70% of the occupants will own a vehicle (due to the sustainable location of the site this is by no means a certainty); the development could attract around 4 vehicles to the vicinity.

I am also advised that "permitted development rights would allow for the use of the building to accommodate 6 people without requiring planning permission under permitted development rights as a House in Multiple Occupation".

Para 109 of the National Planning Framework Policy states that

"109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Whilst the scheme would potentially increase demand for parking spaces, it is the view of the Highway Authority that it would not be possible to argue that the scheme would lead to 'unacceptable impacts' to highway safety.

Committee Report Item No: 1

Application No: 19/01432/FUL

Type: Full Application

Para 110e of the National Planning Framework Policy states that developments should “be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.” The LPA may therefore wish to require that the developer make provision for the charging of an appropriate number of vehicles associated with the proposed development

Recommendation:

Should the Local Planning Authority be minded to approve the application, the Highway Authority recommends the imposition of the following suggested conditions:

Condition 1:

No part of the development hereby permitted shall be brought into use until the parking areas are provided, with the parking bays clearly delineated in accordance with the approved plan. The parking area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to an on-street parking impact in the area.

Condition 2:

Unless otherwise agreed in writing by the Local Planning Authority, precise details of an on-site scheme to provide for electric vehicle charging shall be submitted and agreed in writing by the Local Planning Authority before the development is hereby permitted is brought into use. The agreed details shall be implemented and retained as such for the life of the development

Condition 3:

No part of the development hereby permitted shall be brought into use until provision has been made within the application site for parking of cycles in accordance with details submitted to and approved in writing by the Local Planning Authority. The cycle stands shall be covered, and that area shall not thereafter be used for any purpose other than the parking of cycles.

Reason:

To promote sustainable travel.

Note To Applicant

The consent granted will result in alterations to a building which will need renumbering. To ensure that the new addresses are allocated in plenty of time, it is important that the developer or owner should contact traffic.management@derby.gov.uk with the number of the approved planning application and plans clearly showing the site layout, location in relation to existing land and property, and the placement of front doors or primary means of access.

5.2. Resources and Housing (HIMO):

Having the reconsidered the amended plans showing kitchenettes to bedrooms 1-5. The kitchen/dining area will be shared by 5 occupants and for these numbers its size now meets the amenity standards required.

6. Relevant Policies:

The Derby City Local Plan Part 1 - Core Strategy was adopted by the Council on Wednesday 25 January 2017. The Local Plan Part 1 now forms the statutory development plan for the City, alongside the remaining 'saved' policies of the City of Derby Local Plan Review (2006). It provides both the development strategy for the City up to 2028 and the policies which will be used in determining planning applications.

Derby City Local Plan Part 1 - Core Strategy (2017)

- CP1(a) Presumption in Favour of Sustainable Development
- CP3 Placemaking Principles
- CP4 Character and Context
- CP6 Housing Delivery
- CP23 Delivering a Sustainable Transport Network

Saved CDLPR Policies

- GD5 Amenity
- H13 Residential Development – General Criteria

The above is a list of the main policies that are relevant. The policies of the Derby City Local Plan Part 1 – Core Strategy can be viewed via the following web link:

http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/Core%20Strategy_ADOPTED_DEC%202016_V3_WEB.pdf

Members should also refer to their copy of the CDLPR for the full version or access the web-link:

<http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/CDLPR%202017.pdf>

An interactive Policies Map illustrating how the policies in the Local Plan Part 1 and the City of Derby Local Plan Review affect different parts of the City is also available at – <http://maps.derby.gov.uk/localplan>

Over-arching central government guidance in the NPPF is a material consideration and supersedes earlier guidance outlined in various planning policy guidance notes and planning policy statements.

7. Officer Opinion:

Key Issues:

In this case the following issues are considered to be the main material considerations which are dealt with in detail in this section.

7.1. Principle of Development

7.2. Amenity

7.3. Highways Implications

7.1. Principle of Development

The site of the proposal is not allocated for any particular use in the development plan and is within an established residential area close to the Cavendish District Centre and public transport links. The principle of residential development in this location could be argued to be suitable for these reasons. The building currently contains four bedrooms and it is proposed to increase this number to eight, thereby intensifying the existing residential use of the house. This intensification is acceptable in principle in my opinion, provided that the requirements of local and national policy can be met with regard to residential and visual amenity, and the impact of the proposal on the highway network. These issues are discussed below. I am also mindful of the building's historic use as a guest house which provides some precedent for the use of the site for a more intensive use than as a family dwelling.

The principle of converting buildings to large HMO use is not one that is specifically addressed in local or national planning policy, and developments of this nature are assessed using the more general policies listed above.

Two recent appeal decisions on comparable proposals can provide some context. An application to convert a six bedroom HMO to thirteen bed student accommodation (7 The Old Steam Mill, Pelham Street, reference 19/00914/FUL) was refused and dismissed on appeal on the grounds that the nature of the street was such that the likely increase in activity would harm residential amenity and the character of the area to an unacceptable degree.

Conversely, an application to convert a dwelling house to an eight bedroom HMO (135 Brighton Road, reference DER/04/18/00518) was allowed on appeal on the basis that the likely increase in activity would be compatible with the building and the area. If anything can be taken from these decisions it is that the principle of conversion to large HMO accommodation is still being tested and that the specific circumstances of each case can (and should) be decisive.

7.2. Amenity

Saved policy GD5 Amenity prohibits "unacceptable harm to the amenity of nearby areas" from the effects of loss of privacy or light, massing, emissions, pollution, parking and traffic generation. The policy is reinforced by the provisions of saved policy H13 Residential Development – General Criteria which requires the creation of a "high quality living environment" which in turn is supported by NPPF, which states that "planning policies and decisions should ensure that developments [create] a high standard of amenity for existing and future users".

This proposal would intensify the existing residential use of the house by the addition of four bedrooms to the existing four, making eight in total. This intensification is likely to result in increased levels of noise and activity at the house and is likely to affect the residential amenity of nearby areas to some extent by an increase in activity generated by people and vehicles, as well as the likelihood of requiring additional refuse facilities and additional demand on local infrastructure and services. Local residents have expressed concerns about the levels of activity that are likely to result from the proposed change of use and it does seem likely that the proposed development would increase levels of activity in and around the site substantially. To determine whether this increase would accord with policy the test is whether or not

the intensification of the proposed use could justifiably be described as constituting "unacceptable harm", and whether the increase in activity would result in a significant reduction in standards on amenity for occupants of the house itself, and occupants of the surrounding neighbourhood. My opinion is that it would not, for the reason that the neighbourhood is relatively densely populated and that, although a material change would occur to the house itself, within the context of the area the amount of additional accommodation would be proportionally low. Although the scheme would result in the loss of a family dwelling house and would alter the building's character as it is now, there is a precedent for this particular building having a more intensive residential use as a guest house, and in this particular circumstance the change of use would not represent substantial change to the character of the area.

Also on the subject of the area's character, according to the Council's register of licenced HMOs, there are three such properties in the immediate area (i.e. within 200 metres of the site). It would therefore be difficult to reasonably argue that there is currently a proliferation of large HMOs locally or that this particular conversion would significantly alter the area's character.

With regard to the creation of a high quality living environment, the proposed room sizes and internal layout as amended would provide adequate living space for future occupants and meet the requirements of the Council's amenities and space guidance for houses in multiple occupation. The proposal shows each room having access to natural light and access to bathroom facilities. The rear garden would provide some shared outdoor amenity space for the occupants. Physical alterations would be limited to the enlargement of a first-floor window in the building's northern side elevation, the installation of doors to the rear of the house and changes to the parking layout, none of which would have a significant visual impact.

Overall, I consider that the proposal would provide a satisfactory living environment for its occupants, and that the proposal would affect residential and visual amenities to a limited extent but that this would not constitute unacceptable harm. In my opinion the proposal meets the requirements of saved policies GD5 and H13, and adopted policy CP3 of the development plan and would be acceptable with regard to visual and residential amenity.

Concerns raised about the behaviour or character of potential occupants of the house is not a material planning consideration and not relevant to this assessment. Concerns regarding community balance are noted but to refuse the application on these issues would have no basis in either local or national policy. In the absence of a specific policy on houses in multiple occupation, the application has been assessed on the applicable policies of the development plan listed above and over-arching national guidance.

7.3. Highways Implications

As explained in the consultation response from Highways Development Control (above), it is assumed for the purposes of this assessment that an increase in the number of cars using and parking on Almond Street and Crewe Street is likely to result from the development and that demand for parking spaces is also likely to increase. As is also explained above, development should only be refused on highways grounds where "the residual cumulative impacts on the road network would

be severe" (NPPF) or where it would "cause, or exacerbate, severe transport problems" (policy CP23). That the proposal would have an impact on the highway network and would increase demand for parking seems likely. The question for this proposal is therefore whether this impact could be considered severe.

Again, although it does seem likely that the proposal would have implications for parking demand in the vicinity, it is unlikely that this would significantly exceed demand that would be generated by a 6-person house in multiple occupation which could be implemented without the need for planning permission.

Even if this were not the case, the application site is also within easy walking distance of public transport links and cycle routes, suggesting there is a relatively high potential for occupants of the house being able to travel without the use of a car. Therefore, it is my opinion that although the implications of the development for the highway network have the potential to be locally significant, they could not be convincingly described as severe and that the proposal meets the requirements of adopted policy CP23 and the NPPF and is acceptable with regard to highways matters. Comments from the Highways Officer regarding cycle storage and electric vehicle charging are noted and the recommended conditions are included below.

8. Recommended decision and summary of reasons:

8.1. Recommendation:

To grant planning permission with conditions.

8.2. Summary of reasons:

The proposal is considered to meet the requirements of local and national policy with regard to design, amenity and highways issues.

