

Time commenced: 18:00
Meeting Adjourned: 19:53
Meeting Reconvened: 20:03
Time finished: 20:13

PLANNING CONTROL COMMITTEE 18 June 2020

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

In Attendance: James Bathurst – Senior Planning Technician
Paul Chamberlain - Group Manager - Traffic and
Transportation
Paul Clarke – Chief Planning Officer
Sara Claxton – Development Control Team Leader
Chris Thorley - Traffic and Transport Engineer
Stephen Teasdale – Solicitor
Ian Woodhead – Development Control Manager

60/19 Apologies for absence

There were none.

61/19 Late items

The Chief Planning Officer informed the Committee of the sad passing of Helen Oakes. The Committee expressed their sorrow and gave thanks for the valuable contributions that Helen had made to the City of Derby.

62/19 Declarations of interest

There were none.

63/19 Minutes of the meeting held on 13 February 2020

The minutes of the meeting held on 13 February 2020 were agreed as a correct record.

64/19 Minutes of the meeting of the Conservation Area Advisory Committee held on 23 January 2020

The minutes of the meeting of the Conservation Area Advisory Committee held on 23 January 2020 were noted.

65/19 Appeal Decisions

The Committee received a report of the Chief Planning Officer summarising appeal decisions taken in the last month.

Resolved to note the decisions on appeals taken.

66/19 Development Control Performance – Quarter 4 (January – March 2020)

The Committee received a report of the Chief Planning Officer on Development Control Performance – Quarter 4 (January – March 2020).

Members wished their thanks and appreciation to the team for all their hard work, to be noted.

Resolved:

1. to note the report; and
2. to agree that the Committees thanks and appreciation to the team for all of their hard work, be noted.

67/19 Confirmation of Tree Preservation Order 592 (12 Hanwell Way, Derby)

The Committee received a report of the Chief Planning Officer on Confirmation of Tree Preservation Order 592 (12 Hanwell Way, Derby).

Resolved to authorise the Acting Director of Planning and Transportation, Planning and Engineering to confirm TPO No.592 without modification.

68/19 Applications to be Considered

The Committee considered a report from the Chief Planning Officer on planning applications which were to be determined by the Committee.

19/01733/FUL – 27 Arnold Street, Derby

(Single storey side/rear extension to dwelling house (kitchen/dining area))

The Development Control Team Leader addressed the Committee. It was noted that the proposal was for a single storey extension at the rear of the house. It was reported that the extension would project some 0.6m beyond the rear of the existing outside store and would wrap around the existing store/toilet and kitchen area.

It was reported that the proposal was for an extension to a dwelling house. It was noted that the submitted floor plans showed the extended house set out in a way that would resemble a house in multiple occupation but that the application was made for a domestic extension to the rear of the dwelling. Councillors noted that as such, considerations of whether a house in multiple occupation was acceptable in this location were not relevant to determining this application. Councillors noted that instead, it was appropriate to consider whether the proposal was acceptable in terms of its impact upon residential and visual amenities.

Councillor A Pegg, as Ward Councillor addressed the Committee and made representations against the application.

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

19/01734/FUL - 27 Etwall Street, Derby

(Single storey side/rear extension to dwelling house (kitchen/dining area))

The Development Control Team Leader addressed the Committee. It was reported that there was one minor error at point 7.1 of the main report. It was reported that the Lawful Development Certificate number was '(19/01664)' rather than '(19/01604)'.

It was noted that the proposal was for a single storey extension at the rear of the dwelling. It was reported that the extension would wrap around the rear of the existing house, extending some 1.7m beyond the rear most part of the existing dwelling and that the extension would fill the width of the rear garden. It was reported the ridge height would be some 3.6m.

It was reported that the proposal was for an extension to a dwelling house. It was noted that the submitted floor plans showed the extended house set out in a way that would resemble a house in multiple occupation but that the application was made for a domestic extension to the rear of the dwelling. Councillors noted that as such, considerations of whether a house in multiple occupation was acceptable in this location were not relevant to determining this application. Councillors noted that instead, it was appropriate to consider whether the proposal was acceptable in terms of its impact upon residential and visual amenities.

Councillor A Pegg, as Ward Councillor addressed the Committee and made representations against the application.

A Councillor suggested that a condition to require the provision of a gateway if it was not already available be included.

Resolved:

- 1. To grant planning permission with the amended conditions and for the reasons as outlined in the report.**

2. To amend the conditions to include the provision of a gateway if it is not already available.

20/00296/PNRT – Land in front of shops, Ladybank Road, Mickleover

(Installation of 20m monopole and associated equipment cabinets)

The Development Control Manager addressed the Committee. It was reported that there was one minor error in the penultimate sentence of point 7.2 of the main report. It was reported that it should read 'I consider that the visual impact would be tolerable' rather than 'I consider that the visual impact would not tolerable'.

