

PLANNING CONTROL COMMITTEE 13MARCH 2014



Report of the Strategic Director of Neighbourhoods

Applications to be considered

SUMMARY

1.1 Attached at Appendix 1 are the applications requiring consideration by the committee.

RECOMMENDATION

2.1 To determine the individuals applications as set out in Appendix 1.

REASONS FOR RECOMMENDATION

3.1 The applications detailed in Appendix 1 require determination by the committee under Part D of the Scheme of Delegations within the Council Constitution.

SUPPORTING INFORMATION

4.1 As detailed in Appendix 1, including the implications of the proposals, representations, consultations, summary of policies most relevant and officers recommendations.

OTHER OPTIONS CONSIDERED

5.1 To not consider the applications. This would mean that the council is unable to determine these applications, which is not a viable option.

For more information contact: Background papers: List of appendices: lan WoodheadTel: 01332 642095email:ian.woodhead@derby.gov.uk

None

Appendix 1 – Monthly Development Control Report

ITEM7
Appendix 1
Development Control Report



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Item No.	Page No.	Application No.	Address	Proposal	Recommendation
1	1 - 15	08/13/00995	Land rear of 122 - 198 Derby Road and adjacent to Acorn Way, Spondon, Derby	Residential development for up to 250 dwellings with associated infrastructure	To refuse planning permission.
2	16 - 22	06/13/00662	Land between 11 and 20 Thanet Drive, Alvaston, Derby	Erection of 4 bungalows	To grant planning permission with conditions
3	23 - 33	11/13/01328	Walter Evans C Of E School, Darley Abbey Drive, Darley Abbey, Derby Erection of 3 classroom block and enlargement of hall		To grant planning permission with conditions
4	34 - 60	12/13/01486	Site of former Derby Police Station, Full Street, Derby	Erection of 46 apartments, hotel, offices, commercial uses (Use Class A1/A2/A3/A4), car parking, alterations to access and associated works.	A. To authorise the Director of Planning and Property Services to negotiate the terms of a Section 106 Agreement to achieve the objectives set out below and to authorise the Director of Legal and Democratic Services to enter into such an agreement. B. To authorise the Director of Planning and Property Services to grant permission upon
		12/13/01503	Site of former Derby Police Station, Full Street, Derby	Erection of 46 apartments, hotel, offices, commercial uses (Use Class A1/A2/A3/A4) and associated works.	conclusion of the above Section 106 Agreement. To grant consent conditionally
5	61 - 65	10/13/01236	1-50 Keys Street, 1-20 Alice Street and 6-10 Robert Street, Derby	Installation of replacement front doors	To grant planning permission with conditions
6	66 - 71	01/13/00055	Garages adjacent Lilac Court, Lilac Close, Alvaston, Derby	Residential development	To grant planning permission with conditions
7	72 - 80	02/12/00190	220 Osmaston Road, Derby, (Former La Gondola)	Part demolition of hotel and erection of hotel building	To grant planning permission with conditions
8	81 - 84	10/13/01231	65 Friar Gate, Derby	Installation of replacement windows and mouldings	To grant consent conditionally

Application No: DER/08/13/00995 Type: Outline with means of access

1. Application Details

Address: Land rear of 122-198 Derby Road and adjacent to Acorn Way, Spondon.

Ward: Spondon.

Proposal:

Residential development for up to 250 dwellings and associated infrastructure

Further Details:

Web-link to application documents:

http://eplanning.derby.gov.uk/acolnet/planningpages02/acolnetcgi.gov?ACTION=UNWRAP&RIPNAME=Root.PgeDocs&TheSystemkey=95198

The application site is predominately open land that has been used for agriculture in the past. At present it stands as overgrown scrubland with boundaries that are defined by trees and hedgerows. The site lies towards the north east corner of the City, between Chaddesden and Spondon and it forms part of the designated green wedge. It is an irregular shaped site that slopes southwards towards the rear boundaries of dwellings which front onto Derby Road. It sits generally below the level of Acorn Way which forms its western boundary. The site is boarded to the north and east by the playing fields of West Park School. A public footpath crosses the site, north-east to south-west which provides access between Derby Road and West Park School playing fields.

Outline planning permission is sought for up to 250 dwellings on this 6.79 hectare site. The details of the layout, scale, external appearance and landscaping for the residential scheme are reserved for future approval with details of the means of access being the only matters submitted for approval at this stage. The proposed solution to access for the site has been amended during the course of the application. The main vehicle access into the site is now proposed as a roundabout on Acorn Way. It is proposed to be located approximately 200m north of Derby Road. Capacity improvements to the Acorn Way arm of the Derby Road/Raynesway roundabout are also proposed. Pedestrian and cycle accesses are to be retained which link to the Derby Road site frontage.