8.3. Conditions:

1. Time Limit Standard Condition

Reason: Time Limit Standard Reason

2. Approved Plans Standard Condition

Reason: Approved Plans Standard Reason

3. Condition relating to the layout and ongoing provision of the on-site parking area

Reason: In the interest of highway safety

4. Condition relating to the layout and ongoing provision of cycle parking

Reason: In the interest of sustainable travel

5. Condition relating to the layout and ongoing provision of vehicle charging facilities

Reason: In the interest of sustainable travel

Committee Report Item No: 1

Application No: 19/01432/FUL

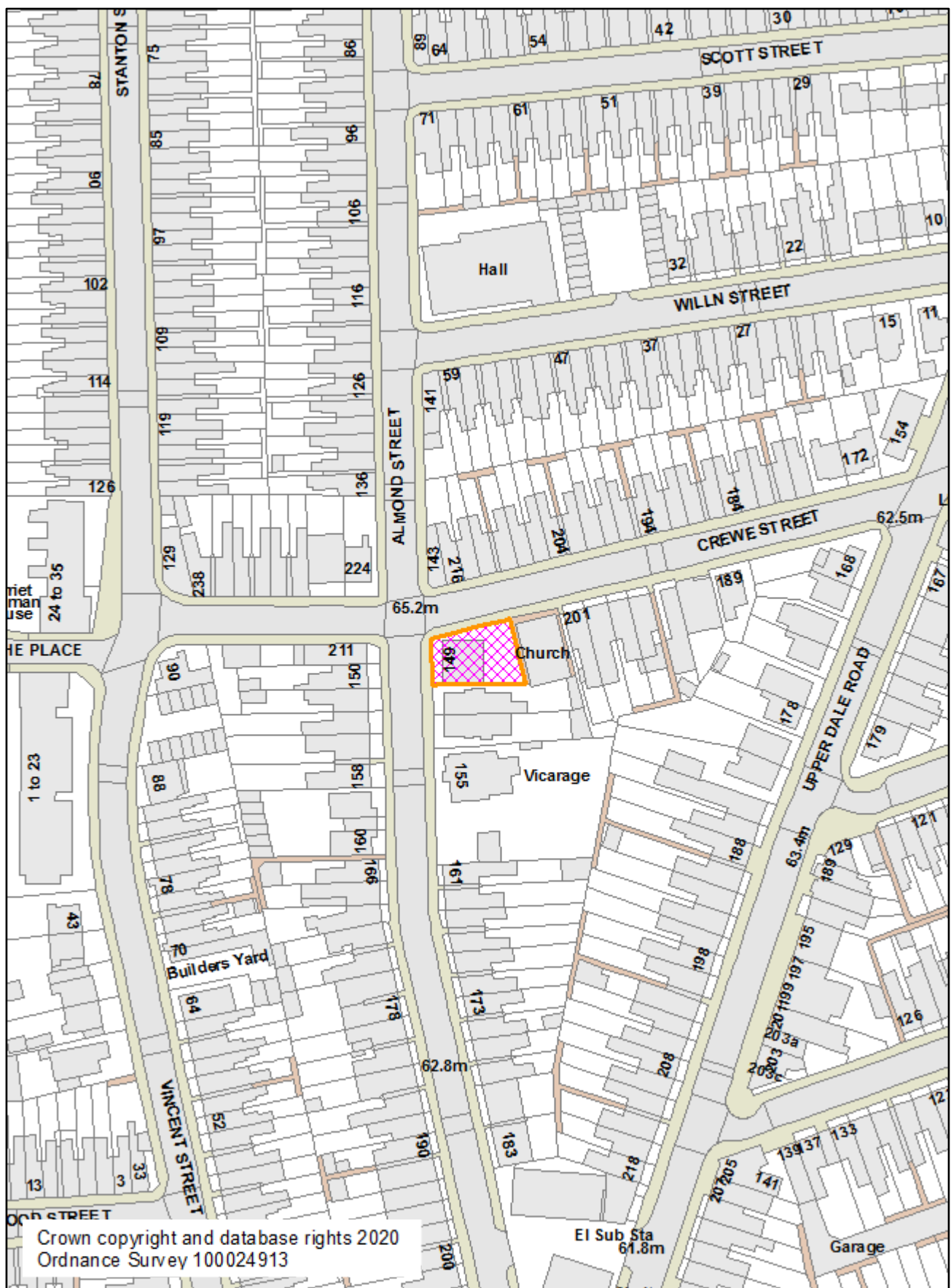
Type: Full Application

8.4. Informative Notes:

Building numbering

8.5. Application timescale:

The application's determination period has expired; an extension of this period has been requested.



Committee Report Item No: 2

Application No: 19/01070/FUL

Type: Full Application

1. Application Details

1.1. Address: Land Between 42 and 46 Middleton Avenue, Littleover.

1.2. Ward: Littleover

1.3. Proposal:

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

1.4. Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/19/01070/FUL>

The application site is situated on the eastern side of Middleton Avenue within the suburb of Littleover. The land in question formed part of the rear garden area of No. 42 Middleton Avenue. It is now within the ownership of the adjacent occupier at No. 46 Middleton Avenue.

The majority of the plot is laid to lawn. Land levels across the site are fairly consistent. The northern, southern and eastern and site boundaries are defined by fencing, and are well vegetated. There is a large Eucalyptus tree situated on the northern site boundary which is formally protected by a Tree Preservation Order (TPO No. 492).

The surrounding area is residential in character with the nearby development generally comprised of 1930's/40's housing stock, of varying architectural styles. There are examples of both detached and semi-detached dwellings within the immediate area. Nearby properties are typically two storeys in height and gardens are well vegetated.

The site abuts the rear gardens of properties on Heath Avenue to the east; and Middleton Drive to the south. Directly to the west is a retained 20m length of garden area serving No. 42 Middleton Avenue. To the north of the site there is a more recent infill development comprised of three detached houses set to the rear of No. 48 Middleton Avenue. The properties are arranged around a small central courtyard and accessed by means of a shared driveway from Middleton Avenue.

The proposal

This application seeks full planning permission for the erection a single dwelling in a backland position to the rear of 42 Middleton Avenue. Vehicle access into the site would be obtained via the existing driveway serving Numbers 44, 46 and 46A Middleton Avenue.

The layout (as amended) shows a detached 2-bedroomed dwelling with a rectangular footprint, measuring approx. 13m by 11m, situated in an almost central position within the plot. The footprint of the property would be set approx. 6m from the eastern site boundary and approx. 8.5m from the western site boundary.

The property would be single storey in height and would have a traditional dual gabled roof, measuring approx. 3m to the eaves and approx. 6m to the ridge. Proposed materials of construction are brick, tile and render.

To facilitate the development the applicant is also seeking permission to remove the protected Eucalyptus tree located along the northern site boundary.

Committee Report Item No: 2

Application No: 19/01070/FUL

Type: Full Application

During the life of the application revisions have been made to the siting of the proposed dwelling – to relocate it more centrally within the development plot. The detached single garage previously proposed along the northern site boundary has now been deleted from the development.

2. Relevant Planning History:

Application No:	06/13/00727	Type:	VAR
Decision:	Granted Conditionally	Date:	Granted Conditionally
Description:	Demolition of dwelling and erection of four dwelling houses - Variation of Condition 10 of previously approved Planning Permission DER/08/06/01325 To amend approved plans		

Application No:	08/09/00975	Type:	VAR
Decision:	Refused	Date:	Fri 09 Oct 2009
Description:	Erection of two dwelling houses (amendment to previously approved planning application DER/08/06/01325)		

Refusal Reason application ref 08/09/00975 'In the opinion of the Local Planning Authority the siting of the proposed dwelling (plot 2) is an unacceptable form of development given that it is sited within the Root Protection Area of the protected Eucalyptus tree which is situated immediately to the south of the application site. The proposed dwelling (plot 2) would be dominated by the Eucalyptus tree which is growing to maturity and, in this case, it is considered that the use of a pit and beam system is an unacceptable solution which may damage the Eucalyptus tree. For this reason the proposal is contrary to policies E9, GD5 and H13 of the adopted City of Derby Local Plan Review.

Application No:	09/07/01685	Type:	TPO
Decision:	Refused	Date:	Wed 10 Oct 2007
Description:	Felling of eucalyptus tree protected by Tree Preservation Order 2007 no.492 (42 Middleton avenue, Littleover)		

Refusal Reason application ref 09/07/01685 "tree has visual amenity and it makes a positive contribution to the street context. There is no conclusive arboricultural justification for its removal and, therefore, its loss would be detrimental to the overall character of the area."

Application No:	07/07/01300	Type:	VAR
Decision:	Withdrawn	Date:	Tue 11 Sep 2007
Description:	Erection of additional dwelling house, alterations to plots 2 and 3 of dwelling houses previously approved under Planning Permission DER/0806/01325 and Variation of Condition 8 of Planning Permission DER/0806/01325 To remove the requirement for obscure glazed windows on plot 1		

Committee Report Item No: 2

Application No: 19/01070/FUL

Type: Full Application

Application No:	08/06/01325	Type:	Full
Decision:	Granted Conditionally	Date:	Fri 27 Oct 2006
Description:	Demolition of dwelling and erection of 4 dwelling houses		

3. Publicity:

Neighbour Notification Letter - 6

Site Notice – Yes

This publicity is in accordance with statutory requirements and the requirements of the Council's adopted Statement of Community Involvement.

4. Representations:

In total 28 objections have been received in response to the consultation carried out on this application. The issues raised are summarised below:

- Overdevelopment
- Loss of the a tree covered by a tree preservation order
- Increased noise and nuisance
- Impact on wildlife
- The site isn't big enough and would result in a limited separation distance between the development and 21B Heath Avenue
- Land grabbing
- Impact on neighbour amenity
- No ecological report has been provided in support of the application

5. Consultations:

5.1. Highways Development Control:

The application is for full planning permission to construct a residential bungalow on land to the rear of number 42 Middleton Avenue at Littleover in Derby.

The Block Plan submitted with this application shows that access to the proposed bungalow is from the existing driveway to number 44 and 46 Middleton Avenue. The application form states that there is to be no change to the existing vehicular or pedestrian access to number 44 and 46 as a result of this proposal, but there will be two additional parking spaces within the boundary of the proposed property.

The Block Plan submitted outlining the proposal shows a driveway within the curtilage of the development that has space for several cars. It also indicates there will be a turning point to enable vehicles to leave the property in a forward facing gear. The application form states that bins will be stored to the rear of the proposed garage at the property although this area is not marked on the plan.

Should planning permission be approved this development will lead to intensification of the existing access point shared by Numbers 44 and 46 Middleton Avenue. However

Committee Report Item No: 2

Application No: 19/01070/FUL

Type: Full Application

the amount of existing shared space between numbers 44 and 46 Middleton Avenue, and the proposed vehicular parking space within the development should make the proposal acceptable from a Highways perspective subject to the following conditions:

Recommendation:

Should planning permission be granted, I would recommend the following conditions:

1. No part of the development shall be brought into use until the driveway is surfaced in a hard bound material (not loose gravel) for the full length of the driveway, behind the highway boundary. The surfaced driveway shall then be maintained in such hard bound material for the life of the development.
2. No part of the development shall be brought into use until the driveway is constructed with provision to prevent the discharge of surface water on to the public highway in accordance with details to be first submitted and approved in writing by the Local Planning Authority.
3. Refuse and recycling bins should be located within 30 metres of the public highway as recommended in Manual for Streets section 6.8.9.

Reason:

1. In the interest of highway safety.

Updated comments on revised layout

Having viewed the revised plans; I also take the pragmatic view that there's space in the courtyard (which forms part of the red edge) which would be suitable for the turning of vehicles.

In reality it would be such a difficult reverse that drivers would always be likely to turn rather than attempt a long reverse.

This being the case I have No Objection; subject to the conditions previously suggested.

5.2. Natural Environment (Tree Officer):

The site has one TPO'd Eucalyptus growing adjacent to 46 Middleton Ave. This tree is in rather poor condition; significant deadwood/dieback and the fungal pathogen *Ganoderma* spp growing at the base. The tree survey submitted with the application has given it a 'U' retention category. Whilst the tree is in poor condition I am of the opinion that the tree is a 'C' retention category tree. Works to the tree could be carried out to make the tree safe and prolong its retention however this would greatly reduce its public amenity and create an unreasonable management regime. The development proposes the removal of the tree and given its poor condition I have no objection to its removal. The applicant had said that they would fund a replacement tree to be planted off site within the public realm which would provide greater amenity than a replacement tree within the development plot.

Initially some of the supporting arboricultural documents were of poor quality however after some correspondence an adequate Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (including Tree Protection Plan) was supplied.

The AIA shows that all trees within the development site are to be removed and whilst this is a loss of green infrastructure the trees on site have not accrued sufficient

Committee Report Item No: 2

Application No: 19/01070/FUL

Type: Full Application

amenity value to justify inclusion within a TPO and as such I have no objection subject to conditions being applied for the protection of trees as identified on drawing TPP-01 and compliance with the Arboricultural Method Statement (AMS) version 4.

The provision of a landscape Plan (including the funding of a tree to be planted in the public realm must also be conditioned.

Glossary:

- AIA: Arboricultural Impact Assessment
- AMS: Arboricultural Method Statement
- CEZ: Construction Exclusion Zone
- RPA: Root Protection Area
- TCP: Tree Constraints Plan
- TPP: Tree Protection Plan

6. Relevant Policies:

The Derby City Local Plan Part 1 - Core Strategy was adopted by the Council on Wednesday 25 January 2017. The Local Plan Part 1 now forms the statutory development plan for the City, alongside the remaining 'saved' policies of the City of Derby Local Plan Review (2006). It provides both the development strategy for the City up to 2028 and the policies which will be used in determining planning applications.

