

Item 11

Derby City Council
Planning Control Committee
18th November 2010



Development Control Report Of
The Director of Planning and Transportation

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Planning Control Committee 18 November 2010

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Committee Report Item No: 1

Application No: DER/08/10/01043

Type: Full

1. **Address:** Land at rear of 62 Station Road, Chellaston (access off David's Close)

2. **Proposal:**
Erection of bungalow

3. **Description:**

The application seeks permission for the erection of a detached bungalow on land to the rear of 62 Station Road with frontage access provided off David's Close. The application site has a tapering width and length which measures approximately 10 metres along the boundary shared with the highway and 17 metres along the rear boundary; with a minimum length of approximately 22 metres and maximum length of approximately 26 metres. The plot is irregular in shape and bounded predominantly by residential properties and the public highway to the east. The application site covers an area of approximately 348 sq. metres.

The proposed bungalow seeks to provide a living room, kitchen/diner, bathroom and three bedrooms along with an integral garage. The footprint of the dwelling is irregular in form to take account of the street scene and relationship with the neighbouring properties and angled around the hard standing to the front. The southern elevation is blank with two secondary windows proposed on the northern side elevation. Therefore primary windows are proposed on the front and rear elevation only. An area of private amenity space is proposed to the rear with a minimum depth of approximately 8.1 metres and a maximum depth of approximately 11.1 metres.

The application site is bounded by residential properties on David's Close and Station Road; all of which benefit from off-street car parking. David's Close is characterised by bungalows of varying design and style; some also benefit from rooms in the roof space. Station Road also varies in design and has been developed in a piecemeal fashion particularly to the south of the application site. Permission has recently been granted for the erection of two detached dwellings on land adjacent to no.72 Station Road (DER/11/09/01355 and DER/08/09/00929).

4. **Relevant Planning History:**

No site history.

5. **Implications of Proposal:**

5.1. **Economic:**
None

5.2. **Design and Community Safety:**
The design of the proposal is considered to be acceptable and integrates well with the character and overall appearance of the street scene.

5.3. **Highways – Development Control:**
The application site is situated within a residential area and it is proposed to access the site from David's Close, which is a cul-de-sac. The current properties on David's Close all benefit from off-street parking spaces and hard standing to the frontage.

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The applicant proposes to erect a dwelling in the rear garden of 62 Station Road with the formation of a vehicle access. The applicant has also proposed to create a garage that appears to be below the current standard of 3 x 6 metres. However, this is not considered detrimental as it appears that the site will have hard standing to the frontage for 2 vehicles.

No highway objections subject to the attachment of three conditions relating to surface materials, construction of the access and garage door design.

Highways – Land Drainage:

My colleague's comments are as follows:

The application form states that surface water will be discharged via a soakaway which is in accordance with saved policy GD3 and PPS25, however the rear garden of the property appears to be insufficiently large enough for an adequate soakaway to be constructed that will be acceptably far from an existing dwelling to the south west. Therefore I consider that there will be pressure to discharge direct to the public sewer in contravention to saved policy GD3 and PPS25.

The development shows a large area of drive between the principal elevation and the highway without stating how it is to be drained. The only information with regards to drainage is the application form.

The site plan shows a sewer passing through the rear garden under the living room, bathroom, a bedroom, front garden and on under the highway. The sewer is a public sewer which appears to be draining properties to the rear though we do not have records to that extent. There has been no information regarding any treatment to maintain its use and the space around the development is such that vehicular access will not be available for carrying any necessary maintenance works to the sewer following the construction of the proposed dwelling. The development will rely on Severn Trent Water Ltd, accepting a building over agreement.

In light of the above, if the application is approved conditions relative to land drainage are requested to be attached to any decision notice.

5.4. Disabled People's Access:

The bungalow will have a degree of accessibility through compliance with Building Regulations.

5.5. Other Environmental:

None.

6. Publicity:

Neighbour Notification Letter	11	Site Notice	Yes
Statutory Press Advert and Site Notice		Discretionary Press Advert and Site Notice	
Other			

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This publicity is in accordance with statutory requirements and the requirements of the Council's adopted Statement of Community Involvement.

7. Representations:

The application has attracted 6 letters of representation and a telephone objection from Ward Councillor Ingall during the statutory consultation process. The representations are 1 letter of comment, 1 in support and 4 letters of objection. The representations have been reproduced in this report for Members consideration. Any further letters of representation received prior to the meeting will be made available for Members' consideration. The letters are summarised below:

Letter of Comment

- Won't affect their property as they live at the end of the close,
- Increased traffic,
- Closure of the footpath on the former railway site,
- Anti-social behaviour as members of the public are using their garden as a cut through from the public open space onto Station Road,
- Concerns over the closure of a public right of way,

Letter of Support

- The proposal will enhance the area,

Letters of Objection

- The bungalow is to be built above a sewer,
- A number of trees are to be removed to facilitate the development,
- Building on gardens should stop,
- Reference to the builders being the same as those on other Station Road development sites,
- Members of the public are climbing over garden fences to gain access to Station Road due to the closure of a link route,
- Loss of privacy and light to no.3 David's Close,
- Impacts on the highway,
- Increased traffic on a narrow street,
- Disruption whilst works are being carried out,
- Inconvenience to residents,
- A Tree Preservation Order should be made on the trees within the site,
- Over development.

8. Consultations:

8.1. Environmental Services-Trees:

Confirmation of no objections being raised by the Tree Officer. The Tree Survey suggests that T1 and Groups 1 – 3 are being retained. As such they

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should be afforded protective fencing in accordance with BS 5837 (2005). It would be appropriate for the submission of a Tree Protection Plan, which in this instance can be included as a condition.

9. Summary of policies most relevant: *Saved CDLPR policies / associated guidance.*

GD4	Design and the Urban Environment
GD5	Amenity
H13	Residential Development – General Criteria
E9	Trees
E23	Design
T4	Access, Car Parking and Servicing
GD3	Flood protection
GD8	Infrastructure

The above is a summary of the policies and guidance that are relevant. Members should refer to their copy of the CDLPR for the full version or the department prior to the meeting.

10. Officer Opinion:

Principle of Residential Development

The application site is located within an existing residential location within Chellaston and there are examples of new residential development within close proximity to the application site; namely on land to the side and rear of no.72 Station Road and on land adjacent to the Public Open Space of the Bonnie Prince Estate (see site history in part 4 of this report).

The proposal is sited on land to the rear of no.62 Station Road with access and frontage proposed off David's Close; the access will serve the proposed property only. The proposed dwelling is not tandem or backland development and as such I consider the proposal to be an infill plot within the street scene of David's Close. The proposal, in my opinion, will integrate well within this locality and will be viewed as a stand alone property within the street scene.

The recent re-definition, in PPS3 Housing, of garden land as being greenfield land rather than brownfield reflects the Government's concerns to give greater prominence to reducing inappropriate development within domestic curtilages. There is a national and local objective to make the most effective use of land. Previously, as gardens were brownfield land meant weight was added to the case for approving development within residential curtilages. The re-defining of garden land as greenfield means the Government has sent out a signal that this weight no longer applies. There is, therefore a material change in the balance. This does not mean, however, that proposals within domestic curtilages, including for additional dwelling houses, should never be approved. The changes to PPS3 do not introduce a blanket ban on them it is merely a case of changing the emphasis. I am of the opinion that, in this case, the proposal does not represent an unacceptable form of development.

When considering the proposal I have also taken into consideration the urban grain of the immediate locality and note it is comparable to those adjacent properties on the southern side of David's Close in terms of site area, the provision of parking and access and in terms of private amenity space.

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As such I am of the opinion the principle of residential development on land to the rear of no.62 is acceptable and is not tandem or backland development. It is a stand alone plot with an independent frontage to the street scene and will provide a high quality of living environment in accordance with saved policy H13 of the CDLPR.

Design and Street Scene

The footprint of the bungalow is irregular in form however the front elevation will frame the hard standing and infill the street between no.1 and 3 David's Close. The proposal is set back from the public highway, a characteristic feature of this locality.

The design solution of the proposal has taken inspiration from the street scene which is evident from its single storey form and hipped roof configuration. The proposal is set back from the public highway to provide off-street car parking, similar to existing provisions within the street scene. The scale and external appearance of the bungalow is, in my opinion, comparable to dwellings within the street scene and the immediate locality in terms of private amenity space.

As such I am of the opinion that the proposed bungalow is acceptable and will not detract from the character or visual amenity of David's Close and would integrate well into the existing street scene.

Access and Car Parking

The proposed bungalow will be served from David's Close which is a cul-de-sac. The current properties on David's Close all benefit from off street car parking and hard standing to the frontage. The submitted plans, 'Sheet No.1', seek to provide an integral garage which is below current standards; however this is not considered to be detrimental as the frontage will accommodate at least 2 car parking spaces. As such I raise no objection to the scheme on access grounds or in terms of off street car parking provision. The application has not sustained any objections from the Highways Officer and the requested conditions are detailed in Part 11.

Impact on Residential Amenity

The concerns of the neighbouring property, no.3 have been noted. However, I am of the opinion that due to the siting and orientation of the proposal the relationship created would not have a significant impact on no.3 in terms of overlooking and/or overshadowing. In addition the windows on the northern side elevation are secondary and can be conditioned, if Members are so minded, to be obscurely glazed.

I am of the opinion that the distances between the proposal and the existing dwellings are sufficient to limit overlooking. In terms of massing, the proposal is a single storey building and is unlikely to result in massing on a common boundary to the detriment of the residential amenity of those neighbouring properties. As such I am of the opinion the proposal will not unduly impact upon the amenity of those neighbouring properties.

Representations

A number of the points raised following the statutory consultation process relate to a pathway located to the west of this site; adjacent to the common boundary of no. 70 Station Road and no.19 David's Close. The pathway is not within the application site and has been considered under application code no. DER/11/09/01363. Concerns over the builders being the same as those developing in this locality are also not a material planning consideration along with disruption during works and

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inconvenience to local residents. The Council's Land Drainage Officer's comments are referred to in Part 5 of this report in respect of land drainage and the siting of a public sewer on the site. I note that the development will require the separate consent of Severn Trent Water Ltd, accepting a building over agreement. Drainage from the site will be dealt with by a condition.

The comments of the Arboricultural Officer are in Part 8 of this report and they have raised no objection to the proposal subject to the attachment of a protective fence condition. As such I am satisfied that the objections raised in relation to trees have been fully considered. In addition the application has not attracted any objections from the Highways Officer and as such I have no reason to believe the development of one dwelling house would be significantly detrimental to the highway in terms of increased traffic to warrant refusal of the scheme.

Summary

In light of the above and considering the changes to PPS3 I raise no objection to the erection of a dwelling house on land to the rear of no.62 Station Road with access provided off David's Close. The proposal is, in my opinion, acceptable in terms of design, impact on residential amenity, impact on the highway and in terms of off-street car parking provision and in terms of impacting upon the residential amenities of neighbouring properties. The application reasonably satisfies the relevant saved policies as set out in the adopted City of Derby Local Plan Review and as such I recommend planning permission be granted.

11. Recommended decision and summary of reasons:

11.1. To grant planning permission with conditions.

11.2. Summary of reasons:

The proposal has been considered in relation to the provisions of the adopted City of Derby Local Plan Review and all other material considerations as indicated in Part 8 of this report and it is considered that the proposed dwelling house is acceptable in terms of design, impact on the street scene, impact on residential amenity and in terms of highway safety and parking provision.

11.3. Conditions:

1. Standard condition 100 (approved plans)
 - Site Plan 1:1250 18th August 2010
 - Site Plan 1:500 18th August 2010
 - Sheet No. 1 Planning 18th August 2010
 - Sheet No. 1 Planning- Site Plan 18th August 2010
2. Standard condition 03 (time limit)
3. Standard condition 27 (external materials)
4. Standard condition 19 (means of enclosure)
5. Standard condition 30 (hardstanding)
6. Standard condition 24 (vegetation - protection from construction)

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7. No part of the development hereby permitted shall be brought into use until the drive and any parking area is surfaced in a hard bound material (not loose gravel) for a minimum of 5 metres behind the Highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
8. Development shall not commence until the proposed access has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
9. Any garage doors shall be set back from the highway boundary a minimum distance of 5 metres for sliding or roller shutter doors, 5.5 metres for up and over doors or 6 metres for doors opening outwards. Details of the garage doors shall be submitted to and agreed in writing by the Local Planning Authority before the dwelling is occupied and the agreed details shall be implemented in the execution of this permission.
10. No development shall take place until both foul and surface water sewerage schemes have been approved by the Local Planning Authority. The surface water drainage shall include Sustainable Drainage features. Run-off from the development shall be outlet at a rate not exceeding the present or pre-developed rate with the one in thirty year rainfall event retained below normal ground level, the one in 100 year plus climate change rainfall event to be retained on the development. Calculations to that end are to be approved by the Local Planning Authority including that habitable rooms do not flood with the limiting device in place. The route of outflow from a rainfall event that exceeds that amount shall be made known to the Local Planning Authority.
11. A geotechnical study shall be completed that includes the permeability of the subsoil and the results shall be submitted to the Local Planning Authority before commencement of the development.

11.4. Reasons:

1. Standard reason E04
2. Standard reason E56
3. Standard reason E14 (Policies GD4, GD5, H13 and E23)
4. Standard reason E08 (Policies GD5 and H13)
5. Standard reason E21 (Policies T4 and H13)
6. Standard reason E24 (Policy E9)
7. Standard reason E19 (Policy T4)
8. Standard reason E19 (Policy T4)
9. Standard reason E19 (Policy T4)
10. To ensure that the development is provided with a satisfactory means of drainage and to minimize the risk of pollution (Policy GD8), to reduce the

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risk of creating or exacerbating flooding and to protect or improve water quality (Policy GD3 and PPS25).

11. To ensure that the development is provided with a satisfactory means of drainage and to minimize the risk of pollution (Policy GD8), to reduce the risk of creating or exacerbating flooding and to protect or improve water quality (Policy GD3 and PPS25).

11.5. Informative Notes:

The applicants' attention is drawn to the comments of the Land Drainage Engineer in respect of the public sewer which runs across the site. Prior to the commencement of any development an agreement should be sought between the developer and Severn Trent Water Ltd to ensure their acceptance of building over the sewer.

Condition No.9 requires the formation of an access to the highway, which is land subject to the provisions of the Highway Act 1980 (as amended) over which you have no control. Please contact Street Pride on 0333 2006981 or streetpride@derby.gov.uk for details of how this work can be undertaken.

Construction of Driveway – The proposed hard surfacing to the driveway shall be made of porous materials or provision should be made to direct run off water from the hard surface to a permeable or porous area within the curtilage of the dwelling house. This will be subject to the permeability of the existing ground. Further information can be found in the document 'Guidance on permeable surfacing of front gardens' dated October 2008.

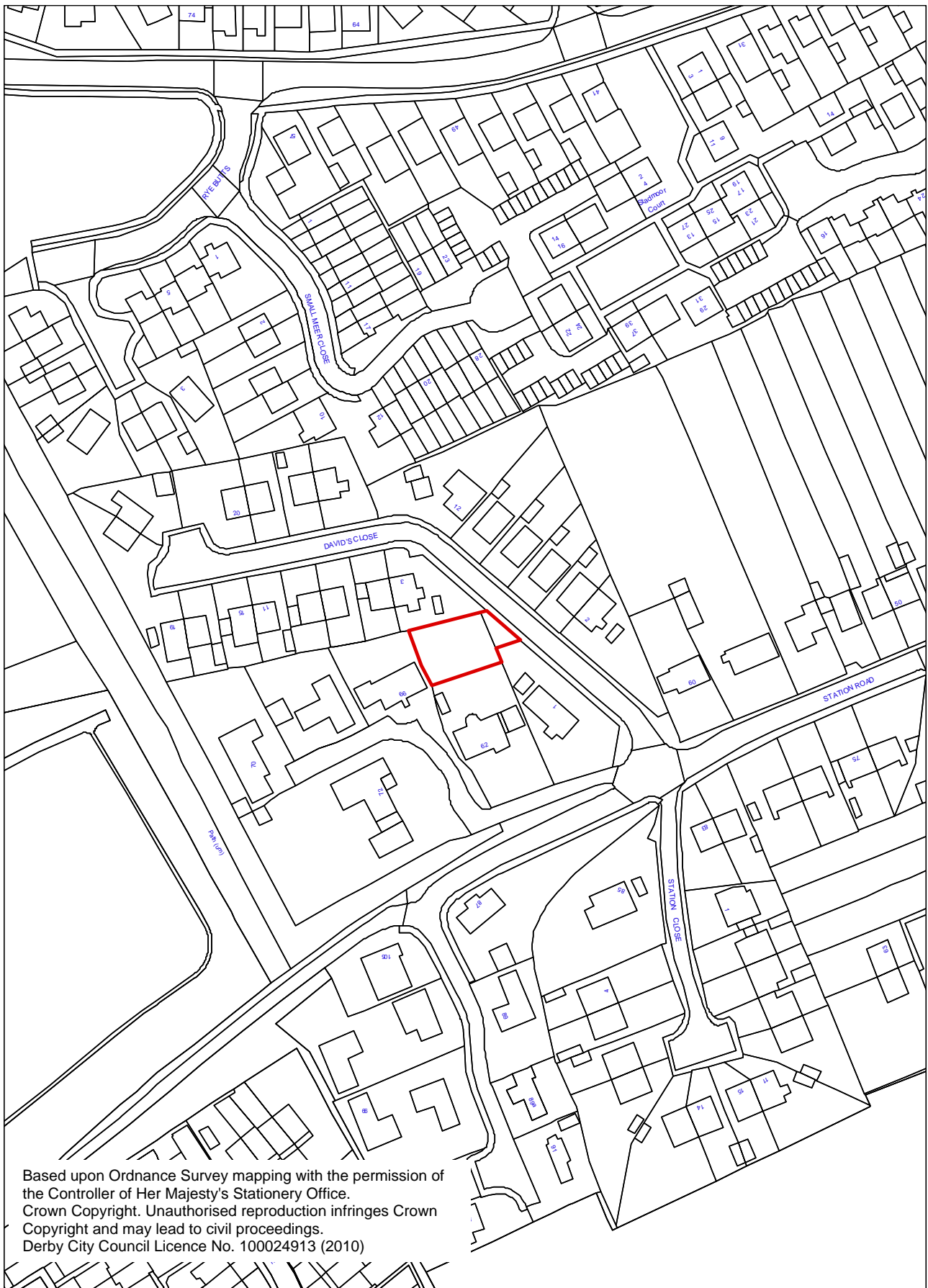
11.6. Application timescale:

The statutory 8 weeks time period for the application expired on 2 November 2010. The application is being brought before the Committee because of the receipt of a Councillor objection and 4 letters of objection from neighbouring properties.

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Type: Full



Enclosure

Neighbour comments for Planning Application 08/10/01043

Site Address: Land at rear 62 Station Road, Chellaston, Derby (access off David's Close)

Comments received from: mr norman, 1 Davids Close

Type of Response: SUPP

Comments:

i fully support the proposal as it will enhance the area.

Does not wish to speak at committee.

Date Comments Accepted: 20/09/2010



TEL

6. DAVIDS CLOSE

CHELSEA

Enclosure

REF DER/08/10/01043/PRI

DERBY DEY3

OBJECTION TO ACCESS DAVIDS CLOSE FOR
BUNGALOW TO BE BUILT ON NO 62 STATION RD.

The planned Bungalow is
to be built across a sewer
cutting down a number of trees, with
access coming through David's Close. This
will cause more traffic problems
in David's Close.

According to Conserve
Policy the building on Private
gardens has to STOP, also
the builder involved has already
built several bungalows on
Station Rd. closing walk ways
which has had access for people
to walk through for years.
Living in David's Close I and
people living there are objecting
to youths and children are climbing
over fences at NO 24 to get
through to Station Rd. This is
because of the builder closing
walk ways which the children
use to get to school.

Now this builder is
planning to build on private
gardens which we are.

Objecting too

DEVELOPMENT & NATURAL SERVICES DEPT	
RECEIVED	8/10/043
DATE	24 SEP 2010
APPROVED	PVS <input checked="" type="checkbox"/> / PB 21-9-10
REPLY	SO LR

Yours faithfully

PR.

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Enclosure

The Director of Planning
Roman House
Friar Gate
Derby
DE1 1XB

Mr & Mrs K Goode
10 Davids Close
Chellaston
Derby
DE73 5SY

28 September 2010

Dear Sir/Madam

Reference Planning Application No: DER/08/10/01043/PRI – Land At Rear 62, Station Road, Chellaston, Derby

In reply to you letter dated 13th September 2010 we wish to raise the following objections to the above planning application:

1. Disruption – There would be an increase in the volume of traffic to Davids Close and Station road whilst the work is being carried out.
2. Residents – There would be the inconvenience of the building work and building equipment which would disrupt the peace of the close. All the residents are retired pensioners and do not want to encounter the disruption and upset that this will cause.
3. Tree Preservation – An order should be taken out to preserve the trees that are on the estate to protect the wildlife and the surrounding environment.
4. Development – This proposed planning application is on 'brown land' making this proposed planning application a 'land grab' and 'money maker'.

We have raised objections to over development in the past but feel strongly that the building of property in back gardens in supposed 'brown land' goes beyond reasoning and we would greatly appreciate these concerns when considering the above application.

Yours Sincerely

MR & MRS K GOODE

08/10/01043

- 1 OCT 2010

2) LR

1) PB plot 0 ✓ PB 400713

9

7EN.

Enclosure

8/10/1043
VMP-PIN.C
-4 OCT 2010
522
15110 DERBY
2cc Ray Brown DE73 554
(reply needed) 26.9.10.

Dear Mr. Raymont.

Ref. DER/08/10/01043

It has been brought to my notice that planning application has been made for the erection of a bungalow on land at 62 Station Rd with access from Deniers Close.

Although this wasn't affected as I live at the very end of the Cul-de-sac and have lived here for 50 yrs.

I do however have concerns that the extra traffic may cause a problem for the residents directly facing this access - i.e. nos 4-8 Deniers Close. We do however often have difficulty on Ben-days with parked cars etc in such a narrow street.

I have however a problem concerning myself and my wife and indeed many residents of Station Rd and Station Close.

Some years ago a lovely little park was created at the bottom of Station Rd leading to the Bonnie Prince Estate. In January of this year the pathway was closed originally for 6 months by a builder who was building 6 bungalows nearby and has just opened again.

This has inconvenienced many people including schoolchildren, mothers with families shopping in Chellaston and elderly people who cannot now walk into the park, including myself.

It was one of my favourite pastimes just to walk 5 mins from where I live. I can see the park from my back door some 12 yards but I'm unable to get there.

Before it or now I would now need to get a bus in Chellaston and hail some 20 mins to the other side of the park which for me is impossible as I'm in my 70's and suffer from walking problems.

The biggest problem we have experienced is that youths and girls continue to trespass over my garden to reach the park or the Bonnie Prince Est which is very worrying, day & night.

Enclosure

I've contacted Rory Brown in the planning Dept,
Municipal council 3 months ago who's not bothered to call
back.

This has left my wife & I feeling very vulnerable, as we
couldn't approach any of them for fear of retaliation.

I would be very grateful if you could let me have
your comments or offer any hope a another pathway isn't
opened to help this situation.

If I don't get any satisfaction I am going to take the
matter to a higher official e.g. Mrs Margaret Sackett.

Yours truly

3

Enclosure

The Director of Planning

Roman House

Friar Gate

Derby

DE1 1XB

Mrs. P. DUNN
8 DAVIDS CLOSE
CHELLASTON
DERBY
DE 73. 5 84.

810/1043

5 OCT 2010
TW-102-0

SOLR

Dear Sir/Madam

Reference Planning Application No: DER/08/10/01043/PRI – Land At Rear 62, Station Road, Chellaston, Derby

In reply to your letter dated 13th September 2010 we wish to raise the following objections to the above planning application:

1. Disruption – There would be an increase in the volume of traffic to Davids Close and Station road whilst the work is being carried out.
2. Residents – There would be the inconvenience of the building work and building equipment which would disrupt the peace of the close. All the residents are retired pensioners and do not want to encounter the disruption and upset that this will cause.
3. Tree Preservation – An order should be taken out to preserve the trees that are on the estate to protect the wildlife and the surrounding environment.
4. Development – This proposed planning application is on 'brown land' making this proposed planning application a 'land grab' and 'money maker'.

We have raised objections to over development in the past but feel strongly that the building of property in back gardens in supposed 'brown land' goes beyond reasoning and we would greatly appreciate these concerns when considering the above application.

Yours Sincerely

[Signature]

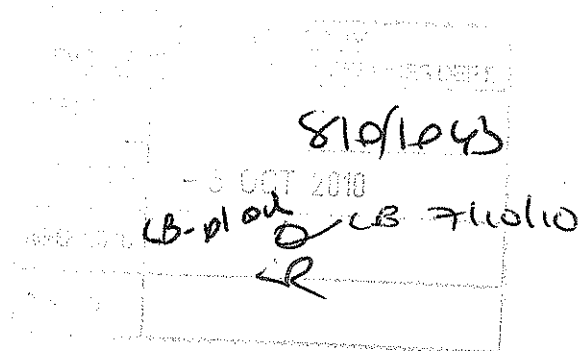
Enclosure

Mr. D. Siddles.
3 Davids Close,
Chellaston,
Derby.
DE73 5SY

4th October, 2010

Ms. L. Raynor,
Derby City Council,
Roman House,
Friargate,
Derby.
DE1 1XB

Dear Laura,



Proposed new bungalow to the rear – 3 Davids Close, Chellaston

I write to you regarding the proposed planning application for a new bungalow to be built at the rear of 3 Davids Close, Chellaston. Copy of the site plan attached.

I object to this new building as I feel that the construction of this bungalow will affect the privacy to my own bungalow and will block out daylight to my back garden and rooms.

I also object on the grounds that the building of this bungalow will result in another entrance onto a narrow road to a close and the additional traffic will be dangerous on this already busy little close.

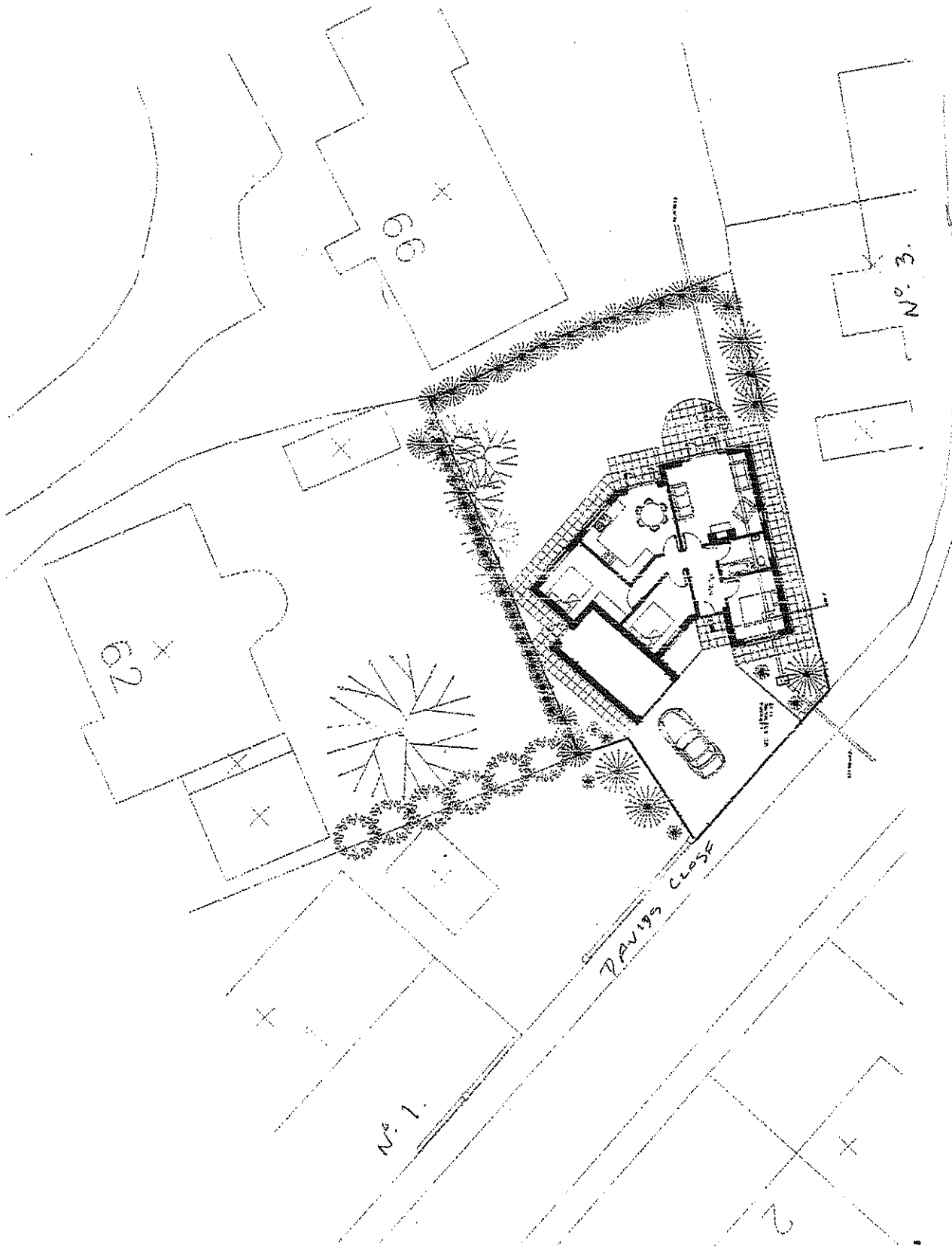
I would appreciate your comments to my letter and if you could notify me of any proposed planning meetings at which I could attend and express my feelings with that of my other neighbours, who also feel strongly against the building of this bungalow.

Yours sincerely,

MR. D. SIDDLES (MR)

①

Enclosure



OBJECTIONS TO BUNGALOW, DAVIS CLOSE

LAURA RAYNOR,
TERBY CITY COUNCIL
ROMAN HOUSE,
PRIAR GATE,
TERBY DE 11 X B.

<p>WATERWORKS SPECIALISTS SPECIALISTS SPECIALISTS</p> <p>WATERWORKS SPECIALISTS SPECIALISTS SPECIALISTS</p> <p>WATERWORKS SPECIALISTS SPECIALISTS SPECIALISTS</p>	<p>WATERWORKS SPECIALISTS SPECIALISTS SPECIALISTS</p> <p>WATERWORKS SPECIALISTS SPECIALISTS SPECIALISTS</p> <p>WATERWORKS SPECIALISTS SPECIALISTS SPECIALISTS</p>
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Committee Report Item No: 2

Application No: DER/09/10/01110

Type: Variation of Condition
(Section 73)

1. **Address:** 59 Merchant Street

2. **Proposal:**

Variation of condition 1 of previously approved permission DER/01/08/00089 to allow use of griddle on premises

3. **Description:**

This is an application for variation of condition 1 of planning permission ref: DER/01/08/00089, relating to an existing sandwich bar on the east side of Merchant Street, close to the junction with Ashbourne Road. The premises sells takeaway cold food and limited hot food, prepared off the site, which is specifically controlled under the previous permission. The site is a single storey unit on the end of a row of terraced dwellings, within a traditional residential area.