A Design and Access Statement, Flood Risk Assessment, Residential Travel Plan and Transport Assessment have been provided in support of the application.

2. Relevant Planning History:

There is no recent development control history relative to this site.

3. Publicity:

Neighbour Notification Letter – initial letters were sent on 27 September 2013 with additional letters sent on 02 October 2013 and 26 February 2014 following amendments to the scheme.

Site Notice – a notice was erected on 18 October 2013

Statutory Press Advert - 04 October 2013

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

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4. Representations:

At the time of drafting this report, 90 objections to the proposal had been received which includes detailed objections from Councillor Williams and Councillor Poulter. Two representations expressing support for the development had also been received. The issues raised in objection to the application generally relate to the following:

- The planning policy system having already considered this site for development and such proposals being rejected in support of the site being protected as green wedge
- Too much green space already being lost to housing
- The loss of separation and green spaces between neighbourhoods
- Increased traffic causing further congestion and a reduction in safety on roads that are already congested
- Derby Road and Acorn Way being unable to cope with the increased level of traffic
- A further reduction in air quality in an area where it is already poor
- Increased levels of noise
- A loss of safety in the area
- Existing issues with flooding being made worse
- The potential for the proposed houses to flood
- The lack of infrastructure in the area (including doctors, dentists, school places) to support future residents
- The additional housing providing too much strain on current resources
- Loss of wildlife on the site
- Loss of privacy and amenity for neighbouring occupiers
- The development being over bearing and out of character with the area

The issues raise in support of the application generally relate to the following:

- Additional housing being good for the area
- There being lots of new jobs locally and workers needing somewhere to live
- The footpath through the site would be safer to use if it were part of a development
- The site being untidy and a nuisance at present

Additional consultation has been undertaken following the changes to the access solution for the site. Members will be updated at the meeting on any further representations received following this additional consultation.

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5. **Consultations:**

Land Drainage:

The site is in flood zone 1 but because it is over 6 hectare in size a Flood Risk Assessment has been carried out which makes suggestions about the form that a drainage strategy for the site could take. The design for the development should take into account the use of sustainable drainage techniques and the site has been identified as having the potential to exacerbate the existing flood risk to properties along Derby Road because of surface water run-off. The drainage strategy for the site would need to demonstrate that this risk has been addressed. Reservations are expressed about the current proposal because the surface water outfall for the site has not been identified. It is suggested that any planning permission granted should be subject to conditions which require the submission of foul and surface water schemes which include sustainable drainage features and demonstrate that any flood flow generated by a one in 100 year rainfall event (plus climate change) is either retained on site or that flood risk is not increased to third party properties.

Highways DC:

The revised access option outlined in the submitted technical note represents a better solution that was originally proposed. This is because the proposed roundabout introduces a 'gateway' between the rural section of Acorn Way to the north and the urban highway network that is Derby Road, and Nottingham Road. At present the majority of Acorn Way to the north of the site is derestricted rural road i.e. subject to a 60 mph speed limit. The speed limit changes to 40mph approximately 100 m north of a signal controlled crossing to Oregon Way. The roundabout would provide the opportunity to further reduce the speed limit to 30 mph as drivers approach Derby Road and in doing so reinforce the change from rural to urban highway. Acorn Way between Derby Road and the proposed roundabout would have a 2m wide footway provided on the development thus allowing people to walk alongside the carriageway thereby changing its nature to a more urban feel. The urban nature of this section of highway could be further enhanced if dwellings faced on to Acorn Way rather than with their back gardens adjacent to road. However, the dwellings should be accessed from a service road rather than taking direct access to Acorn Way. The roundabout will deal well with the right turn into the site from Acorn Way. The roundabout design shown in the submitted drawings (Drg no F12125/05) is merely to demonstrate the principle of such a junction. The actual roundabout design will have to include refuges on each arm and be formally approved through the S278 process and the imposition of a condition on any planning permission granted, is suggested.

The development of the above site is likely to generate a desire by pedestrians and cyclists to cross Acorn Way to get to Chaddesden. The Highway Authority would require the developer to provide a short length of footway/cycleway to link to the new dwellings via the proposed roundabout to the existing footway/cycleway which runs parallel to Acorn Way between the Derby Road/Raynesway roundabout to Oregon Way. The route is likely to be via the southern side of the proposed roundabout where the refuge should be designed to accommodate pedestrians and cyclists crossing the road.