Derby City Local Plan Part 1 - Core Strategy (2017)

- | | |
|------|--|
| CP1A | Presumption in Favour of Sustainable Development |
| CP2 | Responding to Climate Change |
| CP3 | Placemaking Principles |
| CP4 | Character and Context |
| CP6 | Housing Delivery |
| CP16 | Green Infrastructure |
| CP19 | Biodiversity |
| CP23 | Delivering a Sustainable Transport Network |

Saved CDLPR Policies

- | | |
|-----|--|
| GD5 | Amenity |
| H13 | Residential Development - General Criteria |
| E17 | Landscaping Schemes |

The above is a list of the main policies that are relevant. The policies of the Derby City Local Plan Part 1 – Core Strategy can be viewed via the following web link:

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An interactive Policies Map illustrating how the policies in the Local Plan Part 1 and the City of Derby Local Plan Review affect different parts of the City is also available at – <http://maps.derby.gov.uk/localplan>

Over-arching central government guidance in the NPPF is a material consideration and supersedes earlier guidance outlined in various planning policy guidance notes and planning policy statements.

7. Officer Opinion:

Key Issues:

In this case the following issues are considered to be the main material considerations which are dealt with in detail in this section.

7.1. The Principle of Development

7.2. Loss of Trees/Environmental Issues

7.3. Impact on the Character of the Area

7.4. Impact on neighbours

7.5. Other issues

7.1. The Principle of the Development

The proposal comprises the construction of an additional dwelling within an existing residential area. It would maximise the efficient use of land within the urban area and provide additional housing making a small contribution towards the City's housing supply. Subject to consideration of detailed issues, as discussed below, the proposal is considered to be generally in accordance with Policy CP6 of the Local Plan – Part 1 (Core Strategy) and saved policy H13 the City of Derby Local Plan Review.

7.2. Loss of Trees/Environmental Issues

The City Council's Tree Officer raises no objections to the removal of the protected Eucalyptus tree on the site. The tree is in a poor condition with significant deadwood/dieback and the fungal pathogen (*Ganoderma sp.*) growing at the base. Although works to the tree could be carried out to make the tree safe and prolong its retention, the Tree Officer is of the opinion that this would greatly reduce its public amenity and create an unreasonable management regime.

To compensate for the loss of the Eucalyptus tree Officers are seeking a financial contribution, secured through a Section 106 Agreement, for the supply and planting of two replacement trees on public open space/highway verge within one kilometre of the application site. Due to the position of the development plot it is considered that replacement planting within the public realm would provide greater amenity value and possible locations on the Crich Avenue Highway or Manor Road are being explored. In both instances these streets are within 500m of the site and would benefit from additional planting. Any further updates on the precise location of the replacement trees will be reported orally.

Although there are a number of trees around the site boundaries none have accrued sufficient amenity value to warrant formal protection. Subject to the provision of appropriate replacement planting (where required) and the submission/implementation of a scheme of biodiversity enhancement measures it is considered that the development would reasonably comply with Policy CP16 and CP19 of the Local Plan - Part 1: Core Strategy. A condition restricting the removal of trees/vegetation within the bird nesting/breeding season is also recommended.

7.3. Impact on the Character of the Area

The introduction of the neighbouring infill development to the north of the site comprising of No's 44, 46 and 46a Middleton Avenue has established a new urban grain within the immediate vicinity of the application site. There are also other examples of houses situated in a backland context directly to the south of the site which are accessed off Middleton Drive. In view of this the proposal would be difficult to resist purely on its backland siting and as the new dwelling would effectively square off the existing courtyard of properties it is considered that the proposal would not be an unreasonable addition to the existing layout.

The building's footprint and plot size would not be dissimilar to the existing properties in the area and given the varied mix of architectural styles the proposal would not appear out of character with the surrounding built development. Due to its position and single storey height the development would have a limited impact on wider public view and the general character and appearance of the streetscene along Middleton Avenue would be preserved. Overall, it is considered that the development would not cause unacceptable harm to the character and appearance of the area and there would be no conflict with policies CP3 and CP4 of the Derby City Local Plan - Part 1: Core Strategy and saved policy H13 of the City of Derby Local Plan Review in this regard.

7.4. Impact on Neighbours

During the life of the application the footprint of the new dwelling has been pulled away from the eastern and southern site boundaries. Taking into account this revised position, the limited height of the development and the distances to neighbouring houses; it is considered that the proposal would not cause any over-riding loss of amenity for neighbours through massing/overbearing impact, or loss of light. The provision of suitable boundary treatment and/or landscaping along the site boundaries can be controlled through a suitably worded condition to prevent any overlooking issues and provide suitable private amenity space for future occupiers.

Although the development would introduce a new building into this backland context given the residential nature of the use proposed it is unlikely to result in a significant increase in noise and disturbance over and above the current situation. The proposal would utilise the existing vehicle access serving No's 44, 46 and 46a Middleton Avenue and although there would be a modest increase in vehicle traffic, it would not be excessive.

For these reasons it is considered that the development (as amended) would have an acceptable impact on neighbour amenity and would therefore comply with saved policies H13 and GD5 of the City of Derby Local Plan Review.

7.5. Other Issues

No changes are proposed to the site access and there is sufficient space within the sit for parking/turning associated with the development. Subject to conditions, no objections have been raised by the Highways Officer and accordingly it is considered that the development would comply with policy CP23 of the Derby City Local Plan - Part 1: Core Strategy.

It is considered that a satisfactory living environment could be provided for occupiers of the new development, albeit with a fairly small rear private amenity space. However to allow for the retention of sufficient garden area and preserve the amenity of neighbours it is recommended that permitted development rights for the property are removed for any future extensions, roof alterations and outbuildings. This is to accord with saved policies H13 and GD5 of the City of Derby Local Plan Review.

Conclusion

There are no in-principle objections to this proposal and the siting of the proposed dwelling would not be out of character with this part of the street-scene, given presence of existing backland properties. Neighbours would not experience undue amenity impacts in massing or overlooking terms and the proposal is considered to be acceptable in terms of highway safety issues. In this instance there are considered to be sound arboricultural reasons to justify the removal of the protected Eucalyptus tree on the site and provision of suitable compensatory planting can be adequately controlled. For these reasons it is considered that the development would reasonably comply with relevant local and national planning policies and it is recommended that planning permission is granted, subject to the conditions suggested below and completion of the associated legal agreement.

8. Recommended decision and summary of reasons:

8.1. Recommendation:

- 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 below 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.

8.2. Summary of reasons:

The proposed development (as amended) is considered to be acceptable in terms of its impact on the character and appearance of the surrounding area, the amenity of neighbouring residents, highway safety issues and its impact on nearby retained trees, or can be made acceptable through the imposition of relevant planning conditions. The Local Planning Authority is satisfied that are sound arboricultural reasons to justify the removal of the protected Eucalyptus tree on the site and provision of suitable compensatory planting can be adequately controlled.

Committee Report Item No: 2

Application No: 19/01070/FUL

Type: Full Application

8.3. Conditions:

General/Time Limit Conditions

1. Standard time limit condition

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Approved plans condition

Reason: For the avoidance of doubt.

Pre-commencement Conditions

3. Condition requiring approval of external materials of construction and subsequent implementation of approved details.

Reason: To preserve and enhance the character and appearance of the area and to accord with the adopted policies of the Derby City Local Plan Part 1(Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review.

4. Condition controlling details of finished floor levels for the development and subsequent implementation of approved details.

Reason: To ensure a satisfactory development and to accord with the adopted policies of the Derby City Local Plan Part 1(Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review.

Pre-occupation Conditions

5. Condition requiring the approval of a landscaping scheme for the development and subsequent implementation of approved details.

Reason: To preserve and enhance the character and appearance of the area and to accord with the adopted policies of the Derby City Local Plan Part 1(Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review

6. Condition requiring the approval of boundary treatment and subsequent implementation of approved details.

Reason: To preserve the amenity of neighbours to accord with the adopted policies of the Derby City Local Plan Part 1(Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review.

7. Condition controlling parking turning area and surfacing materials.

Reason: To reduce deleterious material being deposited on the public highway and to promote sustainable drainage and to accord with the adopted policies of the Derby City Local Plan Part 1(Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review.

Committee Report Item No: 2

Application No: 19/01070/FUL

Type: Full Application

-
8. Condition controlling measures to prevent the discharge of water onto the public highway.

Reason: In the interest of highway safety and to promote sustainable drainage and to accord with the adopted policies of the Derby.

9. Condition controlling provision of a bin storage area.

Reason: To ensure a satisfactory development and to accord with the adopted policies of the Derby City Local Plan Part 1(Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review.

10. Condition requiring the submission of a biodiversity enhancement scheme for the site and subsequent implementation of approved scheme

Reason: To promote ecological enhancement of the site and to accord with the adopted policies of the Derby City Local Plan Part 1(Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review.

Management Conditions

11. Condition controlling tree protection measure in line with Tree Protection Plan and Method Statement.

Reason: To protect retained trees around the site and to accord with the adopted policies of the Derby City Local Plan Part 1(Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review.

12. Condition restricting the removal of trees/vegetation within the bird nesting/breeding season

Reason: To ensure protected species are not harmed and to accord with the adopted policies of the Derby City Local Plan Part 1(Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review.

13. Condition removing permitted development rights for extensions or enlargement (including additions to the roof) and outbuildings.

Reason: The further extension of this dwelling or erection of detached building requires detailed consideration to safeguard the amenities of the surrounding area, neighbours and impact on retained trees and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

8.4. Informative Notes:

The consent granted will result in the construction of new buildings which will need numbering. To ensure that any new addresses are allocated in plenty of time, it is important that the developer or owner should contact traffic.management@derby.gov.uk with the number of the approved planning application and plans clearly showing plot numbers, location in relation to existing land and property, and the placement of front doors or primary access on each plot.

Committee Report Item No: 2

Application No: 19/01070/FUL

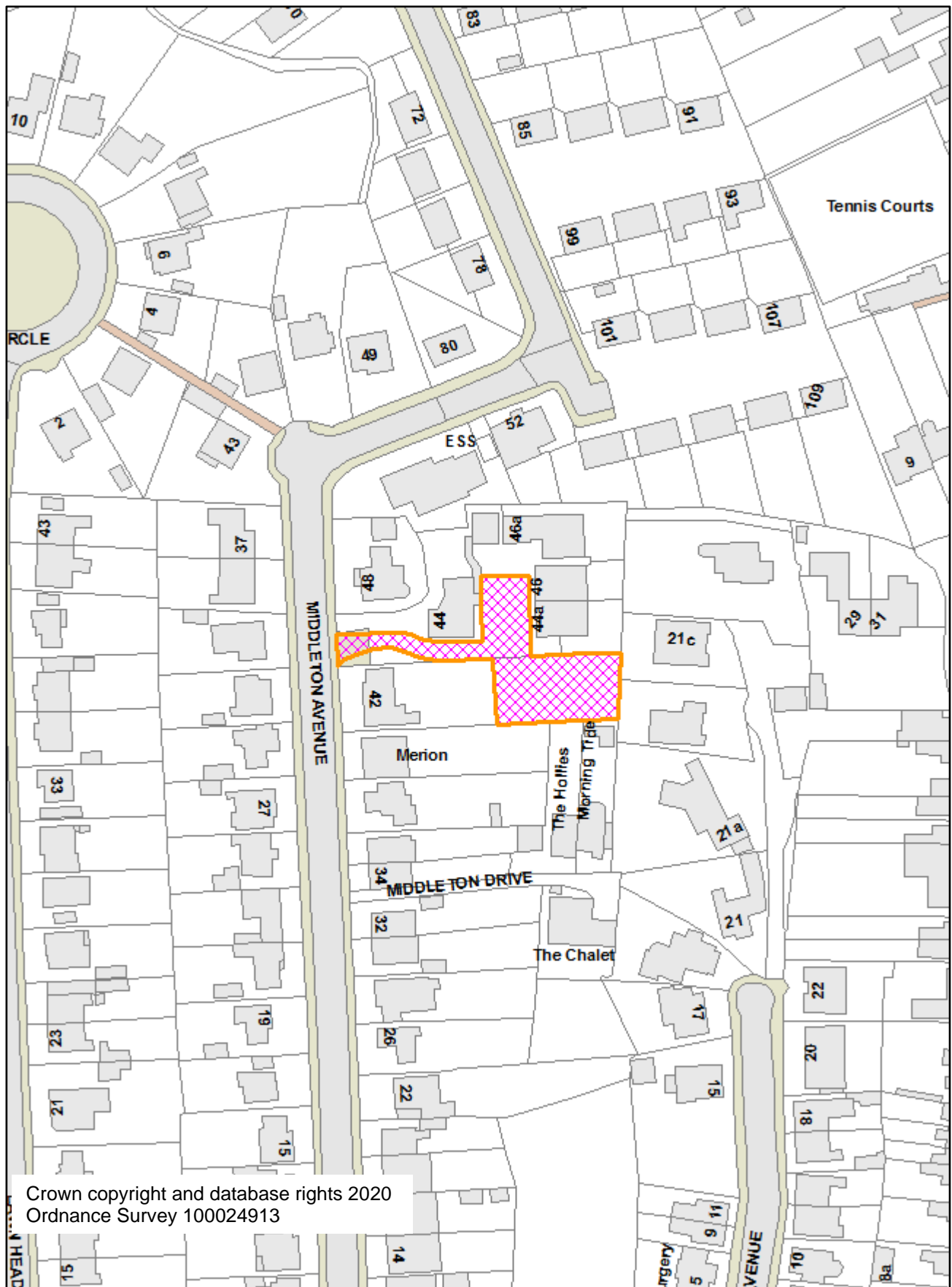
Type: Full Application

8.5. S106 requirements where appropriate:

Financial contribution for the planting of two replacement trees on public open space or highway verge within one kilometre of the application site on Middleton Avenue.