Condition 1 of the permission DER/01/08/00089 is as follows:

"The premises shall be used only for the sale of cold food, hot drinks and **light** hot snacks, such as pasties, savoury slices, jacket potatoes, prepared off the premises and only warmed on site using a domestic cooker or microwave oven only, and for no other purpose (including any other purpose in Class A1 or A3 of the schedule of the Town and Country Planning (Use Classes) Order 2006, or in any other provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order with or without modification."

Condition 2 of that permission limits the opening hours of the premises to between 07:00 and 18:00 on any day.

This application seeks permission to allow the use of a griddle on the premises for the preparation of hot food, in addition to the already permitted sale of specified cold and hot food and drinks. The details submitted with the application also include the details of the ventilation and extraction system and flue, which have already been installed on the premises. The flue is sited towards the rear of the building and projects above the flat roof by approximately 1 metre. The intention is to cover the flue with a false chimney stack, rendered to match the exterior of the building. The installation of the flue does not form part of this application and would require consideration under a separate planning application.

The application is brought before the committee at the request of Councillor Radford.

4. **Relevant Planning History:**

DER/01/08/00089 - Retention of use of premises for the sale and preparation of hot and cold snacks, Granted - April 2008, with conditions described above.

5. **Implications of Proposal:**

5.1. **Economic:**

The premises is a takeaway, serving cold food and hot and cold drinks and a small proportion of hot food for consumption off the premises. There is unlikely to be an increase in staff or significant rise in customer numbers as a direct result of this proposal.

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Application No: DER/09/10/01110

Type: Variation of Condition
(Section 73)

5.2. Design and Community Safety:

There are considered to be no significant community safety implications arising from this proposal.

The extraction flue and ventilation system would form part of a separate application.

5.3. Disabled People's Access:

No relevant issues arising from this proposal.

5.4. Other Environmental:

There is an existing ventilation and extraction system in the premises to deal with the emissions from the cooking of hot food.

6. Publicity:

Neighbour Notification Letter	20	Site Notice	
Statutory Press Advert and Site Notice		Discretionary Press Advert and Site Notice	
Other			

This publicity is in accordance with statutory requirements and the requirements of the Council's adopted Statement of Community Involvement.

7. Representations:

One letter of objection has been received to the proposal. The main issue raised is as follows:

- Concerns about smells and odours from the premises affecting adjacent garden.

The representation has been reproduced in this report.

8. Consultations:

8.1. Environmental Services- Food Safety:

No comment to make as the proprietor has installed the best possible ventilation system, providing that the system is turned on prior to cooking taking place.

9. Summary of policies most relevant: Saved CDLPR policies / associated guidance.

GD4 Design and the Urban Environment
GD5 Amenity
S12 Food and drink uses

The above is a summary of the policies and guidance that are relevant. Members should refer to their copy of the CDLPR for the full version or the department prior to the meeting.

Committee Report Item No: 2

Application No: DER/09/10/01110

Type: Variation of Condition
(Section 73)

10. Officer Opinion:

The proposed variation of condition 1 of the previous permission for the use of the food premises, would extend the range of hot food prepared and sold from the site. The condition to be varied is fairly restrictive in terms of the types of hot food which can be sold, in order to minimise the potential nuisance and noise to nearby residential properties. This application relates to the use of a griddle pan on the premises for cooking of hot food, such as bacon, burgers or sausages. A full ventilation and extraction system has already been installed to deal with the emissions from the cooking process. This requires a separate planning permission, although details of this system are included with the application.

The Environmental Health Officer has not raised any concerns about the adverse impact of cooking processes on neighbouring residential properties, on the grounds that there is an appropriate extraction system operating from the premises. The extraction system already in place is on the roof of the premises and on the basis of the Officer's comments I am satisfied that the potential disturbance to nearby dwellings from odours, smells and fumes arising from the flue would not be significantly harmful to resident's amenities.

Policy S12 requires food and drink uses to avoid unacceptable harm to the amenities of nearby properties, including dwellings. The policy recognises that adverse effects can be mitigated by efficient ventilation systems, sound insulation and limits on opening hours. There is an existing restriction on opening hours to daytime only by a condition of the original permission. The extraction and ventilation measures already installed are considered to be adequate to limit the emissions of odours, smells and other environmental effects. Despite the concerns expressed by an adjacent resident I consider that any nuisance and disturbance from the cooking processes would be sufficiently controlled, to ensure that there would not be significant harm to the living conditions of nearby dwellings.

The proposed variation of condition to incorporate use of griddle for hot food preparation on the premises is considered to be acceptable in this location, on the basis of the use being restricted as specified in a varied planning condition. Overall, a limited hot food element as proposed would satisfactorily meet the requirements of Policies GD5 and S12 of the Local Plan Review.

11. Recommended decision and summary of reasons:

11.1. To grant planning permission with conditions.

11.2. Summary of reasons:

The proposal has been considered in relation to the provisions of the City of Derby Local Plan Review and all other material considerations as indicated in 9 above. The specified hot food use element would incorporate an appropriate extraction system, with a limited adverse affect on the visual amenities of the surrounding area and would not result in an unreasonable loss of amenity for nearby residential properties.

11.3. Conditions:

1. The premises shall be used only for the sale of cold food, hot drinks and **light** hot snacks, such as pasties, savoury slices, jacket potatoes, prepared off the premises and only warmed on site using a domestic

Committee Report Item No: 2

Application No: DER/09/10/01110

Type: Variation of Condition
(Section 73)

cooker or microwave oven only, and for the sale of hot food prepared using a griddle pan, and for no other purpose (including any other purpose in Class A1 or A3 of the schedule of the Town and Country Planning (Use Classes) Order 2006, or in any other provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order with or without modification.

11.4. Reasons:

1. An unrestricted permission could result in the premises being used in a manner which could cause nuisance through undue noise, general disturbance and generation of odours to the occupiers of nearby residential properties, contrary to policies GD5 and S12 of the adopted City of Derby Local Plan Review.

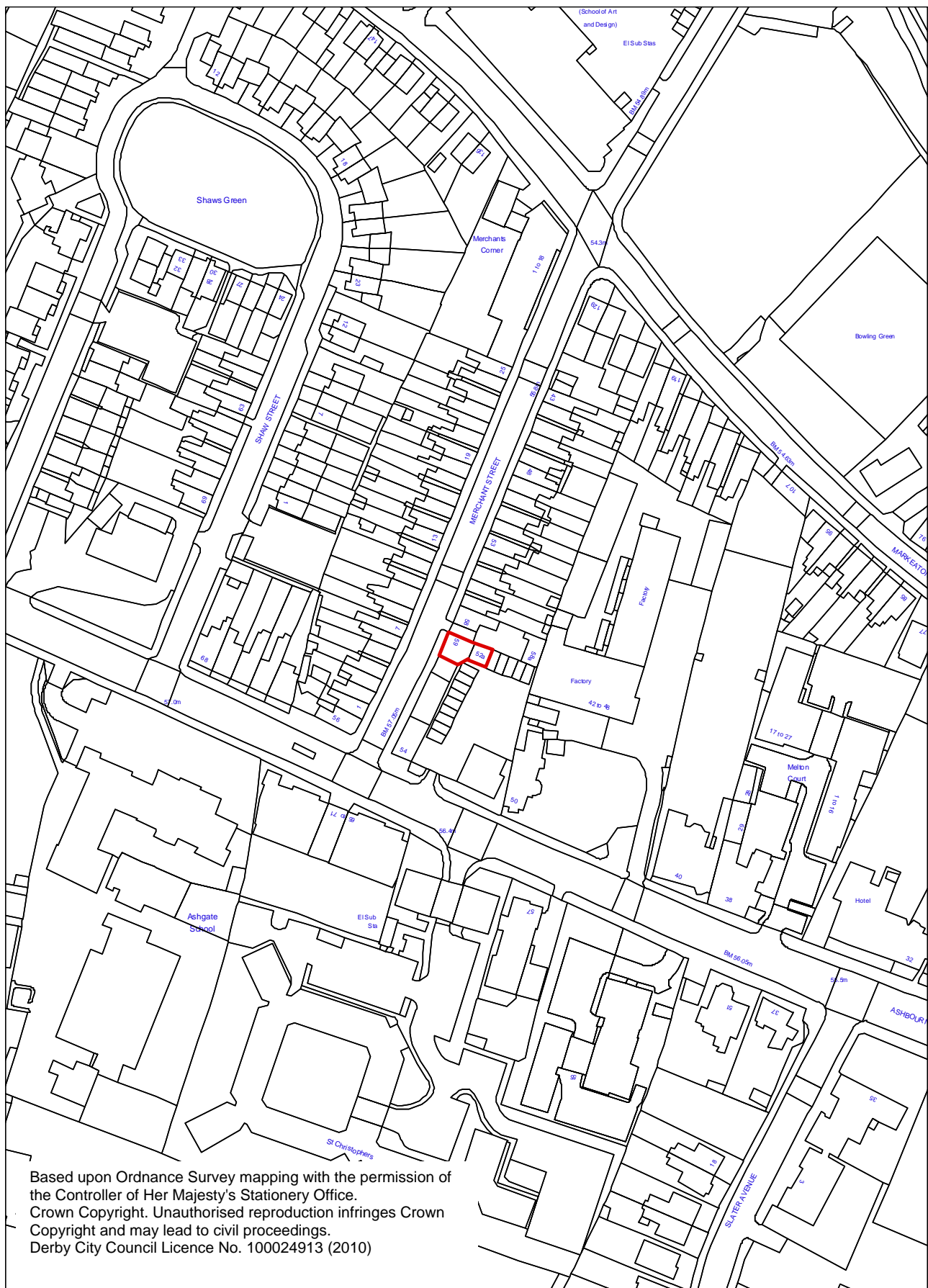
11.5. Application timescale:

The period for determination of the application expired on 4 November 2010 and is brought to committee following request from Councillor Radford.

Committee Report Item No: 2

Application No: DER/09/10/01110

Type: Variation of Condition
(Section 73)



Enclosure

Mr & Mrs J & C Abbey
54 Ashbourne Road
Derby
DE22 3AD

Planning Dept
Derby City Council

Application for use of griddle.

Code No DER/01/08/00089

10/8/09 910
1110
LB-pl or. 0 LB 7110
DAISB

Dear Madam

We still strongly object to the application above, we have had consistent strong cooking smells from this premises all through the year. This is vastly becoming the take-away which was refused permission in the first place.

The smell is sometimes so strong that we can smell it. in our conservatory. This takes away our right to the quiet enjoyment of our garden and having doors and windows open. If we had not complained to Environmental Health in the first place nothing would have been done. We complained once before regards cooking smells and was informed by your department nothing was being cooked or would be in the future, Letter dated 22 Jan 2008, ref no MJ/PL//DER/07/001/82.

If there is a slight breeze the smell still lingers over the garden. The extractor fan will only work if it constantly switched on, due to very high energy bills we believe this will not happen once permission is given.

Once again planning permission requested after griddle and extractor fan installed, soon planning permission will be irrelevant.

There will be more traffic obstructing our garage situated next door to these premises in a constant very busy street.

Hope you will take these points in to consideration.

Yours Sincerely

✓

16

Committee Report Item No: 3

Application No: DER/09/10/01152

Type: Full

1. **Address:** Land at rear of 19 Penny Long Lane, Derby

2. **Proposal:**
Erection of dwelling and detached garage

3. **Description:**

This is a revised application for the erection of detached dwelling and a separate garage on land which is currently part of the rear garden of 19 Penny Long Lane, known as Hastings. It relates to a residential property, which has an extensive rear curtilage that backs onto Broadway. The existing dwelling is a traditional two storey detached property, located within a continuous row of individual designed houses and bungalows. This dwelling is in an elevated position in relation to the rear garden, which gradually slopes downhill towards Broadway. The rear curtilage is long, approximately 45 metres in length and is currently mature garden with lawn, ornamental planting and trees of various species. A group of four trees at the southern end of the curtilage, abutting the Broadway frontage are protected by a Tree Preservation Order, confirmed in 2008. They include a Willow, Cherry, Silver Birch on the site and Cedar tree on the adjacent plot. The site is located in a long established residential area, characterised by detached and semi-detached houses with generous gardens and mature trees.

The previous scheme was refused permission in August 2010, ref: DER/06/10/00759, under delegated powers for two reasons, as detailed below. This was on the grounds that the tree protection proposals were insufficient to ensure proper control over works likely to impact on trees on and around the site, and due to potential for significant loss of privacy and unsatisfactory living environment for occupants of the development and of the existing dwelling on 19 Penny Long Lane.

These previous reasons for refusal have been taken on board by the applicant by:

- Reducing the length of the building by some 565 mm
- Moving the building forwards to leave a clear 21 metres between habitable room windows
- The boundary between the 2 properties has moved enabling the rear amenity area to increase by some 2.1 metres

The current proposal is for a similar form and scale of development to the previous scheme. It is to be a two bedroom, one and a half storey dwelling, with accommodation in the roof space. The building footprint would be rectangular, 10.5 metres x 8 metres approximately. It would be approximately 500mm shorter in length than the earlier proposal. The built form would have a simple pitched roofline, some 6.5 metres in height, with a pitched roof dormer on each side elevation. The roofscape would have large overhang to eaves and there would be full length glazed openings to the front and rear elevations, to give a contemporary appearance to the building. The dwelling would be sited about 14 metres from the Broadway frontage, with a parking and turning area to the front curtilage. A single garage would be positioned close to the front boundary of the site. It would be 5.5 metres x 3.5 metres approximately in area and 3.7 metres in height with a hipped roofline.

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Type: Full

A vehicular access would be formed onto Broadway, between two of the mature Lime trees in the highway verge. A driveway approx. 2.7 metres in width would be constructed using no-dig construction methods. The hard surfaced parking and turning area to the front curtilage would also be created using no-dig methods within the Root Protection Area's (RPA) of the existing trees.

An Arboricultural Method Statement and Tree Protection Plan has been submitted with the application, which includes details of construction methods around the trees and root protection areas of all affected trees on site and on highway verge. These details show a protected Silver Birch tree in the south west corner of the site is proposed to be removed, with another Birch and 2 apple trees. Planting of 2 Holly trees on site is proposed to mitigate for this tree removal.

4. Relevant Planning History:

DER/06/10/00759 – Erection of dwelling and detached garage, Refused permission – August 2010. Reasons for refusal as follows:

1. In the opinion of the Local Planning Authority, the layout and siting of the proposed dwelling would, by reason of an inadequate area of private amenity space to the rear of the building and a significant potential for overlooking from the habitable rear windows of the existing dwelling at 19 Penny Long Lane, result in an unreasonable loss of privacy and unsatisfactory living environment for future residents of the development. The proposal would therefore be contrary to the provisions of saved Policies GD5 and H13 of the adopted City of Derby Local Plan Review.
2. In the opinion of the Local Planning Authority, the details contained in the submitted Arboricultural Survey Report are insufficient to be able to ensure proper control over the impact of the development on trees to be retained on and adjacent to the site, including the affected Lime trees in the highway verge. The report does not adequately show detail of the garage construction and its likely impact on the nearby Cedar, Willow and Lime trees or appropriate specified tree protection measures for all the affected trees. In the absence of this information, the proposed development is likely to result in a significant detrimental impact on the long term retention and condition of the trees in the vicinity of the proposal, which make a positive contribution to the visual amenities of the surrounding residential area. The proposal would therefore be contrary to the provisions of saved Policy E9 of the adopted City of Derby Local Plan Review.

5. Implications of Proposal:

5.1. Economic:

None.

5.2. Design and Community Safety:

The proposed development would form a modest detached dwelling, with a relatively low roof height. The building would be of a traditional form and use materials in keeping with those on existing residential properties in the locality. The dwelling would be set back from the Broadway frontage behind retained trees and as such the built form would be partially screened from the street

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Type: Full

frontage by existing tree cover. The built form would not therefore be particularly prominent in the local streetscene and in keeping with the general character of the surrounding residential area and similar to neighbouring developments along the Broadway frontage.

There are not likely to be any adverse community safety implications arising from the proposed residential development.

5.3. Highways – Development Control:

The application site has an existing vehicle access from Penny Long Lane. The proposal would include formation of a new vehicle access from Broadway which is a Classified Road. There are on street parking restrictions, double yellow lines, pay and display bays and a bus stop clear way on Broadway. The site is also in proximity to cycle routes.

The applicant has provided parking and turning within the site for a car which is adequate. A detached garage has also been proposed which appears to be internally substandard in size; the standard being 3 x 6 metres. However, in view of the hard surfacing of the driveway and frontage, this is not considered to be detrimental to highway safety.

The layout provides details of drainage within the site at the highway boundary to prevent surface water being deposited onto the highway which is satisfactory. However, no details of the pedestrian visibility splays have been provided for the access.

The proposed new access within the highway verge is set at an angle which brings it in close proximity to the bus stop clear way on Broadway. I am aware of the adverse arboricultural implications of relocating the proposed access further from the bus stop and closer to the trees. The construction of the proposed access will require protection of tree roots in the verge of Broadway.

There are no objections subject to conditions to ensure adequate visibility at the access.

5.4. Disabled People's Access:

The dwelling would have a degree of accessibility through compliance with Building Regulations.

5.5. Other Environmental:

The site is currently part of a mature garden, comprising lawn and ornamental planting. There are various trees on the site and on adjacent properties, which would be affected by the development. Four of the trees close to the southern boundary with Broadway are covered by a Tree Protection Order. This group includes a Willow tree, which is a substantial specimen and prominent in the streetscene. A Silver Birch tree covered by the Order in the south east corner of the site, which leans towards the highway is to be removed as part of the development. A Cherry tree, also protected by the Order has previously been removed under the Regulations relating to dead, dying and dangerous trees. Within the highway verge are a row of Lime trees of similar size. Two of these trees are alongside the route of the proposed driveway.

Committee Report Item No: 3**Application No:** DER/09/10/01152**Type:** Full**6. Publicity:**

Neighbour Notification Letter	25	Site Notice	Yes
Statutory Press Advert and Site Notice		Discretionary Press Advert and Site Notice	
Other			

This publicity is in accordance with statutory requirements and the requirements of the Council's adopted Statement of Community Involvement.

7. Representations:

27 letters of objection have been received to the proposal, including one from Councillor Radford. The main issues raised are as follows:

- Loss of privacy to existing dwellings at 19, 17 and 21 Penny Long Lane would result from siting and position of window openings and rooflights.
- Rowan tree on site would need to be removed, further reducing privacy.
- Inadequate private amenity space would be provided for proposed dwelling
- Loss of daylight and overbearing effect on adjoining properties would result from siting and design of development
- Potential damage to tree roots of Lime trees from the vehicular access
- Access too close to bus stop on Broadway
- Removal of protected TPO trees would erode character of streetscene. Mitigation planting of trees would not be sufficient to compensate for loss of trees.
- Under changes to PPS 3 (Housing) reclassifying gardens as Greenfield land, the proposal should not be allowed
- Over intensive form of development, out of keeping with character of residential area
- Removal of trees would reduce habitat for bats in the garden.
- Existing parking problems in the area would be aggravated by the development.

A letter in rebuttal to objections has been submitted by the agent.

These representations have been made available in the Council Chamber Foyer.

8. Consultations:**8.1. Natural Environment-Tree Officer:**

The outstanding arboricultural issues have been fully considered and the submitted Tree Protection Plan clearly sets out the methods of tree protection and construction techniques and the order that they should take place. No objections to Protection Plan provided that measures are implemented to ensure that trees are satisfactorily protected throughout the construction.

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Type: Full

The locations of the Lime trees within the verge do not hold any implications for the proposed access in terms of requiring a no-dig solution. However there would be a need for protective fencing for the Lime trees, which is indicated on the amended Tree Protection Plan. The application has therefore addressed the second reason for refusal of the earlier application.

8.2. Environmental Services-Trees:

To be reported.

9. Summary of policies most relevant: *Saved CDLPR policies / associated guidance.*

GD2	Protection of the environment
GD4	Design and the urban environment
GD5	Amenity
H13	Residential development – General criteria
E9	Trees
E10	Renewable energy
E23	Design
T4	Access, Parking and servicing

The above is a summary of the policies and guidance that are relevant. Members should refer to their copy of the CDLPR for the full version or the department prior to the meeting.

10. Officer Opinion:

This application is affected by the recent change in definition of garden land, in PPS 3 (Housing) from brownfield to greenfield. The changes also delete the minimum density of 30 dwellings per hectare. These revisions to the government's guidance on housing development are a material consideration, to be taken into account in determination of this proposal. The scheme to be considered by Members would involve development of part of the rear garden of an existing dwelling for one additional residential unit. One of the main concerns raised by garden development, which the change in guidance is intending to address, is to prevent redevelopment of residential curtilages, with inappropriate housing schemes, often a significantly increased density, to the detriment of the character of the surrounding area. It does not amount to a blanket ban of any form of residential development on gardens, but is a change in emphasis, in terms of discretion to resist applications, where such development is considered inappropriate. The PPS still includes a national objective to make the most effective use of land for residential. The merits of any proposal should still be considered against the Local Plan policies, in particular GD4, H13 and E23. These policies seek to ensure that development proposals protect local distinctiveness and make a positive contribution to the urban context of the surrounding area.

In this case, development would be for one dwelling, of modest scale and height, sited on part of the rear garden, with separate access onto Broadway. It would amount to a marginal increase in density of housing on the site, in an area of relatively low housing densities. Given that the proposal is for a single dwelling on part of a large domestic curtilage, the density of the surrounding townscape would not be noticeably affected. There is a variety of house types and architectural styles in the vicinity of the site, although the locality is characterised by traditional houses

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Type: Full

and bungalows. Whilst the built form would be of a contemporary design, with use of a mix of traditional materials, I consider it to be of an acceptable design, which would complement the general character of the surrounding residential area.

There are various recently approved developments in the rear gardens of 25, 27 and 29 Penny Lane, which are currently at various stages of construction. These residential schemes are all for two storey dwellings, with garages in the front, with access and turning space served off Broadway. The current proposal is comparable to these extant developments, although it would be of a smaller footprint, size and scale in terms of the actual dwelling and garage. First floor accommodation would be in the roofspace of the dwelling and the garage would be a single, rather than a double, as on the other plots. The lesser scale of the proposed development reflects the reduced depth of the curtilage on the site, compared with those plots to the west, with approved two storey houses. Overall, I am satisfied that the general form, design and layout of the proposal would be in keeping with the character and appearance of this leafy suburban location. As such I consider that the proposed dwelling would therefore accord with the provisions of Policies H13, GD4 and E23.

Various concerns have been expressed about the likely adverse impact of the dwelling on the living environment of nearby properties in Penny Long Lane. Minor changes to the footprint of the dwelling have been made, following the previous refusal to improve the relationship of the development with the existing dwellings on Penny Long Lane. There were concerns that excessive loss of privacy from 19 Penny Long Lane would result and inadequate private amenity space provided for the occupants of the new dwelling. The footprint has been shortened by 500 mm to increase the distance of the development from the rear elevation of 19 Penny Long Lane to approximately 21 metres. The new build would be located a similar distance from the rear of the dwelling at 21 Penny Long Lane and approximately 23 metres from the rear of 17 Penny Long Lane. The new building is to be at a substantially lower floor level than the existing dwellings due to the fall in ground levels towards Broadway. It would also have a lower overall roof height. The siting of the building approximately 2 metres below the floor levels of the existing dwellings on Penny Long Lane, also helps to lessen the potential effects of overlooking and massing on neighbouring properties. The normal requirements for distances between habitable room windows would be adequately achieved and with the difference in levels, there would not be an unreasonable loss of privacy for the nearby residents. The built form of the dwelling would not cause undue harm to the living conditions to neighbouring residents of 17 and 21 Penny Long Lane from massing and scale, close to the site boundaries. It is accepted that there would be some impact on the lower part of the curtilage of these properties, in terms of daylight. However, the massing effect would only affect small portion of the gardens, which are at least 20 metres from the rear of the dwellings. The eaves height of the dwelling is to be approximately 3.2 metres above ground level and a minimum of 1 metre from either boundary. The site boundaries currently have substantial mature hedges. I consider that the development would not have an overbearing impact on the adjacent curtilages, to the detriment of resident's domestic enjoyment of their properties. Overall, I am satisfied that there would not be a significant loss of amenity for nearby residents arising from this development. The requirements of Policies GD5 and H13 would therefore be adequately met together with the reasons given at 4 above in the earlier application.

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Type: Full

The siting and layout of the proposed development would impact on a group of trees in the southern half of the existing curtilage, including a group protected by an Order close to the Broadway boundary. The proposal would involve the removal of some smaller trees on the site and a protected Silver Birch, which leans heavily over the footway on Broadway. The Council's Arboricultural Officers are satisfied that this tree is of insufficient quality to justify its retention, subject to suitable replacement tree planting being provided. Other trees to be felled are specimens of limited amenity value and their removal is also considered to be acceptable. Two Holly trees would be planted on the front of the site to mitigate for the loss of trees. A Rowan tree to north east corner of the site is shown for retention and the submitted tree survey indicates that its root protection area would not be affected by the proposed siting of the dwelling. The proposed garage and hard surfaced parking and turning area to front of dwelling would impact on the root protection areas of retained trees on and adjacent to the site, and these have been identified on the submitted tree protection plan. A detailed method statement for the means of construction has been provided in addition to proposed protection measures. The Arboricultural Officers have confirmed that they are satisfied that an appropriate level of protection has been proposed for existing trees on and overhanging the site. The Lime trees in particular would not be adversely affected by the siting and layout of the vehicular access which passes between the root protection areas of these trees. Subject to the tree protection plan and method statement being implemented appropriately, which can be controlled by a suitable condition, I consider that the arboricultural issues have been adequately addressed to meet the requirements of Policy E9.

The proposed parking and turning layout for the development is considered to be appropriate and would allow vehicles to enter and leave the site in a forward gear. There would be adequate parking provision on the site, in addition to the proposed garage. The access onto Broadway, would be a single driveway width, similar to the accesses approved to the nearby sites at 25, 27 and 29 Penny Long Lane. It would be formed between the canopies of the Lime trees on the verge, which slopes towards the road frontage, to avoid undue encroachment into the root protection areas of these trees. The access is to be sited to one side of the site frontage and angled slightly towards the road, due to the location of the Lime trees. It would egress onto Broadway, adjacent to an existing bus stop. There is limited opportunity to alter the alignment of the driveway, due to the position of the trees. The Highways Officer has advised that since there are other private driveways in the proximity of bus stops in the locality, this is not considered to be a material issue, which would significantly compromise highway safety on Broadway. As such I am satisfied that the requirements of Policy T4 would be adequately met.

The proposal now meets the requirements of planning policy, relevant size and distances and the technical requirements of the Highways and Arboricultural Officers. The proposal has now overcome in totality the previous reasons for refusal and is recommended accordingly.

11. Recommended decision and summary of reasons:

11.1. To grant planning permission with conditions.

Committee Report Item No: 3

Application No: DER/09/10/01152

Type: Full

11.2. Summary of reasons:

The proposal has been considered against the following Adopted City of Derby Local Plan Review policies and all other material considerations and the proposal would be an acceptable form of residential development, which would be in keeping with the character and appearance of the local streetscene and have a reasonable impact on residential amenities.

11.3. Conditions:

1. Standard condition 03 (time limit)
2. Standard condition 100 (approved plans)
3. Standard condition 27 (external materials)
4. Standard condition 19 (means of enclosure)
5. Standard condition 38 (surface and foul drainage)
6. Standard condition 30 (hardsurfacing)
7. Standard condition 20 (landscaping)
8. Standard condition 22 (landscaping maintenance – Condition 7)
9. During the period of construction works all trees, hedgerows and other vegetation to be retained, including any which are on adjoining land but which overhang the site, shall be protected in accordance with BS:5837:2005 ("Trees in relation to construction") and in accordance the arboricultural survey report and tree protection plan no.29638/A/700b, submitted in support of the application and with the following requirements:
 - a) The date of construction of such protection and of its completion shall be notified in writing to and agreed in writing by the Local Planning Authority before any other site works commence.
 - b) The agreed protection measures shall be retained in position at all times, with no use of or interference with the land contained within the protection zone, until completion of construction works, unless otherwise agreed in writing by the Local Planning Authority.
10. The construction of the building, access onto Broadway, both temporary and permanent and underground services shall be implemented in accordance with the arboricultural method statement and tree protection plan no. 29638/A/700b, submitted in support of the application, unless an alternative method is agreed in writing by the Local Planning Authority, prior to works commencing.
11. No walls, planting or fences shall be erected or allowed to grow onto the highway boundary, in excess of 900mm in height above the level of the adjacent carriageway.
12. Standard condition 104 (reduced energy consumption)
13. Obscure glazing to windows and fixed non opening rooflights in west and east facing side elevations.

Committee Report Item No: 3

Application No: DER/09/10/01152

Type: Full

11.4 Reasons:

1. Standard reason E56
2. Standard reason E04
3. Standard reason E09 – Policies GD4 & E23
4. Standard reason E09 – Policies GD4 & E23
5. Standard reason E21 – Policy GD2
6. Standard reason E21 – Policy T4
7. Standard reason E10 – Policies GD4 & E23
8. Standard reason E10 – Policies GD4 & E23
9. Standard reason E24 – Policies E9
10. Standard reason E24 – Policies E9
11. To afford adequate visibility onto Broadway in the interests of highway safety – Policy T4
12. Standard reason E51 – Policy E10
13. Standard reason E07 – Policy GD5

12. Informative Notes:

The development hereby approved requires the formation of an access to the highway, which is land subject to the provisions of the Highway Act 1980 (as amended) over which you have no control. Works to form the access should include provision on the carriageway of a Protective Entrance Marking. Please contact Highways Maintenance on 01332 255242 for details of how this work can be undertaken.

Construction of Driveway – The proposed hard surfacing to the driveway shall be made of porous materials or provision should be made to direct run off water from the hard surface to a permeable or porous area within the curtilage of the dwelling house. This will be subject to the permeability of the existing ground. Further information can be found in the document 'Guidance on permeable surfacing of front gardens' dated October 2008.

