

Time commenced: 6.01pm  
Time finished: 8.38pm

## PLANNING CONTROL COMMITTEE 26 May 2016

Present: Councillor Khan (Chair)  
Councillors Anderson, Care, Evans, Froggatt, Harwood, Hassall, M  
Holmes, Nawaz, Pegg, Sandhu, West, Wood

In Attendance: James Bathurst – Senior Planning Technician  
Paul Clarke – Head of Planning  
Sara Claxton – Development Control Team Leader  
David Gartside – Head of Traffic and Transportation  
Steven Mason – Democratic Services Officer  
Rachel Reid – Planning Officer  
Rosie Watson – Implementation Team Leader  
Karl Suschitzky – Senior Environmental Health Officer  
Stephen Teasdale - Solicitor

### 01/15 Apologies for absence

There were none.

### 02/15 Late items

There were no late items.

### 03/15 Declarations of interest

Councillor Froggatt declared a personal interest in planning application number 03/16/00373 and that she would withdraw during consideration of the matter.

### 04/15 Minutes of the meeting of the Conservation Area Advisory Committee held on 10 March 2016

The minutes of the meeting of the Conservation Area Advisory Committee held on 10 March 2016 were received and noted by the Committee.

### 05/15 Appeal decisions

The Committee received a report of the Director of Strategic Partnerships, Planning and Streetpride summarising appeal decisions taken since the committee's last meeting.

**Resolved to note the decisions on appeals taken.**

## **06/15      Minutes of the meeting held on 14 April 2016**

The minutes of the meetings held on 14 April 2016 were agreed as a correct record, subject to the following amendment.

That at 71/15, DER/09/15/01772 – Land off North Avenue, Darley Abbey, the resolution should read:

**Resolved that if the Committee were determining the application they would be minded to refuse permission on following grounds:**

- 1. In the opinion of the Local Planning Authority, residential development on the application site would be prominent and visually intrusive, given the topography of the site and views from the Derwent Valley to the east of the site. This would lead to the narrowing of the Green Wedge, between Darley Abbey and Allestree, resulting in a loss of openness and undeveloped, landscape character in this highly sensitive part of the Green Wedge. As such, the proposal would compromise the role and function of the Green Wedge in this location, contrary to the aims of saved policy E2 of the adopted City of Derby Local Plan Review; and**
- 2. In the opinion of the Local Planning Authority, residential development on this site, which would fall within the Derwent Valley Mills World Heritage Site and its associated Buffer Zone, would be harmful to the Outstanding Universal Value of the World Heritage Site. This is due to the site being an important part of the undeveloped rural landscape providing the setting for the Darley Abbey Mills industrial settlement, which makes a contribution to the significance of the World Heritage Site. The site is therefore highly sensitive and the proposal would result in the loss of the rural character and landscape and would change both the character and experience of this part of the setting of the World Heritage Site, eroding the clear relationship between the rural landscape and the historic settlement, which is an integral part of its contribution to the site. The proposal is therefore contrary to saved policy E29 of the adopted City of Derby Local Plan Review and the policies in the National Planning Policy Framework.**

## **07/15      Development Control Performance (January – March 2016 Quarter)**

The Committee received a report of the Director of Strategic Partnerships, Planning and Streetpride on Development Control Performance (January - March 2016 Quarter).

**Resolved to note the report.**

## 08/15 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.

### 12/15/01520 - Land north west of Mansfield Road, Breadsall Hilltop

(Residential development (up to 230 dwellings) and associated works including means of access)

The Development Control Team Leader addressed the Committee. It was reported that Erewash Borough Council had submitted comments on the application raising concerns around flood risk and traffic impact and it was circulated to the Committee. Further comments were received from the Council's Land Drainage and Highways Officers in response to those concerns.

It was also reported that the results of an ecological survey for Great Crested Newts for three ponds on and adjacent to the site had been received and that Derbyshire Wildlife Trust had been consulted. Delegated authority was requested to agree the results of the survey and if necessary amend condition 10 to remove the requirement for further newt surveys

It was also reported that the design of the proposed roundabout junction was still being negotiated with the Council's Highways Officer and the final design will be secured by condition 18.

Ms J Coulton and Councillor Poplar, representing Breadsall Parish Council, addressed the Committee to make representation against the application.