8.6. Application timescale:

An extension of time has been agreed on the application until the 31/07/2020.



Committee Report Item No: 3

Application No: 20/00478/FUL

Type: Full Application

1. Application Details

1.1. Address: 48 Leacroft Road, Derby.

1.2. Ward: Arboretum

1.3. Proposal:

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

1.4. Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/20/00478>

The Site and Surroundings

The site comprises a traditional, mid-terraced dwelling, with a front bay and 2-storey rear outrigger. The property is constructed of traditional brickwork and tiles, with the forecourt hard surfaced for off-street parking. The rear garden is enclosed by walls.

The site is surrounded by terraced residential properties. However, there are several properties along Leacroft Road that are or have been in multiple use. These include the following:

- No. 18/20 – permission granted in 1984 to convert to 6 flats.
- No. 56 – Former HIMO/hostel.
- No. 59 – permission granted to convert to 2 flats in 1987.
- No. 91 – listed as an HIMO on the Council's Register.

The Proposal

This proposal seeks permission for the conversion of this existing single dwelling to a “sui generis” large 7-bedroom (7 occupant) HIMO. The proposals include the following external works;

- The demolition of an existing rear store room.
- Blocking-up of back door.
- A rear ground floor extension, 2.3m x 3.1m, with a flat roof (height:2.7m), which would increase the size of the proposed communal kitchen/living room.
- A full-width, rear dormer roof extension. The dormer would have a flat roof with a lower ridge than the house.
- 2 small rooflights to the front elevation.

Various internal works are proposed to facilitate the conversion. The proposal would result in the following accommodation:

- Basement – to be used as communal area.
- Ground floor – 2 en-suite bedrooms (measuring 9-11 sqm) and communal kitchen/living area (22 sqm).

Committee Report Item No: 3

Application No: 20/00478/FUL

Type: Full Application

-
- First Floor- 3 en-suite bedrooms (8-10 sqm), 1 additional bedroom (8sqm) and 1 separate shower room
 - Second floor- 1 en-suite bedroom (18 sqm) with kitchenette

2. Relevant Planning History:

No previous planning applications

3. Publicity:

Neighbour Notification Letters – 3

Site Notice – Yes

This publicity is in accordance with statutory requirements and the requirements of the Council's adopted Statement of Community Involvement.

4. Representations:

Cllr F. Hussain – *"I have received objections about this particular proposal. The main concern is exacerbation of parking problems and additional traffic congestion. As you are aware, there are no parking facilities on Dairy House Road. Car owners from that Road end up parking on either Catherine or Augusta Street or Leacroft Road adding to existing parking pressures. If this application is granted, it'll make a bad situation worse. I think the objections are well founded and therefore need to be heard by the committee".*

38 representations were received from local residents, objecting on the following grounds:

- The proposed HIMO will be out of character with the local area, which has a majority of family accommodation.
- Proposal would exacerbate existing parking concerns of insufficient spaces, exacerbated by the nearby mosque. Residents unable to find places to park.
- Concerns raised of obstruction of parking spaces, resulting in anti-social behaviour.
- Overdevelopment of existing property.
- Increase in noise, disturbance, crime and general health.
- Proposal will bring new unknown occupiers and lack of safety for community.
- Allegation that proposal will result in increased drug problem, partying, tenants fighting, disturbance at unsociable hours.
- Proposal will block sunlight.
- Proposal will establish an undesirable precedent.
- Proposal will impact on key workers and add to existing Covid-19 problems.

5. Consultations:

5.1. DCC- Planning Policy

The site of the proposal is not allocated for any particular use in the Local Plan – Part 1. Policy H13 specifically refers to C1, C2, C3 and hostels but can, by extension, be considered as guidance for other residential uses such as HMOs. The main concerns appear to be the ability of the proposal to create a high quality living environment and any implications for the amenity of the area due to the increased level of use of the property. No policy objections to the principle of the proposal.

5.2. DCC – Highways

The Highway Authority has **No Objection** to the proposals, subject to condition.

Observations: These observations are made primarily on the basis of information shown on submitted application drawings “20028-P-001”, “20028-P102” and “20028-P002”.

From the drawings it appears that the proposals will convert a 3 bed residential dwelling to the proposed use; I note also that no cycle parking is proposed.

The site is within an area of historic high parking demand; at the time of the Case Officer visit (lunchtime on a weekday; during the recent health crisis); the road was heavily parked, with no apparent on-street parking spaces being available; or on immediately adjacent side streets. This would be indicative of a “worst case” situation in the evenings and at weekends.

Historically, there is a record of complaints to the Highway Authority with respect to a lack of parking provision within the area ~ although pragmatically there is little action which the Highway authority can take to improve the situation. Many of the dwellings along the street (including the site) have converted front gardens to hardstanding provide ‘curtilage parking’ (even though this is substandard; and I note that it is also practice for vehicles to be parked part on part off the footway in order to retain space for vehicles to pass along the carriageway.

According to available records there is no record of any RTC’s (Road Traffic Collisions) along Leacroft Road in the last 20 years. The site is approximately 1.2 miles from the city centre; and 0.7 miles from the shops and facilities on Normanton Road, and is located within short walking distance of a number of local bus routes; thus, the site is considered to be within a ‘sustainable’ location.

Mindful of the existing situation and the number of neighbour objections; the Highway Authority gives the following consideration to the potential additional parking demand.

The 2011 Census Summary Report (published by Policy, Research & Engagement – Derby City Council) suggests that 28.9% of households do not own a car or van. Taking a coarse assessment that 70% of the occupants will own a vehicle (due to the sustainable location of the site this is by no means a certainty); the development could attract around 5 vehicles to the vicinity. As previously stated, the number of beds associated with the existing residential use is 3; Making the assumption that there are already up to 4 occupants in the house (on the basis of the permitted development rights and the size of the development as existing) and assuming that 70% of those 4 occupants also have a vehicle, gives up to 3 vehicles potentially

already being associated with the existing permitted residential use of the building. Subtracting the existing demand from the theoretical demand gives a figure of 2 additional vehicles likely being attracted to the area as a consequence of the proposed development.

Leacroft Road, like many urban residential streets suffers from on-street parking congestion on both sides which can impede two-way flows. The result being that drivers have to rely upon “give and take” to allow each other to pass; and as already noted there is also no RTC (accident) record to demonstrate that the current situation gives rise to any safety concerns.

Para 109 of the National Planning Framework Policy states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.” Whilst the scheme would potentially increase demand for on street parking spaces (although this may also not be the case), it is the opinion of the Highway Authority that it would not be possible to argue that the scheme would lead to ‘unacceptable impacts’ to highway safety or would have a severe impact upon the surrounding highway network. It should also be noted that permitted development rights would allow for the use of the building to accommodate 6 people without requiring planning permission under permitted development rights as a House in Multiple Occupation; so the applicant/developer could make changes to have 6 rooms for occupation without the need for planning consent. Nevertheless; as previously noted, the applicant makes no provision for cycle parking within the proposals; developers should be encouraged to make such provision in an attempt to further mitigate the impact of their development. This can be dealt with by appropriate condition.

Recommendation: The Highway Authority has No Objections to the proposals, subject to the following suggested condition: -

Condition: No part of the development hereby permitted shall be brought into use until provision has been made within the application site for parking of cycles in accordance with details submitted to and approved in writing by the Local Planning Authority. The cycle stands shall be covered, and that area shall not thereafter be used for any purpose other than the parking of cycles.

5.3. DCC – Housing Standards

I have reviewed the planning application in accordance with the relevant housing legislation and guidelines which are applied by this department. **I do not have any objections to the proposals** but have the following comments to make;

- If the property is intended to be let to multiple households it will be classed as a HMO under Section 254 of the Housing Act 2004 and will require a licence from this Authority for occupation by five or more persons. It will need to meet the guidelines set out by this Authority for HMOs in the City. The published guidance should be referred to in order to ensure there are enough cooking, washing, food storage, food preparation, waste and bathing facilities for the number of people proposed to be housed. This can be found on the Housing Standards pages of the website.

- In order to obtain a licence it will also need to be adequately managed and free of significant hazards under the Housing Health and Safety Rating System (HHSRS). This will include provision and maintenance of fire precautions. Guidance on fire safety in HMOs can be found in the LACORS Housing fire Safety guidance.
- This Authority will generally use this guidance when making an assessment of fire safety in residential property.

6. Relevant Policies:

The Derby City Local Plan Part 1 - Core Strategy was adopted by the Council on Wednesday 25 January 2017. The Local Plan Part 1 now forms the statutory development plan for the City, alongside the remaining 'saved' policies of the City of Derby Local Plan Review (2006). It provides both the development strategy for the City up to 2028 and the policies which will be used in determining planning applications.

Derby City Local Plan – Part 1: Core Strategy (2017)

- CP1(a) Presumption in Favour of Sustainable Development
- CP2 Responding to Climate Change
- CP3 Place making Principles
- CP4 Character and Context
- CP6 Housing Delivery
- CP23 Delivering a Sustainable Transport Network

Saved CDLPR Policies

- GD5 Amenity
- H13 Residential Development – General Criteria
- H14 Re-use of Underused Buildings

The above is a list of the main policies that are relevant. The policies of the Derby City Local Plan Part 1 – Core Strategy can be viewed via the following web link:

http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/Core%20Strategy_ADOPTED_DEC%202016_V3_WEB.pdf

Members should also refer to their copy of the CDLPR for the full version or access the web-link:

http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/CDLPR_2017.pdf

An interactive Policies Map illustrating how the policies in the Local Plan Part 1 and the City of Derby Local Plan Review affect different parts of the City is also available at – <http://maps.derby.gov.uk/localplan>

Over-arching central government guidance in the NPPF is a material consideration and supersedes earlier guidance outlined in various planning policy guidance notes and planning policy statements.

7. Officer Opinion:

Key Issues:

In this case the following issues are considered to be the main material considerations which are dealt with in detail in this section.

7.1. The Principle of development

7.2. High Quality living environment

7.3. Design/visual appearance

7.4. Impact on residential Amenity.

7.5. Highways/Parking

7.6. Impact on the character of the surrounding area

7.1. The Principle of the Development

NPPF 2018 states that the Government's objective is to significantly boost the supply of homes, and that a sufficient amount and variety of land should come forward to address the needs of groups with specific housing needs.