Before works commence within the site, please contact Highways Maintenance at highwaymaintenance@derby.gov.uk to arrange a pre-work and work inspection of the surrounding highway adjacent to the development site. This is to ensure that if any damage occurs to the highway as a consequence of the development that it will be reinstated to the Highway Authority's satisfaction at the applicants' expense

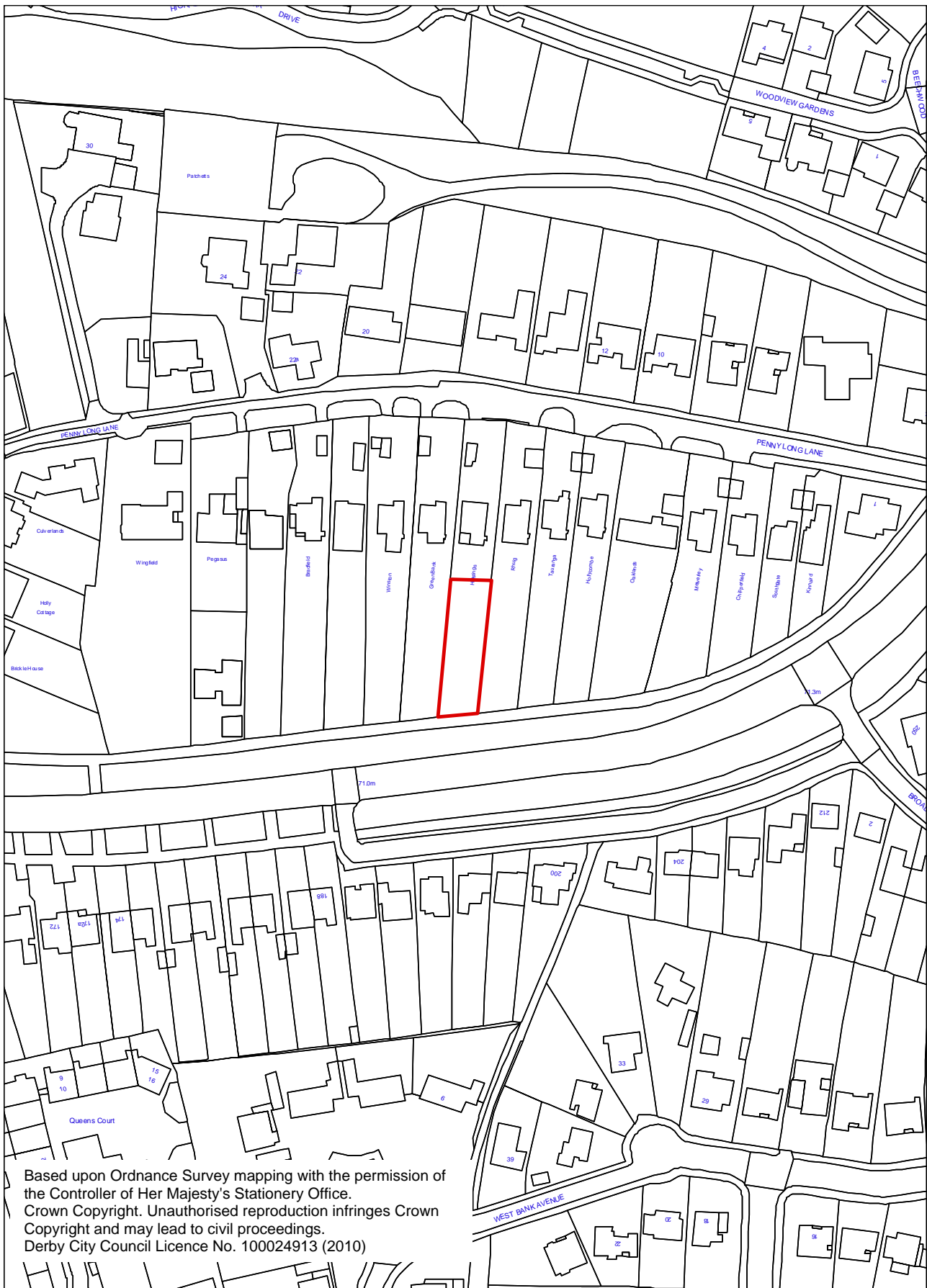
13. Application timescale:

The period for determination expires on the 16 November 2010 and is brought to Committee due to the number of objections.

Committee Report Item No: 3

Application No: DER/09/10/01152

Type: Full



Committee Report Item No: 4

Application No: DER/08/10/00997

Type: Outline with access,
scale and layout

1. **Address:** Land at 146 Chaddesden Lane, Chaddesden

2. **Proposal:**

Alterations to dwelling and erection of one dwelling with associated means of access

3. **Description:**

This application relates to an almost rectangular plot of land which is situated along the eastern side of Chaddesden Lane. The site presently forms part of the garden area of 146 Chaddesden Lane and it is located at the heart of a well established residential area.

Both number 146 Chaddesden Lane and the adjacent dwelling (number 140 Chaddesden Lane) have recently been included on Derby City Council's Local List. They are not, however, statutory listed buildings and are not situated within a designated conservation area. The properties are both early 19th century dwellings of traditional brick and tile construction with a white rendered exterior and blue plain clay roof tiles. They are orientated at right angles to Chaddesden Lane and are situated close to the back of the public footpath, presenting their side gables to the highway.

Number 146 Chaddesden Lane is situated to the north of the development site itself which currently forms part of the property's large, fairly mature garden area. The garden contains a number of semi-mature trees and fruit trees and its frontage is enclosed by a low-level brick wall and a mature hedgerow. At present vehicular access into the site is obtained via an un-surfaced track which runs to the rear of numbers 140, 139 and 136 Chaddesden Lane. This track connects into Chaddesden Lane approximately 50m to the south of the main house.

The streetscene surrounding the application site is predominately characterised by two-storey dwellings, of differing ages and architectural styles. Both number 146 and 140 are prominent features along this section of Chaddesden Lane due to their siting close to the edge of the pavement. Elsewhere, the more recent additions to the streetscene, are set back from the road behind private gardens. To the north is Vicarage Drive, a 1960's cul-de-sac of detached two-storey dwellings and bungalows. To the southwest of the site there are a cluster of more traditional buildings, including Chaddesden Community Hall.

Outline planning permission is sought to erect a single detached dwelling between numbers 146 and 140 Chaddesden Lane. Details of the means of access, layout and scale are all being considered within this application. Precise details of the dwelling's external appearance and landscaping of the site are to be reserved for a subsequent application.

The proposed dwelling would be a two-storey house, maximum height approx. 8.3m with an L-shaped footprint, which would be situated approx. 3m back from the site frontage. It would be served by a single parking space and a single integral garage. An indicative streetscene view has been submitted and, although the dwelling's external appearance is not being considered at this time, the submitted design and access statement suggests that the house would be constructed in facing brickwork with rendered first floor walls and dark tiled roofs.

Committee Report Item No: 4

Application No: DER/08/10/00997

Type: Outline with access, scale and layout

The proposal includes to creation of a new vehicle access off Chaddesden Lane, along with the provision of a 5m wide driveway and a 9m x 9m turning head within the site. These facilities would serve both the new dwelling and number 146. In order to accommodate the visibly splays required for the new vehicle access, the applicant proposes to partially demolish the western gable of number 146 Chaddesden Lane. These demolition works would remove the chimney and the first 2m of the dwelling's western gable. The applicant proposes to make good the gable end and install two new windows within the dwelling's western elevation. Although number 146 Chaddesden Lane is a locally listed building, this demolition to accommodate the scheme could be implemented under the property's permitted development rights and would not require formal planning permission in isolation.

The Committee are advised that the application has been substantially amended from the scheme originally submitted for consideration. The application now relates to the erection of a single detached dwelling only (drawing numbers 1985-01 rev: D and 1985-02 rev: B). The bungalow previously proposed to the rear of the site has been deleted from the scheme. The alterations and extensions proposed to 146 Chaddesden Lane have also been removed from within the red line of the development site.

4. Relevant Planning History:

Outline application for the erection of one detached dwelling - granted conditionally – 20/11/1964

Extension to dwelling house (porch) – granted conditionally – 11/12/1972

5. Implications of Proposal:

5.1. Economic:

None.

5.2. Design and Community Safety:

This application is in outline only, with details of external appearance reserved. Notwithstanding this, I am satisfied that the proposed siting and scale of the dwelling would be acceptable in context to the character of the surrounding area. There are no community safety issues arising as a result of the scheme.

5.3. Highways – Development Control:

The application shows a new access onto Chaddesden Lane to serve 2 residential properties. Chaddesden Lane is a classified main distributor road having a 30 mph speed limit. There are no waiting at any time restrictions in close proximity to the proposal. There are tactile crossing points to aid pedestrians across Chaddesden Lane and Reginald Road South. The removal of part of 146 Chaddesden Lane will aid visibility from an access point on Chaddesden Lane. There are no objections subject to provision of conditions relating to visibility splays, drainage of surface water and the restriction of entrance gates.

Highways – Land Drainage:

Recommends the inclusion of several conditions relating to foul and surface water drainage.

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5.4. Disabled People's Access:

The dwelling will have a degree of accessibility through compliance with Building Regulation guidance.

5.5. Other Environmental:

Whilst the loss of the mature hedgerow along the site frontage would be regrettable, it should be noted that this feature could be removed without the need for planning permission. The provision of suitable replacement landscaping would need to be considered at reserved matters stage. Although the proposal would necessitate the loss of several fruit trees on the site, none of the trees exhibit sufficient levels of public amenity value to warrant making a preservation order.

6. Publicity:

Neighbour Notification Letter	19	Site Notice	Yes
Statutory Press Advert and Site Notice		Discretionary Press Advert and Site Notice	
Other			

This publicity is in accordance with statutory requirements and the requirements of the Council's adopted Statement of Community Involvement.

7. Representations:

Seven letters/emails of comment/objection have been received, the main issues raised are summarised below:

- Highway safety concerns due to the location of the proposed vehicle access and its proximity to the junction of Reginald Road South and Chaddesden Lane, and the mini island at the junction of Maine Drive and Chaddesden Lane.
- Concerns regarding the proposed alterations to the gable end of the existing dwelling, number 140 Chaddesden Lane, and the impact this would have on the character of the building.
- Streetscene issues – the proposal would not be in character with the existing buildings in the area and would detract from the historical streetscene.
- Loss of trees and the general impact the development would have on wildlife and the ecological value of the site
- Loss of the front boundary wall and the mature hedgerow along Chaddesden Lane.
- Overlooking concerns and general loss of amenity issues.

The following issues raised are not material planning considerations:

- Noise and disturbance caused by building works.
- Impact upon the foundations of the neighbouring property.

These representations have been reproduced in this report

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8. Consultations:

8.1. Conservation Area Advisory Committee:

The Committee raised no objection in principle to the proposed development. However, because the development would result in a requirement to partially demolish the front of 146 Chaddesden Road to allow for the associated means of access, Committee objected to and recommended refusal of the proposal as it would have an adverse impact on the historic form of this locally listed building. It was noted that the location of the building on the back of the footpath was considered to be part of its historic importance.

8.2. Built Environment:

The amended plans now show only a single dwelling, which is to be located at the side of the plot, rather than the rear. My comments regarding the initial scheme noted the historic importance of the form of the burgage plot and the loss of this historic form that would be the result of development within the site. However, as the layout of the proposed dwelling is now in line with the existing dwelling at the front (western side) of the wide plot and does not interrupt the plan form of the long garden, I have no objection in principle to this part of the proposal, although the design of the new dwelling would have to be very carefully thought through to ensure that it fits well into the context and does not detract from the historic setting of the locally listed Nos. 146 and 146. It would be preferable to locate the new dwelling closer to the western boundary but my assumption is that there would be problems with access visibility if this was proposed.

Notwithstanding the above 'in principle' comments, I note that the application also includes means of access required for the new dwelling, which means that it would be necessary to partially demolish the western gable end and chimney of No. 146, which currently lines up to the back of the footpath. Although I note that this work on its own does not constitute development and may not require planning permission, it would be a direct result of the implementation of planning permission for the new dwelling on the site if it is granted.

Policy HE8.1 of PPS5 states that 'the effect of an application on the significance of [a non-designated] heritage asset or its setting is a material consideration in determining the application.' This proposal would result in a detrimental effect on the significance of this heritage asset, as the original vernacular plan form of the building, up to the roadside, would be lost. As the building has otherwise been altered incremental in appearance with new windows and render, the plan form is a very important part of its significance. Policy E19 of the CDLP also states that the Council would not normally approve development proposals that would have a detrimental effect on locally important buildings or structures as a result of demolition or part demolition. For these reasons I object to the application.

8.3. Natural Environment-Tree Officer:

No objections, the trees shown for removal will not have a significant effect on the overall level of public amenity value.

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8.4. Environmental Services-Trees:

No objections to the proposal although the recommendations as stated in the tree report point 5.1 should be submitted and agreed; Arboricultural Implications Assessment and Tree Protection Plan, further more a Arboricultural Method Statement should be submitted detailing how the construction of surfaces within the Root Protection Area of retained trees shall be undertaken. I would also like to see plans of the service runs and if possible they should be routed outside of the retained trees Root Protection Area 's.

9. Summary of policies most relevant: *Saved CDLPR policies / associated guidance*

GD1	Social Inclusion
GD3	Flood Protection
GD4	Design and the Urban Environment
GD5	Amenity
H13	Residential Development
E9	Trees
E10	Renewable Energy
E17	Landscape schemes
E19	Listed Buildings and Buildings of Local Importance
E23	Design
T4	Access, Parking and Servicing
T6	Provision for Pedestrians
T7	Provision for Cyclists
T10	Access for Disabled People

The above is a summary of the policies and guidance that are relevant. Members should refer to their copy of the CDLPR for the full version or the department prior to the meeting.

10. Officer Opinion:

Principle of Development and Design Issues

The recent re-definition of garden land, from greenfield land to brownfield land, within Planning Policy Statement 3 (Housing) must be given full consideration when assessing the acceptability of this proposal. This amendment to national planning policy does not mean proposals within domestic curtilages, including those for additional dwelling houses, should never be approved. Instead it is a case of a change of emphasis which gives greater prominence to reducing inappropriate developments on garden land. Whilst density targets are also no longer relevant under the policy guidance, the character and urban form of the surrounding suburban context are still material factors in assessing the scale and intensity of any development.

In this particular case, it is considered that the proposed building plot would be similar to those found within the immediate locality and that it is of an adequate size to accommodate the new two-storey dwelling proposed. Furthermore, the siting of the new dwelling, close to the site frontage, would be appropriate within the streetscene given the position of numbers 140 and 146 Chaddesden Lane either side. With regards to the scale of the development, the ridge height and eave height are comparable to the adjacent properties and the scale of the dwelling is considered

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to be appropriate in context to the prevailing character of the area. Whilst precise details of the dwelling's external appearance, including fenestration, would have to be considered as part of any Reserved Matters application, based on the information provided I am satisfied that an acceptable scheme could be achieved without causing detriment to the character and appearance of the area. Accordingly the proposal would comply with the requirements of policies GD4, E23 and H13.

Access/Car Parking and Impact upon the Locally Listed Building

The application includes the creation of a new vehicle access along Chaddesden Lane. This access would serve both the existing dwelling, number 146, and the proposed infill plot. The siting of the vehicle access and its proximity to nearby junctions with Reginald Road South and Maine Drive have been cited within the objection letters received, however, no objections have been raised by the City Council's Highway Engineers, subject to provision of the recommended visibility slays being controlled through condition. The Highways Engineer's comments are covered within Section 5 of this report.

In order to achieve the desired visibility splays at the site entrance, the applicant would need to carry out alterations to number 146 Chaddesden Lane, to reduce its forward projection. This would involve the demolition of the first 2m of the western gable and the chimney stack adjacent to Chaddesden Lane. Whilst I acknowledge that the alterations to this locally listed dwelling are not ideal and I have noted the objections raised by both CAAC and the City Council's Built Environment Team, as the applicant could carry out the works without the benefit of planning permission I do not feel refusal could be justified based on this element of the proposal. These works could go ahead irrespective of this particular application.

Overall, subject to the conditions suggested by the Highways Engineer, I am of the opinion that the siting of the access would be acceptable in this location. I am also satisfied that construction of an additional dwelling would not result in the intensification of the public highway to such a detrimental level, as to warrant refusal of the proposed scheme. With regards to off street car parking, the City Council's current parking standards require any new dwelling house to provide 1.5 off-street car parking spaces and as such the proposed exceeds the Council's requirements in that two spaces would be provided. Accordingly it is considered that the scheme complies with policy T4 of the CDLPR.

Impact on Residential Amenity

As details of the dwelling's external appearance are not been considered at this stage, the precise location of windows and any overlooking issues would have to be assessed at Reserved Matters stage. Notwithstanding this, I am satisfied that principle windows could be satisfactorily located to avoid any significant loss of amenity to neighbouring properties. I am also satisfied that the proposed siting of this two-storey dwelling would not cause any loss of amenity to number 140 Chaddesden Lane through loss of light, massing or overbearing and that the proposal broadly conforms to policies H13 and GD5 of the CDLPR.

Other Issues:

The proposal would involve the loss of several smaller trees on the site, along with an existing hedgerow which runs along the Chaddesden Lane frontage. The most significant tree on the site (situated within G2 on the submitted Tree Survey) would

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be retained and those trees to be felled are not considered visually significant enough to warrant protection under a Preservation Order. With regards to the ecological value of the site, it is considered that suitable planting and biodiversity enhancement measures could be secured at Reserved Matters stage, when precise details of the landscaping would be considered.

Conclusion

The application site is considered to be an appropriate location for residential development and I am satisfied that an acceptable scheme could be achieved without resulting in a significant loss of residential amenity for neighbouring occupiers, or a significant reduction in highway safety. The scale and siting of the development are considered to be acceptable in context to the surrounding built development and details of the dwelling's external appearance and landscaping can be secured at Reserved Matter stage. As the associated alterations to number 146 Chaddesden Lane could be undertaken without planning permission, it is considered that a refusal of the application based on these works could not be upheld at appeal.

11. Recommended decision and summary of reasons:

11.1. To grant planning permission with conditions.

11.2. Summary of reasons:

The proposal has been considered in relation to the provisions of the Development Plan and all other material considerations, as indicated above. It is deemed to be acceptable in terms of its design, impact upon residential amenities and highway safety, or can be so made by the proper application of those policies at reserved matters stage.

11.3. Conditions:

1. Details of the appearance and landscaping (hereafter referred to as the reserved matters) shall be submitted to and be approved in writing by the Local Planning Authority before any development begins, and the development shall be carried out as approved.
2. Application for the approval of the reserved matters shall be submitted within three years from the date of this permission and the development shall be begun within two years from the approval of the last of the reserved matters.
3. This permission relates solely to the application as amended by the revised plans received on the 8th of September 2010 (Amended Location Plan, Amended Proposed Site Plan (drawing no: 1985-01 rev: D), Amended Proposed Site Plan (drawing no: 1985-01 rev: D), Indicative Streetscene View (drawing no: 1685-02 rev: B)).
4. Standard condition 27 (materials)
5. Standard condition 19 (means of enclosure)
6. Standard condition 104 (energy consumption)
7. Standard condition 30 (surfaces to be drainage, surfaces etc.)
8. Standard condition 38 (disposal of foul/surface water)

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9. Standard condition 101 (protect of trees in relation to construction)
10. The plans and particulars submitted in accordance with condition 1 above shall include the information detailed within Section 5.2 of the submitted Arboricultural Survey Report (prepared by Sylvanus Arboricultural Consultants Ltd. dated February 2010), namely a Arboricultural Implications Assessment and a Tree Protection.
11. No part of the development hereby permitted shall be brought into use until pedestrian visibility splays of 2.0 metres x 2.0 metres are provided on each side of the vehicle access. These measurements are taken from and along the highway boundary. The areas of land within these splays shall be maintained free if all obstruction over 0.6 metres above the carriageway level at all times.
12. The shared private driveway shall be laid out to a width of not less than 5 metres for at least 5 metres back from the nearside edge of footway and shall provide for vehicle parking and turning areas in accordance with details first submitted to and approved in writing by the LPA. The vehicle parking and turning areas shall not be used for any purpose other than the turning and parking of vehicles.
13. No part of the development hereby permitted shall be brought into use until the visibility splays of 2.0m x 50m are provided. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6 metres in height.
14. No gates shall be erected at the access to the development from the public highway.

11.4. Reasons:

1. Standard reason E01 (outline application)
2. Standard reason E02 (sections 91-92)
3. For the avoidance of doubt
4. Standard reason E14 (ensure satisfactory external appearance)...policy H13
5. Standard reason E14 (ensure satisfactory external appearance)..... & E25 (residential and environmental amenity)....policy H13
6. Standard reason E51 (energy consumption)policy E10
7. Standard reason E52 (flood risk)....policy GD3
8. Standard reason E52 (flood risk).....policy GD3
9. Standard reason E24 (trees and vegetation protection – construction works)...policy E9
10. Standard reason E32 (Visual amenity and tree health)...policy E9
11. Standard reason E19 (Interest of traffic safety)...policy T4
12. Standard reason E19 (Interest of traffic safety)...policy T4

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13. Standard reason E19 (Interest of traffic safety)...policy T4

14. Standard reason E19 (Interest of traffic safety)...policy T4

11.5. Informative Notes:

None required

11.6. S106 requirements where appropriate:

None

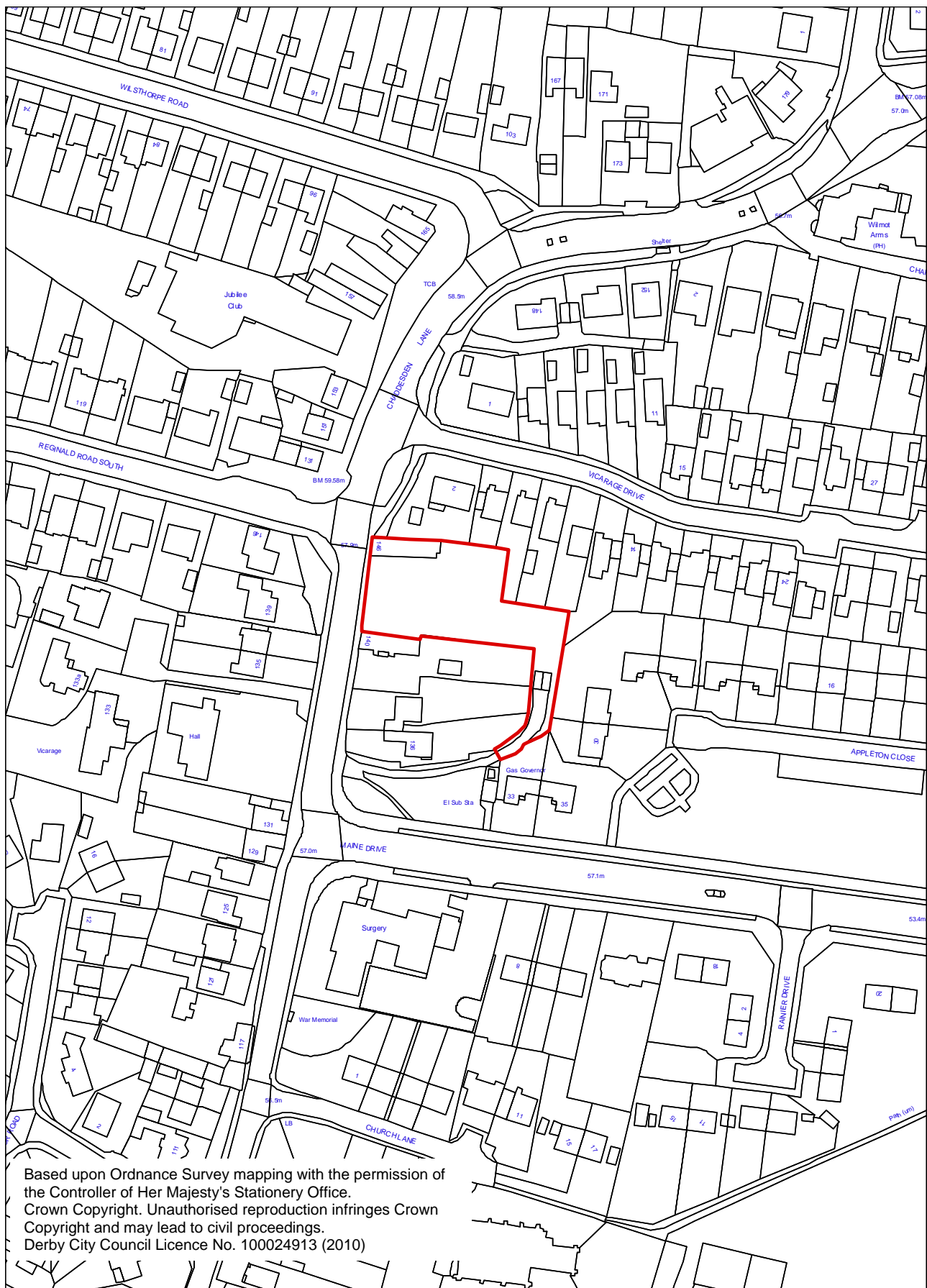
11.7. Application timescale:

The statutory 8 weeks time period for the application expired on the 24th of September. The application is being brought before the Committee because of the objections raised by Conservation Area Advisory Committee and 7 letters of objection from neighbouring properties

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Enclosure

Neighbour comments for Planning Application 08/10/00997

Site Address: 146 Chaddesden Lane, Chaddesden, Derby

Comments received from: Mr Bye, 8 Vicarage Drive

Type of Response: OBJE

Comments:

My objections are,

A. The felling of that lovely old tree that stands to the rear of my garden (No3 on your plan) and is described as having no merit on the tree survey, it certainly has merit in my eyes.

B. The altering of one of the few remaining properties of the old village of chaddesden.

C. The building of a new house in between two of the oldest cottages in chaddesden

Does not wish to speak at committee.

Date Comments Accepted: 31/08/2010

DERBY CITY COUNCIL

Enclosure

Neighbour comments for Planning Application 08/10/00997

Site Address: 146 Chaddesden Lane, Chaddesden, Derby

Comments received from: Mr Bettridge, 6 Vicarage Drive

Type of Response: COMM

Comments:

Firstly, the change to a bungalow at the rear of the garden to avoid loss of privacy and amenity for the adjoining properties is much appreciated. We now request that the hedge and brick wall that make up the boundary of our property and which we understand belong to both parties remains unchanged by the development.

As commented previously, we do not agree that the trees have no merit, they obviously contribute significantly to the heritage of the site since they do not grow over night, and also provide an essential habitat for the larger birds. We sincerely hope that a genuine attempt is made to conserve as many of the larger trees as possible.

Does not wish to speak at committee.

Date Comments Accepted: 02/09/2010



DERBY CITY COUNCIL

Enclosure

Neighbour comments for Planning Application 08/10/00997

Site Address: 146 Chaddesden Lane, Chaddesden, Derby

Comments received from: mrs oakley, 137 Chaddesden Lane

Type of Response: OBJE

Comments:

i am objecting to the alterations and building of new houses/ driveway on this site. i believe the alterations will spoil the original cottage and the view of the area and the new building between this property and number 140 chaddesden lane will i feel cause more problems as the driveway will be very close to the junction of reginald road south creating problems for residents, buses, and other road uses. i also feel that the new buildings will not be in character with the existing buildings in the area.

Does not wish to speak at committee.

Date Comments Accepted: 06/09/2010



DERBY CITY COUNCIL

Enclosure

Neighbour comments for Planning Application 08/10/00997

Site Address: Land at 146 Chaddesden Lane, Chaddesden, Derby

Comments received from: mrs oakley, 137 Chaddesden Lane

Type of Response: OBJE

Comments:

i wish to add to my first letter to yourselves about 146 chaddesden lane the following point;

i still strongly object to the proposal of the development of said property and would also like to add my concerns about this being a very busy route for the local school children, which i feel will make this dangerous.

Does not wish to speak at committee.

Date Comments Accepted: 20/09/2010



Enclosure

146 Reginald Road South
Chaddesden
Derby
DE21 6NH

01/09/2010

Dear Julia Meehan,

Your ref. DER/08/10/00997

Thank you for your letter dated 17/08/2010 advising of the further application you have received regarding the proposal's for 146 Chaddesden Lane.

I have looked at the new information available on line and as before wish to strongly oppose the proposal.

I have enclosed a copy of my previous letter outlining my concerns as none of these concerns have been alleviated by these new proposals.

The access is still a big issue and the new build property is still located between the original cottages spoiling the overall look of the area.

I am very disappointed that the plans have not looked at these very important issues.

Yours sincerely

Mrs L Scott-Savage

DER/08/10/00997

NS-pl. Acum. at 146 Chaddesden Lane.

JM

SL
6/9
NS

146 Reginald Road South
Chaddesden
Derby
DE21 6NH

12/05/2010

Dear Julia Meehan,

Your ref. DER/03/10/00363

Thank you for your letter advising of the proposal to alter and extend the original cottage and the plan to erect a further two dwellings on the site of 146 Chaddesden Lane.

I have studied the information available on line and I wish to oppose the above proposal.

I am very concerned that the proposed new access to the site is very close to the already extremely busy junction of Reginald Road South and Chaddesden Lane. It is also close to the mini island junction of Maine Drive and Chaddesden Lane. These roads are very busy and the proposal to build a further two dwellings and the extra cars will put the road infrastructure and junction areas under more pressure. This is also a very busy bus route. As a regular pedestrian in this area it would be another hazard to contend with on an already very dangerous road. The access is also slightly obscured by the bend in the road. This area is used by many pedestrians (the elderly and school children) who endeavour to cross the road at this point. The original access would be more heavily used than present so this doubles the dangers to pedestrians and road users alike.

The proposal will also be of detriment to the overall look of the area. There is very little left of 'original' Chaddesden and the idea of putting a new build property in between the two original old cottages is only going to destroy the history and look of Chaddesden further. The new build is very close to the other cottages and looks squashed in. This will spoil the look of the cottages. It seems a travesty to destroy the original cottage and knock down the gable end when surely this could be renovated and repaired. The proposal would also involve demolishing a very old if not original brick wall and a well established hedge plus untold damage with the felling of trees and paving over the gardens. This will also cause implications for the drainage in the area.

I cannot envisage any problems from extending the cottage if done sympathetically or even building one new dwelling on the site if the access remains as it is and the build is not between the two existing cottages. I feel quite strongly that the proposals as they are at present will ruin the overall look of the area.

Yours sincerely

Mrs L Scott-Savage

CITY OF DERBY
ENVIRONMENT AND LOCALITY DEPARTMENT

SEARCHED	6 SEP 2010
REFERRED	
REPLIED	

Enclosure

Neighbour comments for Planning Application 08/10/00997

Site Address: Land at 146 Chaddesden Lane, Chaddesden, Derby

Comments received from: Mrs Scott-Savage, 146 Reginald Road South

Type of Response: OBJE

Comments:

I have looked at the revised plans for 146 Chaddesden Lane and the issues of access and the new build between the original cottages has still not been addressed. As per my previous letters I am very concerned over the proposed access onto a very busy road. Why not keep the access to the site where it is?, away from an already very busy and dangerous junction. The positioning of the new build will ruin the look of the original cottages and destroy the history of old Chaddesden. Surely the new build would be better positioned to the rear of the plot away from the road, keeping the frontage of the plot as it is and not destroying the kerbside appeal.

Does not wish to speak at committee.

