

Time commenced: 6.00pm
Time finished: 7.40pm

PLANNING CONTROL COMMITTEE 18 July 2019

Present: Councillor Hassall (Chair)
Councillors Care, Carr, S Khan, McCristal, Nawaz, P Pegg, Pearce,
Potter, West

In Attendance: Paul Chamberlain - Group Manager - Traffic and Transportation
Paul Clarke – Chief Planning Officer
Andrew Gibbard - Transport Strategy, Policy and Development Team
Leader
Olu Idowu – Head of Legal Services
Steven Mason – Democratic Services Officer
Laura Neale – The Major Projects Officer
Julia Stewart – Senior Planning Officer
Ian Woodhead – Development Control Manager

10/19 Apologies for absence

Apologies were received from Councillor Bettany

11/19 Late items

There were none.

12/19 Declarations of interest

There were none.

13/19 Minutes of the meeting held on 30 May 2019

The minutes of the meeting held on 30 May 2019 were agreed as a correct record.

14/19 Minutes of the meetings of the Conservation Area Advisory Committee held on 18 April and 13 June 2019

The minutes of the meetings of the Conservation Area Advisory Committee held on 18 April and 13 June 2019 were noted.

15/19 Appeal Decisions

The Committee received a report of the Director of Strategic Partnerships, Planning and Streetpride summarising appeal decisions taken in the last month.

Resolved to note the decisions on appeals taken.

16/19 Applications to be Considered

The Committee considered a report from the Director of Strategic Partnerships, Planning and Streetpride on planning applications which were to be determined by the Committee.

19/00631/FUL – Former Friar Gate Goods Yard, Great Northern Road, Derby

(Erection of a secondary school to include a 3 storey teaching block and separate sports hall building, plus associated infrastructure, landscaping and outdoor sports facilities, and new vehicular entrance from Great Northern Road)

The Chief Planning Officer addressed the Committee and reported that the following comments had been received and circulated to the Committee:

1. Two further third party comments. One in support of the development and one objection.
2. The Land Drainage officer had withdrawn objections to the revised drainage strategy and recommended conditions.
3. The Environmental Health officer responded to version three of the Construction Management Plan and was now satisfied with the recommendation of mitigation measures and recommended a condition.
4. The Tree Officer considered the submitted Tree Protection Plan to be acceptable and recommended a pruning condition.
5. The Environmental Health Officer responded to further noise information and maintained some concerns and recommended conditions.
6. Management plans for the off site biodiversity compensation had been received and Derbyshire Wildlife had submitted further comments.
7. The Highways Authority was not yet in a position to provide assurance that the proposed school could provide safe and suitable access and was therefore not acceptable.

Members noted that on page 35 of the report, the reference to section 72(1) should be deleted.

Resolved to reject the officer recommendation and delegate approval to the Chief Planning Officer, following consultation with the Chair, Councillor Care and Councillor Pegg subject to:

1. **successfully addressing/overcoming the points raised at the meeting (by Councillors Care and Pegg and Highway Authority)**
2. **the prior completion of the section 106 agreement**

18/01908/FUL – Site of Agard Street, Derby

(Erection of 7-9 storey student accommodation comprising 148 studio flats, together with ancillary facilities and formation of vehicular access off Agard Street)

The Development Control Manager addressed the Committee. It was reported that the applicant had confirmed their agreement to the heads of terms for the S106 agreement that accompanied the application. Members noted that the amended proposal was for 142 student flats within the proposed building footprint but that on page 80, paragraph 7.2 of the report it incorrectly referred to 148 units.

Mr Bradley of RG and P, for the applicant, addressed the Committee. Mr Newman addressed the Committee and made representations against the application.

Resolved:

- 1. 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.**
- 2. to authorise the Director of Strategy Partnerships, Planning and Streetpride to grant permission upon conclusion of the above Section 106 Agreement.**

18/01848/OUT – Garage Court, Marks Close, Derby

(Demolition of garage block. Erection of replacement garages with one apartment above)

The Development Control Manager addressed the Committee. It was reported that on page 91 of the report, the site visit took place on 15 June 2019 and not 15 May 2019.

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

Resolved:

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

Reasons for Refusal:

In the opinion of the Local Planning Authority the proposal would create, by virtue of the sites' backland position and substandard form of vehicular access, an unacceptable form of development that would be injurious to highway safety in the

immediate area and detrimental to the residential amenities enjoyed by residents who surround the site. For these reasons the proposal is contrary to saved policies GD5 and H13 of the adopted City of Derby Local Plan Review, adopted policies CP3, CP4 and CP23 of the Derby City Local Plan – Part 1: Core Strategy and the guidance in the National Planning Policy Framework which seeks to achieve well designed places which also safeguards the amenities of existing and future residents.

19/00057/FUL – 74 Burlington Way, Mickelover

(Two storey side and single storey rear extensions to dwelling house (garage, utility, kitchen/dining/family space, bedroom and ensuite))

The Major Projects Officer addressed the Committee and introduced the item.

Mr Fern, the applicant, addressed the Committee. Councillor M Holmes, as Ward Member, addressed the Committee and made representations in favour of the application.

Resolved to reject the officer recommendation and grant planning permission.

19/00662/TPO – 24 Carlton Road and 103 Whitaker Road, Derby

(Crown reduction of the western aspect by 1.5m of a Beech tree and repollarding 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)

The Major Projects Officer addressed the Committee and introduced the item.

Resolved to grant consent with the conditions and for the reasons as outlined within the report.

17/19 Potential Future Site Visits

The Committee was advised of future major applications.

Resolved to undertake site visits in relation to the following planning applications:

- 19/00763/FUL – Units 17-22, Riverside Park, East Service Road, Derby;
- 19/00644/FUL – 15 Wardwick, Derby;
- 19/00646/FUL – Jacobean House, 33-35 Wardwick, Derby; and
- 19/00866/VAR – Unit 17, Eagle Park, Alfreton Road, Derby.

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

- 19/00677/VAR – Site of and land at Kingsway Hospital, Kingsway, Derby;
- 19/00681/FUL – Mickleover Sports Club, Station Road, Mickleover;
- 19/00746/FUL – Land off Snelsmoor Lane, Chellaston;
- 19/0773/FUL – Units 17-22, Riverside Park, East Service Road, Derby;

- **19/00699/VAR – Site of former Fitness Centre, Carsington Street;**
- **19/00834/VAR – Cavendish Close Infant School, Wood Road, Chaddesden;**
- **19/00814/FUL – Chellaston Academy, Swarkestone Road, Chellaston;**
- **19/00847/VAR – Elmhurst Court, Lonsdale Place, Derby;**
- **19/00787/VAR – Millennium Site Services Limited, Haydock Park Road, Derby; and**
- **19/00877/OUT – Land south of Wragley Way, east of Deep Dale Lane and West of Stenson Road, Sinfin.**

MINUTES END