The application site is not allocated for any particular use in the Core Strategy. However, Policy CP6 states that the Council will continue to encourage the re-use of under-utilised or vacant properties for residential uses. Saved Local Plan Policy H14 states that the Council will support the re-use of underused buildings, throughout the City, for residential purposes including proposals for intensifying existing residential uses.

The proposal comprises the conversion of the single dwelling, with minor extensions, to create a 7-bedroom HMO.

The proposal will increase the variety and amount of housing delivery in accordance with Core Strategy policy CP6. There are no planning policy objections to the proposal. Subject to an assessment of the quality of the proposed living environment (as required by saved Local Plan Policy H13) and the effect that the intensification of use may have on the amenity of the surrounding area (Local Plan Policy GD5 applies), the proposal is considered to be acceptable in principle.

7.2. High quality living environment

The proposed conversion shows six of the bedrooms with an en-suite and the other bedroom having a separate shower room. The 22 sqm extended kitchen/living room and basement would provide satisfactory communal facilities for the use of the residents. There is a large rear garden giving an adequate amount of outside amenity space. All the bedrooms have full size windows and achieve the required minimum space standard and no objections have been raised by Housing Standards. It is considered that the proposed conversion will provide an appropriate standard of living accommodation for the residents of the HMO.

7.3. Design/Visual appearance

The proposed external alterations are proportionate to the scale of the property. Both the proposed ground floor rear extension and box dormer could normally be constructed as permitted development, for a residential dwelling. However, because they would form part of the proposed HMO use, they do require planning permission. The proposed rear extension would be relatively small and constructed of matching brickwork. There are numerous examples of other rear extensions in the vicinity of the site. The proposed box dormer would be constructed of matching tiles and would largely be screened from public views. Overall, it is considered that the proposed external works would not have an adverse impact on the visual amenities of the surrounding area.

7.4. Impact on residential Amenity.

The rear extension would be relatively small and would not project beyond the existing rear extension of the neighbour (no. 50). The proposed box dormer would have higher level rear windows but there is already overlooking from other first floor windows at the property. It is considered that the proposed external works would have no overriding impact on sunlight, privacy or residential amenity of the neighbouring dwellings.

The most likely noise nuisance would come from the communal kitchen/living area on the ground floor. This is in the existing outrigger and would not adjoin any bedrooms, thereby having less impact on the adjoining neighbour. Overall, it is considered that the more intensive residential use of the property would not have any overriding adverse impact on residential amenity in the surrounding area.

The proposed intensification of use, from a large family house to a 7-bedroom HMO must be considered. The site is located within a dense urban area and the dwelling could be converted into a 6-person HMO under permitted development rights. It is considered that one additional person would not have any substantial additional impact on neighbour's amenities.

7.5. Highways/Parking

The proposed development would have no additional on-site car parking. The site is located in a sustainable location, 0.5km from the District Centre in Normanton and approx. 100m from public transport routes along Dairy House Road.

It is acknowledged that there appears to be existing on-street parking problems, maybe exacerbated by the tandem parking arrangements on property forecourts, such as the application site. It is alleged that existing concerns relate to cars being blocked-in, resulting in anti-social behaviour. However, no resident has an entitlement to park on the highway. The existing behaviour of residents should not be used as a reason to refuse this application.

The Highway Authority raise no objections and have stated that it would be difficult to argue that one additional resident would lead to a severe impact upon the adjacent highway network, or would lead to 'unacceptable impacts' to highway safety.

7.6. Impact on the character of the surrounding area

A significant number of objectors have raised concerns that the proposed multiple occupancy development would not be appropriate for the surrounding area; the character of which is largely family homes.

Regarding the intensification of use of the property and the impact of an HIMO on the character of the surrounding area, Planning Control Committee have recently refused several similar applications for proposed HIMOs, contrary to the officer recommendation.

Particularly, an application (ref: 04/18/00518) at 135 Brighton Road was refused in July 2018, on the grounds of that the proposed change of use to a HIMO would have a detrimental impact on the wider character of the area by virtue of the loss of a family dwelling house and that this would erode the prevailing character of the area, through an unacceptable intensification of the residential use, being injurious to residential amenities and exacerbation of congested on-street parking levels.

However, this refusal was allowed on appeal, with the Inspector stating that, *"the loss of a family dwelling house ... would alter the character of the area, [but] in this particular circumstance the change of use would not represent substantial change to the character ... it is unclear what elements of neighbouring amenity would be affected by the intensification of use ... Whilst I agree that the scheme would potentially increase demand for parking spaces, I do not feel that the scheme would lead to 'unacceptable impacts' to highway safety"*.

Consequently, it is considered that significant evidence must be put forward to justify a refusal on the grounds of a detrimental impact on the wider character of the area; otherwise any subsequent appeal is likely to be successful. As set out above, there are several properties along Leacroft Road that are or have been in multiple use. These include both HIMOs and flat conversions. Furthermore, the existing dwelling could be converted into a 6-person HIMO under permitted development rights.

Any judgement on the impact on the character of the area must be confined to how much extra impact one additional occupier would make. Overall, it is considered that the proposed change of use would not represent a substantial change to the character and that a refusal is unlikely to be sustained on appeal.

8. Recommended decision and summary of reasons:

8.1. Recommendation:

To grant planning permission with conditions.

8.2. Summary of reasons:

The proposed residential use would increase the variety and amount of housing delivery, hence the proposal is considered to be acceptable in principle. The proposal meets all the Council's housing standards, regarding room sizes. A satisfactory quality of living accommodation is proposed. The proposal would not cause any overriding adverse impact on highway and neighbour amenity.

Committee Report Item No: 3

Application No: 20/00478/FUL

Type: Full Application

8.3. Conditions:

1. Standard time limit condition.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Standard plans condition.

Reason: For avoidance of doubt.

3. Definition of development, restriction of HMO use and limit on occupancy numbers.

Reason: To safeguard residential amenities, reduce impacts of parking in the local area and preserve character of the area.

4. Requirement to use matching materials for external works.

Reason: To preserve and enhance the character and appearance of the area.

5. Provision of secure and covered cycle parking within the site.

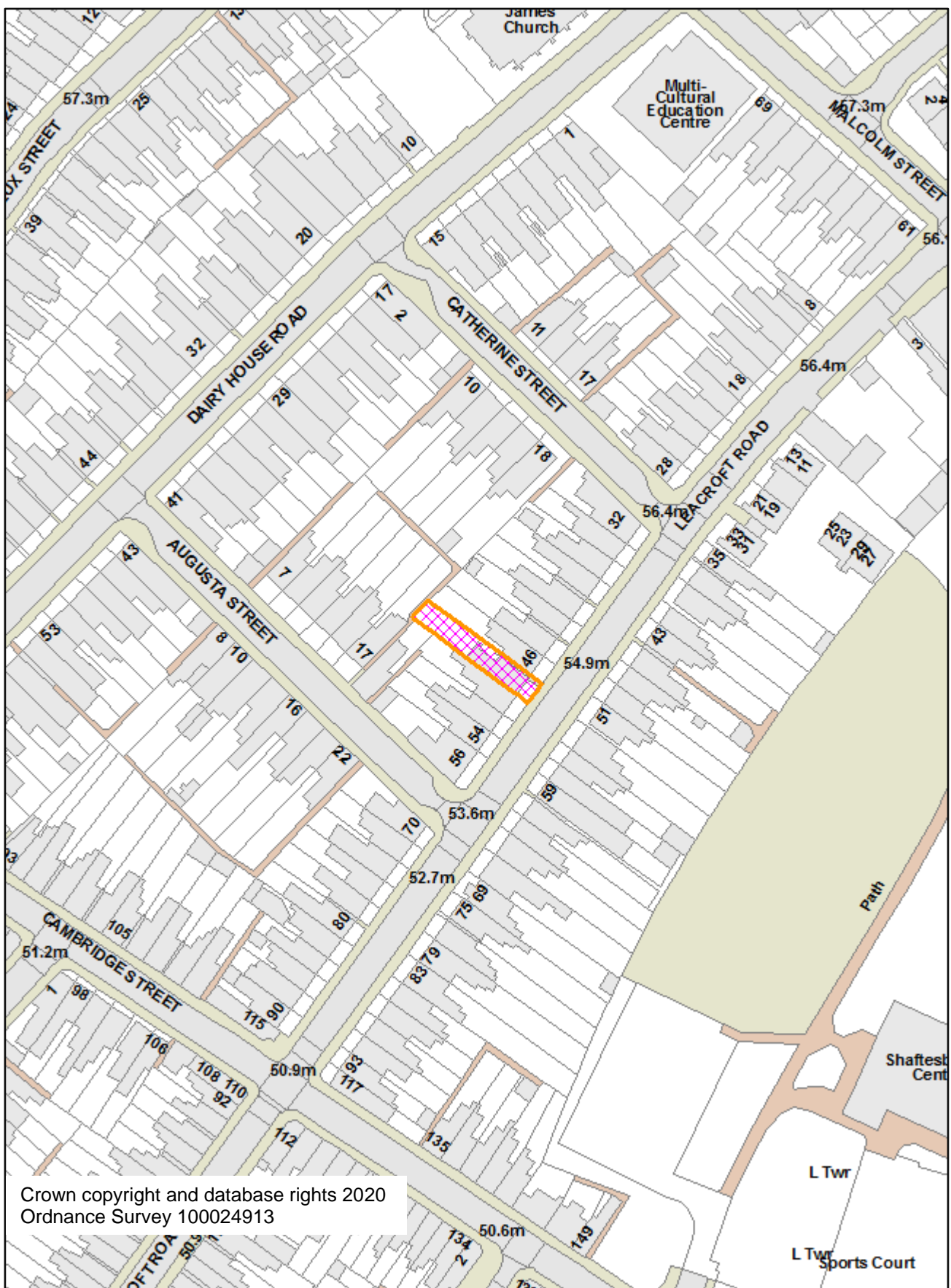
Reason: To promote sustainable travel.

8.1. Informative Notes:

1. Building re-numbering
2. Housing standards information

8.2. Application timescale:

The 8-week determination period expired on 17 June 2020. This application was referred to Planning Committee due to a call-in request by Cllr F Hussain and due to the number of objections.



Committee Report Item No: 4

Application No: 20/00471/TPO

**Type: Works to
Protected Trees**

1. Application Details

1.1. Address: 103 and 105 Whitaker Road, Derby.

1.2. Ward: Abbey

1.3. Proposal:

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

1.4. Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/20/00471/TPO>

Brief description

The felling of one, poor condition, Lime located adjacent to the highway.

The crown lifting of two Yew trees to provide 3m canopy clearance above ground level. These two trees have low canopies which impede pedestrians/vehicles.

The reduction of branches of a Corsican Pine tree to provide 1.3m clearance to 103 Whitaker Road,

2. Relevant Planning History:

103 Whitaker Road

Application No:	19/00662/TPO	Type:	Works to Protected Trees
Decision:	Granted Conditionally	Date:	25/07/2019
Description:	Crown reduction of the western aspect by 1.5m of a Beech tree and re-pollarding of three Lime trees to original pollard points, protected by Tree Preservation Order no. 280. To be carried out every 2-3 years for a period of 10 years 24 Carlton Road And 103 Whitaker Road Derby DE23 6HA		

Application No:	05/14/00682	Type:	Works to Protected Trees
Decision:	Granted Conditionally	Date:	04/07/2014
Description:	Cutting back of overhanging branches of Copper Beech tree protected by Tree Preservation Order.		