Date Comments Accepted: 20/09/2010



DERBY CITY COUNCIL

Enclosure

Mr J Spencer
Victoria Cottage
140 Chaddesden Lane
Chaddesden
Derby
DE21 6LJ

6th September 2010

Dear Julia Meehan

Yours ref DER/08/10/00997/PRI

Thank you for your letter dated 17th August 2010 regarding the alterations and extensions to dwelling and erection of two dwellings on 146 Chaddesden Lane.

After studying the re-application very carefully, as stated in my previous letter sent 15th May 2010.

I strongly oppose the application for the same reasons listed.

I'm now aware that the plans are for a bungalow at the rear of the property and not a two storey dwelling, although not having a direct effect on my property I still feel that the erection of a dwelling of any means will have a devastating effect on the wildlife, plants and trees that have grown here over many years.

Building a new dwelling between the two cottages will also detract from the historical street scene I mentioned previously. Also you will have to take into account you will be changing over 200 hundred year old street scene of Chaddesden Lane. I would like to point out recently my property has been included in Derby City Council's local list of buildings of special historic and architectural interest and I believe so is 146. Surely building a modern property between these buildings of local interest is going to destroy all of the character and history that surrounds them. Again as stated in my last letter I do not oppose any alterations at all to the existing property as like my cottage 146 should be sympathetically restored to it's former glory.

Another major concern of mine is that building a two storey building so close to mine as well as ruining the street scene also gives me major concerns as my property does not benefit from modern day foundations and unfortunately will not be able to withstand any heavy construction which will cause movement in the land and my foundations. I would also like to bring to your attention between my property and the new build there used to be five large oak trees and a row of conifers. These have been removed leaving all the tree roots still in place and will cause vast land movement to remove these in order to build the new property.

The access for these dwellings is still onto the busy Chaddesden Lane just before the junction of Reginald Road South and after a bend in the road and just before a busy mini roundabout. It would be ridiculous and dangerous to develop a staggered junction on such a busy road. It would bring nothing but danger to motorists, pedestrians but most of all the high volume of school children that use this route to walk to and from school everyday.

I purchased my property in 1996 knowing that it would be a major project in time and money to restore but was worth while because it boasted an extremely private garden which was overlooked

Enclosure

by nobody and very peaceful which will be taken away by the erection of the new buildings. It also gives me great concern that there is going to be a mini car park which will back directly against my garden hedge.

In closing I would like to add that the proposed plan to build two properties next to mine is for one thing and one thing only which is financial gain with no consideration being shown for this very important and last original part of Chaddesden Lane.

I would also like to add that I have been refused a two storey extension in 2008 on the grounds that it was effecting the original features of the property and the street scene which I agreed with whole heartedly subsequently changed the plan so it was more in keeping with the property so on these grounds alone permission should be flatly refused.

I will be more than willing to discuss this matter with the committee.

Yours sincerely.

Mr J Spencer

Enclosure

Neighbour comments for Planning Application 08/10/00997

Site Address: Land at 146 Chaddesden Lane, Chaddesden, Derby

Comments received from: Mr Hitchcock, 139 Chaddesden Lane

Type of Response: OBJE

Comments:

Dear Ms. Meehan

I wish to strongly object to the application for planning permission for the extensions and

erection of new buildings with associated means of access.

I made my concerns regarding this matter clear on previous occasion and I can't see that anything has changed at all. The issues of access and parking remain un-addressed. The risk of potential damage to some property close by and the inconvenience to all neighbouring properties make this scheme unacceptable. As this is one of the last remaining areas of old Chaddesden, it should be kept and preserved, not bulldozed over. The Government's recent directive on Garden Grabbing is designed to stop such schemes and clearly states that councils have the power to reject planning applications for entirely new dwellings on garden land that are objected to by local people and ruin the character of the area. I expect you to uphold this and reject this application.

I have lived here for over 25 years and since Oakwood has been built, seen Chaddesden Lane change from a quiet country road to an extremely busy and sometimes dangerous main road carrying the volume of traffic it was never designed for. The building work and associated disruption would cause severe issues with traffic on this major bus route and with a junction only yards away which young children have to cross on the way to school.

Also it has not been explained why this application has now been split into 2 plots and what the future plans for plot 2 are? I feel that it might be a ploy to 'slide' it through the planning process bit by bit. Full disclosure of any dialogue regarding this would be welcomed.

Does not wish to speak at committee.

Date Comments Accepted: 20/09/2010

Enclosure

Mrs M Hunt

4 Vicarage Drive
Chaddesden
DERBY
DE21 6LR

15 September 2010

Dear Julie

Thankyou for your letter dated 10/09/2010.

I have looked at the proposed planning for 146 Chaddesden Lane, Chaddesden, Derby. Planning Ref, DER/08/10/00997/PRI

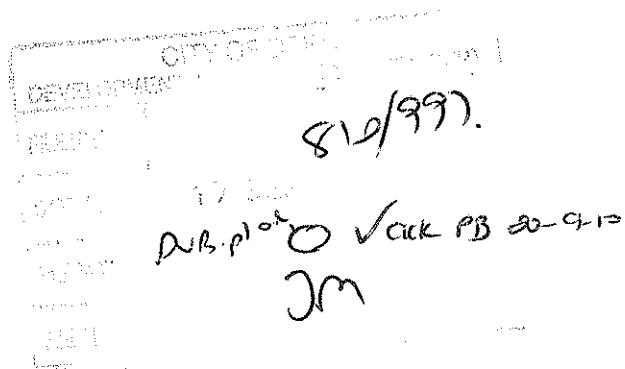
I found the plans a bit ambiguous to understand but I have two main concerns.

Looking at the plans, the extension at the rear of the cottage, if it is made into a two storey extension and it has bedroom windows facing the garage it will be looking directly into my rear garden. I only have a very small garden compared to my both my neighbours and if sitting in my garden or conservatory the 2nd floor windows would be looking directly into my garden which will be very intrusive. This will affect the enjoyment of my property and also the market value of the property.

The other concern I have is the garage at the rear, if it has an apex roof it would affect both myself and my neighbours views.

Sincerely,

Maureen Hunt



Committee Report Item No: 5

Application No: DER/07/10/00945

Type: Outline with all matters reserved

1. **Address:** Workshop premises, corner of Renals Street and Avondale Road

2. **Proposal:**

Residential development (house in multiple occupation)

3. **Description:**

Outline planning permission is sought with all details reserved for future approval, to develop this site which sits at the corner of Avondale Road and Renals Street. It is an irregular shaped site which accommodates a cluster of single and two storey buildings. Historically, the site has accommodated a number of commercial and business uses; it's most recent being for the manufacture and storage of window units. The ground floor buildings are of a pre-fabricated design. In the southern corner of the site is a brick built building of two storeys. The buildings extend up to the site's southern and eastern boundaries and the area of the site that is accessed directly off the street is hard surfaced serving as off road car parking. The site is accessed off the corner of Renals Street and Avondale Road and, on entering the site, land levels drop slightly and the existing buildings sit at a slightly lower level than the fronting highway.

Avondale Road and Renals Street are residential streets that are lined with terraced dwellings. There is very little off street parking provision in the locality and on street parking is controlled by permits. The houses that line the streets are predominately two storeys. The gable walls of 1 Renals Street and 17 Avondale Road abut the application site's boundaries and the walls of the buildings on the application site form part of the boundary treatments of both of these neighbouring dwellings. Directly adjacent to the rear boundaries of the site is Southgate Retail Park and its associated units and parking areas.

Indicative plans have been provided to support the application which shows the provision of a linked block of accommodation on the site ranging between one and three storeys in height. It is indicated that it would provide multiple occupancy accommodation for 12 people and the information provided with the application indicates that the scheme would be promoted as student accommodation. The building would sit approximately 1m from the gable wall of 1 Renals Street and the remainder of the site would be laid to parking and landscaped areas with a communal garden at the southern end. It is logical to assume that the main habitable windows would be accommodated in the northern and southern elevations of the building some 21m from the rear site boundary and some 6.6m from the side boundary of 17 Avondale Road. The indicative plans show provision of 6 parking spaces at the rear of the accommodation with a dedicated disabled person's parking space at the northern end of the site. Provision would be made for a dedicated vehicle and pedestrian access in the same position as the existing access of Renals Street and Avondale Road. The submitted design and access statement indicates that it would be intended that the residential accommodation would be built using materials to match those of the neighbouring properties. These details are provided for illustrative purposes as all matters relative to the detailed layout, design, landscaping and means of access to the development are reserved for future approval.

Committee Report Item No: 5

Application No: DER/07/10/00945

Type: Outline with all matters reserved

4. Relevant Planning History:

DER/09/08/01336 – Outline planning permission for residential development (8 apartments) – refused 01/09/09 on the following grounds;

‘The Local Planning Authority is not satisfied that the Design and Access Statement and the indicative layout details provided with the application sufficiently demonstrate that 8 apartments can be appropriately accommodated on site. In particular, the Local Planning Authority has no confidence that the three storey development would not comprise the amenities enjoyed by the occupier of 17 Avondale Road in view of the proposed footprint and associated scale of the proposal. In addition, the indicative layout fails to provide the Local Planning Authority with confidence that usable on-site manoeuvring space and disabled persons parking spaces can be accommodated as part of the development that would not be detrimental to the safe flow of traffic and pedestrian safety within the site and on the public highway. As such, the Local Planning Authority cannot conclude that the provision of 8 apartments on this site would result in an acceptable development that meets with the provisions of policies GD5, H13, T1, T4 and T10 of the adopted City of Derby Local Plan Review.’

DER/07/99/0770 – Use of the premises for the repair of motor vehicles – refused 27/08/99.

5. Implications of Proposal:

5.1. Economic:

None directly arising.

5.2. Design and Community Safety:

Details relative to the layout and detailed design of the development are reserved for later approval but the indicative proposals are considered to be acceptable in context to the surrounding built development. In community safety terms the site has a clear demarcation of public and private space with the site entrance and access drive well surveyed by the development. The accommodation would be served by secure rear gardens and I would raise no overriding objections to this outline scheme in community safety terms.

5.3. Highways – Development Control:

The planning forms indicate that this is an outline application with all matters reserved. However the applicant has submitted an indicative plan Drg No1/290. There are no objections in principle subject to the following:

No development shall be undertaken within the application area unless or until details of the following have been submitted to and approved in writing by the LPA:-

1. access.

Note - It is suggested that if the existing access is to be utilised to serve the site it should be amended to form a dropped and tapered crossing.

2. car parking and cycle storage which shall be in accordance with policy T4 of the Local Plan.
3. servicing including refuse collection facilities.

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Application No: DER/07/10/00945

Type: Outline with all matters reserved

4. turning and manoeuvring space within the site, which shall allow the largest vehicle entering the site to enter and leave in a forward gear.
5. surface treatment, lighting and drainage for the car parking and manoeuvring space.

Reason: In the interests of highway safety

Comments on the indicative Plan: The indicative plan indicates that a development of 12 student dwellings is envisaged. The plan provides for 50% parking provision plus one disable space. If this detail is taken forward there will need to be an explanation of how this parking is to operate. Are these spaces to be operational parking spaces not dedicated to any particular dwelling? Or is it purely visitor parking. The disabled space is currently located within what appears to be the turning space; this will need to be clarified.

The Bin storage area exceeds the carrying distance from the highway and it is unlikely that a refuse vehicle will be able to enter and leave the site in a forward gear.

5.4. Disabled People's Access:

The intention to include a disabled persons parking bay within this scheme is welcomed. Accessibility within the residential accommodation will be controllable through compliance with Building Regulation guidance.

5.5. Other Environmental:

The existing site is predominately hard surfaced and there are no trees or landscaped areas of interest within the site. A bat survey has been submitted in support of the application given that demolition of the existing buildings on the site is proposed. The views of Derbyshire Wildlife Trust have been sought on the scope and content of the bat survey.

6. Publicity:

Neighbour Notification Letter	20	Site Notice	Yes
Statutory Press Advert and Site Notice	N/A	Discretionary Press Advert and Site Notice	N/A
Other			

This publicity is in accordance with statutory requirements and the requirements of the Council's adopted Statement of Community Involvement.

7. Representations:

Five objection letters / e-mails have been received in response to this application and one letter of comment. The concerns raised in objection to the application are summarised below;

- Overlooking of neighbouring properties and the detrimental impact of the development on the privacy enjoyed by existing neighbours
- The development resulting in a loss of light for neighbouring gardens

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- The introduction of student accommodation being unjustified and out of character in this area which is predominately family orientated dwellings
- Increased levels of activity and noise resulting in a loss of amenity
- On street parking and traffic along the street already being very busy and made worse by the development
- Disturbance being experienced whilst building works are taking place
- Concerns relating to who the future tenants of the accommodation will be.

The resident who has offered comment on the application questions the number of individuals that the accommodation has the potential to support and the implications that this may have for existing on-street parking problems. It is suggested that it would be preferable if the site accommodated one or two family sized dwellings.

These representations have been reproduced in this report.

8. Consultations:

8.1. Resources & Housing-Houses In Multiple Occupation:

No objections to the application are raised but it is noted that the site is not in the usual catchment area for students as most of the student houses in multiple occupation are located between Uttoxeter New Road and Duffield Road.

8.2. Derbyshire Wildlife Trust:

To be reported.

8.3. Police Liaison Officer:

To be reported.

8.4. Environmental Services- Pollution:

Whilst consultation has not been undertaken with the Environmental Health Officer in relation to this application, the views of that Officer were sought in response to the previous outline planning application which involved residential development and the views expressed remain relevant to this application. It was advised that the site may have been used by a potentially contaminative industry in the past and it is therefore recommended that appropriate studies are undertaken to identify any potential contamination on site with any necessary remediation and validation works being undertaken in accordance with details that should be submitted for approval prior to any development commencing.

9. Summary of policies most relevant: Saved CDLPR policies / associated guidance.

GD3	Flood Protection
GD4	Design and the Urban Environment
GD5	Amenity
H13	Residential development – General Criteria
E10	Renewable Energy
E13	Contaminated Land
E17	Landscaping Schemes

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E23	Design
E24	Community Safety
T1	Transport Implications of New Development
T4	Access, Parking and Servicing
T10	Access for Disabled People

The above is a summary of the policies and guidance that are relevant. Members should refer to their copy of the CDLPR for the full version or the department prior to the meeting.

10. Officer Opinion:

I raise no objections to the principle of the use of this site for residential purposes. The site constitutes previously developed land as outlined in PPS3 and therefore a residential use on the site is supported on policy grounds. Given that outline planning permission is being sought with all matters reserved the main issues surround whether the illustrative information provided can demonstrate that the site could accommodate the amount of accommodation being proposed whilst providing a satisfactory living environment and having an acceptable impact upon surrounding neighbours, the character of the area and the immediate highway network.

Saved policy H13 outlines the general criteria for assessing new residential development and it does not seek to control or limit the type or form of accommodation that can or should be located with specified areas. It does not provide catchment areas for certain categories of residential accommodation but promotes high quality living environments, good standards of privacy and amenity and high quality layouts of buildings and open spaces. In these circumstances, concerns relative to the application site being in an appropriate location to serve the student population does not give grounds on which a refusal of planning permission could be defended. It is likely that the market for student accommodation would dictate the success or otherwise of use of the accommodation by students, in this location. Regardless of the intentions of the applicant, the planning application must be considered on the grounds of it serving as a house in multiple occupation for occupation by any group of individuals and given that the site sits within a location that is primarily residential in nature it would be acceptable in principle.

Although views into this site are limited from the street, it is accessed and viewed in the context of Renals Street and Avondale Road which are lined with terraced dwellings. The indicative layout proposals for the site offer a logical solution to its development as the scheme would continue, in line, with the built form along Renals Street. The 14.3m width of the indicative scheme would not be out of place in this terraced context and the proposed access arrangements are logical. The site has its constraints and the previous application involved an 'L' shaped form of development which attempted to address the built form of both streets and turn itself around the corner. However, that scheme would have resulted in unacceptable degrees of overshadowing and massing for 17 Avondale Road and those issues formed part of the refusal of planning permission issued in September 2009. The surrounding dwellings are predominately two storeys but I would raise no immediate objections to a three storey development on this corner site whose character is already distinctly different to its neighbours. The increased height would give some prominence to the corner but should not be overly detrimental to the character of the street provided an

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appropriate design of the buildings elevations is secured. The siting of the parking areas towards the rear of the site would allow the residential accommodation to have some presence in views from the street and would also provide scope for some landscaping on the frontage providing a more attractive setting than the existing extent of hard surfacing.

The site is accessed off a residential street and residential properties sit alongside it. It appears that the current use operating from the site is relatively small scale and local residents do not appear to suffer any real nuisance from the existing use. However, given that it is established, the existing use could intensify without a further grant of planning permission needing to be obtained. In amenity terms, a residential development would provide a more appropriate neighbour than the existing commercial operations that are established on the site. I have noted that the occupiers of 17 Avondale Road and 1 Renals Street have written in objection to this application. Based on the indicative plans that have been provided I am satisfied that at the reserved matters stage, an appropriate form of development can be accommodated whose relationship with those neighbouring properties is reasonable. Following the issue of the previous refusal of planning permission the indicative footprint of the development has been moved away from the side of 17 Avondale Road and the plans show that the three storey element would extend to the south of the flank gable wall of this property. With careful design of its elevations at the reserved matters stage, I am satisfied that window positions in the development can be designed to minimise any overlooking of that dwelling. The mass of the building could also be sited alongside the flank gable wall of 1 Renals Street, as indicated in the plans, without any significant encroachment into the 45 degree lines taken from its principal windows in its northern and southern elevations. The boundary treatments of both of these dwellings would be effected by the development as the existing buildings on the site form part of the boundary that divides the site from those properties. However, their removal and provision of boundary treatments of more domestic proportions could assist in improving outlook and levels of light achieved into both neighbouring gardens. Overall, I am satisfied that the indicative proposals demonstrate that the development could be achieved without significant detriment being caused to the amenities enjoyed by neighbouring occupiers whilst providing good levels of privacy and amenity for its future occupiers. This would be subject to issues relative to ground contamination being suitably investigated and addressed. However, I am satisfied that those matters can be addressed through conditions of planning permission.

Subject to the acceptable comments of DWT I consider that the City Council will have adequately exercised its responsibilities relative to protected species and the associated guidance in PPS9

Overall, I am satisfied that, subject to the two outstanding issues being resolved, the indicative proposals put forward in this application suitably demonstrate that this site can accommodate a house in multiple occupation to serve 12 individuals. I am confident that at the reserved matters stage an appropriate layout and design of development can be achieved that provides a suitable living environment for its occupiers without compromising the amenities of existing residents of Avondale Road and Renals Street. This is subject to the information being provided at reserved matters stage including full details of all boundary treatments to ensure that the

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Type: Outline with all matters reserved

existing boundaries of both neighbouring properties are suitably reinstated when the existing buildings on the site are removed. In accordance with the principles of PPS25 the development should also effectively accommodate sustainable surface water drainage solutions and our standard conditions are recommended to achieve this objective.

11. Recommended decision and summary of reasons:

11.1. To grant planning permission with conditions.

11.2. Summary of reasons:

The proposal has been considered in relation to the provisions of the adopted City of Derby Local Plan Review and all other material considerations as indicated in section 9 and the principle of the proposed use is considered acceptable for this site.

11.3. Conditions:

1. Standard condition 01 (reserved matters)
2. Standard condition 02 (approval of reserved matters)
3. Standard condition 19 (means of enclosure)
4. Standard condition 21 (landscaping within 12 months (condition 1b))
5. Standard condition 30 (surfaces to be drained)
6. Standard condition 38 (foul and surface water drainage)
7. The details submitted pursuant to condition 6 shall accord with Annex F7 - F12 of PPS25. The information submitted pursuant to condition 6 shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced on site and shall include the following:
 - a) calculations which demonstrate that the runoff from a one in 100 year plus climate change rainfall event is to be retained on site;
 - b) calculations to determine the present or pre-development surface water discharge rate pro rata IHI24 as for urban development, a limiting device for the surface water and calculations to ensure that habitable rooms do not flood with that device in place;
 - c) a flood path to show where runoff in excess of the one in 100 year plus climate change rainfall event will flow;
 - d) a topographical survey of the site showing the existing layout of the site including any drainage points of roof and impermeable areas with levels to ordnance datum
 - e) proposals which demonstrate that surface water run-off is prevented from running over the public highway.
8. Standard condition 106 (site contamination)
9. Standard condition 107 (submission of remediation scheme)
10. Standard condition 108 (implementation of remediation scheme)

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11.4. Reasons:

1. Standard reason E01
2. Standard reason E02
3. Standard reason E07 (policy GD5)
4. Standard reason E09 (policy E17)
5. To ensure an orderly and satisfactory overall development of the site and to ensure that appropriate provision is made to meet the parking needs of the development in accordance with saved policy T4 of the adopted City of Derby Local Plan Review.
6. Standard reason E21 (policy GD3)
7. Standard reason E21 (policy GD3)
8. Standard reason E49 (policy E13)
9. Standard reason E49 (policy E13)
10. Standard reason E49 (policy E13)

11.5. Informative Notes:

The applicants are advised that as parts of the site are close to residential properties, contractors should only undertake noisy works between 07.30 hours to 18.30 hours Monday to Friday and 07.30 hours to 13.00 hours on Saturdays to ensure that nuisance to neighbouring occupiers is minimised. There should be no bonfires on site.

11.6. S106 requirements where appropriate:

None.

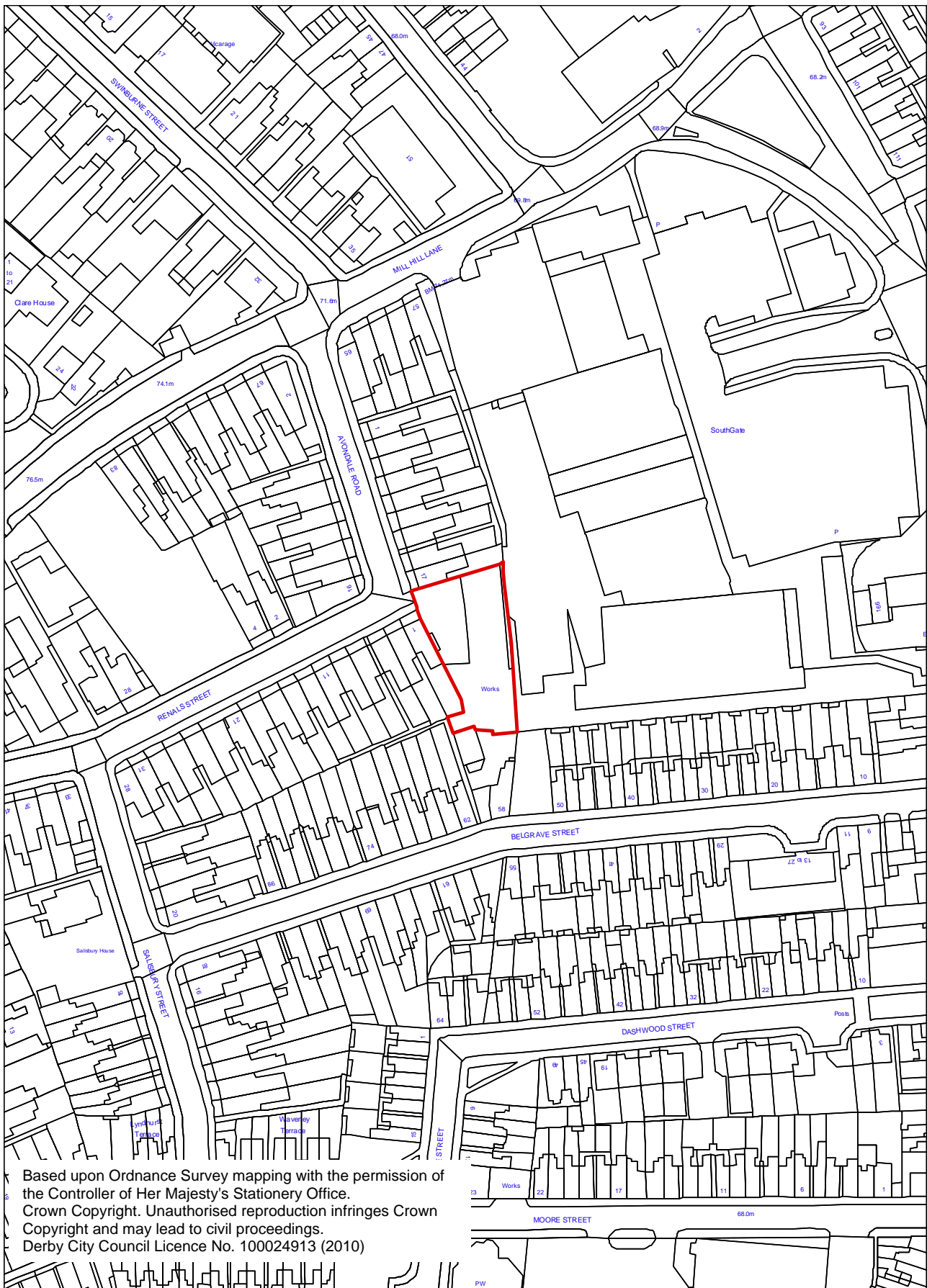
11.7. Application timescale:

The deadline for the determination of this application is 8 December 2010.

Committee Report Item No: 5

Application No: DER/07/10/00945

Type: Outline with all matters reserved



Enclosure

Consultee response for Planning Application 07/10/00945

Site Address: Workshop premises, corner of Renals Street and Avondale Road, Derby

Comments received from: ., 5 Renals Street

Type of Response: OBJE

Comments:

I object to this development as it will be intrusive on my personal space due to it overlooking my property. I also feel that the introduction of single occupancy 'student' dwellings will not be appropriate or justified in this area amongst a predominantly family orientated neighbourhood.

Date Comments Accepted: 25/10/2010

Enclosure

Neighbour comments for Planning Application 07/10/00945

Site Address: Workshop premises, corner of Renals Street and Avondale Road, Derby

Comments received from: Mr Snowdon, 15 Avondale Road

Type of Response: COMM

Comments:

We have concerns about the number of people the residence is planned for. If more than one/two residential units is put in the space without parking spaces then it would put too much pressure on the already tight on-street parking space. We are also concerned at the disturbance caused during any major construction in such a small and narrow street. On the plus side a residential dwelling to house one/two family units with suitable off-street parking would enhance rather than detract from the environment. I think we would want to know more details of the plans before voicing a strong opinion.

Does not wish to speak at committee.

Date Comments Accepted: 25/10/2010

Enclosure

29.10.2010.	DER/07/10/00945/PRI	710/945 17, AVONDALE ROAD.
FILE REF		
DATE RECD	21 NOV 2010	DERBY
RECEIVED TO	✓ ALB2 SY 1/11/10	SE23 6SG
REPLIED	Dear Sara John	

I am writing to you on behalf of MR. Jozef Kiedunski who resides at No. 17. He is away on holiday at the moment, the letter you sent him regarding the Residential Development in the corner of Renals St. & Avondale Road. as he has told you before when you sent letter out, that he is against it and so am I I live at No 4. the road is busy enough without adding to it.

Regards

No 4. Avondale Road.

MY CONTACT NO

27th OCTOBER 2010

TO SARA JOHN,

I SARWAN SINGH TANDA

THE OWNER OF property AT 1, RENALS ST DE23-6ST.
DERBY, STRONGLY OPPOSE AGAIN TO THE

RESIDENTIAL DEVELOPMENT PLANNING APPLICATION
ON THE CORNER OF RENALS ST AND AVONDALE RD.

IF YOU RECALL MRS. SARA JOHN YOU VISITED ME
AT MY ADDRESS LAST YEAR AND HAD A LOOK ROOM
I BROUGHT YOU A LETTER WITH ALL MY OBJECTIONS
AND WORRIES ABOUT THIS DEVELOPMENT, NOTHING
HAS CHANGED SINCE THEN AND NEVER WILL
ALL THE THINGS THAT I BROUGHT IN THAT
LETTER STILL STAND AND WILL NEVER CHANGE
YOU MUST STILL HAVE MY LETTER IN YOUR
RECORDS. IF YOU WANT TO HAVE A LOOK AGAIN
I WILL WRITE DOWN A FEW FACTS AGAIN.

- 1, LOSE OF VALUE TO MY PROPERTY.
- 2, LOSE OF LIGHT TO MY GARDEN.
- 3, TOO MUCH BUILDING WORK + NOISE
- 4, THE CHANCE OF NEW TENANTS, BEING (DRUG ADDICTS
OR ALCOHOLICS)
OR THEIRS
- 5, CAR, COMING IN AND OUT ALL THE TIME.

I AM A 78 YR OLD MAN I HAVE LIVED HERE FOR
38 YRS. AND WANT TO CONTINUE LIVING HERE IN
PLACE WITH MY FAMILY FOR MANY MORE YEARS TO COME

I ONCE AGAIN OPPOSE VERY STRONGLY
TO THIS DEVELOPMENT, AND SO DO MY NEIGHBOURS.
NOTHING HAS CHANGED FROM LAST YEAR ON MY VIEWS.

THANK YOU VERY MUCH.

27-10-10.

CITY OF DERBY	
DEVELOPMENT & CULTURAL SERVICES DEPT.	
FILE REF.	11/07/10/00945
DATE REC'D	27 OCT 2010
REFERRED TO	MS. P. A. C. + S. J. TANDA
REPLIED	1, RENALS ST DE23-6ST.

Enclosure / PRI

Enclosure

Neighbour comments for Planning Application 07/10/00945

Site Address: Workshop premises, corner of Renals Street and Avondale Road, Derby

Comments received from: mr mehmood, 3 Renals Street

Type of Response: OBJE

Comments:

site address :workshop corner of avondale road and renals street derby
07/10/00945

type of response: objection

comments

due to angle of street corner it is already difficult for cars to get access and parking for residents and any guest residents may have; with access for emergency service and refuge(bin men)collecting vehicles already having difficulty.

access for wheelchair and pedestrian during proposed demolition and building invasion of privacy as it will overlook my property

disturbance levels with demolishing and building and all the heavy good vehicles involved in constructing.

it will involve removing a known bat habitat which are known to use the parts of the building

application proposed says it is vacant but as can clearly be seen by all residents the property has and is being used by a number of personnel on a daily basis.

application is for 3 storey building which is not in keeping with neighbouring properties as stated in proposal

area is predominantly family base and will be affected adversely by single dwelling student occupation

noise pollution from building and demolishing and the length of time this will occur affecting quality of life for residents especially those who are ill. ie my family

Wishes to speak at committee.

Date Comments Accepted: 03/11/2010

Committee Report Item No: 6

Application No: DER/10/10/01191

Type: Full

1. **Address:** Land at rear of 7 St Peters Road, Chellaston

2. **Proposal:**
Erection of Dwelling House

3. **Description:**

The application seeks permission for the erection of a two storey detached dwelling house with associated off-street parking and amenity space on land to the rear of no. 7 St Peters Road. The site will be accessed, independently, off Bridle Close via a dropped kerb arrangement and will front its street scene.

