

Time commenced: 6.00pm  
Time finished: 6.32pm

## PLANNING CONTROL COMMITTEE 1 June 2017

Present: Councillor S Khan (Chair)  
Councillors Evans, Froggatt, Harwood, Hassall, Nawaz, Potter, West,  
Wood

In Attendance: James Bathurst – Senior Planning Technician  
Paul Clarke – Head of Planning  
Steven Mason – Democratic Services Officer  
Julia Stewart – Senior Planning Officer  
Stephen Teasdale - Solicitor

### 01/17 Apologies for absence

Apologies were received from Councillors Care and Pegg.

### 02/17 Late items

There were no late items.

### 03/17 Declarations of interest

There were none.

### 04/17 Minutes of the meeting held on 11 May 2017

The minutes of the meeting held on 11 May 2017 were noted, subject to the following amendments.

That Chris Thorley – Traffic and Transport Engineer was present and that Councillor Evans did submit his apologies.

### 05/17 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.**

## 06/17 Enforcement Report

The Committee received a report of the Director of Strategic Partnerships, Planning and Streetpride summarising the current workload of the Enforcement Officer.

**Resolved to note the level of complaints dealt with by the officer.**

## 07/17 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.

### 01/17/00103 – Site of 10 Farley Road, Derby

(Demolition of dwelling and erection of replacement dwellinghouse - Variation of Conditions 2 and 4 of previously approved planning permission Code No. DER/12/14/01690 to amend the approved plans to accommodate rear elevation raised patio and associated ground works)

The Senior Planning Officer, to provide clarity, reported that on page 5 of the report, under Impact on the amenity of neighbours, the site abutted the garden areas of No's 2 and 2a Cathedral View and No. 12 Farley Road, to the north.

It was also reported that on page 6 of the report, at the end of the second paragraph, the sentence should read, 'to prevent overlooking of the garden areas of No. 2a Cathedral View and No. 8 Farley Road.'

It was noted that suggested Condition 9 within the committee report had been amended to – Condition controlling the use of obscure glazing within the side facing family room and dining room windows. It was also noted that two additional conditions were recommended, as follows:

Condition 11 – Condition removing permitted development rights for the erection of development under Class A (enlargement, improvement or other alteration of a dwellinghouse) of the Town and Country Planning (General Permitted Development (England) Order 2015.

Reason 11 – To protect the amenity of neighbours

Condition 12 – Condition controlling land levels within the garden area.

Reason 12 – To protect the amenity of neighbours

Ms Chapman, Nelson Solicitors, representing neighbours and Councillor Hezelgrave, as Ward Councillor, addressed the Committee and made representations against the application.

**Resolved:**

- 1. to reject the officer recommendation and refuse planning permission;**
- 2. to nominate Councillor Harwood to represent the Committee at any future appeal; and**
- 3. to authorise the Director of Strategic Partnerships Planning and Streetpride to take enforcement action against the unauthorised development subject to the Director of Organisation and Governance being satisfied with the evidence.**

**Reason for Refusal**

**In the opinion of the Local Planning Authority's Planning Control Committee the development would have a detrimental effect on the amenity of the neighbouring properties, significantly impacting on their outlook, privacy and enjoyment. The raised patio would in particular impact on outlook and privacy, dominating and overlooking the neighbouring properties thereby creating an oppressive and enclosed atmosphere**

**08/17 Major Site Visits**

The committee was advised of future major applications.

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

- 02/17/00226 – 30-31 Friar Gate, Derby;**
- 04/17/00497 – Rolls Royce Marine, Raynesway, Derby; and**
- 04/17/00557 – Site of former 'Ramarena', Raynesway, Spondon.**

MINUTES END