### **Resolved:**

- 1. to authorise the Director of Strategy Partnerships, Planning and Streetpride to make appropriate amendments to condition 10 to remove the requirement for further newt surveys should he be satisfied as a result of the ecological survey that such would not be necessary;**
- 2. to negotiate the terms of a Section 106 Agreement to achieve the objectives set out in the report and to authorise the Director of Governance to enter into such an agreement; and**
- 3. to authorise the Director of Strategy Partnerships, Planning and Streetpride to grant outline permission upon conclusion of the above Section 106 Agreement for the reasons detailed in the report and subject to the conditions (with appropriate amendments to condition 10 as above) as set out in the report.**

12/14/01678 - Land North of Allan Avenue/Pritchett Drive, Littleover

(Erection of a maximum of 80 dwellings and associated drainage and highway infrastructure)

12/14/01677 - Land North of Allan Avenue, Pritchett Drive, Littleover

(Change of use to public open space)

The Head of Planning addressed the Committee. It was reported that a late letter of objection had been received and was circulated to the Committee. It was also reported that the reference to 'Bunkers Wood' should be removed from condition 3 and condition 18.

Clare Cook, Signet Planning, acting on behalf of the applicant, addressed the Committee. Mr Griffin, on behalf of Allan Avenue Action Group, and Mr Atkin addressed the Committee and made representations against the application.

**Resolved in respect of 12/14/01678:**

- 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 in the report 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 outline permission upon conclusion of the above Section 106 Agreement for the reasons set out in the report subject to the conditions outlined in the report with the amendments to conditions 3 and 18 proposed by the officer; and amendments to condition 4 to require the public open space in application 12/14/01677 be provided before 50% of the houses are commenced.**

**Resolved, in respect of 12/14/01677, to grant planning permission with conditions as detailed in the report.**

10/15/01277 - 19 Cornhill, Allestree

(Erection of dwellingHouse and garage)

10/15/01278 - 19Cornhill, Allestree

(Part demolition of front boundary wall, demolition of garage and erection of dwelling house and garage)

The Development Control Team Leader addressed the Committee. It was reported that the reference to a living room window opening quoted on pages 77 and 78 of the report was incorrect. It was also reported that condition 11 relating to obscure glazing on page 79 of the report, had been removed as it was no longer required. It was

reported that photographs had been received from an objector and circulated to the Committee.

Mr Millhouse of Planning Design Practice, acting on behalf of the applicant, addressed the Committee. Mr Jones and Mr Silvester addressed the Committee to make representations against the application.

**Resolved in respect of 10/15/01277:**

- 1. to reject the officer recommendation and refuse planning permission, as the harm to the setting of the listed buildings at 11 to 19 Cornhill, to part of the stone boundary curtilage walland to the character and appearance of the Allestree Conservation Area outweighs the public benefits of the proposal and it would be thereby contrary to Local Plan Policies E18 and E19 and the restrictive heritage policies of the NPPF; and**
- 2. to nominate Councillor Wood to represent the Committee on appeal, should it be necessary.**

**Resolved, in respect of 10/15/01278:**

- 1. to reject the officer recommendation and refuse listed building consent, as the harm to the setting of the listed buildings at 11 to 19 Cornhill, to part of the stone boundary curtilage walland to the character and appearance of the Allestree Conservation Area outweighs the public benefits of the proposal and it would be thereby contrary to Local Plan Policies E18 and E19 and the restrictive heritage policies of the NPPF; and**
- 2. to nominate Councillor Wood to represent the Committee on appeal, should it be necessary.**

06/15/00781 - The Needles, Bembridge Drive, Alvaston

(Erection of a single storey convenience store with associated carparking, landscaping, access arrangements and ATM Machine on land adjacent to the Needles Public House)

The Head of Planning addressed the Committee. It was reported that the application was in Bolton Ward and not Alvaston Ward, as quoted in the report. It was noted that a report had been received from the Environmental Protection Team, Environment and Regulatory Services, and circulated to the Committee. In light of this report the officer suggested condition 20 should be expanded to end....'as a result of a noise impact assessment'

Mr Hallett of Peter Brett Associates, acting on behalf of the applicant, addressed the Committee. Mr Virani addressed the Committee and made representations against the application.

**Resolved:**

- 1. to grant planning permission for the reasons set out in the report subject to the conditions outlined in the report with the amendment to condition 20 as proposed by the officer and an additional condition in relation to the formation of pedestrian priority access across the car park entrance.**

Councillor Froggatt left the room during consideration of the following item;

03/16/003738 - St. Brides Walk, Derby

(Formation of vehicularAccess)

The Head of Planning addressed the Committee and introduced the item.

**Resolved to grant planning permission with conditions and the reasons as set out in the report.**

Councillor Froggatt returned to the room.

## **09/16 Major Site Visits**

The committee was advised of future major applications.

**Resolved to undertake a site visit in relation to the following planning application:**

- 04/16/00412 - Land at the rear and site of 126 Drewry Lane, Derby.**

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

- 03/16/00298 - Speedy's Garage, 1102 London Road, Derby;**
- 03/16/00367 - Eagle Park, Alfreton Road, Derby; and**
- 05/16/00547 - Land to the north of The Blue Jay PH, Linville Close, Alvaston.**

MINUTES END