The application is a revised submission following the Council's decision to refuse planning permission under code no. DER/08/10/00793. That reason for refusal is set out in Part 4 of this report. This revised application seeks to address the reasons for refusal with the following amendments being made:

- Widening of the plot to the rear of the car parking spaces from 6.4 metres to 10.4 metres,
- The footprint of the dwelling has been orientated to an angle comparable to the existing properties on Bridle Close,
- The scheme now provides a 2 metre by 2 metres pedestrian visibility splay,
- The footprint of the dwelling house has been handed; the protruding gable on the front elevation to the right and to the left when considering the rear elevation.

The site is located in a predominately residential location in close proximity to the A514 (Derby Road). This locality of Chellaston is characterised predominantly by semi-detached properties with a pepper-potting of detached houses. Properties on St Peter's Road, Meadow Way and Glenwood Road are set in plots with large areas of private amenity space to the rear. Those properties on Bridle Close have a staggered building line with relatively small private amenity space located to the rear; which is illustrated on the submitted site plan.

The application site is relatively rectangular and is bounded to the north by the public highway and by residential properties on the other boundaries. Land levels across the site and on St Peters Road are relatively consistent however they do decline on Bridle Close in a westerly direction.

Two car parking spaces are to be provided in a tandem formation adjacent to the eastern common boundary of the application site. There are no trees on the site that would be detrimentally affected by the proposal.

The full planning application seeks permission for the erection of a detached dwelling house with two off-street car parking spaces provided in a tandem formation adjacent to the eastern common boundary; private amenity space is located to the front and rear. The amenity space is comparable to that afforded to those properties on Bridle Close - the garden has a minimum depth of 6.1 metres and a maximum depth of 9 metres. The property seeks to accommodate a living room, cloakroom, dining kitchen at ground floor and three bedrooms and bathroom at first floor. Primary windows are sited on the front and rear elevations and secondary windows serving the cloak room,

Committee Report Item No: 6**Application No:** DER/10/10/01191**Type:** Full

secondary kitchen window, landing and bathroom windows are sited on the side elevations.

4. Relevant Planning History:

DER/06/10/00793 Refused – Erection of Dwelling House

In the opinion of the Local Planning Authority the proposed development would create, by virtue of the proposed layout of the dwelling and its close relationship to the angled layout of the existing properties sited on the south side of Bridle Close, an unacceptable and cramped form of development within the context of Bridle Close that would be unduly detrimental to the overall composition of the Bridle Close streetscene. As such the proposal is contrary to saved policies GD4, H13 and E23 of the adopted City of Derby Local Plan Review

5. Implications of Proposal:**5.1. Economic:**

None

5.2. Design and Community Safety:

The design of the proposal is considered to be acceptable and will integrate into the street scene of Bridle Close.

5.3. Highways – Development Control:

The following comments are made in reference to Drawing No. 1 of 5 unless otherwise specified. The application site has been subject to a previous application, DER/06/10/00793, which was refused as a cramped form of development and being unduly detrimental to the overall street scene.

In raising no objections I note that the proposed access benefits from 2 x 2 metres pedestrian visibility splay to either side which is satisfactory. The applicant has offered 2 off street parking spaces which appear to be 2.4 x 5 metres each which is also acceptable.

5.4. Disabled People's Access:

The dwelling will have a degree of accessibility through compliance with Building Regulation accessibility guidance.

5.5. Other Environmental:

None

6. Publicity:

Neighbour Notification Letter	15	Site Notice	YES
Statutory Press Advert and Site Notice		Discretionary Press Advert and Site Notice	
Other			

This publicity is in accordance with statutory requirements and the requirements of the Council's adopted Statement of Community Involvement.

Committee Report Item No: 6

Application No: DER/10/10/01191

Type: Full

7. Representations:

The application has attracted two emails of comment from the local Ward Councillors, Councillor Ingall and Councillor Holmes. The application has also attracted a petition with 54 signatures, 3 letters of objection and 1 letter of comment. The content of the objections, including the covering statement to the petition, are summarised below:

- The development will have a negative impact on the street scene,
- Access is too close to the junction of Bridle Close and St Peters Road,
- Concerns over on-street parking and impact on access,
- No. 7 St Peters Road was bought for this purpose only,
- Loss of value to properties,
- The re-submission has not addressed the previous reasons for refusal,
- Loss of light to neighbouring properties,
- Overdevelopment,
- Loss of view,
- Strong local opposition.
- Insufficient services to accommodate another property
- Already a large number of houses for sale/rent in this location

These representations have been made available in the Members Rooms.

8. Consultations:

No other consultations were requested.

9. Summary of policies most relevant: Saved CDLPR policies / associated guidance.

GD4 Design and the Urban Environment
GD5 Amenity
H13 Residential Development – General Criteria
T4 Access, Car parking and Servicing
E23 Design

The above is a summary of the policies and guidance that are relevant. Members should refer to their copy of the CDLPR for the full version or the department prior to the meeting.

10. Officer Opinion:

The application is a revised submission following the refusal detailed in Part 4 and seeks to address those previous reasons for refusal. The amendments are centred on the siting of the dwelling, plot size, amenity space and pedestrian visibility splay.

Principle of Development

The proposal is sited on land to the rear of no.7 St Peters Road with access of Bridle Close; the access will serve the proposed property only. The proposed dwelling given its frontage to Bridle Close cannot be considered as a backland or tandem

Committee Report Item No: 6

Application No: DER/10/10/01191

Type: Full

development. As such I am of the opinion the proposal is an infill plot within the street scene of Bridle Close, where it will benefit from its own position within an established residential street scene.

The recent re-definition, in PPS3 Housing, of garden land as being greenfield land rather than brownfield reflects the Government's concerns to give greater prominence to reducing inappropriate development within domestic curtilages. There is a national and local objective to make the most effective use of land. Previously, as gardens were brownfield land meant weight was added to the case for approving development within residential curtilages. The re-defining of garden land as greenfield means the Government has sent out a signal that this weight no longer applies. There is, therefore a material change in the balance. This does not mean proposals within domestic curtilages, including for additional dwelling houses, should never be approved nor do the changes introduce a blanket ban on them it is merely a case of changing the emphasis.

When considering the urban grain of this locality I am of the opinion that the proposed plot is comparable to those properties on Bridle Close and those more recently constructed properties on St Peters Road (1a and 1b St Peters Road) in terms of site area.

I am of the opinion the proposed dwelling house on land to the rear of no.7 St Peters Road is considered to be acceptable, in principle as it does not fall within the criteria of tandem or backland development as it benefits from a stand alone position within the street scene also having an independent access.

Design and Street Scene

The street scenes of both St Peters Road and Bridle Close are largely uniform in terms of appearance; Bridle Close is characterised by a series of eaves fronted properties erected on a staggered building line whereas St Peters Road is a mix of eaves fronted and gable fronted properties. However, this street scene has been subject to change in the form of new dwellings on the junction of St Peters Road and Glenwood Road which are two and a half storey town houses set in tight plots with limited private amenity space to the rear. The development was approved in 2003, under code DER/10/03/01986.

The amendments to the plot size from the previous submission have resulted in a greater garden area which is acceptable and is similar to the adjacent property, no.1 Bridle Close. In addition the proposal exceeds garden depths of those more recently approved properties referred to above.

The footprint of the dwelling has been orientated such to resemble and integrate with the street scene of Bridle Close. I am of the opinion the proposed will now form part of the staggered building line and due to the angle will not appear cramped within the street scene. I am satisfied that the proposal is acceptable in terms of layout and impact on the street scene and the revised submission has made reasonable steps to integrate into the established street scene and reflects the urban grain of the immediate locality.

The design of the proposal has taken inspiration from both street scenes, Bridle Close and St Peters Road; as such I raise no objection to the proposal on design

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grounds. The ridge height and eaves height is comparable to the adjacent property no. 1 Bridle Close as are the window proportions.

As such I am of the opinion the revised submission has achieved a more acceptable design solution when considering external appearance, street scene and layout. I therefore consider the proposal broadly conforms to saved policies GD4, E23 and H13 of the adopted CDLPR.

Access and Car Parking

The application seeks to provide two off-street car parking spaces in a tandem formation along the eastern side boundary along with a 2 metre by 2 metre pedestrian visibility splay.

The application has attracted letters of objection which relate to increased use of the junction and on-street parking congestion. The Council's current parking standards require any new dwelling house to provide 1.5 off-street car parking spaces and as such the proposal exceeds the Council's requirements in that two spaces are provided. I am of the opinion that the construction of one dwelling house would not result in the intensification of the public highway to such a detrimental level to warrant refusal of the proposed scheme. The application has not attracted an objection from the Council's Highway Engineers, whose comments are set out in Part 5 of this report.

Impact on Residential Amenity

The principal windows of the proposed dwelling house are located on the front and rear elevations; those windows on the side elevations are considered to be secondary and will be conditioned to be obscurely glazed in the interests of protecting neighbouring residential amenity.

I am satisfied that the proposal will not have a detrimental impact on no.7 St Peters Road as the proposed private amenity space achieved is acceptable in this context. There is no displacement of off-street car parking as a result of the proposal. As such I am of the opinion the proposed is acceptable in terms of the relationship created between the two properties.

I note objections have been received from no.5 St Peters Road in relation to overlooking and loss of privacy. I am of the opinion when considering the orientation of the proposal and the siting of the windows that the erection of the dwelling house will not overlook their private amenity space to such a detrimental level to warrant its refusal. Objections have also been received in relation to overshadowing and loss of light. I am of the opinion that, given the orientation of the proposed and the when considering the sun path, the proposal will not overshadow no.5.

When considering no.1 Bridle Close I am of the opinion that the proposal will not have a detrimental impact on their residential amenities in terms of massing, overshadowing or loss of light due to the siting of the dwelling house and overall plot layout.

In terms of those properties on Glenwood Road, no letters of objections have been attracted and I am satisfied that the proposal will not directly overlook their immediate private amenity space and will not result in an undue loss of residential amenity.

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I am satisfied that the proposed dwelling house will not result in a detrimental loss of residential amenity currently enjoyed by those neighbouring properties on Bridle Close and St Peters Road. As such I am satisfied the proposed broadly conforms to saved policies H13 and GD5 of the adopted CDLPR.

Summary

Following consideration of the application, submitted details and consultation / publicity responses I raise no objection to the proposed dwelling house in terms of site layout, impact on the street scene, highway safety and impact on residential amenity. Therefore, I consider the proposal to broadly satisfy policies GD4, GD5, H13, E23 and T4 of the CDLPR.

11. Recommended decision and summary of reasons:

11.1. To grant planning permission with conditions.

11.2. Summary of reasons:

The proposal has been considered in relation to the provisions of the adopted City of Derby Local Plan Review and all other material considerations as indicated in Part 8 of this report and it is considered that the proposed dwelling house is acceptable in terms of design, impact on the street scene, impact on residential amenity and in terms of highway safety and parking provision.

11.3. Conditions:

1. Standard condition 100 (approved plans)
2. Standard condition 03 (time limit)
3. Standard condition 27 (external materials)
4. Standard condition 19 (means of enclosure)
5. Standard condition 30 (hard standing)
6. Standard condition 38 (foul and surface water drainage)
7. No part of the development hereby permitted shall be occupied until the access to the site has been completed and surfaced in a bound material for a minimum distance of 5 m behind the highway boundary in accordance with approved plan reference 1 of 5.
8. No part of the development hereby permitted shall be occupied until the visibility splays of 2 x 2 metres are provided to either side of the proposed access in accordance with details to be first submitted and approved in writing by the Local Planning Authority. The area within the visibility splays referred to in this Condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6 metres in height.
9. No part of the development hereby permitted shall be occupied until the proposed access has been constructed in accordance with the details as shown on the attached drawing No 1 of 5 to the satisfaction of the Local Planning Authority.

11.4. Reasons:

1. Standard reason E04

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2. Standard reason E56
3. Standard reason E14 (Policies GD4, GD5, H13 and E23)
4. Standard reason E08 (Policies GD5 and H13)
5. Standard reason E21 (Policies T4 and H13)
6. Standard reason E21 (Policy GD4)
7. To prevent surface detritus being deposited onto the highway(PolicyT4)
8. In the interests of pedestrian and highway safety (Policy T4)
9. In the interests of highway safety. (Policy T4)

11.5. Informative Notes:

Condition No.3 requires the formation of an access to the highway, which is land subject to the provisions of the Highway Act 1980 (as amended) over which you have no control. Please contact Highways Maintenance on 01332 255242 for details of how this work can be undertaken.

Construction of Driveway – The proposed hard surfacing to the driveway shall be made of porous materials or provision should be made to direct run off water from the hard surface to a permeable or porous area within the curtilage of the dwelling house. This will be subject to the permeability of the existing ground. Further information can be found in the document 'Guidance on permeable surfacing of front gardens' dated October 2008.

In respect of condition 6 the applicant is advised to consider the following prior to making an application for condition discharge:

- 1) Runoff from the development shall be outlet at a rate not exceeding the present or pre-developed rate with the one in thirty year rainfall event retained below normal ground level, the one in 100 year plus climate change rainfall event to be retained on the development. Calculations to that end are to be approved by the local planning authority including that habitable rooms do not flood with the limiting device in place. The route of outflow from a rainfall event that exceeds that amount shall be made known to the local planning authority.
- 2) A drainage statement from the Sewerage Undertaker to be forwarded before commencement of the development.
- 3) A geotechnical study is made that includes the permeability of the subsoil and results forwarded before commencement of the development.
- 4) Sustainable drainage features shall be in accordance with Annex F7 - F11 of PPS25.
- 5) Calculations to ascertain the present or pre-developed surface water discharge rate shall be to IH124 pro rata as for urban development and this shall be used to determine the rate of discharge of the limiting device for the discharge of surface water.

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- 6) The area between the principal elevation and the highway is to be permeable or runoff there from directed to permeable area in accord with the requirements of Class F of the Permitted Development Order 2008.
- 7) The test for permeability of the soil is to be in accordance with BRE 365 or other similar.
- 8) Surface water runoff should be prevented from running over the public highway.

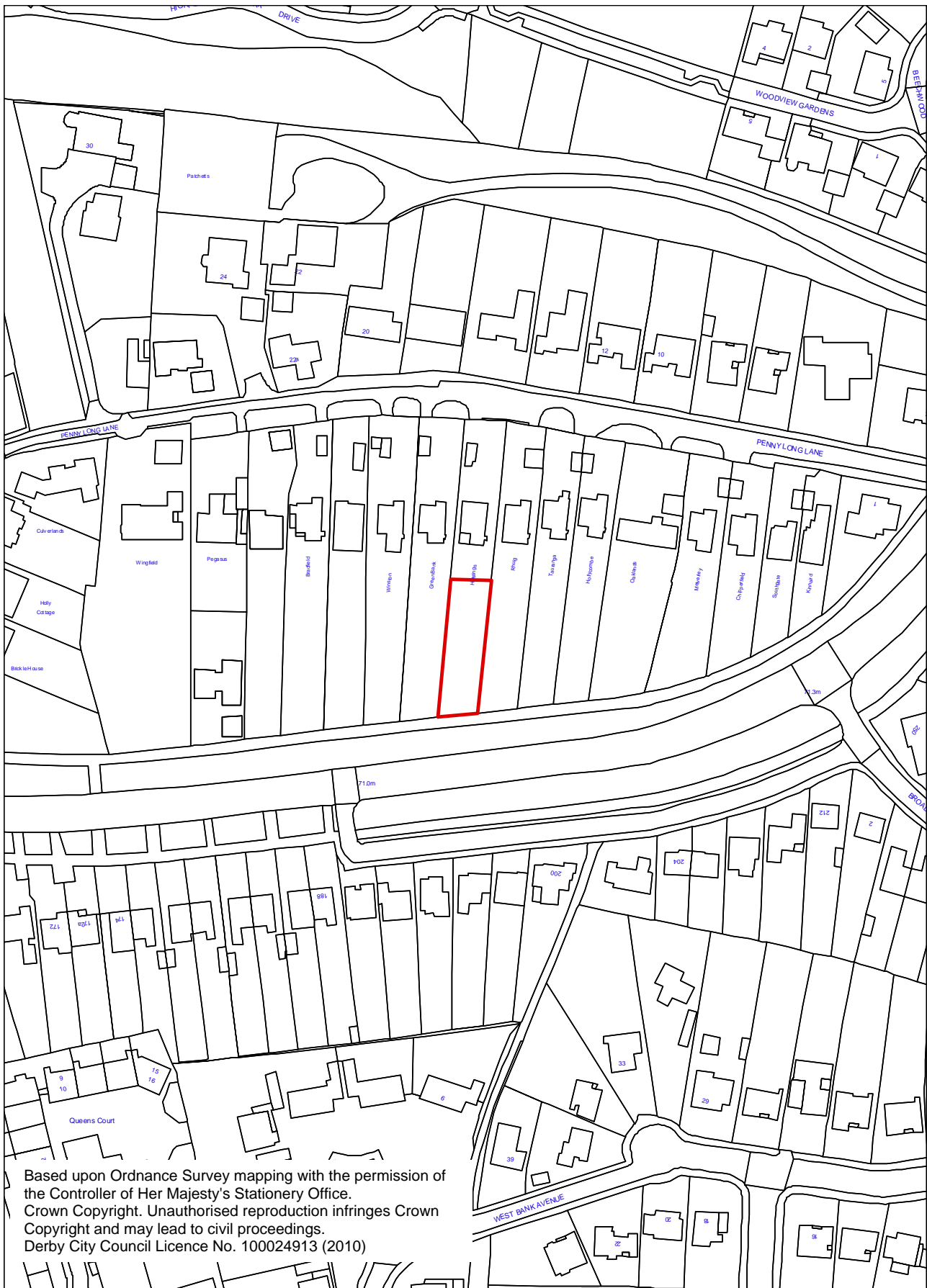
11.6. Application timescale:

The statutory 8 week period for this application expires on 26 November 2010 and the application is brought before Committee due to the receipt of objections.

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Type: Full

1. **Address:** The Council House , Corporation Street

2. **Proposal:**

Refurbishment, alteration and extension to Council House to provide enclosed internal courtyard, new council chamber, one-stop shop, extended office space, glazed public and staff entrances. Alterations to car park and formation of steps and access ramp to public entrance

3. **Description:**

This application seeks to utilise the fabric of this locally listed building and adapt it to meet the needs of the 21st Century. The following four aims are core to the proposal:

1. to provide high quality office accommodation for 1325 people
2. to provide space for public facing customer services centre
3. to accommodate Council chamber and Members accommodation
4. to develop a strategy for an energy efficient building

Originally designed by Charles Aslin in 1937, the building was not completed until the 1950's. Although not part of the original scheme the council chamber was also designed and constructed in the 1950's. Another change as a result of the interruption of the war was the use of simple Crittal windows rather than timber sash windows, and cut back on detailing in the interior decoration. In addition the building has been adapted over the years particularly within the central courtyard where poor quality extensions are evident.

Externally the building is horizontal by nature but the window proportions, which are generally sash type, give the building its vertical emphasis. The existing windows are single glazed, painted steel casement windows mounted within painted timber sub-frames. At some point in the buildings history, secondary glazing in timber frames has been installed to the inner face in an attempt to improve the thermal and sound performance of the building. The condition of the existing windows is considered as poor and beyond their serviceable lifespan given that they have been in place for the best part of 50 years or more.

The main entrance to the building is the stone portico located at the junction of three roads and announcing the building to its surroundings – however this is not the main access point for members of the public. That entrance is rather insignificant in comparison with the portico and does create problems with legibility.

The design proposals of this application have evolved in understanding how the building operates and how it will need to operate in the future. The main focus has been to review the user experience of the building after identifying the flows that exist in and around the proposed development. The proposed design retains much of the existing building and adapts the existing internal layouts to create internal space which is legible and offers flexibility for the users.

The external alterations to the building are limited and focus upon:

- the creation of a main entrance to Corporation Street – this would be formed by the removal of 4 vertical sets of windows and would extend to the current stone cornice at eaves level. The edge of the aperture would be edged with matching

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sandstone. It would be enhanced by new steps and a ramp leading to the new main entrance.

- the creation of a staff entrance to the southern façade – utilising the existing archway access
- wholesale replacement of the existing windows using anodised aluminium window units of similar proportions to the current windows. Aluminium windows can achieve the majority of the criterion set from a performance and design perspective.

Within the building the strategy to remove the existing council chamber is based upon the following issues:

1. there are significant Disability Discrimination Act (DDA) issues that prevent the chamber being easily used by those with reduced mobility
2. the structure supporting the chamber restricts the use of the space below and above it
3. the location of the chamber makes it almost invisible to other users of the building
4. the layout of the chamber does not allow the space to be used flexibly and limits its functionality

The proposals seek to reinstate the courtyard in a more contemporary format with accommodation set within a three storey atrium; this will create a central space in line with Aslin's vision for a central amenity area. Located here would be a café, a public facing office and break out space at two levels. It would be glazed at roof level to create a three storey atrium to bring light and ventilation into the heart of the building.

The internal alterations aim to unify the interior of the building and make internal circulation much clearer than at present. The building would also provide new accommodation at roof level concealed by the existing roof pitch to limit the impact on the appearance and setting of the building.

It is anticipated that by application of a lean efficient building design combined with a high proportion of low carbon measures the development will deliver an energy performance certificate 'A' rating and a BREEAM 'Excellent' rating.

As Members may be aware the building is located adjacent to, but not within, the World Heritage buffer, the City centre conservation area and the City centre archaeological alert area. The adjoining River Derwent is itself a nature conservation area and the land between it and the building identified as an existing public open space.

The proposal seeks to provide 58 cycle spaces, 35 car parking spaces, 3 disabled spaces and space for motor cycles in the remodelled car park to the south of the building.

4. Relevant Planning History:

Since its original design there have been several minor alterations to the building but non relevant to this particular application

5. Implications of Proposal:

5.1. Design and Community Safety:

The Council House is our flagship and key regenerative building for the river and city centre, and it is important therefore that we encourage creativity and innovation in a development that aspires to Derby's future heritage. As with any other development in the city public art should be a component within this building that will set a high quality precedent. In this respect there have already been ideas raised that allow for something at the main entrance regarding glazing. There may also be opportunities internally in the building that have not yet been raised.

At the front of the pedestrian entrance there is a very good opportunity to create a piazza style public realm which could be explored in the wider public realm exercise. There is a clear pedestrian route to the river from the entrance to the car park, and I feel that the opportunity creates a much needed link and permeability through to the river from the city centre in line with the Public Realm Strategy East-West links.

5.2. Highways – Development Control:

The re-development of the Council House (CH) will create an additional 669 work stations on site taking the total from 656 to 1325. The additional work stations will result in an increase in the total gross floor area of approx 3700sqm. Under the 'Derby work style' proposals these work stations represent approx 74% provision of desks, serving 1783 FTE staff (at current staff levels).

The CH car park currently has 66 spaces; this will be reduced to 38 spaces as a consequence of the development. Currently 35 staff have permits to use the CH car park; however following the refurbishment these permits will no longer be valid at the CH. Parking at the CH will be restricted to disabled users, visitors and council members. Therefore traffic generation at the CH is likely to reduce as a consequence of the re-development.

Impact of the City Network

The staff relocating to the CH, predominately work in offices located inside the Inner Ring Road. Therefore the trips associated with staff travelling to work already exist on the City centre network. Connecting Derby (CD) will be complete before the CH re-opens consequently the trip patterns within the Ring Road will have changed dramatically as a consequence of the measures to prevent through traffic in the City centre. The changes to travel patterns resulting from CD have been modelled as part of the justification of the road scheme. The model would have included council staff travel to work trips. Therefore with a net decrease in dedicated parking for staff and the location of the public car parks available to staff staying substantially the same there is no requirement to undertake any additional traffic impact assessment work as a consequence of the redevelopment of the CH.

Some Council staff are provided with permits which allows them to park in allocated car parks. The relocation of approx 1800 staff into a single office will mean that the car parks closest to the CH will become more popular and will fill up first. It is therefore likely that Darwin Place and Chapel Street will see a

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significant increased usage and initially there could be some congestion at these locations, until a regular pattern of arrivals and departures is established. Although the level of congestion will depend on the number of passes that are issued for each of these car parks. The remainder of the car parks available to staff i.e. Abbey Street East, Little City and Wilmot Street are likely to be used by staff that start and finish work later. However, these car parks are less than 15 mins walk from the CH and therefore lie within the average walk journey of 0.6 mile (960m) as defined by the Chartered Institute for Highway and Transport's document '*Providing for Journeys on Foot*'. It is likely that with a net decrease in parking spaces available to staff there could be some pressure for parking spaces and the whole issue of staff parking strategy will need to be reviewed through the travel plan process.

Some staff already travel to work by non car modes and in terms of travel by public transport the CH is well located to the new bus station. However some staff travelling longer distances have no option than to travel to work by car and with a net decrease in the number of parking spaces available, may seek to park on street.

The Chartered Institute for Highway and Transport's document '*Providing for Journeys on Foot*' says that 80% of walk journeys and walk stages in urban areas are less than one mile (approx 1600m). Within 1600m of the CH the vast majority of the roads are already protected by parking restrictions. However, some areas to the north and east of the City which lie within the 1600m or 20 minute walk journey and are not currently protected by parking controls. These areas will need to be monitored and where appropriate additional parking controls considered. However the overall number of staff within the City Centre is not set to increase and in fact is likely to decrease as a consequence of spending cuts. Therefore the likelihood of a significant widespread increase in on-street parking is unlikely. It is suggested that funding should be made available to enable monitoring of the vulnerable streets and to fund any remedial action i.e. consultation and additional parking restrictions to be undertaken should they prove necessary.

Travel Plan

It is important that the travel plan for the new building is state of the art and sets an example to other potential developers in Derby. A framework (outline) travel plan has been submitted with the application suggesting a number of measures that could be implemented i.e. extensive provision for cyclists, provision of a travel plan co-ordinator, staff surveys, car sharing etc. These ideas will need to be discussed, developed and agreed prior to the new building becoming operational.

Recommendation

No Highway objection subject to the following conditions:

1. Prior to the refurbished Council House becoming fully operational, detailed travel plan measures in the form of a travel plan action plan including initial targets designed to maximise the use of sustainable modes of travel by all users of the building shall be submitted to and approved in writing by the LPA.

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2. Development shall not become operational unless or until the following have been provided in accordance with details submitted to and approved by the LPA:-
 - a) The level and location of secure, covered cycle storage, including changing facilities, showers, lockers and cycle access, including how the cycle parking at the CH will link to the surrounding cycle network;
 - b) a car parking layout, including the level of provision for disabled drivers;
 - c) a method statement showing how the building is to be serviced including how service vehicles are to be accommodated.
 - d) pedestrian facilities to access the Council House.

Note to Applicant – a suitable travel plan action plan can often take some time to produce, it is therefore suggested that work on this element of the development begins as soon as possible.

Highways – Land Drainage:

No objections provided the development is carried out in accordance with the submitted Flood Risk Assessment.

5.3. Disabled People's Access:

The Council's Disabled People's Diversity Forum are generally supportive of the proposals. They were however concerned about the lack of any disabled people's parking detail, which will be essential to ensure the building is accessible to our disabled customers.

Means of escape issues from the first floor meeting rooms was raised as a concern and further discussions with the project architects will be required to resolve this. A number of very detailed design issues and concerns were raised and a further meeting will be held to explore further and resolve them.

I am however confident that the proposals will following further detailed discussions with disabled people deliver a DDA compliant building, and one that will be fully accessible to disabled people.

6. Publicity:

Neighbour Notification Letter	14	Site Notice	
Statutory Press Advert and Site Notice	Yes	Discretionary Press Advert and Site Notice	
Other			

This publicity is in accordance with statutory requirements and the requirements of the Council's adopted Statement of Community Involvement.

7. Representations:

I have received 3 letters of objection to the proposal raising the following points:

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- This scheme is not economically viable at this time, there more important things that need the money spending on in preference to this refurbishment
- It will completely and unnecessarily destroy the design of the original Aslin building both inside and outside
- That the information submitted in support of the application is incomplete and therefore does not properly reflect the scope of the work - a structural appraisal, subsidence assessment, boilers in the basement with the risk of flooding described in the Flood Risk Assessment.
- Designs submitted for planning approval will not be realisable and / or that costs will far exceed the budget allowance
- The full height glazing destroys the essential rhythm and coherence of the Corporation St elevation which is the principal elevation - there is sufficient light available for this full height glazing to be omitted and additional access at ground floor level can be developed within the existing elevation
- Access for goods and materials particularly bulky items or kitchen waste has not been properly considered
- More specific detailing of sustainability items must be presented such as photo-electric power generation and details of how rainwater harvesting will be achieved
- The biomass boiler will add nitrogen dioxide in the City centre close to an Air Quality Management Area
- The extra 200 staff commuting will further increase nitrogen dioxide levels
- Placing those 200 people into flood Zone 3 is dangerous and unnecessary.
- Precautionary principles should be implemented
- Contrary to GD3 flooding and E12 pollution control policies
- There are far better ways to spend the money

These representations have been reproduced in this report

8. Consultations:

8.1. Conservation Area Advisory Committee:

The Committee objected to, and recommended refusal of, the application on the grounds that the proposed Corporation Street alterations to the public entrance to the building to provide a full height glazed section would have a disastrous effect on the appearance of the architecturally unified elevation of this important locally listed building on the edge of the City Centre Conservation Area. Members felt that alternative approaches to making the entrance more legible could be explored that would be less visually damaging. The statement that the design approach treated this element as a 'window on democracy' was not considered by members to be an acceptable justification. The Committee did, however, welcome the refurbishment and reuse of the building and raised no objection in principle to the associated alterations, including the replacement windows and rainwater goods.

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The Chair of CAAC has subsequently reviewed the amended plans and supplementary information that looked at options for the Corporation Street elevation. On behalf of the Committee he has expressed a preference for option 2 (creating a series of 4 doors into the building by utilising the existing window openings into the façade to Corporation Street) with a stone frame around each opening. This would help to preserve the fine brickwork on this elevation. The applicant had dismissed this option as the elongated openings would create a rather odd and imbalanced aesthetic as each of the entrance doors would be single doorway limiting forward visibility and closing down the elevation and limiting visual permeability. However the Chair felt that such permeability was a matter of opinion and that small doorways would give a better sense of arrival once through them. Between the doorways could be the City coat of arms in cut out metal. Another option could be a light glazed roof, with the coat of arms on the leading edge, over the doorways would announce the entrance. However he considered that retaining the brickwork would maintain the elevation and the retained upper windows would offer permeability and increase circulation space behind.

