

Time commenced: 18:00
Time finished: 19:56

PLANNING CONTROL COMMITTEE 23 May 2024

Present: Councillor Pearce (Chair)
Councillors Bolton, Bonser, Care, Graves, M Holmes,
Morgan-McGeehan, Nawaz, Prosser, Rawson, Sandhu

In Attendance: James Bathurst – Senior Planning Technician
Laura Cleal – Principal Transport Planner
Andy Gibbard – Group Manager – Planning, Transportation
and Engineering
Sara Hodgkinson – Development Control Team Leader
Steven Mason – Democratic Services Officer
Laura Neale – Major Projects Officer
Jenny Nightingale – Senior Planning Officer
Chloe Oswald – Conservation Officer
Karl Suschitzky – Senior Environmental Health Officer
Stephen Teasdale – Solicitor
Lucy Withers – Specialist Air Quality Technical Officer
Ian Woodhead – Development Control Manager

01/24 Apologies for absence

Apologies were received from Councillor Pattison.

02/24 Late items

There were none.

03/24 Declarations of interest

There were none.

04/24 Minutes of the meetings held on 4 April 2024 and 25 April 2024

The minutes of the meetings held on 4 April 2024 and 25 April 2024 were agreed as a correct record.

05/24 Minutes of the meeting of the Heritage and Advisory Committee held on 29 February 2024

The minutes of the meeting of the Conservation and Heritage Advisory Committee held on 29 February 2024 were noted.

06/24 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.

07/24 Development Control Performance – Quarter 4 (Jan. – Mar. 2024)

The Committee received a report of the Chief Planning Officer on Development Control Performance – Quarter 4 (Jan. - Mar. 2024).

Resolved to note the report.

08/24 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.

23/01631/OUT - Land to the west of Royal Hill Road, Spondon

(Outline application for residential development including access arrangements - up to 90 dwellings)

The Development Control Team Leader addressed the Committee. It was reported that on page 20 of the report, at the end of the second paragraph, it should read, “and provision of a bus service.”

Gary Lees, Pegasus Group, agent for the applicant, addressed the Committee. Kevin Palmer and Councillor John Wright, speaking on behalf of Spondon residents, addressed the Committee and made representations against the application.

Resolved:

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

Reasons for Refusal

1. In the opinion of the Local Planning Authority, the proposed residential development would result in the narrowing of the Spondon and Chaddesden Green Wedge, which provides an important strategic function by maintaining an open and undeveloped area between these two distinct residential areas of the city. The proposal would reduce the extent to which the countryside is able to penetrate the urban area, increase the likelihood of coalescence between the Spondon and Chaddesden neighbourhoods and would, therefore, amount to inappropriate development in this Green Wedge. For these reasons, the proposed development would be contrary to the intentions of Policy CP18 (Green Wedges) of the Derby City Local Plan - Part 1: Core Strategy.

The Local Planning Authority accepts that this proposal should be determined in the context of the 'tilted balance' which has been invoked and accordingly, the relevant guidance in Paragraph 11d of the National Planning Policy Framework has been duly considered. In this particular case the proposed residential development would lead to the unacceptable narrowing of the Spondon and Chaddesden Green Wedge and, as a result, this important policy contravention would significantly and demonstrably outweigh the planning benefits of the proposal.

23/01128/FUL - Land at St Peters Churchyard, St Peters Churchyard, Derby

(Erection of ten food and beverage retail units, external seating area/community space and associated ancillary structures)

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

John Phipps, Lathams, addressed the Committee.

Resolved:

1. **to reject the officer recommendation and grant planning permission; and**
2. **to delegate the approval of the conditions with the applicant to officers, in consultation with the Chair and Vice Chair.**

Reasons for Rejecting the Officer recommendation:

Councillors debated the application and concluded that the development would have some impact on designated heritage assets but felt that the public benefits of the proposed food and beverage retail units would, in terms of increased footfall and commercial activity in this part of the city centre, outweigh the identified harm in this particular case.

23/01129/LBA - Land at St Peters Churchyard, St Peters Churchyard, Derby

(Partial demolition of boundary wall to create an entrance to site)

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

Steve Wardle, E2 Developments Ltd., addressed the Committee.

Resolved:

- 1. to reject the officer recommendation and grant planning permission; and**
- 2. to delegate the approval of the conditions with the applicant to officers, in consultation with the Chair and Vice Chair.**

Reasons for Rejecting the Officer recommendation:

Councillors debated the application and concluded that the proposed development to facilitate that proposed food and beverage retail units would be, subject to appropriate conditions, acceptable alterations to the curtilage listed wall and the setting of nearby heritage assets would not be adversely affected.

24/00408/FUL - Eagle Market, and Castle and Falcon Public House, Morledge, and East Street, Derby

(Part demolition of existing Eagle Market building and full demolition of public house, installation of a new building facade, including digital screen. Associated means of escape and a new area of landscaping.)

The Senior Planning Officer addressed the Committee and introduced the item.

Members proposed that CCTV be extended from The Derbion and onto the site.

Resolved:

- i) To resolve the podium access; and**
- ii) To grant planning permission for the reasons and with the conditions as outlined in the report.**

MINUTES END