Application No:	04/02/00491	Type:	Works to Protected Trees
Decision:	Granted Conditionally	Date:	29/05/2002
Description:	To remove parasitic elder from lime tree and removal of dead wood and pruning of lower branches of 2 Yew trees protected by Tree Preservation Order No.66 (1992 Littleover Hill Estate) and No 280 (2001 Burton Road / Whitaker Road / Arden Close / Grafton Street / The Close / Horwood Avenue)		

Committee Report Item No: 4**Application No: 20/00471/TPO****Type: Works to
Protected Trees**

Application No:	08/01/01055	Type:	Works to Protected Trees
Decision:	Granted Conditionally	Date:	21/09/2001
Description:	Thinning and pruning of Hazel tree Protected by Tree Preservation Order No.66 (1992 Littleover Hill Estate (Blanket Order))		

Application No:	02/01/00215	Type:	Works to Protected Trees
Decision:	Granted	Date:	27/03/2001
Description:	Felling of nine Leylandii trees covered by Tree Preservation Order (Littleover Hill Estate No.66 1992)		

Application No:	02/01/00214	Type:	Works to Protected Trees
Decision:	Granted	Date:	27/03/2001
Description:	Felling of one Leylandii tree covered by Tree Preservation Order (Littleover Hill Estate No.66 1992)		

105 Whitaker Road

Application No:	08/15/01090	Type:	Works to Protected Trees
Decision:	Granted Conditionally	Date:	21/10/2015
Description:	Crown thinning by 10% and removal of deadwood of Corsican Pine tree protected by Tree Preservation Order No. 280		

Application No:	09/12/01102	Type:	Works to Protected Trees
Decision:	Refused	Date:	15/03/2013
Description:	Crown reduction of 2 Pine trees by 4 and 5m protected by Tree Preservation Order No 280		

Application No:	01/04/00040	Type:	Works to Protected Trees
Decision:	Granted Conditionally	Date:	23/02/2004
Description:	To crown thin and prune branches of Pine tree protected by Tree Preservation Order No.280 (2001 Burton Road / Whitaker Road / Arden Close / Grafton Street / The Close / Horwood Avenue)		

Application No:	08/01/01096	Type:	Works to Protected Trees
Decision:	Granted Conditionally	Date:	26/09/2001
Description:	Crown thinning and pruning of branches of Pine tree covered by Tree Preservation Orders (2001 Burton Road/Whitaker Road No.280 And 1992 Littleover Hill Estate No.66)		

Application No:	03/97/00362	Type:	Works to Protected Trees
Decision:	Granted	Date:	25/04/1997
Description:	Proposed felling of a Purple Leaved Plum Tree included in a Tree Preservation Order		

Committee Report Item No: 4

Application No: 20/00471/TPO

**Type: Works to
Protected Trees**

Application No:	02/97/00170	Type:	TPO
Decision:	Granted	Date:	25/03/1997
Description:	Crown reduction and removal of bough over shed of Purple Leaved Plum tree included in A Tree Preservation Order.		

3. Publicity:

Site Notice - Yes

Inclusion in the Weekly Planning List

This publicity is in accordance with statutory requirements and the requirements of the Council's adopted Statement of Community Involvement.

4. Representations:

One representation has been received and is reproduced in full below...

The application states:

Lime (T1) fell because of dead crown and overhanging adjacent highway in breach of Highways Act 1980. It is latter stages of decline as evidenced by tree canker stains.

Yew (T2) crown lift to 3 metres to stop low overhanging of public footpath and entrance path to 103 Whitaker Road

Yew (T3) crown lift to 3 metres to stop low overhanging of public footpath and drive to 103 Whitaker Road

Corsican Pine (T4) Remedial pruning to stop branch growth to the roof of 103 Whitaker Road, to avoid disruption to the dispersal of gases and structural damage to the fascia and chimney of 103 Whitaker Road.

In terms to the statement to alleged damage of property, the applicant has ticked the box stating none! It is therefore contradictory to the arboricultural report and the photographic evidence, depending upon where the photo was taken can be interpreted whichever way the photographer wants.

Replacement of trees should always be native trees and in line with current location

We also have to consider the street scene and loss of amenity values.

Although a Councillor, this should have no bearing upon any decision.

5. Consultations:

None

6. Relevant Policies:

The Derby City Local Plan Part 1 - Core Strategy was adopted by the Council on Wednesday 25 January 2017. The Local Plan Part 1 now forms the statutory development plan for the City, alongside the remaining 'saved' policies of the City of Derby Local Plan Review (2006). It provides both the development strategy for the City up to 2028 and the policies which will be used in determining planning applications.

Derby City Local Plan Part 1 - Core Strategy (2017)

CP2 Responding to Climate Change

CP16 Green Infrastructure

CP19 Biodiversity

Saved CDLPR Policies

None

The above is a list of the main policies that are relevant. The policies of the Derby City Local Plan Part 1 – Core Strategy can be viewed via the following web link:

http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/Core%20Strategy_ADOPTED_DEC%202016_V3_WEB.pdf

Members should also refer to their copy of the CDLPR for the full version or access the web-link:

http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/CDLPR_2017.pdf

An interactive Policies Map illustrating how the policies in the Local Plan Part 1 and the City of Derby Local Plan Review affect different parts of the City is also available at – <http://maps.derby.gov.uk/localplan>

Over-arching central government guidance in the NPPF is a material consideration and supersedes earlier guidance outlined in various planning policy guidance notes and planning policy statements.

7. Officer Opinion:

Key Issues:

In this case the following issues are considered to be the main material considerations which are dealt with in detail in this section.

7.1. Protected Trees

7.2. Reason for application to be determined by Committee

7.3. Objection

7.1. Protected Trees

The trees subject to this application are protected by TPO No. 280. The TPO was made on 9 August 2001 and confirmed on 20 December 2001. The trees are assigned individual protection and are scheduled as T4 (Lime), T5 (Yew), T6 (Yew) and T7 (Pine) in the order. The TPO protects numerous trees in the area.

Committee Report Item No: 4

Application No: 20/00471/TPO

**Type: Works to
Protected Trees**

Tree references use the application reference and not the TPO reference. The proposed works are reasonable to manage the trees in relation to their condition (T1) and their relationship to the built environment (T2-T4).

Tree 1 is a mature Lime tree located in the front garden of 103 Whitaker Road. It is growing close to the boundary with the highway (Whitaker Road). The canopy overhangs the highway. Tree height is estimated to be 17m and crown radius is estimated to be 5m. The tree is in very poor condition with significant deadwood throughout. Bark condition is very poor on the lower trunk.

Trees 2 and 3 are young and early mature Yew trees growing in the front garden of 103 Whitaker Road. Tree heights are 7 and 10m and crown radius are in the region of 4-5m. The canopies have 2m clearance to ground level. T2 overhangs the highway and drive of 103 Whitaker Road. Tree 3 overhangs the drive of 103 Whitaker Road.

Tree 4 is a mature Corsican Pine growing in the front garden of 105 Whitaker Road. Tree height is estimated to be 21m and crown spread is in the region of 8-9m. Branches of the tree are touching the roof of 103 Whitaker Road.

Tree 1 is in an advanced state of decline and is very poor condition. It is noted that a replacement tree is not proposed to be planted. This is acceptable as there is limited space for a tree to be planted and adjacent trees would repress any newly planted trees.

The low canopies of trees. trees 2 and 3 impede pedestrian walking underneath the canopies and also restrict vehicles accessing the drive of 103 Whitaker Road. The crown lifting of trees T2 and T3 will allow safe access underneath the trees.

The reduction of the canopy of Tree 4 away from the building of 103 Whitaker Road is acceptable in order to abate the nuisance and reduce the risk of branches causing damage to the building structure. It is noted that the applicant could prune the canopy away from the roof of 103 Whitaker Road under the actionable nuisance exception.

7.2. Reason for application to be determined by Committee.

Councillor Robin Wood is the applicant and owner of three of the trees subject to this application. As the applicant is an elected Member it is necessary to report this application to Committee for member's scrutiny.

7.3 Objection

One objection has been received and has been fully reproduced. The content of the objection is noted.

I am satisfied that the proposed works to the four trees are acceptable and in line with arboricultural best practice. It should be noted that the submission of one objection from a member of the public does not require the application to be determined by the Planning Control Committee. The sole reason for this application to be determined by the Planning Control Committee is that the applicant is an elected Member.

8. Recommended decision and summary of reasons:

8.1. Recommendation:

To grant consent with conditions.

8.2. Conditions:

1. For the works to the Corsican Pine (T4) hereby permitted, any bough agreed to be removed or shortened to provide no more than 1.3m clearance to the building shall be cut back to a suitable point such as a branch collar or suitably positioned secondary branch and the branch collar shall be left intact. Climbing irons or "spikes" shall not be used'

Reason: In the interests of visual amenity and tree health and for the avoidance of doubt and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

2. For the works to the Yew trees (T2 and T3) hereby permitted, crown lifting shall be to the maximum specified in the schedule of works accompanying the application. This work shall involve the removal of low branches to the height specified and result in a tree of balanced appearance. Those branches to be pruned shall be cut at their origin and all branch collars shall be left intact or branches should be pruned to a secondary growth point, whichever is the lesser, in order to attain the specific height. Climbing irons or "spikes" shall not be used.

Reason: In the interests of visual amenity and tree health and for the avoidance of doubt and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

3. All tree works should be carried out in accordance with the guidance and recommendations detailed within British Standards 3998:2010 'Tree Work - Recommendations'.

Reason: In the interests of visual amenity and tree health and for the avoidance of doubt and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

4. The work authorised shall be carried out within 2 years of the date of this consent unless the Local Planning Authority has agreed a written variation.

Reason: Beyond that period the health and visual appearance of the tree would need to be reassessed.

8.3. Informative Notes:

If permission is refused and the Lime tree fails as a direct result of its condition the applicant may seek compensation from the council. Similarly if the Pine tree

Committee Report Item No: 4

Application No: 20/00471/TPO

**Type: Works to
Protected Trees**

damages the building structure as direct result of refusal the applicant could seek compensation from the council.

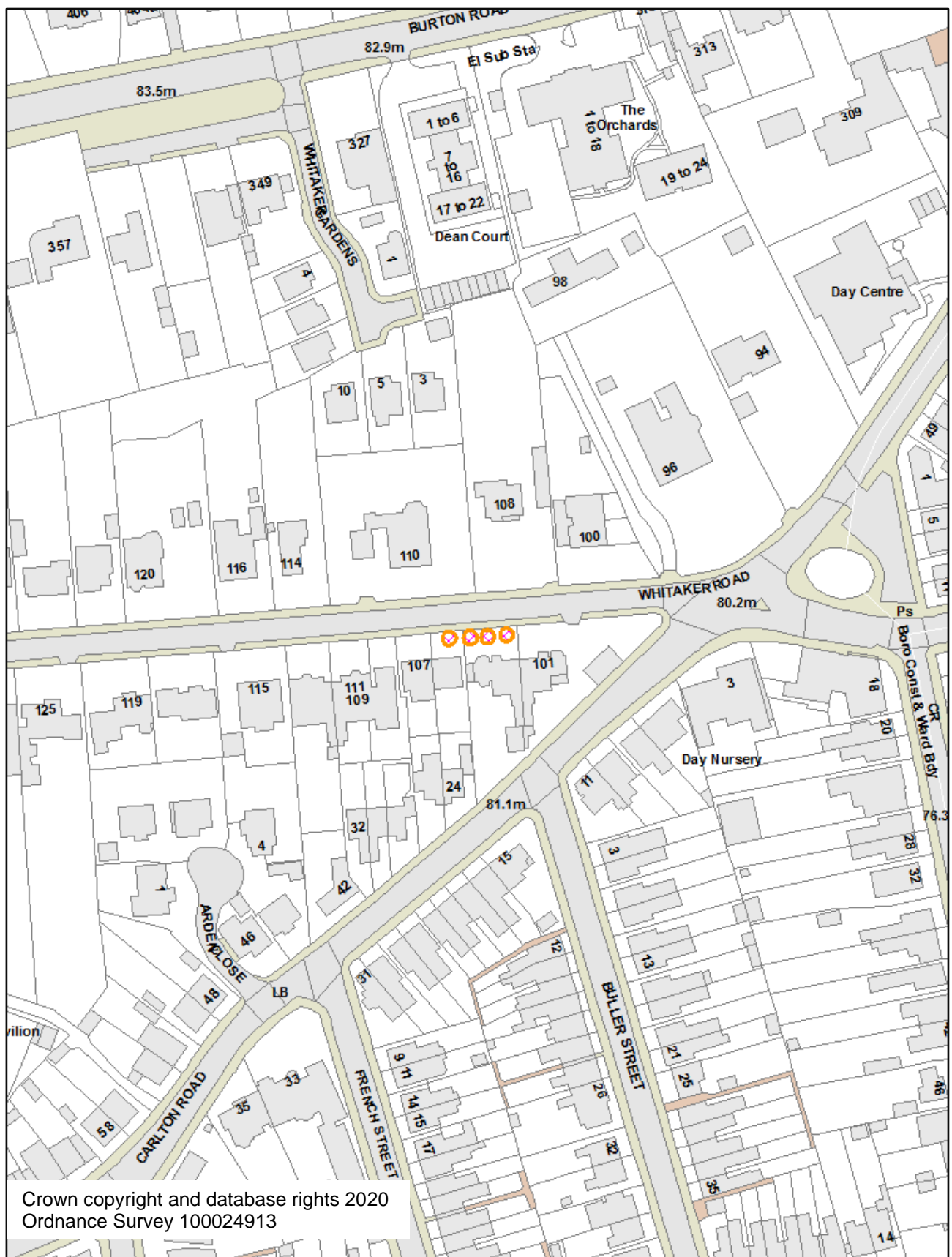
8.4. Application timescale:

The application expired on 16th July 2020 and has been reported to Committee for the reason stated above.