8.2. Chief Executive's Office - Climate Change and Energy Management Unit:

On behalf of the Derby Bike Users Group (DeBUG) have commented, following a staff survey, and make the following specific recommendations:

- DeBUG are formally consulted on any plans regarding the provision of facilities for cyclists within the new Council House
- The views expressed by staff are taken into account within the development of facilities for the Council House and during the decant, specifically:
 - 1 Provision for secure storage for at least 50 cycles to be made in the new Council House.
 - 2 Changing and showering facilities to be provided in the new Council House.
 - 3 Secure lockers/equipment storage be provided for at least 50 cyclists in the new Council House
- Provide cycle safety training and maintenance to encourage more staff to travel by bicycle.

8.3. Derbyshire County Council Archaeologist:

Original comments focused upon the heritage information requirements of PPS5, relating in particular to the lack of a clear assessment of external/internal significance, and a detailed schedule and assessment of proposed impacts. The applicant has now provided a Historic Appraisal and Impact Study relating to the proposals. The document includes a detailed appraisal of the existing building, including a room-by-room assessment, and a detailed schedule of the proposed external and internal impacts, including clear exposition of the decision-making process relating to the proposed new entrance and to the retention of historic fabric. This document now fully meets the information requirements of PPS5 Policy HE6.

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The proposals aim to conserve the historic and architectural significance of the building while providing a more viable space for the City Council and general public. The significance of the building lies primarily in its external elevations and in certain internal spaces identified as being of architectural importance. While this significance is for the most part conserved, there is clearly some loss implied in the proposals, with removal of a portion of external fabric to create the Corporation Street entrance and major internal re-ordering to include removal of the council chamber. The internal legibility of the building in relation to its evolution as an example of civic architecture between the 1930s and 1950s will to a considerable extent be lost.

Should the City Council feel on balance that this relatively minor loss of significance is justified by the benefits of the scheme, then PPS5 Policy HE12.3 suggests that conditions should be attached to any planning permission, to secure recording of those aspects of the heritage asset to be lost. Recording should take the form of a historic building record, to English Heritage standards leading to a report on the historic building to be lodged with the Derbyshire HER, and a building archive to be deposited with Derby Museum, as a pre-conversion record of the Council House building.

The following condition should therefore be attached to any planning permission:

"No development shall take place until a Written Scheme of Investigation for historic building recording has been submitted to and approved by the local planning authority in writing, until the historic building recording has been completed to the written satisfaction of the local planning authority, and until the provision to be made for reporting, publication and dissemination of results and archive deposition has been secured. The Written Scheme of Investigation shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording
2. Provision to be made for reporting, publication and dissemination of the analysis and records of the site investigation
3. Provision to be made for archive deposition of the analysis and records of the site investigation
4. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation"

Historic building recording must be carried out by a suitably qualified and experienced historic buildings archaeologist/architect. The development control archaeologist should be contacted in the first instance for a written brief from which the WSI may be developed.

8.4. Environment Agency:

Note that the proposal will only be acceptable if planning conditions are imposed to cover:

- a) A surface water drainage scheme for the site

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b) A scheme to deal with the risks of contamination on site

8.5. Derbyshire Wildlife Trust:

Note that no signs of bat activity were found during the internal and external inspection and that it was concluded that there was limited potential to support roosting bats. Subsequently nocturnal surveys were carried out on 26 and 27 August 2010 by four suitably experienced surveyors. No bats were recorded emerging from or returning to any of the sections of the building.

We advise the Council that the survey work which has been undertaken for bats was carried out at an appropriate time of year by experienced surveyors in accordance with best practice standards. As no bats were recorded in association with the building, we advise the Council that bats should not pose a constraint to the proposed development.

We support the recommendation provided in 4.3 of the report for the introduction of features suitable for roosting bats into the new roof structure of the building to provide habitat enhancement opportunities.

8.6. Police Liaison Officer:

Generally content with this application and the information within the Design and Access Statement.

8.7. English Heritage:

Overall we welcome the decision of the City Council to retain and invest in the Council House. We would suggest that the significance of the Council House should be clarified within the application and that such an understanding of significance will be essential to your authority's assessment of the proposals. We would suggest that elements of the proposals would benefit from additional justification informed by such an assessment of significance, indicating specific examples where reconsideration may be appropriate

Both PPS 5 and our own *Conservation Principles* and *Managing Local Authority Heritage Assets* place much emphasis on the importance of thoroughly assessing the significance of any heritage asset (designated or otherwise) as a foundation for developing proposals which are compatible with the preservation of that assets significance. It is essential to the credibility of local planning authorities as stewards of the historic environment that they set an example of best practice when managing their own historic estate (*Managing Local Authority Heritage Assets*, page 7). Ensuring that the current proposals are based upon a thorough understanding of the significance of the Council House is thus important.

The current application acknowledges the quality of the external architecture in the Design and Access Statement and states that 'it has been determined that the internal space should be made as efficient as possible retaining the elements that give the building its sense of quality and status.' This stated aim is useful in informing your authority's assessment of the proposals, as are the principles and policies laid out in the various published documents referenced above. The interventions proposed involve significant change to the original fabric and plan form of the Council House thus, in determining this application your authority should ensure that the significance of all elements affected is

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clearly identified as is the reasoning for the changes. Whilst the Design and Access statement makes some comments upon the quality of the Council House it lacks a thorough assessment of the significance of the building, which is needed. The Design and Access statement records that options for the retention of parts of the existing building were evaluated against a criterion of benefit, cost, value for money, efficiency and quality of eventual space. Government guidance indicates that an assessment of impact on significance should form part of that evaluation process. For example the architectural quality of the council chamber and its fittings is mentioned within the Design and Access statement; however its significance is not firmly identified nor is the decision to remove it thus clearly justified.

These general principles will inform your authority's assessment of the proposals thus we do not believe it is necessary for English Heritage to provide detailed advice on each element of the proposals. However we hope the following specific points are of assistance to you authority in further refining the application and thus determining it:

- The creation of a large glazed element in the Corporation Street façade is justified in the Design and Access statement on the grounds of improving legibility for the entrance here. This intervention will have a significant impact on the original architecture of this elevation - all the outward facing elevations were clearly designed to be seen. This elevation is also of particular importance in terms of the setting of the adjacent conservation area, the boundary of which it faces. There are many ways to improve the legibility of an existing entrance, with the removal of a full height three bay section of the external wall perhaps at one extreme. We would suggest that your authority reconsiders the justification for this intervention and a range of options that would be available to address the perceived problem of legibility with this entrance.
- The application does not appear to contain details of the replacement windows, or a detailed justification for the replacement of the original windows. I believe this is an important element of the scheme into which your conservation team have had input - the application would benefit from additional information explaining this.
- On a further matter of detail the Design and Access Statement notes that the main Art Deco staircase will require reconfiguration. This staircase is an important and highly decorative internal feature which clearly makes a contribution to the significance of the building. Details of these works should thus be discussed and agreed with your conservation team before implementation.

Recommendation

English Heritage welcomes the decision to retain the Council House in use as the civic and functional centre for the City Council. In determining the application we are confident that your authority will address Government guidance in PPS 5 which states that the preservation of locally important heritage assets and their settings is a material consideration in the planning process. In setting an example of best practice your authority should be

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satisfied that the significance of the Council House, and in particular those elements affected by the proposals, has been correctly and clearly identified. This will be essential in allowing your authority to assess the impact of this application and to be assured that the scheme is compatible with the preservation of that significance. Where the significance of the building will be damaged your authority will need to carefully consider the wider public benefits justifying such an intervention.

We hope that the general issues raised above will assist your authority in determining this application. We have also indicated some specific issues which we believe would benefit from more detailed reconsideration. It is not necessary to consult us again on this application.

9. Summary of policies most relevant: *Saved CDLPR policies / associated guidance.*

GD1	Social inclusion
GD2	Protection of the environment
GD3	Flood protection
GD4	Design and the urban environment
GD5	Amenity
CC1	City Centre strategy
EP10	Major office development
E4	Nature conservation
E7	Protection of habitats
E10	Renewable energy
E12	Pollution
E13	Contaminated land
E17	Landscaping schemes
E18	Conservation areas
E19	Listed buildings and buildings of local importance
E20	Uses within buildings of architectural or historic importance
E21	Archaeology
E23	Design
E24	Community safety
E27	Environmental art
E29	Protection of World Heritage site and its surroundings
L1	Protection of parks and public open space
T1	Transport implications
T4	Access, parking and servicing
T6	Provision for pedestrians
T7	Provision for cyclists
T10	Access for disabled people

PPS5 Planning for the Historic Environment and PPS25 Development and Flood Risk are both also relevant

The above is a summary of the policies and guidance that are relevant. Members should refer to their copy of the CDLPR for the full version or the department prior to the meeting.

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10. Officer Opinion:

The Council House has been identified by the local planning authority as a locally listed building, and therefore is considered to be a heritage asset in accordance with Annex 2 of PPS5. Policy HE8.1 of PPS5 states that *'the effect of an application on the significance of such a heritage asset is a material consideration in determining the application.'* Paragraph 83 in the accompanying Practice Guide states that *'the desirability of conserving [non-designated heritage assets] and the contribution their setting may make to their significance is a material consideration, but individually less of a priority than for designated assets or their equivalents.'*

A Historic Appraisal Document has now been submitted and describes the relative significance of the Council House as a heritage asset and how research has been undertaken to appropriately identify this. Detailed analyses of each room with elements of historic significance have been carried out and a photographic survey of those items to be kept and reused. The information provided allows the local authority to understand the impact of the proposal on the significance of the asset. Some of the spaces are of poor quality due to original design and lack of space for adaptable office working and larger communal spaces for ease of public access and legibility. For these reasons, the proposed alterations are, on balance, acceptable in order to ensure the long term use of the building. This is a good and thorough assessment of the spaces within the building and their relative importance and therefore contribution towards the significance of the heritage asset. The application therefore meets the requirements of Policies HE6.1 and HE6.2 of PPS5.

I would concur with the views of English Heritage where it welcomes the decision to retain the Council House in use as the civic and functional centre for the City Council. As a result of the initial comments received, particularly from English Heritage, the further additional and robust assessment has been undertaken.

Although the internal alterations will be changing the original plan form of the building, and the later addition of the Council Chamber is to be taken down and a new structure central to what would have been an open courtyard added. These alterations have been designed to minimise conflict between the significance of the heritage asset and the aims of the proposals.

The approach of a clearly modern intervention is also supported in principle, provided that all additions are of a quality that sustains the significance of the locally listed building (brick built with stone detailing and Westmoreland slate roof).

The most significant part of this proposal viewable from a wider area is the creation of a main entrance to Corporation Street. In acknowledgement of the objection raised by CAAC the architect has produced a strategy for reviewing options for this façade.

The decision to use the entrance from Corporation Street is suggested to be a deliberate move to face the entrance towards the City Centre and help preserve the portico entrance as a historic element. The designs for the refurbishment of the council house have taken into consideration the retention of the Portico entrance as a point of entry for special occasions.

With the increase in footfall anticipated to be at least 5 fold the existing pair of double doors and low key entrance requires attention. There would also need to be a requisite increase in lobby and circulation space once inside the building. Legibility of

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this entrance is poor, especially for the new visitor. The new entrance needs to convey a sense of grandeur without attempting to overshadow the portico. Five options have been worked through to arrive at the current proposal. Each incarnation seeking to improve upon its predecessor whilst giving definition to the entry location. The proposal, option 5, places the entrance into the centre of the Corporation Street façade. This helps to maintain the symmetry of the façade and the simple nature of the aperture is kept in line with the elevation. Along side the centralisation of the window the existing entrance canopy to the current main entrance doors is removed and replaced to match the feature window to right hand side of the elevation.

The option creates a more balanced view of the building from Corporation Street and better views from the City Centre; the aperture also provides the opportunity to allow views into the building helping to connect internal and external functions. The use of sandstone to line the aperture and the vertical proportions of the new glazing accord with the deco principles and the glazing provides a great canvas for an appropriate civic art work. I support in principle a clearly contemporary addition to the building to overcome original design flaws - to make entrances more legible.

Option five has been substituted for the submitted scheme as it addresses the concerns about the symmetry of the building and does not dominate the portico structure as some of the other options appear to. In addition this option is somewhat smaller than option four and provides an opportunity to introduce the Derby coat of arms, a bespoke clock or other such art work which could follow the deco theme of the building.

I agree that the existing windows are in a poor condition, as described in the justification statement, with all elements, including the timber sub frame, requiring repair which would mean removal of all of the frames. Part of this justification is the aim to provide an exemplar retro-fit scheme for upgrading the energy performance of the building. Thermal performance of the windows therefore needs to be greater than the requirements in Part L of the Building Regulations. It is accepted that this cannot be done without replacing the windows and that this is part of the overall programme to reduce the whole-life energy costs by reusing this historic building, with its embodied energy, and taking every opportunity with its built form to make it more efficient.

Policy HE1.3 PPS5 states that the public benefit of mitigating the effects of climate change should be weighed against any harm to the significance of heritage assets, where this harm is unavoidable. It has been demonstrated that replacement of the windows is necessary to achieve the energy performance required. In weighing up the benefits versus the disbenefits of the proposed window replacement, the windows cumulatively contribute towards the significance of the building, but I accept that the original plans included vertical sliding sash timber windows, judging by the proportions of the openings, which would have better complemented the neo-Georgian architecture of the building, and that therefore the role of the existing windows in the significance of the building is lesser than it would have been if vertical timber sliding sash windows were fitted. I would however suggest that the precise details of the replacement windows be the subject of a condition.

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In conclusion the initial observations from consultees have been taken on board and we now have a much more robust proposal. The two major changes to the external appearance of the building have been fully considered and I would support the solutions suggested. Internally the changes have been designed to minimise the conflict with the historic asset. I therefore recommend that planning permission be granted for the amended proposal.

11. Recommended decision and summary of reasons:

11.1. To grant planning permission with conditions.

11.2. Summary of reasons: The proposal has been considered in relation to the provisions of the adopted City of Derby Local Plan Review and all other material considerations as indicated in Part 9 of this report and it is considered that the proposed development to this locally listed building is acceptable in terms of design, impact on the street scene, impact on the heritage asset and in terms of highway safety and parking provision.

11.3. Conditions:

1. Standard condition 100 (approved plans)
2. Standard condition 03 (time limit)
3. Standard condition 27 (external materials)
4. Prior to the refurbished Council House becoming fully operational, detailed travel plan measures in the form of a travel plan action plan including initial targets designed to maximise the use of sustainable modes of travel by all users of the building shall be submitted to and approved in writing by the Local Planning Authority.
5. Development shall not become operational unless or until the following have been provided in accordance with details submitted to and approved by the Local Planning Authority:-
 - a) The level and location of secure, covered cycle storage, including changing facilities, showers, lockers and cycle access, including how the cycle parking at the Council House will link to the surrounding cycle network;
 - b) a car parking layout, including the level of provision for disabled drivers;
 - c) a method statement showing how the building is to be serviced including how service vehicles are to be accommodated.
 - d) pedestrian facilities to access the Council House.
6. No development shall take place until a Written Scheme of Investigation for historic building recording has been submitted to and approved by the local planning authority in writing, until the historic building recording has been completed to the written satisfaction of the local planning authority, and until the provision to be made for reporting, publication and dissemination of results and archive deposition has been secured. The

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Written Scheme of Investigation shall include an assessment of significance and research questions; and

- a) The programme and methodology of site investigation and recording
 - b) Provision to be made for reporting, publication and dissemination of the analysis and records of the site investigation
 - c) Provision to be made for archive deposition of the analysis and records of the site investigation, to be deposited in the Derbyshire Historic Environment Record and the Derby Local Studies Library.
 - d) Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation Standard condition
7. Details the provision of suitable roosting areas, such as bat boxes, in the local area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in its entirety.
8. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.
9. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
- a) A preliminary risk assessment which has identified:
 1. all previous uses
 2. potential contaminants associated with those uses
 3. a conceptual model of the site indicating sources, pathways and receptors
 4. potentially unacceptable risks arising from contamination at the site.
 - b) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy

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giving full details of the remediation measures required and how they are to be undertaken.

- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

10. Before development commences detailed section drawings of the glazed public entrance shall be submitted to and approved in writing by the Local Planning Authority.
11. Before development commences the reuse of the items recorded in section 6.0 of the Historic Appraisal Document shall be agreed in writing with the Local Planning Authority.
12. Standard condition 20 (landscaping scheme).
13. Standard condition 23 (landscaping implementation)
14. Before development commences details and materials of the new ramp and railings to be agreed in writing with the Local Planning Authority.
15. Before development commences details of the type and colour finish of replacement windows to be agreed in writing with the Local Planning Authority
16. Before development commences details of the type and colour finish of replacement rainwater goods shall be agreed in writing with the Local Planning Authority
17. Before development commences detailed specification of any works required to modify the rooms graded as 1A, 1B, 2A and 2B in the Historic Appraisal and Impact Study to be submitted and agreed in writing with the Local Planning Authority
18. Before development commences details of the colour of glazing for the new curtain wall shall be agreed in writing with the Local Planning Authority
19. Before development commences illumination details shall be agreed in writing with the Local Planning Authority

Reasons:

1. Standard reason E04
2. Standard reason E56
3. Standard reason E14....policies GD4, E18, E19, E23
4. Standard reason E47....policies T1, T4, T6, T7, T10
5. Standard reason E35....policies T1, T4, T6, T7, T10

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6. In accordance with Policy HE12.3 of PPS5, the Historic Appraisal and Impact Study Standard and policies E19 and E20
7. In accordance with the recommendations of the Bat Survey Report and wildlife preservation generallypolicies E4 and E7
8. Standard reason E21....policy GD3
9. Standard reason E49....policy E13
10. No such details were submitted and to enable the Local Planning Authority to exercise control of the development at this historic asset....policies GD4, E18, E19, E23
11. To enable the Local Planning Authority to exercise control of the development at this historic asset....policies GD4, E18, E19, E23
12. Standard reason E10...policy E17
13. Standard reason E10...policy E17
14. No such details were submitted and to enable the Local Planning Authority to exercise control of the development at this historic asset....policies GD4, E18, E19, E23
15. No such details were submitted and to enable the Local Planning Authority to exercise control of the development at this historic asset....policies GD4, E18, E19, E23
16. No such details were submitted and to enable the Local Planning Authority to exercise control of the development at this historic asset....policies GD4, E18, E19, E23
17. No such details were submitted and to enable the Local Planning Authority to exercise control of the development at this historic asset....policies GD4, E18, E19, E23
18. No such details were submitted and to enable the Local Planning Authority to exercise control of the development at this historic asset....policies GD4, E18, E19, E23
19. No such details were submitted and to enable the Local Planning Authority to exercise control of the development at this historic asset....policies GD4, E18, E19, E23

11.3. Informative Notes:

A suitable travel plan action plan can often take some time to produce, it is therefore suggested that work on this element of the development begins as soon as possible

Historic building recording must be carried out by a suitably qualified and experienced historic buildings archaeologist/architect. The development control archaeologist should be contacted in the first instance for a written brief from which the WSI may be developed.

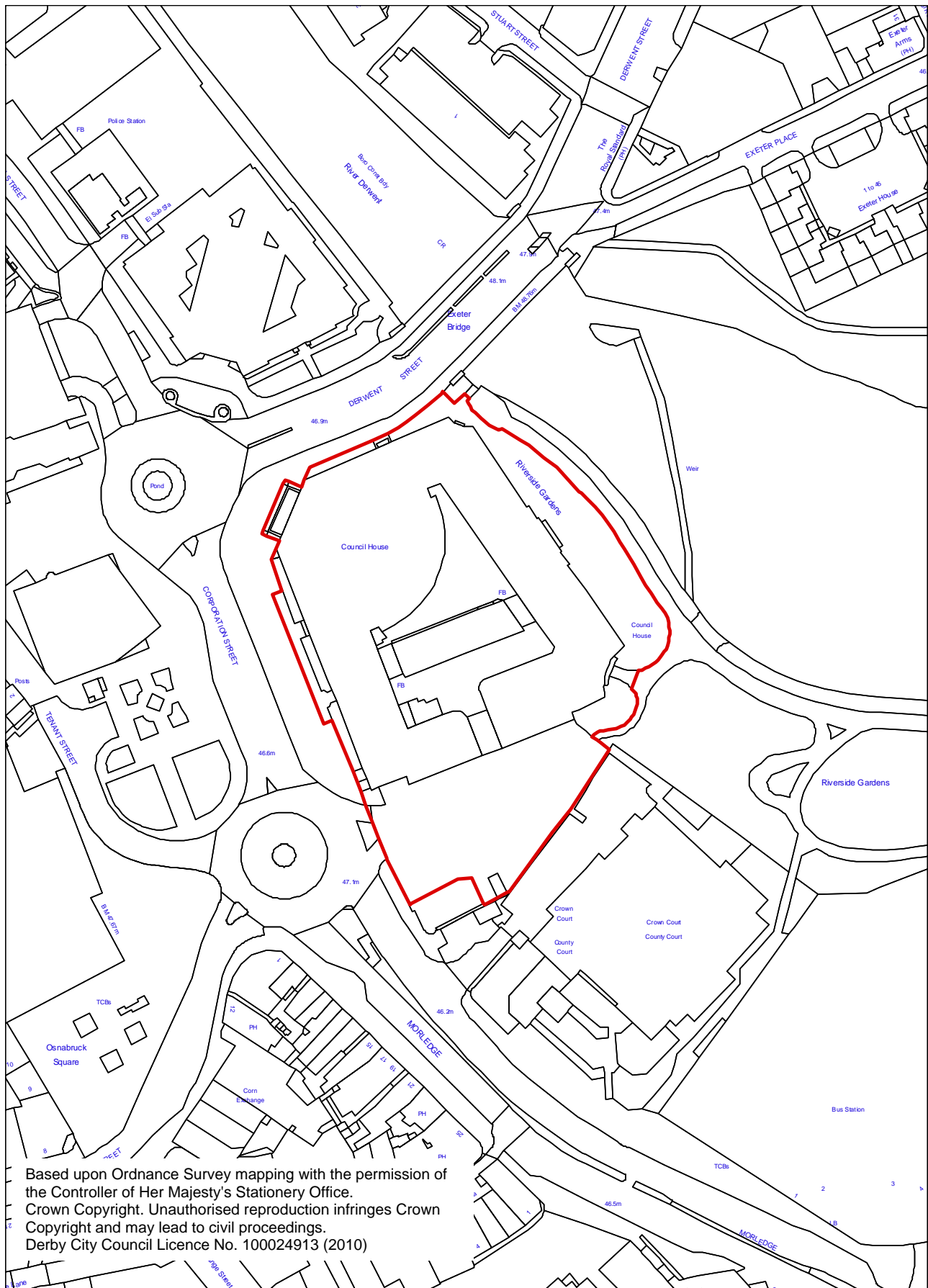
11.4. Application timescale:

The application time scale expires on 7 December

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Enclosure

Mr A Dunn
31 Haig Street
Alvaston
Derby DE24 8RJ

For the attention of:-

Planning Control Dept
Derby City Council
Roman House
Friargate
Derby

Application 08/10/01046 Council House, Derby

Dear Sir,

I formally wish to object to the planning proposal listed above for the following reasons:-

- This scheme is not economically viable at this time, there are for more important things that need the money spending on in preference to this refurbishment.
- It will completely and unnessasly destroy the design of the original Aslin building both inside and outside.

Yours sincerely

Tony Dunn

05th October 2010

Enclosure

Sent: 08 November 2010 13:35
To: DevelopmentControl
Subject: Council House 08/10/01046

Dear Sir

I object to this application as submitted on the grounds that:

1. The information submitted in support of the application is incomplete and therefore does not properly reflect the scope of the work that may be incurred. Brief comments are given in the following:

1.1 In carrying out major modification of an existing building, particularly one some 70 years old, an assessment of the ability of the existing structure to accommodate the proposed alterations is essential.

There is nothing in the submission indicating that such an appraisal has been made.

1.2 For some years now comments on the possibility of refurbishing the Council House have been accompanied by statements that the east (Derwent River) elevation was settling and would need underpinning or similar. This is also obvious from the cracking of walls within the building.

There is nothing in the submission indicating that this problem does exist and if it does whether any action is proposed and how this would be integrated within the existing structure.

1.3 It is well known that the basement of the Council House floods. The Flood Risk Assessment (F.R.A.) by Curtins Consulting para 5.2.4 indicates that the ground water level is approximately 1.50m below ground level and that with high water levels in the Derwent or Markeaton Brook Culvert that the sewers could surcharge and flood through gullies and manholes connected to the system (Curtins F.R.A. 6.1.7). Curtins do not indicate whether their assessment of the flood risk includes the increased flows now required to accommodate global warming. Curtins therefore advise on various precautions that should be taken in Section 6.0 of the F.R.A. These include evacuation of the building in the event of a 1 in 10 year flood warning (6.2.13), the basement being for 'sacrificial use' e.g. changing areas (6.2.8) and that a pumping system be installed to drain the basement in the event of flooding amongst other precautions. *It is not comprehended why Corstophine and Wright dg no 110367-2001 Proposed Basement Plan shows the boilers in the basement with the risk of flooding described by Curtins.*

1.4 Conclusions - the concern as always with a proposal that does not fully consider the existing conditions and risks that might be incurred is that the designs submitted for planning approval will not be realisable and / or that costs will far exceed the budget allowance. Whilst it may be argued that cost is not a planning issue it is of concern to me as a local tax payer.

2. With regard to the aesthetics of the proposal there has to be major concern with regard to the juxtaposition of the existing entrance on Corporation Street and the full height glazing it is proposed to introduce (incidentally it does cause concern when the Architect does not correctly annotate the elevations - Corporation St is the west or possibly the south west elevation NOT the south elevation and all the other elevation descriptions are likewise out of line).

The full height glazing destroys the essential rhythm and coherence of the Corporation St elevation which is the principal elevation - there is sufficient light

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available for this full height glazing to be omitted and additional access at ground floor level can be developed within the existing elevation.

3. Access and waste disposal

3.1 The only access for bulk item movement in and out of the building appears to be the Staff Entrance. This would include deliveries to the kitchen and removal of waste. The kitchen is adjacent to Derwent St and the waste bins are near the Staff Entrance so this means transporting through the entire length of the ground floor. Access through the basement is not possible with the present design and there is no lift access shown to the basement presumably because of the flood risk.

There is an indication in Corstophine & Wright's Section 5 Sustainability, para 4.1 that a biomass boiler may be considered. This would require access for tipping loads on a regular basis and storage in the basement - neither of which are possible in the present design.

Access for goods and materials has not been properly considered.

3.2 The waste provisions seem minimalistic for a building of this size. In particular with regard to paper one would expect to see some form of compacting installation. It does not seem practicable to carry waste materials to the bin store from the building across the open car parking area whilst dodging around the HV switch room.

Disposal of waste materials must be reconsidered.

4. Sustainability

4.1 Corstophine & Wright in Section 5 of the Design and Access Statement indicate the use of solar water heating and hydro electric generation from the Derwent. There is no comment on photo-electric power generation.

4.2 The proposed basement plan indicates storage for rainwater harvesting but there is no indication how this will be achieved or how the water will be reused.

More specific detailing of sustainability items must be presented.

Yours faithfully,

P.J.Steer
478 Duffield Rd
Allestree
Derby DE22 2DJ

Enclosure

Sent: 08 November 2010 11:03

To: DevelopmentControl

Subject: Council House 08/10/01046 Cyclamax Appeal Ref SSNJBDH

Dear Sirs

We object to the above development on environmental and planning grounds and enclose unanswered questions regarding the Cyclamax Spondon incineration plant appeal.

Council House

Re the proposed biomass boiler - these add to nitrogen dioxide levels in towns - see enclosed Air Quality

Report by the Parliamentary Audit Committee March 2010.

The Council House is adjacent to an Air Quality Management Area (AQMA) for nitrogen dioxide.

Biomass is already past the point of being sustainably utilised ie we are now burning more than is sustainable.(Ehrlich et al) and adding to carbon dioxide levels which we are supposed to be reducing, as per UK commitments.

An extra 200 people also means extra car traffic and additional nitrogen dioxide emissions, further impacting on the

AQMA.

Placing those 200 people into a floodplain Zone 3 is dangerous and

unnecessary. As there will only be a twenty minute flood warning from the Environment Agency (acknowledged by them during the underground car park inquiry at Edward St) this is highly unsafe.

Insurers will not be able to provide adequate cover.

City of Derby Local Plan (CDLP) Policy GD3 is supposed to protect against flooding and CDLP E12 against polluting and unsustainable development.

Additional surface water run-off cannot be sufficiently dealt with, in addition to the river flooding. There are already problems with surface water run-off in the city. PPG 25 states that the planning system should ensure that new development is safe, does not add to flooding risk and that people are not exposed to that unnecessary flooding risk. Precautionary principles should be implemented. The destruction of part of the river gardens washlands, floodplain and ecosystems through other related development further adds to flood risk, as well as the recent channelling of the river through the city centre. Yet GD3 states that only development of a very modest nature should be allowed in the area.

There are far better ways to spend the money, for example,
- more social housing, especially for the approximately 4000 Derbyshire households who will be made homeless through housing benefit changes

- making the Council House more energy-efficient through better insulation, educating managers and staff regarding

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energy saving, making the building watertight, fixing the roof, moving plant out of the cellar

- moratorium on high carbon developments, such as incineration
- council house cellars made watertight, but allowing river/surface water to flood into them as this may allow people vital minutes to get out of this and nearby buildings.
- doing the same to the Magistrates Court buildings cellars
- refusing such development in floodplain/washlands

We also question why the Council has asked English Heritage for a Certificate of Immunity from listing, if, in the Council's opinion, the Council House is not worth listing

We ask that the application is refused and alternatives implemented.

Incidentally, thank you for the notification received today, of the Cyclamax Spondon Incinerator Inquiry Appeal. Could you let us know why the Appeal Start date is listed as being 22nd October yet objectors have only been officially notified today, nearly 3 weeks later. I have still not received a reply from you regarding the questions of -

1 - Why the Decision Notice took over two months for the Spondon Cyclamax incinerator yet only took a few weeks for the Sinfen Shanks incinerator. I would appreciate a reply, as it has now been nearly a month since I sent this request for information.

2 - The postcode for the Spondon incinerator.