It was reported that no highways concerns had been raised in terms of a potential crossing near the site and that the application had been submitted with evidence explaining why mast sharing was not appropriate in this case.

It was reported that this application proposed a new 20m high monopole and associated equipment cabinet. It was noted that it would be situated within a grass verge in front of a row of shops on Ladybank Road. The Committee noted that the site would be close to the junction with Draycott Drive. It was reported that the monopole and equipment would be erected some 2.4m back from the road with the equipment cabin occupying a space adjacent to a young tree. It was noted that the pole would be some 0.4m wide at the base, rising to 0.6m wide at the top and would carry equipment to enable 5G coverage of the local area.

It was noted that matters pertaining to the safety and health implications of the equipment were not for consideration in this application and the submission included the 'ICNIRP certification' relating to safety and health issues.

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

Resolved to grant prior approval for the proposed telecommunications Development for the reasons as outlined in the report.

DER/05/18/00771 – Land off Phoenix Street, Derby ["The Landmark"]

(Erection of a new building providing 202 residential apartments (use class C3) including ancillary floor space together with associated car parking, servicing, site infrastructure and landscaping).

The Chief Planning Officer addressed the Committee. It was reported that members of the Committee had received three letters on this proposal in lieu of public speaking. It was noted that councillors had received letters of support submitted after the deadline from: Smith Partnership, Strategic Housing and Marketing Derby.

Members were reminded that this application had been debated at previous Planning Control Committee meetings on 10 January and 14 February 2019

at which the Committee had resolved to grant planning permission, subject to the execution of a satisfactory planning obligation.

The Committee noted the relevant policies for refusal point one were: CP3, CP4, CP20, AC5, AC9, GD5, E18 and E19. It was noted that Planning Officers had at no point recommended that this proposal be granted permission. The Chief Planning Officer stated that, based on specialist advice and judgment, the public benefits did not outweigh the harm to heritage assets.

The Committee were reminded of the ICOMOS (International Council on Monuments and Sites) letter and technical review, listed at points 4.2 and 4.3 of the report.

It was noted that points A-D on page 18 of the report needed to be addressed by the Committee should they decide to grant planning permission for this application. It was reported that the information at point 6.5 of the report was key for the determination process.

It was reported that since the matter was last considered an additional issue of evacuation safety had emerged. It was noted that the applicant had sought to remedy this with the provision of suitable revisions including a pedestrian walkway from the evacuation bridge linking into Causey Bridge.

Resolved:

- 1. to reject the officer recommendation to refuse planning permission; and**
- 2. to grant planning permission subject to referral to the Secretary of State for Housing, Communities and Local Government.**

Reasons for granting planning permission

- 1. Whilst the Committee accepts the advice of the Council's Built Environment Conservation Officer and that of Historic England in terms of the proposed development giving rise to harm in the form of less than substantial harm to various heritage assets as detailed in the consultation responses, including the World Heritage Site (WHS), and acknowledges the importance as expressed in the NPPF of protecting heritage assets of which the WHS is of particular importance, and whilst also noting the concerns as outlined by ICOMOS in their technical assessment, it considers on balance that the public benefits arising from the development, in particular the significant contribution to housing targets, the economic benefits arising from increased footfall, jobs and revenue benefit and significant investment to the City would outweigh the acknowledged harm that could be caused.**
- 2. Planning permission is subject to the negotiation and completion of a s106 agreement. It is also subject to the 29 conditions agreed**

to at the meeting on 14 February 2019 along with the condition for detailed plans to be provided for the emergency escape route which runs parallel to St Albans Way.

69/19 Potential Future Site Visits

The Committee was advised of future major applications.

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

- **20/00170/FUL – Site of former 574 – 576, Burton Road, Derby**
- **20/00215/FUL – Land adjacent to Field Lane, Alvaston**
- **20/00299/FUL – Land between Slack Lane Etwall Street and junction, Uttoxeter Old Road, Derby**
- **20/00339/FUL – Site of former Gasholders, Pride Parkway, Derby**
- **20/00219/FUL – 5 Friar Gate, Derby**
- **20/00357/VAR – Unit 6 Wyvern Retail Park, Wyvern Way, Derby**
- **20/00385/VAR – Land North West of Mansfield Road, Breadsall Hilltop**
- **20/00422/VAR – Site of land at Kingsway Hospital, Kingsway, Derby**
- **20/00518/RES – Land at John Street, Derby**

MINUTES END