Committee Report Item No: 4

Application No: 20/00471/TPO

**Type: Works to
Protected Trees**





Derby City Council

Delegated decisions made between Between 01/06/2020 and 30/06/2020



Derby City Council

Application No:	Application Type	Location	Proposal	Decision	Decision Date
11/17/0143	Full Application	Former Rolls Royce Works Nightingale Road Derby	Erection of 406 Dwellings with Associated Car Parking and Landscaping together with Refurbishment of 5 Existing Dwellings and all associated works	Approval	26/06/2020
19/00796/FUL	Full Application	1 Mill Cottages Cotton Mill Yard Derby DE22 1DZ	Single storey side extension to dwelling house	Approval	23/06/2020
19/00797/LBA	Listed Building Consent - Alterations	1 Mill Cottages Cotton Mill Yard Derby DE22 1DZ	Single storey side extension to dwelling house, formation of an internal opening, alterations to the kitchen layout and installation of render	Approval	23/06/2020
19/00811/FUL	Full Application	63 Meadow Lane Chaddesden Derby DE21 6PT	First floor rear extension to dwelling house (bedroom and en-suite)	Approval	25/06/2020
19/01018/FUL	Full Application	Land At The Side Of 22 Ellendale Road Derby DE21 6UE (Access Off Oregon Way)	Erection of a dwelling house (Use Class C3) including installation of a retaining wall	Refused	05/06/2020
19/01041/DISC	Compliance/Discharge of Condition	River Derwent Corridor Including Sites From Darley Abbey Little Chester Chester Green North Riverside Bass Rec'	Outline Application With Full Details Of 'Package 1' For Flood Defence Works Along The River Corridor Involving; Demolition Of Existing Buildings, Boundary Treatments And Flood Defence Walls, Removal Of Existing Flood Embankments, Vegetation And Trees,	Discharge of Conditions Complete	22/06/2020

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		Pride Park To Alvaston Park Derby	The Raising, Strengthening, Realigning And Construction Of New Flood Defence Walls, Embankments, Access Ramps And Steps, Demountable Flood Defences And Flood Gates, The Construction Of Replacement Buildings, Structures And Community Facilities, Alterations To Road, Footpath And Cycleway Layouts Along With Associated And Ancillary Operational Development In The Form Of Ground Works, Archaeological Investigation Works And Landscaping Works To Reinstate Sites With Environmental Enhancements Included. - Discharge of conditions 50, 51 & 52 of previously approved application 02/15/00210 in relation to Parkers Piece, City Road		
19/01085/OUT	Outline Application	Land At The Front And Side Of 196 Ladybank Road Derby DE3 0RR	Residential development - one dwelling (Use Class C3)	Approval	19/06/2020
19/01188/FUL	Full Application	Site Of Former 22 Ford Street Derby DE1 1EE	Erection of office (Use Class B1) and car parking	Approval	02/06/2020
19/01322/FUL	Full Application	130 Radbourne Street Derby DE22 3BU	Single storey side and rear extensions to dwelling house (porch and conservatory) and change of use of barn/garage to a dwelling (Use Class C3) including installation of a dormer and porch extension	Approval	30/06/2020
19/01508/FUL	Full Application	8 South Drive Chaddesden Derby DE21 6RZ	Two storey side and single storey rear extensions to dwelling house (utility, family room, enlargement of kitchen, bedroom and en-suite) and alterations to the raised rear patio area	Approval	25/06/2020
19/01526/FUL	Full Application	7-8 Leopold Street	Two storey rear extension (10 bedrooms) and	Approval	10/06/2020

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		Derby DE1 2HE	retention of use as House in Multiple Occupation (Sui Generis Use)		
19/01720/ADV	Advertisement Consent	Mcdonalds Restaurants Ltd Linville Close Derby DE21 7HX	Display of four internally illuminated freestanding digital signs and one internally illuminated digital booth screen	Approval	04/06/2020
19/01733/FUL	Full Application	27 Arnold Street Derby DE22 3EW	Single storey side/rear extension to dwelling house (kitchen/dining space)	Approval	29/06/2020
19/01734/FUL	Full Application	27 Etwall Street Derby DE22 3DW	Single storey side/rear extension to dwelling house (kitchen/dining area)	Approval	22/06/2020
19/01802/FUL	Full Application	Site Of Former Northridge House Raynesway Derby DE24 0DW	Erection of a retail unit (Use Class A1) with associated access, landscaping and parking	Approval	05/06/2020
20/00113/FUL	Full Application	Unit 3 Sawley Park Nottingham Road Derby DE21 6AS	Change of use from office/industrial (Use Classes B1 and B8) to martial arts academy (Use Class D2)	Approval	17/06/2020
20/00123/FUL	Full Application	Unit 24 Sawley Park Nottingham Road Derby DE21 6AS	Change of use from office/industrial (Use Classes B1 and B8) to a personal training studio (Use Class D2)	Approval	05/06/2020
20/00142/FUL	Full Application	25 Louvain Road Derby DE23 6DA	Raising of the roof height, roof alterations and two storey front, side and rear extensions to dwelling house and formation of a raised	Approval	26/06/2020

Application No:	Application Type	Location	Proposal	Decision	Decision Date
			terrace to the rear		
20/00150/FUL	Local Council Own Development Reg 3	Footpath From Megaloughton Lane To Derby Road Spondon Linear Park Spondon Derby	Widening of an existing multi user path, installation of lighting columns and construction of a path link to Towpath Way	Approval	08/06/2020
20/00189/FUL	Full Application	67 Wilson Road Derby DE21 4JA	Two storey side extension to dwelling house (study, w.c, utility, kitchen and two bedrooms)	Approval	08/06/2020
20/00195/TPO	Works to a tree with a TPO	Asda Derby Road Spondon Derby DE21 7LW	Various works to trees protected by Tree Preservation Order No. 407	Approval	16/06/2020
20/00223/FUL	Full Application	5 Snelston Crescent Derby DE23 6BL	Two storey side extension to dwelling house (office/games room, utility, bedroom and en-suite) and formation of a raised patio area to the rear elevation	Approval	12/06/2020
20/00239/OUT	Outline Application	Land At The Rear Of 83 Grasmere Crescent Derby DE24 9HT (Access Off Grampian Way)	Residential development - two dwellings (Use Class C3)	Approval	05/06/2020
20/00240/FUL	Full Application	1 Thurstone Furlong Derby DE73 5PZ	Raising of the roof height and installation of three dormers to the front elevation and a new window to the first floor side elevation to form rooms in the roof space. Two storey side and rear extensions to dwelling house (kitchen/diner, lounge, two bedrooms and en-suite) and installation of a canopy to the front elevation and render	Approval	12/06/2020
20/00254/DISC	Compliance/Discharge of	Jacobean House	Alterations in association with the change of	Discharge of	24/06/2020

Application No:	Application Type	Location	Proposal	Decision	Decision Date
	Condition	33 Wardwick Derby DE1 1HA	use of vacant accommodation to large-scale house in multiple occupation (Sui-Generis Use), including the subdivision of the ground floor commercial unit (Use Class A3) - Discharge of conditions 3,4,5,6,7,8,9,10,11,12,13 & 14 of previously approved application code No. 19/00647/LBA	Conditions Complete	
20/00261/FUL	Full Application	Land At The Side Of 2 Hexham Walk Derby DE21 4FQ (Access Off Grantham Avenue)	Erection of two dwelling houses (Use Class C3)	Refused	05/06/2020
20/00283/FUL	Full Application	136 Burton Road Derby DE1 1TN	Demolition of garage. Erection of a three storey (basement with two storeys above) building for use as a nine bedroom house in multiple occupation (Sui Generis Use)	Approval	04/06/2020
20/00290/FUL	Full Application	319 Duffield Road Derby DE22 2DF	Erection of an outbuilding (garage) with retaining wall	Approval	23/06/2020
20/00292/PNRH	Prior Approval - Householder	53 Kenilworth Avenue Derby DE23 8TZ	Single storey rear extension (projecting beyond the rear wall of the original house by 6m, maximum height 3m, height to eaves 3m)	Refused	26/06/2020
20/00296/PNRT	Prior Approval - Telecommunications	Land In Front Of Shops Ladybank Road Derby	Installation of 20m monopole and associated equipment cabinets	Prior Approval Approved	24/06/2020
20/00327/FUL	Full Application	156 Carsington Crescent Derby DE22 2QU	Single storey front and rear extensions to dwelling house (porch, family space and enlargement of hall, living space and garage)	Approval	11/06/2020
20/00352/FUL	Full Application	1 Evans Avenue Derby DE22 2EL	Two storey and single storey front, side and rear extensions to dwelling house (two porches, garage, utility, W.C., dressing room,	Approval	24/06/2020

Application No:	Application Type	Location	Proposal	Decision	Decision Date
			bedroom, en-suite and enlargement of kitchen/dining area) together with the installation of cladding		
20/00356/FUL	Full Application	37 Dale Road Spondon Derby DE21 7DG	Formation of a vehicular access	Approval	11/06/2020
20/00367/FUL	Full Application	Unit 19 Jubilee Business Park Enterprise Way Derby DE21 4BB	Change of use from business, general industry and storage (Use Classes B1, B2 and B8) to business, assembly and leisure and non-residential institution (Use Classes B1, D1 and D2)	Approval	25/06/2020
20/00388/FUL	Full Application	Shelton Junior School Carlton Avenue Derby DE24 9EJ	Erection of a 2.4m high boundary fence	Approval	11/06/2020
20/00394/FUL	Full Application	64 Otter Street Derby DE1 3FB	Demolition of wall. Engineering works to include erection of a stair shaft with spiral staircase, boundary wall and the installation of decking and new garage doors	Approval	22/06/2020
20/00412/FUL	Full Application	2 Faversham Close Derby DE24 9FY	Two storey side extension to dwelling house (dining/living space, bedroom and en-suite)	Approval	01/06/2020
20/00416/FUL	Local Council Own Development Reg 3	203 Clarence Road Derby DE23 6LU	Single storey rear extension to dwelling house (wetroom)	Approval	10/06/2020
20/00418/FUL	Full Application	BOC Raynesway Derby DE21 7BD	Installation of a canopy	Approval	02/06/2020