Your assistance would be greatly appreciated

Yours sincerely

D Skrytek

Derby and South Derbyshire Friends of the Earth Co-ordinator
95 Crewe St
Derby DE23 8QQ



DERBY CITY COUNCIL

Derby City Council

Delegated Decisions Made Between 19/08/10 and 03/11/10

Application No	Application Type	Location	Proposal	Decision	Decision Date
03/09/00338/PRI	Advertisement consent	231-233 Uttoxeter New Road, Derby (Londis)	Retention of external lighting to signage	Granted Conditionally	21/09/2010
03/09/00339/PRI	Full Planning Permission	231-233 Uttoxeter New Road, Derby (Londis)	Retention of roller shutters	Granted Conditionally	21/09/2010
03/09/00349/DCC	Full Planning Permission	Land in front of 25 - 39 Stonebroom Walk, Shelton Lock, Derby	Formation of hardstanding to form new car park area	Granted Conditionally	02/11/2010
07/09/00796/PRI	Full Planning Permission	Units 11 and 12, 218 Siddals Road, Derby	Installation of windows and door	Granted Conditionally	18/10/2010
09/09/01095/DCC	Listed Building Consent -alterations	Boiler House adjacent Stables Service Wing, Abbey Yard, Darley Abbey, Derby	Removal of roof tiles, insertion of wall/roof support and provision of plastic corrugated roof	Granted Conditionally	29/09/2010
11/09/01363/PRI	Full Planning Permission	Land rear of 72 and west of 101 and 105 Station Road, Chellaston, Derby	Erection of three bungalows and one dwelling house	Granted Conditionally	13/10/2010
01/10/00036/PRI	Full Planning Permission	Lynton Mill House, Lynton Street, Derby,	Change of use from offices (Use Class A2) to Boxing Club (Use Class D2) on ground and first floor	Granted Conditionally	10/09/2010
01/10/00069/PRI	Outline Planning Permission	Site of 34 - 36 Curzon Lane, Alvaston, Derby (Eastledge Ltd)	Residential Development	Refuse Planning Permission	10/09/2010
01/10/00097/PRI	Full Planning Permission	Rebecca House, Uttoxeter Old Road, Derby	Extensions to flats (lobby, store, canopy and lifts) and internal alterations to bedsits and warden's accommodation to form 10 flats	Granted Conditionally	28/10/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
02/10/00208/DCC	Full Application - Article 4	Derby Central Library and Museum, Wardwick, Derby,	Alterations to Museum and Library (alterations to roof, reglazing and repair of roof lantern, replacement of louvres and frame to dormers in clock roof tower, partial replacement of structural timbers to clock tower, replacement of walkway, ladders and handrails and installation of latchway system to roof	Granted Conditionally	15/09/2010
03/10/00252/PRI	Full Planning Permission	Sunny Hill Service Station, Blagreaves Lane, Littleover, Derby	Continued use of forecourt area as hand car wash and provision of car parking bays	Refuse Planning Permission	24/09/2010
03/10/00254/PRI	Outline Planning Permission	Site of Mackworth College buildings, Prince Charles Avenue, Derby	Residential development, health centre, retention of sports hall and demolition of college buildings	Granted Conditionally	20/10/2010
03/10/00320/PRI	Listed Building Consent -alterations	Prospect House, 27 Park Road, Spondon, Derby	Removal of kitchen window, enlarge opening and installation of wooden doors	Granted Conditionally	07/09/2010
03/10/00351/PRI	Full Application - disabled People	261 Uttoxeter Road, Mickleover, Derby	Extensions to dwelling house (kitchen, lounge, cloaks, staircase, bedroom and bathroom to form annex for dependant relatives) and extension to lounge.	Granted Conditionally	09/09/2010
03/10/00362/PRI	Full Planning Permission	Currys Ltd, Kingsway Retail Park, Derby	Installation of mezzanine floor	Granted Conditionally	05/10/2010
03/10/00379/PRI	Full Planning Permission	Land at side of 10 Waldene Drive, Alvaston, Derby	Erection of bungalow	Granted Conditionally	20/10/2010
03/10/00384/PRI	Full Planning Permission	Land between Holly End Road and 14 Vicarage Road, Mickleover, Derby	Erection of 3 dwelling houses and 4 apartments and associated landscaping and parking areas.	Granted Conditionally	13/10/2010
04/10/00410/PRI	Full Application - Article 4	29 North Street, Derby	Retention of alterations to roof	Refuse Planning Permission	18/10/2010
04/10/00484/PRI	Advertisement consent	119 Osmaston Road, Derby (CJH Solicitors)	Display of 1 non illuminated freestanding sign and 2 externally illuminated fascia signs	Withdrawn Application	24/09/2010
05/10/00541/PRI	Full Planning Permission	11 Moorland Road, Mickleover, Derby	Extension to dwelling house (hall and bay window) and erection of detached garage	Granted Conditionally	20/10/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
05/10/00551/	Non-material amendment	Rolls Royce Marine, Raynesway, Derby	Erection of a new building to provide new manufacturing facilities and associated office accommodation including related hardstandings and service/delivery yard (non-material amendments to previously approved planning permission Code No. DER/06/09/00659)	Granted Conditionally	20/09/2010
05/10/00571/PRI	Full Planning Permission	20 Hodthorpe Close, Oakwood, Derby	Extensions to dwelling (porch and conservatory)	Granted Conditionally	08/09/2010
05/10/00578/PRI	Full Planning Permission	11 Albert Road, Chaddesden, Derby	Extension to dwelling house (utility room and enlargement of kitchen and 2 bedrooms)	Granted Conditionally	19/10/2010
05/10/00582/PRI	Full Planning Permission	2 Gerard Street and 93 Macklin Street, Derby	Alterations to elevations and installation of roller shutters	Granted Conditionally	14/09/2010
05/10/00597/PRI	Full Planning Permission	82 Jackson Avenue, Mickleover, Derby	Extension to dwelling house (lounge, utility, w.c., store, bedroom and en-suite)	Granted Conditionally	28/09/2010
05/10/00603/PRI	Full Planning Permission	Derby Rowing Club, Darley Grove, North Parade, Derby	Extension to rowing club (landing stage)	Granted Conditionally	20/09/2010
05/10/00605/PRI	Full Planning Permission	7 Glebe Rise, Littleover, Derby	Extension to dwelling (garage, pantry, bedroom, en-suite and enlargement of kitchen/dining room and bedroom)	Granted Conditionally	31/08/2010
05/10/00612/PRI	Full Planning Permission	Aspen Court Care Home, Aspen Drive, Spondon, Derby	Alterations to nursing home (porch and refurbishment of conservatory)	Granted Conditionally	23/09/2010
05/10/00613/PRI	Full Planning Permission	89 Prince Charles Avenue, Derby (Local Housing Office)	Change of use from office (Use Class B1) to ground floor retail unit (Use Class A1) with a first and second floor maisonette (Use Class C3)	Granted Conditionally	08/10/2010
05/10/00621/PRI	Full Planning Permission	3 Whitaker Road, Derby (The Coach House)	Extension and alterations to form 2 flats	Refuse Planning Permission	26/10/2010
05/10/00622/PRI	Full Planning Permission	Land adjacent 267 Chellaston Road, Derby (former turning circle)	Change of use to hand car wash	Refuse Planning Permission	19/08/2010
05/10/00630/PRI	Full Planning Permission	Rolls Royce Plc, Wilmore Road, Derby	Extension to Engine Build Factory and associated car parking and servicing areas	Granted Conditionally	31/08/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
05/10/00633/PRI	Full Planning Permission	281 Morley Road, Oakwood, Derby	Erection of garage	Granted Conditionally	20/08/2010
06/10/00638/PRI	Full Planning Permission	Osmaston Park Hotel PH, Osmaston Park Road, Derby	Alterations and extensions including installation of shop front and dormer windows and change of use of first and second floors to offices (Use Class B1)	Refuse Planning Permission	20/08/2010
06/10/00640/PRI	Full Planning Permission	106 Grange Road, Alvaston, Derby	Alterations to dwellings to form two separate dwellings and erection of fence and gates	Granted Conditionally	20/09/2010
06/10/00652/PRI	Full Planning Permission	1 Margreave Road, Chaddesden, Derby	Installation of shop front and security shutters	Granted Conditionally	31/08/2010
06/10/00653/PRI	Advertisement consent	1 Margreave Road, Chaddesden, Derby	Display of internally illuminated fascia sign and 3 window vinyls	Refuse Planning Permission	02/11/2010
06/10/00670/PRI	Advertisement consent	1 Railway Terrace, Derby (The Brunswick PH)	Display of internally illuminated projecting sign and non illuminated fascia and board signs	Granted Conditionally	20/09/2010
06/10/00673/PRI	Full Planning Permission	50 Kiwi Drive, Alvaston, Derby	Extension to dwelling house (gym/games room, shower room, bedroom and en-suite)	Refuse Planning Permission	20/08/2010
06/10/00695/PRI	Full Planning Permission	Rose Cottage, South Drive, Chellaston, Derby	Erection of detached garage/store	Granted Conditionally	19/08/2010
06/10/00699/PRI	Full Planning Permission	302 Burton Road, Derby	Formation of vehicular hardstanding, landscaping works , retention of patio and erection of retaining wall to front elevation	Withdrawn Application	01/09/2010
06/10/00709/DCC	Local Council own development Reg 3	Ashgate Primary School, Ashbourne Road, Derby	Re-opening of an external bricked-up door and formation of double door	Granted Conditionally	19/08/2010
06/10/00711/PRI	Full Planning Permission	Land rear of 24 Oak Crescent, Littleover, Derby (access via Harpur Avenue)	Erection of dwelling house, formation of on-site car parking and erection of boundary fencing	Refuse Planning Permission	13/09/2010
06/10/00713/PRI	Listed Building Consent -alterations	24A-24B Iron Gate, Derby (Your Move)	Retention of externally illuminated fascia sign	Refuse Planning Permission	27/08/2010
06/10/00716/PRI	Certificate of Lawfulness Proposed Use	27 Ford Lane, Allestree, Derby	Formation of room in roof space (bedroom and two dormers)	Granted	19/08/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
06/10/00717/PRI	Full Planning Permission	10 Haddon Drive, Spondon, Derby	Extension to dwelling house (conservatory) and erection of shed	Granted Conditionally	14/09/2010
06/10/00719/PRI	Full Planning Permission	20 Beaumont Walk, Derby	Extension to dwelling (enlargement of lounge and kitchen)	Granted Conditionally	08/10/2010
06/10/00722/PRI	Listed Building Consent -alterations	5-6 Strand Arcade, The Strand, Derby (former Cafe B)	Display of vinyl transfer signage on the existing painted boards, two wooden 700mm circular hanging signs and repaint the window frames, doors, panels and front brickwork	Granted Conditionally	24/08/2010
06/10/00728/PRI	Advertisement consent	97 King Street, Derby (Seven Stars PH)	Display of various non-illuminated signage to public house	Granted Conditionally	24/09/2010
06/10/00739/PRI	Full Planning Permission	13 Wheathill Grove, Littleover, Derby	Erection of 1.8m high boundary wall and fence	Granted Conditionally	20/08/2010
06/10/00742/PRI	Full Planning Permission	2 Beech Walk, Littleover, Derby	Extension to dwelling house (garage, utility, hall, bedroom and en-suite and enlargement of kitchen/breakfast room) and erection of boundary fence	Granted Conditionally	03/09/2010
06/10/00748/PRI	Advertisement consent	Car Wash, Chequers Road, West Meadows Industrial Estate, Derby	Retention of display of 4 non illuminated banner signs	Granted Conditionally	20/10/2010
06/10/00749/PRI	Full Application - disabled People	82 Sinfin Avenue, Shelton Lock, Derby	Extension to dwelling (conservatory)	Granted Conditionally	03/09/2010
06/10/00750/PRI	Full Planning Permission	St. Benedict RC School & Sixth Form Centre, Duffield Road, Derby	Erection of 1.8m high boundary fence	Refuse Planning Permission	06/09/2010
06/10/00751/PRI	Full Planning Permission	1 Kernel Close, Littleover, Derby	Extension to dwelling house (conservatory)	Granted Conditionally	31/08/2010
06/10/00755/PRI	Full Planning Permission	Site of Orchard Cottage, Vicarage Road, Mickleover, Derby	Demolition of dwelling and erection of 2 dwellings	Granted Conditionally	07/10/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
06/10/00759/PRI	Full Planning Permission	Land at rear of 19 Penny Long Lane, Derby (access off Broadway)	Erection of dwelling house and detached garage	Refuse Planning Permission	26/08/2010
06/10/00761/PRI	Full Planning Permission	Land north of 220 Rykneld Road, Littleover, Derby	Erection of four dwelling houses	Refuse Planning Permission	26/08/2010
06/10/00773/PRI	Full Planning Permission	185 Western Road, Mickleover, Derby	Extension to detached garage	Granted Conditionally	20/08/2010
06/10/00775/PRI	Listed Building Consent -alterations	19-20 Sadler Gate, Derby	Alterations to Listed Building including refurbishment of sash windows in the front elevation, repairs to roof, internal alterations, alterations to passageway including installation of lighting and non - illuminated board signs	Granted Conditionally	20/08/2010
06/10/00780/PRI	Full Planning Permission	34 South Avenue, Chellaston, Derby	Extension to dwelling house (living room and enlargement of family room)	Granted Conditionally	25/08/2010
06/10/00787/PRI	Full Planning Permission	20 Hillsway, Littleover, Derby	Extensions to dwelling house (garage, utility room, en-suite and enlargement of lounge)	Granted Conditionally	21/09/2010
06/10/00789/PRI	Full Planning Permission	3 Devonshire Drive, Mickleover, Derby	Extension to dwelling house (garage, bedroom, en-suite and enlargement of kitchen)	Granted Conditionally	20/08/2010
06/10/00793/PRI	Full Planning Permission	Land at rear of 7 St. Peters Road, Chellaston, Derby (access via Bridle Close)	Erection of dwelling house	Refuse Planning Permission	26/08/2010
06/10/00794/PRI	Full Planning Permission	15 Pendlebury Drive, Mickleover, Derby	Extension to dwelling house (toy room, family room, garage, utility room, bedroom and en-suite)- amendment to previously approved application Code No. DER/11/09/01367	Granted Conditionally	20/08/2010
06/10/00795/DC5	Full Planning Permission	Roof of Block D, New Normanton Mills, Stanhope Street, Derby (Brat Clothing)	Installation of 6 replacement antennae and equipment cabinet	Granted	20/08/2010
06/10/00796/PRI	Full Planning Permission	Salisbury House, 23 Salisbury Street, Derby	Extension to dwelling house (lounge and bathroom)	Granted Conditionally	24/08/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
06/10/00799/PRI	Full Application - Article 4	87 Arthur Street, Derby	Installation of front gate	Granted Conditionally	25/10/2010
06/10/00801/PRI	Full Planning Permission	113 Alvaston Street, Alvaston, Derby	Erection of detached garage	Granted Conditionally	07/09/2010
06/10/00802/PRI	Full Planning Permission	552 Nottingham Road, Derby	Erection of detached garage, store, office/gym and w.c.	Granted Conditionally	02/09/2010
06/10/00803/PRI	Full Planning Permission	32-33 Sadler Gate, Derby	Change of use from retail (Use Class A1) to restaurant/cafe (Use Class A3) including erection of extraction flue	Granted Conditionally	05/10/2010
07/10/00804/PRI	Full Planning Permission	9 Lows Court, Chellaston, Derby	Erection of 1.8m high boundary fence	Granted Conditionally	19/08/2010
06/10/00805/PRI	Full Planning Permission	27 Charingworth Road, Oakwood, Derby	Extension to dwelling house (porch and w.c.)	Granted Conditionally	25/08/2010
06/10/00808/DC5	Prior Notification	Land west of junction of Kingsmuir Road and Ladybank Road, Mickleover, Derby	Erection of replacement of 14.7m high monopole with antennae and equipment cabinet	Raise No Objection	20/08/2010
06/10/00811/PRI	Full Planning Permission	4 Drysdale Road, Mickleover, Derby	Extensions to dwelling house (bedroom, en-suite, utility, w.c and hall/study)	Granted Conditionally	25/08/2010
07/10/00812/PRI	Full Planning Permission	Chambers House, 112 Green Lane, Derby	Change of use from a Guest House (Use Class C1) to a House in Multiple Occupation (sui generis use)	Granted Conditionally	20/09/2010
07/10/00813/PRI	Full Planning Permission	20 Vincent Avenue, Spondon, Derby	Extensions to dwelling house (shower, w.c, utility room, bedroom and bathroom)	Granted Conditionally	26/08/2010
07/10/00814/PRI	Full Application - Article 4	234 Mansfield Road, Derby	Installation of window in front elevation	Granted Conditionally	06/09/2010
07/10/00815/PRI	Works to Trees in a Conservation Area	42 Kedleston Road, Derby	Works to various trees within Strutts Park Conservation Area	Raise No Objection	20/08/2010
07/10/00819/PRI	Works to Trees under TPO	46 Dewchurch Drive, Sunnyhill, Derby	Felling of 2 Conifer trees and 1 Sycamore tree protected by Tree Preservation Order 1999 No 217 (Dewchurch Drive, Sunnyhill)	Granted Conditionally	31/08/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
07/10/00820/PRI	Full Planning Permission	282 Broadway, Derby	Extensions to dwelling house (conservatory and 2 bedrooms)	Granted Conditionally	27/08/2010
07/10/00821/PRI	Full Planning Permission	58 Robincroft Road, Allestree, Derby	Extension to dwelling house (bedroom and enlargement of kitchen)	Refuse Planning Permission	27/08/2010
07/10/00822/PRI	Works to Trees under TPO	Littleover Nursing Home, 149 Stenson Road, Derby,	Crown cleaning and deadwooding of 2 sycamores, yew and lime trees, crown lift to 2.5m of holly tree and felling of lime tree protected by Tree Preservation Order 1994 No 97 (Littleover Nursing Home 149 Stenson Road Derby)	Granted Conditionally	30/08/2010
07/10/00823/PRI	Works to Trees under TPO	29 Friar Gate, Derby	Felling of lime tree, crown Lift to 5m, crown thin by 15% and crown clean and removal of deadwood of lime tree protected by Tree Preservation Order 1980 No.15 (28/29 Friar Gate)	Granted Conditionally	31/08/2010
07/10/00826/PRI	Certificate of Lawfulness Proposed Use	1 Atlas Way, Spondon, Derby	Formation of vehicular hardstanding/driveway	Granted	13/09/2010
07/10/00828/PRI	Full Planning Permission	5 Hartington Way, Mickleover, Derby	Extension to dwelling house (conservatory)	Granted Conditionally	31/08/2010
07/10/00829/PRI	Full Planning Permission	Pride Park Stadium, Pride Park, Derby	Installation of new shop front	Granted Conditionally	25/08/2010
07/10/00830/PRI	Advertisement consent	Pride Park Stadium, Pride Park, Derby	Display of internally illuminated fascia sign and externally illuminated projecting sign	Granted Conditionally	25/08/2010
07/10/00831/PRI	Advertisement consent	24A-24B Iron Gate, Derby (Your Move)	Retention of externally illuminated fascia sign	Refuse Planning Permission	31/08/2010
07/10/00832/PRI	Works to Trees under TPO	St. Benedict RC School & Sixth Form Centre, Duffield Road, Derby,	Crown reduction, crown lift, crown clean and deadwood willow tree protected by Tree Preservation Order 2002 No. 316 (St Benedicts RC School Duffield Road Darley Abbey, Derby)	Granted Conditionally	31/08/2010
07/10/00834/PRI	Full Planning Permission	264 Broadway, Derby	Retention of extension to dwelling house (conservatory)	Granted Conditionally	13/09/2010
07/10/00835/PRI	Full Planning Permission	8 Wheeldon Avenue, Derby	Extension to dwelling house (living room and enlargement of kitchen)	Granted Conditionally	31/08/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
07/10/00836/DCC	Full Planning Permission	Assembly Rooms, Market Place, Derby	Installation of 12m high mast with wind vane for a temporary period of 12 months	Granted Conditionally	13/09/2010
07/10/00839/PRI	Local Council own development Reg 3	139 Warwick Avenue, Derby	Extension to dwelling house (bedroom and wet room)	Granted Conditionally	31/08/2010
07/10/00841/PRI	Full Planning Permission	29 Arundel Avenue, Mickleover, Derby	Extension to dwelling house (garage and bedroom)	Granted Conditionally	23/09/2010
07/10/00842/PRI	Certificate of Lawfulness Existing Use	Car Park, Becketwell Lane, Derby	Retention of use as public car park	Granted	03/09/2010
07/10/00845/DCC	Local Council own development Reg 3	Griffe Field Primary School, Grosvenor Drive, Littleover, Derby	Installation of 12m high mast with wind vane for a temporary period of twelve months	Granted Conditionally	31/08/2010
07/10/00846/DCC	Full Planning Permission	Da Vinci College, St. Andrews View, Derby	Installation of 12m high mast with wind vane for a temporary period of twelve months	Granted Conditionally	13/09/2010
07/10/00847/PRI	Full Planning Permission	112 Chain Lane, Littleover, Derby	Erection of detached garage	Granted Conditionally	03/09/2010
07/10/00848/PRI	Full Planning Permission	53 Carlton Avenue, Shelton Lock, Derby	Extension to dwelling (conservatory)	Granted Conditionally	31/08/2010
07/10/00850/PRI	Full Planning Permission	Securicor Ltd, Wetherby Road, Derby	Installation of 3m high boundary fence and 2.4m high steelwork	Granted Conditionally	06/09/2010
07/10/00851/PRI	Full Planning Permission	438 Kedleston Road, Derby	Extension to dwelling house (study, enlargement of kitchen, lounge, bedroom landing and study) and erection of detached garage	Granted Conditionally	06/09/2010
07/10/00852/PRI	Works to Trees under TPO	Trees at rear of 23 and 25 Fairbourne Drive, Mickleover, Derby	Crown lift to 4 metres and crown reduction of Oak tree, crown lift to 6 metres, crown clean, branch removal, deadwooding and reduction in height by 4 metres of 2 Ash trees, crown reduction by 30% of hawthorn and crown lift to 6 metres, branch pruning and removal of deadwood of Ash tree protected by Tree Preservation Order 1998 No 172 (Land adj Fairbourne Drive Mickleover)	Granted Conditionally	06/09/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
07/10/00853/PRI	Listed Building Consent -alterations	1 Railway Terrace, Derby (Brunswick Inn)	Display of internally illuminated projecting sign and non illuminated fascia and board signs	Granted Conditionally	20/09/2010
07/10/00854/PRI	Full Planning Permission	251 Stenson Road, Derby	Extension to dwelling house (2 bedrooms and bathroom) and formation of rooms in roof space (bedroom, bathroom and dormers)	Granted Conditionally	15/09/2010
07/10/00856/DCC	Local Council own development Reg 3	Lawn Primary School, Norbury Close, Allestree, Derby	Extension to school (toilet block) - Amendments to previously approved planning permission DER/02/10/00205	Granted Conditionally	07/09/2010
07/10/00857/PRI	Works to Trees under TPO	410 Burton Road, Derby	Crown reduction by 2 metres and removal of deadwood of Oak Tree protected by Tree Preservation Order 2001 No 279 (Trees at Burton Road/Farley Road)	Refuse Planning Permission	15/09/2010
07/10/00858/DCC	Full Planning Permission	Nightingale Nursery and Infant School, Amber Street, Derby	Erection of canopy	Granted Conditionally	28/09/2010
07/10/00859/PRI	Full Planning Permission	169 Pastures Hill, Littleover, Derby	Extension to dwelling house (3 bedrooms and lounge)	Granted Conditionally	20/10/2010
07/10/00860/PRI	Works to Trees under TPO	Derby High School, Hillsway, Littleover, Derby	Works to various trees protected by Tree Preservation Order 1985 No 30 (Pastures Hill Area)	Granted Conditionally	07/09/2010
07/10/00861/PRI	Works to Trees under TPO	6 The Close, Derby	Removal of branches,crown clean and deadwood of Cedar protected by Tree Preservation Order 2001 No.280 (Trees at Burton Road/Whitaker Road/Arden Close/Grafton Street/The Close/Horwood Avenue)	Granted Conditionally	20/09/2010
07/10/00864/PRI	Full Planning Permission	Land at side of 135 Whitaker Road, Derby	Erection of dwelling house	Refuse Planning Permission	08/09/2010
07/10/00865/PRI	Full Planning Permission	42 Louvain Road, Derby	Extension to dwelling house (porch, hall and enlargement of kitchen) and erection of detached garage and retaining wall	Granted Conditionally	08/09/2010
07/10/00866/PRI	Full Planning Permission	1 Willowherb Close, Sinfen, Derby	Erection of summer house	Granted Conditionally	21/09/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
07/10/00867/PRI	Full Planning Permission	13 Carron Close, Sinfen, Derby	Extensions to dwelling house (porch,bathroom and enlargement of bedroom)	Refuse Planning Permission	14/09/2010
07/10/00868/PRI	Full Planning Permission	58 Field Lane, Chaddesden, Derby	Erection of attached dwelling house and formation of vehicular access	Granted Conditionally	17/09/2010
07/10/00869/PRI	Full Planning Permission	21 Hartington Street, Derby	Formation of flat in roofspace	Granted Conditionally	20/09/2010
07/10/00870/PRI	Full Planning Permission	28 Highfield Road, Littleover, Derby	Extension to shop (store) and extension to living accommodation.	Refuse Planning Permission	08/09/2010
07/10/00871/PRI	Full Planning Permission	250 Uttoxeter New Road, Derby	Change of use from retail (Use Class A1) to residential (Use Class C3)	Granted Conditionally	08/09/2010
07/10/00874/PRI	Works to Trees under TPO	28 Binscombe Lane, Oakwood, Derby	Crown clean, deadwood, crown reduction by 15%, crown thin by 10% and crown lift by 4.5m of Turkey Oak tree protected by Tree Preservation Order 2007 No. 477 (Land off Porters Lane/Binscombe Lane Oakwood)	Granted Conditionally	09/09/2010
07/10/00875/PRI	Certificate of Lawfulness Proposed Use	123 St. Andrews View, Derby	Extension to dwelling house (enlargement of kitchen)	Granted	13/09/2010
07/10/00876/PRI	Full Planning Permission	220 Rykneld Road, Littleover, Derby	Alterations to garage (pitched roof)	Granted Conditionally	20/09/2010
07/10/00877/PRI	Full Planning Permission	200 Warwick Avenue, Derby	Extensions to dwelling house (porch, kitchen, sitting room and dormer)	Granted Conditionally	13/09/2010
07/10/00878/PRI	Full Planning Permission	Currys Ltd, Kingsway Retail Park, Derby	Erection of external fire escape	Granted Conditionally	09/09/2010
07/10/00879/PRI	Full Planning Permission	Cavendish Court, Cavendish Street, Derby	Erection of gates and railings	Refuse Planning Permission	27/09/2010
07/10/00880/PRI	Full Planning Permission	Star Refrigeration Ltd, Wincanton Close, Derby	Installation of roof panels and windows and door	Granted Conditionally	10/09/2010
07/10/00881/PRI	Full Planning Permission	Star Refrigeration, Wincanton Close, Derby	Formation of additional car parking spaces	Refuse Planning Permission	17/09/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
07/10/00882/PRI	Full Planning Permission	Units 3-4, Derby Distribution Centre, Sinfen Lane, Sinfen, Derby	Alterations to loading bays including installation of access ramp	Granted Conditionally	31/08/2010
07/10/00884/PRI	Full Planning Permission	Land at 17 - 19 Kings Croft, Allestree, Derby	Erection of 2 dwelling houses and 2 bungalows (amendment to proposed bungalow on Plot 1 of previously approved planning application Code No. DER/10/08/01471/PRI)	Granted Conditionally	16/09/2010
07/10/00886/PRI	Full Planning Permission	25 Abbot Close, Oakwood, Derby	Extension to dwelling house (bedroom, en-suite and enlargement of kitchen and garage)	Granted Conditionally	13/09/2010
07/10/00888/PRI	Full Planning Permission	17 Othello Drive, Chellaston, Derby	Alterations to dwelling house (conversion of garage into lounge)	Granted Conditionally	30/09/2010
07/10/00889/PRI	Certificate of Lawfulness Proposed Use	53 Crown Way, Chellaston, Derby	Extension to dwelling house (enlargement of kitchen)	Granted	07/10/2010
07/10/00891/PRI	Full Planning Permission	8 Cornhill, Allestree, Derby (Walnut Cottage)	Erection of garden shelter	Refuse Planning Permission	12/10/2010
07/10/00892/PRI	Listed Building Consent -alterations	8 Cornhill, Allestree, Derby (Walnut Cottage)	Erection of garden shelter	Refuse Planning Permission	12/10/2010
07/10/00893/PRI	Works to Trees under TPO	112A Blagreaves Lane, Littleover, Derby	Felling of Lime tree protected by Tree Preservation Order 1986 No. 36 (Blagreaves Lane/Moorway Lane)	Refuse Planning Permission	14/09/2010
07/10/00894/PRI	Works to Trees under TPO	Trees adjacent 1 St. Katherines Court, Derby	Felling of two Lime trees and crown lift, removal of epicormic growth to 4m above ground level, crown clean and deadwood of 7 Lime trees protected by Tree Preservation Order 1996 No. 133 (Bass Street/ Cooper Street/ Radbourne Street)	Granted Conditionally	14/09/2010
07/10/00895/PRI	Full Planning Permission	14 Foxglove Drive, Oakwood, Derby	Extension to dwelling house (study, en-suite and enlargement of dining room and bedroom)	Granted Conditionally	14/09/2010
07/10/00896/PRI	Variation/Waive of condition(s)	1 Peak Drive, Derby (Sainsburys)	Variation of condition 1 of previously approved planning permission Code No. DER/11/09/01317 to allow increase in height of roof and amendments to siting of entrance lobby	Granted Conditionally	20/09/2010

Enclosure

Application No	Application Type	Location	Proposal	Decision	Decision Date
07/10/00897/PRI	Full Planning Permission	Yew Tree House, Leafgreen Lane, Littleover, Derby	Erection of garage	Granted Conditionally	14/09/2010
07/10/00898/PRI	Works to Trees in a Conservation Area	All Saints Church, Etwall Road, Mickleover, Derby	Pollarding of 7 Elm trees within Mickleover Conservation Area	Raise No Objection	31/08/2010
07/10/00899/PRI	Works to Trees under TPO	10 Kingsclere Avenue, Oakwood, Derby	Crown clean, crown thin by 10%, removal of deadwood and overhanging branch of Ash tree protected by Tree Preservation Order 2001 No 247 (Various trees at Oakwood)	Granted Conditionally	15/09/2010
07/10/00900/PRI	Full Planning Permission	18 Jacksdale Close, Allestree, Derby	Extension to dwelling house (dining room and utility room) and formation of rooms in roof space (bedroom, en-suite and dormers)	Granted Conditionally	16/09/2010
07/10/00901/PRI	Full Planning Permission	St. Benedict RC School & Sixth Form Centre, Duffield Road, Derby	Erection of classroom for temporary period	Granted Conditionally	15/09/2010
07/10/00903/PRI	Full Planning Permission	The Old Hall, Burton Road, Littleover, Derby	Installation of additional parking spaces	Granted Conditionally	30/09/2010
07/10/00904/PRI	Listed Building Consent -alterations	35 & 36 St. Marys Gate, Derby	Replacement of vertical sliding sash window on second floor	Granted Conditionally	24/09/2010
07/10/00905/PRI	Works to Trees in a Conservation Area	32-34 Ashbourne Road, Derby (Georgian House Hotel)	Felling of 2 Silver Birch trees within Friar Gate Conservation Area	Raise No Objection	02/09/2010
07/10/00906/PRI	Full Planning Permission	8 Main Avenue, Allestree, Derby	Extension to dwelling house (orangery)	Granted Conditionally	16/09/2010
07/10/00907/PRI	Full Planning Permission	9 Drury Avenue, Spondon, Derby	Extensions to dwelling house (enlargement of kitchen and bedroom) and erection of garage/playroom	Granted Conditionally	15/09/2010
07/10/00908/PRI	Full Planning Permission	48-50 Queen Street, Derby	Installation of shop front	Granted Conditionally	16/09/2010
07/10/00909/PRI	Full Planning Permission	82 Kedleston Road, Derby	Formation of rooms in roof space (bedroom and bathroom with dormers)	Granted Conditionally	28/09/2010
07/10/00910/PRI	Full Planning Permission	177 Drewry Lane, Derby	Formation of rooms in roof space (bedroom, en-suite and dormer)	Granted Conditionally	20/09/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
07/10/00911/PRI	Full Planning Permission	19 Havenbault Avenue, Littleover, Derby	Extension to dwelling (kitchen) and formation of rooms in roof space (bedroom and dormer)	Granted Conditionally	17/09/2010
07/10/00912/PRI	Full Planning Permission	41 St. Cuthberts Road, Derby	Erection of garage/store	Granted Conditionally	17/09/2010
07/10/00914/PRI	Full Planning Permission	Woodlands Community School, Blenheim Drive, Allestree, Derby	Alterations to garage/store to form Staff Room	Granted Conditionally	16/09/2010
07/10/00915/PRI	Full Planning Permission	324 Kedleston Road, Derby	Extension to dwelling house (dining room/living room/kitchen, 2 bedrooms and enlargement of bedroom)	Granted Conditionally	07/10/2010
07/10/00916/PRI	Full Planning Permission	160 - 162 Abbey Street, Derby	Change of use from light industrial (Use Class B1) to education training centre (Use Class D1)	Granted Conditionally	22/10/2010
07/10/00917/PRI	Full Planning Permission	11 Windrush Close, Allestree, Derby	Extension to dwelling house (conservatory)	Granted Conditionally	20/09/2010
07/10/00918/PRI	Full Planning Permission	16 Lincoln Green, Chellaston, Derby	Extension to dwelling house (dining room, conservatory, w.c., and en-suite)	Refuse Planning Permission	17/09/2010
07/10/00919/PRI	Certificate of Lawfulness Proposed Use	34 St. Wystans Road, Derby	Extension to dwelling (enlargement of kitchen)	Granted	17/09/2010
07/10/00921/PRI	Full Planning Permission	20 Grange Avenue, Derby	Extension to dwelling house (dining room)	Granted Conditionally	17/09/2010
07/10/00922/PRI	Works to Trees under TPO	Derby Conference Centre, London Road, Derby	Reduction of 30% of Cypress and crown reduction by 15% of 2 Willow trees protected by Tree Preservation Order 2004 No 416 (Rail Engineering School, London Road, Derby)	Granted Conditionally	17/09/2010
07/10/00923/PRI	Full Planning Permission	358 Duffield Road, Derby	Extension to dwelling house (bedroom, en-suite and storage and enlargement of kitchen)	Granted Conditionally	20/09/2010
07/10/00924/PRI	Advertisement consent	Holiday Inn, Riverlights, Morledge, Derby	Display of 3 internally illuminated fascia signs	Granted Conditionally	17/09/2010
07/10/00925/PRI	Certificate of Lawfulness Proposed Use	185 Francis Street, Derby	Extension to dwelling (bedroom, bathroom, enlargement of kitchen and porch)	Granted	14/10/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
07/10/00926/PRI	Full Planning Permission	68 Fulham Road, Derby	Extension to dwelling house (bedroom, en-suite and enlargement of kitchen)	Refuse Planning Permission	17/09/2010
07/10/00927/PRI	Works to Trees under TPO	Trees at St. Alkmunds Church, Kedleston Road, Derby	Crown reduction by 2.5 metres, crown lift to 5 metres ,removal of secondary branches, crown clean and removal of deadwood of 2 Oak Trees protected by Tree Preservation Order 2007 No.493 (St.Almunds Church, 40 Kedleston Road)	Granted Conditionally	26/08/2010
07/10/00928/PRI	Full Planning Permission	15 Lens Road, Allestree, Derby	Installation of dormer window to front elevation	Granted Conditionally	21/09/2010
07/10/00929/PRI	Full Planning Permission	9 New Road, Darley Abbey, Derby	Erection of 1.8m high gates and formation of car parking area (extension of time limit of previously approved planning application Code No. DER/05/07/00885 by a further three years)	Granted Conditionally	21/09/2010
07/10/00930/PRI	Full Planning Permission	63 Fairfax Road, Derby	Extension to dwelling house (garage, passageway, bathroom, 2 bedrooms, en-suite and enlargement of kitchen and dining room)	Granted Conditionally	20/10/2010
07/10/00932/PRI	Full Planning Permission	15 Andrew Close, Littleover, Derby	Extension to dwelling house (study, cloakroom and enlargement of kitchen/dining room - amendments to previously approved planning permission Code No. DER/11/08/01657/PRI)	Granted Conditionally	20/09/2010
07/10/00933/PRI	Full Planning Permission	15 Grange Avenue, Derby	Extension to dwelling house (sitting room, w.c.,cloakroom and en-suite - amendments to previously approved planning permission Code No.DER/04/10/00460/PRI)	Granted Conditionally	20/09/2010
07/10/00934/PRI	Advertisement consent	Former Mackworth College Site, Normanton Road, Derby	Retention of 2 x 96 sheet and 4 x 48 sheet non illuminated advertisement hoardings with associated fencing	Granted Conditionally	20/09/2010
07/10/00935/PRI	Certificate of Lawfulness Existing Use	75 Hillsway, Littleover, Derby	Retention of shed/workshop	Granted	07/10/2010
07/10/00936/PRI	Works to Trees under TPO	Haddon Grove, 111 Duffield Road, Derby	Crown clean, raise to 4.5m and prune Cedar of Lenanon Tree protected by Tree Preservation Order 2005 No 443 (111 Duffield Road)	Granted Conditionally	20/09/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
07/10/00937/PRI	Certificate of Lawfulness Proposed Use	7 Austen Avenue, Littleover, Derby	Extension to dwelling house (enlargement of kitchen) and erection of detached garage	Granted	28/10/2010
07/10/00939/PRI	Full Planning Permission	McDonalds Restaurants Ltd, 181-193 Osmaston Park Road, Derby	Formation of additional 'drive thru' lane	Granted Conditionally	22/09/2010
07/10/00940/PRI	Full Planning Permission	41 Lincoln Avenue, Derby	Extension to dwelling house (conservatory)	Granted Conditionally	22/09/2010
07/10/00941/PRI	Full Planning Permission	3 Greatorex Avenue, Allenton, Derby	Extension to dwelling house (sun lounge)	Granted Conditionally	21/09/2010
07/10/00942/PRI	Full Planning Permission	6 Lockington Close, Chellaston, Derby	Extension to dwelling house (dining room)	Granted Conditionally	23/09/2010
07/10/00943/PRI	Full Planning Permission	6 Hayford Place, Derby	Extensions to dwelling house (enlargement of kitchen and lounge)	Granted Conditionally	15/10/2010
07/10/00944/PRI	Advertisement consent	63-67 Sitwell Street, Spondon, Derby (Co-op Funeral Services)	Display of externally illuminated fascia sign and 2 internally illuminated projecting signs	Granted Conditionally	21/09/2010
07/10/00946/PRI	Works to Trees under TPO	Cavendish Court, Cavendish Street, Derby	Various works to trees protected by Tree Preservation Order 2009 No 547 (Cavendish Court, Cavendish Street)	Granted Conditionally	21/09/2010
07/10/00947/PRI	Listed Building Consent -alterations	50-51 Friar Gate, Derby	Alterations to listed buildings including removal of internal walls, blocking up of doorways and replacement of doors to form 2 offices and replacement of two windows	Granted Conditionally	23/09/2010
07/10/00950/PRI	Full Planning Permission	10 Weirfield Road, Darley Abbey, Derby	Extension to dwelling house (porch and enlargement of lounge)	Refuse Planning Permission	13/10/2010
07/10/00951/PRI	Full Planning Permission	21 Whitehaven Grove, Chellaston, Derby	Extension to dwelling house (bedroom and enlargement of bedroom)	Granted Conditionally	23/09/2010
07/10/00952/PRI	Full Planning Permission	34 Brigden Avenue, Allenton, Derby	Extension to dwelling house (conservatory)	Granted Conditionally	23/09/2010
07/10/00953/PRI	Works to Trees in a Conservation Area	62 Chester Green Road, Derby	Felling of Elder Tree within Little Chester Conservation Area	Raise No Objection	13/09/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
07/10/00954/PRI	Works to Trees under TPO	28 St. George's Close, Allestree, Derby	Fell Hawthorn and two Cherry trees protected by Tree Preservation Order 2001 No.288 (Trees at 4,6, 8 and 12 Baslow Drive, Allestree)	Granted	24/09/2010
07/10/00956/PRI	Listed Building Consent -alterations	36 Corn Market, Derby (Former Don Millers)	Installation of shop front, air conditioning units, 4 satellite dishes and display of externally illuminated fascia sign and externally illuminated projecting sign	Refuse Planning Permission	20/09/2010
07/10/00957/PRI	Advertisement consent	36 Corn Market, Derby (Former Don Millers)	Display of externally illuminated fascia sign and externally illuminated projecting sign	Refuse Planning Permission	20/09/2010
08/10/00958/PRI	Full Planning Permission	6 Vernon Street, Derby	Change of use from Offices (Use Classes A2/B1) to Offices and Training Centre (Use Class D1)	Granted Conditionally	27/09/2010
08/10/00959/PRI	Full Planning Permission	2 Abbot Close, Oakwood, Derby	Extension to dwelling house (bedroom, en-suite and storeroom) and erection of 2m high boundary fence	Refuse Planning Permission	15/10/2010
08/10/00960/DCC	Local Council own development Reg 3	Allestree Recreation Ground, Robincroft Road, Allestree, Derby	Erection of 6m high fencing and access gate	Granted Conditionally	21/09/2010
08/10/00962/PRI	Full Planning Permission	102 Grange Road, Alvaston, Derby	Extension to dwelling house (bathroom, bedroom and enlargement of kitchen)	Granted Conditionally	21/09/2010
08/10/00963/PRI	Full Planning Permission	60 Kirkdale Avenue, Spondon, Derby	Extensions to dwelling house (utility room, w.c., sitting room, conservatory, bedroom and ensuite)	Refuse Planning Permission	27/09/2010
08/10/00965/PRI	Full Planning Permission	10 Becket Street, Derby	Extension to shop (link corridor)	Refuse Planning Permission	21/09/2010
08/10/00966/PRI	Full Planning Permission	14 Whistlestop Close, Mickleover, Derby	Extension to dwelling house (bay window)	Granted Conditionally	28/09/2010
08/10/00969/PRI	Advertisement consent	Jacksons Mill, 37 Bridge Street, Derby	Erection of 4 flag poles	Refuse Planning Permission	28/09/2010
08/10/00970/PRI	Full Planning Permission	59 St. Chads Road, Derby	Extension to dwelling house (kitchen and w.c.)	Granted Conditionally	28/09/2010
08/10/00973/PRI	Full Planning Permission	18 Grafham Close, Chellaston, Derby	Extension to dwelling house (conservatory)	Granted Conditionally	14/10/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
08/10/00974/PRI	Works to Trees in a Conservation Area	19 Vernon Street, Derby	Crown lifting, removal of limb and crown thin by 15%, including removal of deadwood, weak and crossing branches and additional small branches, within Friar Gate Conservation Area	Raise No Objection	17/09/2010
08/10/00975/PRI	Full Planning Permission	31 Ford Lane, Allestree, Derby	Extensions to dwelling house (lounge, bedroom, en-suite and enlargement of kitchen and bathroom)	Granted Conditionally	29/09/2010
08/10/00976/PRI	Full Planning Permission	200-202 St. Thomas Road, Derby	Installation of shopfront, air conditioning condenser units and formation of access ramp	Refuse Planning Permission	28/09/2010
08/10/00977/PRI	Full Planning Permission	18 Hill Rise Close, Littleover, Derby	Extension to dwelling house (dining room, utility room, two bedrooms and enlargement of kitchen)	Granted Conditionally	30/09/2010
08/10/00978/PRI	Works to Trees in a Conservation Area	15 Kingston Street, Derby	Fell Holly Tree and crown lift Willow Tree within Strutts Park Conservation Area	Raise No Objection	15/09/2010
08/10/00979/PRI	Works to Trees under TPO	29 Stonehill Road, Derby	Crown clean and crown thin by 15% 2 Lime Trees protected by Tree Preservation Order 1995 No.103 (Stonehill Road/Rear of Empress Road)	Granted Conditionally	23/09/2010
08/10/00980/PRI	Works to Trees under TPO	13 Radstone Close, Oakwood, Derby	Crown lift to 4m, crown thin by 15%, clean, deadwood and branch reduce Oak Tree protected by Tree Preservation Order 1995 No. 31 (Oakwood No. 3)	Granted Conditionally	23/09/2010
08/10/00981/PRI	Full Planning Permission	40 Grange Avenue, Derby	Extension to dwelling house (2 bedrooms and bathroom)	Refuse Planning Permission	04/10/2010
08/10/00982/PRI	Certificate of Lawfulness Proposed Use	6 Clifton Road, Allestree, Derby	Extension to dwelling house (garage, utility room, w.c., and enlargement of dining room and kitchen)	Granted	18/10/2010
08/10/00983/PRI	Full Planning Permission	61 Blenheim Drive, Allestree, Derby	Extension to dwelling house (shower room, bedroom and enlargement of kitchen/family room)	Granted Conditionally	23/09/2010
08/10/00988/PRI	Outline Planning Permission	Land rear of 110 Carsington Crescent, Allestree, Derby (access off Thorpeland Drive)	Residential Development (one dwelling)	Refuse Planning Permission	27/10/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
08/10/00991/PRI	Listed Building Consent -alterations	9 New Road, Darley Abbey, Derby	Demolition of part of boundary wall and erection of 1.8m high gates (extension of time limit of previously approved Listed Building Consent application Code No. DER/05/07/00886 by a further three years)	Granted Conditionally	21/09/2010
08/10/00992/PRI	Advertisement consent	McDonalds Restaurants Ltd, 181-193 Osmaston Park Road, Derby	Display of 2 internally illuminated freestanding menu signs and 1 non illuminated customer order display unit.	Granted Conditionally	22/09/2010
08/10/00995/PRI	Full Planning Permission	175 Mansfield Road, Derby	Alterations to dwelling house (installation of rear dormer and 2 rooflights to the front elevation)	Refuse Planning Permission	22/10/2010
08/10/01001/PRI	Full Planning Permission	131 Warwick Avenue, Derby	Extension to dwelling house (dining room)	Granted Conditionally	06/10/2010
08/10/01003/PRI	Full Planning Permission	583 Osmaston Road, Derby	Extension to dwelling house (garage, shower room, utility, 2 bedrooms and en-suite)	Granted Conditionally	06/10/2010
08/10/01004/PRI	Works to Trees under TPO	Trees at Derbyshire Royal Infirmary, London Road, Derby	Crown lift to 5.5m and remove basal growth of Horse Chestnut, remove/reduce branches of Lime and crown lift to 4m and remove/reduce branches of Willow protected by Tree Preservation Order 2009 No 542 (Site of Derbyshire Royal Infirmary London Road Derby)	Granted Conditionally	06/10/2010
08/10/01005/PRI	Full Planning Permission	45 Holbrook Road, Alvaston, Derby	Extension and alterations to dwelling house (sitting room, lobby and cloak room)	Granted Conditionally	07/10/2010
08/10/01006/PRI	Advertisement consent	Unit 1 Oakwood District Centre, Danebridge Crescent, Oakwood, Derby	Display of one internally illuminated totem sign	Granted Conditionally	23/09/2010
08/10/01007/PRI	Full Planning Permission	44 Lincoln Avenue, Derby	Extension to dwelling house (bedroom and bathroom)	Refuse Planning Permission	18/10/2010
08/10/01011/PRI	Full Planning Permission	29 Glebe Rise, Littleover, Derby	Extensions to dwelling house (bedroom, w.c., study, garage and enlargement of living room, kitchen and utility room)	Granted Conditionally	23/09/2010
08/10/01013/PRI	Full Planning Permission	15 Springfield Road, Chaddesden, Derby	Extension to dwelling house (enlargement of kitchen and dining room)	Granted Conditionally	07/10/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
08/10/01014/PRI	Full Application - Article 4	102 Arthur Street, Derby	Retention of front door	Granted Conditionally	21/10/2010
08/10/01016/PRI	Full Planning Permission	Plots 3 and 4, Site of 279 Morley Road, Oakwood, Derby	Amendments to previously approved planning permission Code No. DER/06/08/00949/PRI to convert integral garages to plots 3 and 4 to studys, and erection of detached double garage	Granted Conditionally	22/10/2010
08/10/01017/PRI	Full Planning Permission	Unit 15, Prime Enterprise Park, Derby	Change of use from General Industry (use Class B2) to Retail (use Class A1) and associated light industry and storage/warehousing facilities (use classes B1 and B8)	Granted Conditionally	13/10/2010
08/10/01018/PRI	Full Planning Permission	60 and 62 Green Lane Derby	Installation of 2 shop fronts	Granted Conditionally	21/10/2010
08/10/01020/PRI	Full Planning Permission	1 Old Orchard Walk, Spondon, Derby	Extension to dwelling house (bedroom and en-suite)	Granted Conditionally	23/09/2010
08/10/01022/PRI	Full Planning Permission	Land at Exeter Street, Derby	Formation of 150 space car park for temporary period (amendment to previously approved planning permission DER/05/10/00570)	Granted Conditionally	11/10/2010
08/10/01023/PRI	Full Planning Permission	26 Chapman Avenue, Alvaston, Derby	Extension to bungalow (enlargement of kitchen and bedroom) and erection of detached garage.	Granted Conditionally	11/10/2010
08/10/01026/PRI	Full Planning Permission	188 Dale Road, Spondon, Derby	Extensions to dwelling house (2 bedrooms, bathroom, en-suite, kitchen and living room) and erection of detached double garage - amendments to previously approved permission DER/06/10/00779	Granted Conditionally	23/09/2010
08/10/01027/PRI	Full Application - disabled People	1 Imperial Court, Allestree, Derby	Extension to dwelling house (wet room)	Granted Conditionally	11/10/2010
08/10/01029/PRI	Listed Building Consent -alterations	97 King Street, Derby (Seven Stars P H)	Display of various non-illuminated signage to public house	Granted Conditionally	28/09/2010
08/10/01030/PRI	Advertisement consent	6-7 Midland Road, Derby	Display of 2 externally illuminated fascia signs	Granted Conditionally	24/09/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
08/10/01033/PRI	Full Planning Permission	9 Beechwood Crescent, Littleover, Derby	Extension to dwelling (alterations to roof)	Granted Conditionally	28/09/2010
08/10/01034/DCC	Local Council own development Reg 3	Moorways Sports Centre, Moor Lane, Allenton, Derby	Installation of 12m high mast with wind vane for a temporary period of 12 months	Granted Conditionally	25/10/2010
08/10/01036/PRI	Full Planning Permission	361 Uttoxeter Road, Mickleover, Derby	Erection of boundary wall	Granted Conditionally	12/10/2010
08/10/01039/PRI	Variation/Waive of condition(s)	Site of Clarion Works, Webster Street, Derby	Variation of condition 1 of previously approved permission DER/01/10/00035 for substitution of drawings to amend front elevational treatment and roof design	Granted Conditionally	12/10/2010
08/10/01040/PRI	Works to Trees under TPO	Oaklands, 25 Woodsorrel Drive, Oakwood, Derby, DE212UF	Removal of 3 branches of oak tree protected by Tree Preservation Order 2003 No 380 (25 Woodsorrel Drive Oakwood)	Granted Conditionally	12/10/2010
08/10/01041/PRI	Works to Trees in a Conservation Area	K and K Fire Protection, Darley Abbey Mills, Darley Abbey, Derby	Prune back overhanging branches and height reduction by 2m of 3 Field Maple and 5 Norway Maple trees and prune back overhanging branches of 2 Birch trees within Darley Abbey Conservation Area	Raise No Objection	28/09/2010
08/10/01042/DCC	Local Council own development Reg 3	Land to the north of Markeaton Glasshouse, Markeaton Park, Markeaton Lane, Derby	Installation of 12m high mast with wind vane for a temporary period of 12 months	Granted Conditionally	27/10/2010
08/10/01044/PRI	Advertisement consent	20 St. Christophers Way, Pride Park, Derby	Display of internally illuminated fascia sign	Granted Conditionally	19/10/2010
08/10/01048/PRI	Advertisement consent	Kingsway Retail Park, Derby, DE22	Display of internally illuminated free-standing sign	Granted Conditionally	14/10/2010
08/10/01049/PRI	Full Planning Permission	53 Uttoxeter Road, Mickleover, Derby	Extension to dwelling (enlargement of kitchen and dining room) and erection of detached garage	Granted Conditionally	18/10/2010
08/10/01050/PRI	Full Planning Permission	4-12 Derby Road, Chellaston, Derby (Royal British Legion)	Change of Use of first floor to Restaurant (Use Class A3) and installation of extract flue.	Granted Conditionally	18/10/2010
08/10/01051/PRI	Full Planning Permission	387 Duffield Road, Derby	Extensions to dwelling house (day room, verandah and enlargement of kitchen and bedroom)	Granted Conditionally	14/10/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
08/10/01052/PRI	Certificate of Lawfulness Proposed Use	6 Hayford Place, Derby	Conversion of part of garage to form habitable room	Granted	15/10/2010
08/10/01053/PRI	Full Planning Permission	Lister House Surgery, 53 Harrington Street, Pear Tree, Derby	Extension to surgery, alterations to entrance doors and installation of 2 external condensor units	Granted Conditionally	20/10/2010
08/10/01055/PRI	Full Application - Article 4	44 Arthur Street, Derby	Installation of replacement front door	Granted Conditionally	27/10/2010
08/10/01057/PRI	Full Planning Permission	The Hawthorns, The Close, Derby	Erection of garage	Granted Conditionally	26/10/2010
08/10/01058/PRI	Full Planning Permission	2 Pear Tree Crescent, Derby	Retention of extension to dwelling (store)	Granted Conditionally	18/10/2010
08/10/01059/PRI	Full Planning Permission	15 Folly Road, Darley Abbey, Derby	Extension to dwelling house (utility room and enlargement of kitchen)	Granted Conditionally	18/10/2010
08/10/01060/PRI	Full Planning Permission	165 Pear Tree Crescent, Derby	Extension to dwelling house (conservatory, dining room/kitchen, bedroom and enlargement of bathroom)	Granted Conditionally	21/10/2010
08/10/01061/PRI	Full Planning Permission	85 Darby Street, Derby	Extension to dwelling (enlargement of lounge and bathroom)	Refuse Planning Permission	20/10/2010
08/10/01062/PRI	Outline Planning Permission	Site of 20 Chesterton Avenue, Sunnyhill, Derby	Residential Development	Refuse Planning Permission	02/11/2010
08/10/01064/PRI	Full Planning Permission	12 Shropshire Avenue, Derby	Extensions to dwelling (porch, lounge, utility room, w.c. and bedroom)	Granted Conditionally	19/10/2010
08/10/01065/PRI	Full Planning Permission	56 Ferrers Way Allestree, Derby	Extension to dwelling house (cloakroom and enlargement of hall)	Granted Conditionally	07/10/2010
08/10/01066/PRI	Full Planning Permission	3 Carnoustie Close, Mickleover, Derby	Extension to bungalow (living room/dining room)	Granted Conditionally	21/10/2010
08/10/01067/PRI	Full Planning Permission	9 Chandlers Ford, Oakwood, Derby	Extension to dwelling (enlargement of kitchen)	Granted Conditionally	19/10/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
08/10/01069/PRI	Full Planning Permission	Rykneld Tean Ltd, Hansard Gate, West Meadows Industrial Estate, Derby	Retention of storage container	Granted Conditionally	20/10/2010
08/10/01070/PRI	Full Planning Permission	5 Slaidburn Close, Mickleover, Derby	Extensions to dwelling house (dining room/sun room, en-suite and enlargement of bedroom)	Granted Conditionally	20/10/2010
08/10/01071/PRI	Full Planning Permission	6 North Street, Derby	Extension to dwelling house (enlargement of living room)	Granted Conditionally	25/10/2010
08/10/01073/PRI	Full Planning Permission	Land between 92-102 Pear Tree Street, Derby	Erection of dwelling house	Granted Conditionally	22/10/2010
08/10/01074/PRI	Full Planning Permission	409 Duffield Road, Derby	Extension to dwelling house (conservatory)	Granted Conditionally	07/10/2010
08/10/01075/PRI	Full Planning Permission	Land and highway adjacent Learning & Development Centre, Rolls Royce Plc, Wilmore Road, Derby, DE24	Formation of vehicular access for temporary period	Granted Conditionally	27/10/2010
08/10/01080/PRI	Full Planning Permission	228 Blagreaves Lane, Littleover, Derby	Extension to dwelling house (bedroom)	Granted Conditionally	22/10/2010
08/10/01081/PRI	Full Planning Permission	15 Langsett Drive, Chellaston, Derby	Extension to dwelling house (bedroom and en-suite)	Granted Conditionally	25/10/2010
08/10/01082/PRI	Certificate of Lawfulness Proposed Use	9 Cardinal Close, Oakwood, Derby	Extension to dwelling house (orangery)	Granted	26/10/2010
08/10/01083/PRI	Works to Trees under TPO	13 Primrose Close, Oakwood, Derby	Crown lifting to 4 metres, removal of 5 branches and reduce length of 1 branch by 2 metres of Oak tree protected by Tree Preservation Order 1985 No.31 (Oakwood No.3)	Granted Conditionally	22/10/2010
08/10/01084/PRI	Works to Trees under TPO	Patchetts, Broadway, Derby	Various works to 3 lime trees protected by Tree Preservation Order 2001 No 308 (Beechwood, St Philomenas Convent, Mount Carmel House & Catherine McAuley House Broadway)	Granted Conditionally	26/10/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
09/10/01089/PRI	Certificate of Lawfulness Proposed Use	Blagreaves Hall, 173 Blagreaves Lane, Littleover, Derby	Extension to detached store	Granted	28/10/2010
09/10/01090/PRI	Full Planning Permission	50 Longbridge Lane, Derby (Pattonair)	Erection of generator	Granted Conditionally	26/10/2010
09/10/01091/PRI	Full Planning Permission	20 Corden Avenue, Mickleover, Derby	Erection of garage	Granted Conditionally	26/10/2010
09/10/01092/DC5	Prior Notification	Land off St. Alkmunds Way, Derby	Installation of replacement 14.8 high column, antennae and equipment cabinet	Raise No Objection	31/10/2010
09/10/01095/PRI	Full Planning Permission	27 Repton Avenue, Derby	Extension to dwelling house (kitchen/dining room)	Granted Conditionally	27/10/2010
09/10/01100/PRI	Variation/Waive of condition(s)	Unit 2, Kingsway Retail Park, Derby (former Powerhouse)	Variation of condition 7 of previously approved planning permission Code No. DER/12/87/01411 to permit the sale of a wider range of goods	Granted Conditionally	01/11/2010
09/10/01103/PRI	Full Planning Permission	13 Auckland Close, Mickleover, Derby	Extensions to dwelling house (utility room, shower room, study, bedroom and bathroom)	Granted Conditionally	28/10/2010
09/10/01105/PRI	Full Planning Permission	Wren Park Primary School, Jackson Avenue, Mickleover, Derby	Erection of shelter	Granted Conditionally	28/10/2010
09/10/01106/PRI	Full Planning Permission	44 Corden Avenue, Mickleover, Derby	Erection of shed and gazebo	Granted Conditionally	27/10/2010
09/10/01114/DC5	Prior Notification	Highway verge junction of Brackens Lane and Boulton Lane, Derby (Adjacent The Brackens PH)	Erection of 15m high telecommunications mast, 3 antennae and equipment cabinet	Raise Objections	27/10/2010
09/10/01117/PRI	Full Planning Permission	Humbleton Barn, Radbourne Lane, Derby	Installation of window	Granted Conditionally	27/10/2010
09/10/01120/PRI	Full Planning Permission	9 and 11 Chase Close, Chellaston, Derby	Erection of 2.4 m high wall	Granted Conditionally	02/11/2010
09/10/01121/PRI	Full Planning Permission	11 Morledge, Derby (Sound Bites)	Installation of shopfront	Granted Conditionally	28/10/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
09/10/01122/PRI	Advertisement consent	1 Albion Street, Derby (former Next Store)	Display of internally illuminated fascia sign	Granted Conditionally	19/10/2010
09/10/01125/PRI	Non-material amendment	Fire Station, Ascot Drive, Derby	Erection of fire station with training facilities, vehicular access and car parking including incorporation of additional land - Non material amendment to previously approved permission DER/10/08/01529 to increase area of photovoltaic panels on roof	Granted	12/10/2010
09/10/01126/DCC	Non-material amendment	Site of pavilion, car park and play area at Alvaston Park, London Road, Derby	Erection of changing rooms, associated cafe, rangers office, public toilets and formation of artificial pitch (amendment to previously approved Planning Permission Code No. DER/04/08/00612/PRI and DER/11/09/01331/DCC)	Granted	22/10/2010
09/10/01136/PRI	Non-material amendment	7 Oak Close, Allestree, Derby	Extensions to dwelling house (sun room, study, bedroom, bathroom and enlargement of kitchen) - Non-material amendment to previously approved permission DER/03/10/00247 for installation of one window in rear ground floor elevation, installation of obscure glazed windows in side elevation and installation of sun tubes	Granted	14/10/2010
09/10/01145/PRI	Full Planning Permission	9 Poppyfields Drive, Mickleover, Derby	Extension to dwelling house (enlargement of dining room)	Granted Conditionally	26/10/2010
09/10/01146/PRI	Outline Planning Permission	Land at rear 183 Portland Street, Derby (Access via Pear Tree Crescent)	Residential development	Refuse Planning Permission	28/10/2010
09/10/01183/DCC	Full Planning Permission	Firs Youth Club, Amy Street, Derby	Installation of doors	Invalid - Finally Disposed of	07/10/2010
09/10/01185/PRI	Advertisement consent	Unit 1, Kingsway Retail Park, Derby (former B & Q)	Display of 3 internally illuminated fascia signs	Granted Conditionally	27/10/2010
10/10/01220/PRI	Non-material amendment	Units 1, 2 and car park, Kingsway Retail Park, Derby (Former B&Q and Powerhouse)	Alterations to elevations and roof, formation of hard standing, installation of new plant and plant compound and alterations to car park layout and erection of boundary fence (Non-material amendments to previously approved permission DER/04/10/00457)	Granted	27/10/2010