Application No:	Application Type	Location	Proposal	Decision	Decision Date
20/00421/DISC	Compliance/Discharge of Condition	Burdett Lodge Hostel 6 Bass Street Derby DE22 3BR	Installation of replacement windows - Discharge of condition no 3 of previously approved permission 19/01504	Discharge of Conditions Complete	10/06/2020
20/00423/FUL	Full Application	Site Of 30 Westcroft Avenue Derby DE23 1NN	Installation of solar panels to the south facing roof on each of the three residential buildings	Approval	02/06/2020
20/00426/FUL	Full Application	27 Park Drive Derby DE23 6FY	Single storey side/rear extension to dwelling house (study and enlargement of kitchen)	Approval	02/06/2020
20/00434/FUL	Full Application	9 Moorland Road Derby DE3 9FX	Alterations to the roof design of the existing single storey side/rear extension	Approval	09/06/2020
20/00438/FUL	Full Application	22 Laburnum Grove Derby DE22 4AW	First floor rear extension to dwelling house (2 bedrooms)	Approval	01/06/2020
20/00441/PNRT	Prior Approval - Telecommunications	Land At Holbrook Road Derby (opposite The Junction With Penzance Road)	Installation of a 20m high monopole mast with equipment cabinets and ancillary development	Prior Approval Approved	01/06/2020
20/00446/FUL	Full Application	176 Allestree Lane Derby DE22 2JX	First floor rear and single storey side and rear extensions to dwelling house (dining/sitting area, en-suite and enlargement of dining room, utility and living room) and installation of roof lights to the side elevation	Approval	02/06/2020
20/00451/CLP	Lawful Development Certificate -Proposed	21 Lakeside Drive Derby DE23 3US	Erection of an outbuilding to be used for dog grooming.	Refused	09/06/2020
20/00452/FUL	Full Application	10 Whyteleafe Grove Derby	Single storey front extension to dwelling house (enlargement of hallway)	Approval	24/06/2020

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		DE21 2LS			
20/00454/FUL	Full Application	20 Thruxton Close Derby DE24 0SP	Two storey side extension to dwelling house (kitchen/dining area and bedroom)	Approval	05/06/2020
20/00455/FUL	Full Application	9 Boulton Drive Derby DE24 0FQ	Single storey rear extension to dwelling house (enlargement of kitchen)	Approval	09/06/2020
20/00456/CLP	Lawful Development Certificate -Proposed	3 Hounslow Road Derby DE22 4BW	Single storey side extension to dwelling house (utility and enlargement of kitchen)	Approval	08/06/2020
20/00457/FUL	Full Application	Copeland Street Car Park Copeland Street Derby DE1 2PU	Continued use of the land as a car park for a temporary period of two years	Approval	02/06/2020
20/00461/TPO	Works to a tree with a TPO	Mount Carmel House 310 Highfields Park Drive Derby DE22 1JX (Trees At The Rear Of Brendan Gardens)	Reduction by 4m of a group of Laurel, felling of an Ash tree and crown reduction of a Sycamore tree protected by Tree Preservation Order no. 308	Approval	17/06/2020
20/00462/FUL	Full Application	45 Blagreaves Lane Derby DE23 1FN	Erection of a pergola	Approval	19/06/2020
20/00464/FUL	Full Application	Daynight Pharmacy 93 Macklin Street Derby DE1 1LG	Single storey rear extension to pharmacy (storage space)	Approval	11/06/2020
20/00465/TPO	Works to a tree with a TPO	Peckerdale Gardens Derby DE21 7SX	Crown reduction by 2m of a Cedar tree protected by Tree Preservation Order no. 386	Approval	12/06/2020

Application No:	Application Type	Location	Proposal	Decision	Decision Date
20/00470/PNRT	Prior Approval - Telecommunications	Land Adjacent To Existing Telecommunications Mast On North West Side Of Grampian Way Derby	Installation of 20m monopole, together with ground based equipment cabinets and ancillary development	Prior Approval Approved	03/06/2020
20/00473/TPO	Works to a tree with a TPO	Mount Carmel House 310 Highfields Park Drive Derby DE22 1JX	Felling of a Beech tree protected by Tree Preservation Order no. 308	Approval	16/06/2020
20/00476/FUL	Full Application	58 Brayfield Road Derby DE23 6GT	First floor, two storey and single storey extensions to bungalow to form a dwelling house (porch, family room, four bedrooms, en-suites and bathroom)	Refused	30/06/2020
20/00477/FUL	Full Application	Sunglow 11 Chevin Road Derby DE1 3EX	Erection of an outbuilding (gym), boundary wall and gates	Approval	22/06/2020
20/00479/FUL	Full Application	8 Wade Drive Derby DE3 9BS	Single storey rear extension to dwelling house, installation of a dormer to the rear elevation and a roof light to the front elevation	Refused	17/06/2020
20/00481/FUL	Full Application	22 Dewchurch Drive Derby DE23 1XP	Two storey side and single storey front and rear extensions to dwelling house (garage, wet room, guest room, kitchen/dining room, two bedrooms, en-suite and enlargement of hall)	Approval	30/06/2020
20/00484/TPO	Works to a tree with a TPO	The Bemrose School Uttoxeter New Road Derby DE22 3HU	Crown lift to 8m and crown thinning by up to 25% of 17 Pine trees protected by Tree Preservation Order no. 475	Approval	30/06/2020

Application No:	Application Type	Location	Proposal	Decision	Decision Date
20/00488/ADV	Advertisement Consent	McDonalds Kingsway Derby DE22 4AA	Display of four internally illuminated digital freestanding signs and one internally illuminated digital booth screen	Approval	22/06/2020
20/00489/FUL	Full Application	47 Hindscarth Crescent Derby DE3 9NN	Single storey front and rear extensions to dwelling house (enlargement of living room and kitchen)	Approval	03/06/2020
20/00491/FUL	Full Application	528 Duffield Road Derby DE22 2DL	Single storey side and rear extensions with rooms in the roof space (garage, utility, kitchen and family area, bedroom & en-suite) and installation of two dormer windows to the front elevation	Approval	04/06/2020
20/00492/FUL	Full Application	173 Birchover Way Derby DE22 2DB	Two storey side and single storey side and rear extensions to dwelling house (garage, utility, dining room, bathroom, en-suite and enlargement of kitchen/dining area)	Approval	17/06/2020
20/00493/PNRT	Prior Approval - Telecommunications	Land At Ford Street Derby (adjacent To 21-23 Friar Gate)	Installation of 20m monopole, together with equipment cabinet and ancillary works	Refused	30/06/2020
20/00494/FUL	Full Application	62 Muirfield Drive Derby DE3 9YF	Front and rear extensions to dwelling house (garden room and enlargement of bedroom and en-suite bathroom) and formation of hardstanding	Approval	23/06/2020
20/00495/FUL	Full Application	8 Berry Park Close Derby DE22 2XD	Single storey front and side extensions to dwelling (porch, en-suite and enlargement of garage and bedroom)	Approval	04/06/2020
20/00499/CLP	Lawful Development Certificate -Proposed	18 Courtway Crescent Derby DE73 5TS	Single storey rear extension to dwelling house (enlargement of kitchen/dining area)	Approval	23/06/2020
20/00500/PNRH	Prior Approval - Householder	78 Reginald Road South Derby	Single storey rear extension (projecting beyond the rear wall of the original house by	Prior Approval Not Required	02/06/2020

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		DE21 6NF	6m, maximum height 3.8m, height to eaves 2.5m) to dwelling house		
20/00501/VAR	Variation of Condition	Hill Cottage 202 Duffield Road Derby DE22 1BL	Two storey side/rear and single storey front and side extensions to dwelling house (porch, garage, utility, living space, family room, two bedrooms and en-suite and, formation of a raised patio area - Variation of condition 2 of previously approved application 19/00420 to amend the approved plans	Approval	25/06/2020
20/00502/PNRT	Prior Approval - Telecommunications	Land At The Side Of 180 - 182 Pear Tree Road Derby DE23 8NQ	Installation of 20m monopole, together with equipment cabinets and ancillary development	Prior Approval Approved	24/06/2020
20/00504/TPO	Works to a tree with a TPO	103 Radbourne Street Derby DE22 3BW	Crown reduction of Wellingtonia and Holly trees protected by Tree Preservation Order no. 133	Approval	29/06/2020
20/00505/FUL	Full Application	Unit 3A Meteor Centre Mansfield Road Derby DE21 4SY	Installation of a new shop front including automatic doors and new glazing	Approval	30/06/2020
20/00506/FUL	Full Application	556 Kedleston Road Derby DE22 2NH	Two storey and first floor side and single storey front and rear extensions to dwelling house (porch, utility, bedroom, en-suite and enlargement of kitchen/diner) and installation of a canopy to the front elevation	Approval	24/06/2020
20/00507/FUL	Full Application	77 Porter Road Derby DE23 6RB	Two storey and single storey rear extensions to shop and first floor flat (food preparation area, store rooms, fridge/store and bathroom) with walkway and external staircase	Approval	19/06/2020
20/00508/FUL	Full Application	Land On North Side Of Oaktree Avenue	Erection of two dwelling houses (Use Class C3)	Approval	30/06/2020

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		Derby			
20/00514/PNRH	Prior Approval - Householder	132 Brighton Road Derby DE24 8TA	Single storey rear extension (projecting beyond the rear wall of the original house by 6m, maximum height 2.85m, height to eaves 2.85m) to dwelling house	Prior Approval Not Required	03/06/2020
20/00515/FUL	Full Application	37 Darley Park Road Derby DE22 1DA	Single storey rear extension to dwelling house (sitting room, W.C. and enlargement of lounge)	Approval	02/06/2020
20/00517/CLP	Lawful Development Certificate -Proposed	129 Holbrook Road Derby DE24 0LW	Single storey side extension to dwelling house (utility and W.C.)	Approval	30/06/2020
20/00530/CAT	Works to Trees in a Conservation Area	39 Kedleston Road Derby DE22 1FL	Felling of four trees within the Strutts Park Conservation Area	Raise No Objection	23/06/2020
20/00539/FUL	Full Application	112 Belper Road Derby DE1 3EQ	Removal of a boundary wall section to form access	Approval	30/06/2020
20/00543/CAT	Works to Trees in a Conservation Area	24 Chevin Road Derby DE1 3EX	Reduction in height by 3m of two Lime trees and felling of a Lime tree within the Strutts Park Conservation Area	Approval	26/06/2020
20/00552/CLP	Lawful Development Certificate -Proposed	25 Elderflower Close Derby DE3 0FQ	Single storey side/rear extension to dwelling house	Approval	01/06/2020
20/00562/PNRH	Prior Approval - Householder	5 Fairford Gardens Derby DE23 3TJ	Single storey rear extension (projecting beyond the rear wall of the original house by 5m, maximum height 4m, height to eaves 3m) to dwelling house	Prior Approval Not Required	30/06/2020
20/00565/DEM	Demolition - Prior	Tramway Building	Demolition of former tram shed building	Approval	23/06/2020

Application No:	Application Type	Location	Proposal	Decision	Decision Date
	Notification	Derby City Council Depot 15 Stores Road Derby DE21 4BD			
20/00574/PNRH	Prior Approval - Householder	128 Allestree Lane Derby DE22 2JY	Single storey rear extension (projecting beyond the rear wall of the original house by 3.85m, maximum height 3.6m, height to eaves 2.5m) to dwelling house	Prior Approval Not Required	30/06/2020
20/00607/DISC	Compliance/Discharge of Condition	Land At 398 Duffield Road Derby DE22 1ES	Demolition of outbuildings. Erection of four dwelling houses (Use Class C3) - Discharge of conditions 8, 9 and 10 of previously approved permission 19/00682	Discharge of Conditions Complete	15/06/2020
20/00630/DISC	Compliance/Discharge of Condition	Land North Of Onslow Road And East Of Station Road Mickleover Derby DE3 9FB	Erection of 203 dwellings (Use Class C3) with associated infrastructure, open space and landscaping - Discharge of condition no's 4 and 6 of previously approved permission 19/00763	Discharge of Conditions Complete	15/06/2020
20/00642/FUL	Full Application	75 Derwent Avenue Derby DE22 2DP	Erection of a boundary fence	Invalid - Finally Disposed of	12/06/2020