At times during the day, particularly in the am peak there is a slow moving queue forms on Acorn Way which extends past the location of the proposed roundabout. To

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seek to mitigate this issue the developer's traffic consultant has proposed to lengthen the 'flare' on Acorn Way on the approach to Derby Road/ Raynesway roundabout (the 'flare' is the gradual widening on the approach to a roundabout to allow drivers to move into the appropriate lane at the stop line). This proposal is welcomed as at present the approach to the roundabout is narrow and drivers currently find it difficult to make full use of both lanes at the stop line and so cannot utilise the available gaps on the roundabout. It has been suggested to the traffic consultant that the flare could be improved further than proposed in the technical note in order to maximise the capacity on this leg of the roundabout. The consultant has agreed that this is a good idea and that the exact length of the flare can be agreed at detailed stage and the imposition of a suitably worded condition is recommended for this.

The developers have proposed a number of travel plan measures and it is suggested that these should be secured through conditions of planning permission. The site lies within 400m of the Derby Road/Nottingham Road bus corridor. The developers have agreed to provide a bus shelter on Derby Road to accommodate the extra passengers likely to be generated by the proposed development. This proposed shelter should be provided with a power supply and be capable of supporting real time information and the imposition of conditions are suggested to achieve this. There would also be a significant S106 transport contribution towards sustainable transport modes and it is considered that further improvements to the Derby Road bus stop could be investigated and provided via this contribution i.e. a half bus lay-by and real time information.

The developers are proposing to upgrade the existing right of way running through the site to a 3m wide footway/cycleway. At present there are no details of the route and this would be a matter to de dealt with at the reserved matters stage. Should the route have to be diverted this would have to be subject to a formal diversion process.

The design of the internal road layout is a matter reserved for consideration at a later date. However with a single point of access the road layout should take the form of a loop. The design should incorporate the principles set out in 'Manual for Streets' and advice about other constructional details and elements such as drainage can be obtained from the 6Cs Highway Design guide.

DCC Archaeologist:

The proposal area of c6.9ha lies within a heritage asset, the former parkland associated with Spondon Field House (HER 32437), and is adjacent to, or on the line of, the Roman Road (HER 32522/99033) between Little Chester (Derby) and the river crossing at Sawley. Although areas to the north and east have been landscaped to create playing fields, the proposal site looks to be a relatively undisturbed greenfield site.

Because of these heritage interests, and, in particular, the potential for hitherto undiscovered archaeology associated with the Roman Road alignment, the application is subject to the policies at NPPF chapter 12.

NPPF para 128 requires applicants to provide sufficient information to establish the significance of heritage assets within a site; in the case of potential for below-ground archaeology this may include a desk-based assessment and/or the results of field evaluation.

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The application includes no heritage information, and does not therefore meet the information requirements of NPPF para 128.

In order to address this requirement, the applicant should submit the results of archaeological field evaluation of the site. This should include geophysical survey in the first instance; trial trenching may also be required should the results appear potentially significant. Once this information has been received I should be reconsulted on the application. In the meantime I maintain a holding objection on the grounds of non-compliance with NPPF para. 128

Environment Agency:

The Agency advise that they consider that the development will only be acceptable if conditions are attached to any planning permission granted which require the submission of surface water and foul drainage details.

Police Liaison Officer:

No objections are raised to the principle of residential development on this site. It is suggested that an informative note is attached to any planning permission that advises the applicant to make contact with the Liaison Officer to secure the incorporation of the principles of crime prevention through environmental design in any reserved matters. Specifically, comments are made relative to the integration of the existing footpath into the scheme and its potential diversion.

6. Relevant Policies: Saved CDLPR policies

GD1	Social	Inclusion
GDT	Social	inclusion

- GD2 Protection of the Environment
- GD3 Flood Protection
- GD4 Design and the Urban Environment
- GD5 Amenity
- GD8 Infrastructure
- H11 Affordable Housing
- H12 Lifetime Homes
- H13 Residential Development General Criteria
- E2 Green Wedges
- E4 Nature Conservation
- E5 Biodiversity
- E7 Protection of Habitats
- E9 Trees
- E10 Renewable Energy
- E12 Pollution
- E17 Landscaping Schemes
- E23 Design
- L2 Public Open Space Standards
- L3 Public Open Space Requirements in New Development
- L4 New or Extended Public Open Space
- T1 Transport Implications of New Development
- T4 Access, Parking and Servicing
- T15 Protection of Footpaths, Cycleways and Routes for Horseriders

The above is a list of the main policies that are relevant. Members should refer to their copy of the CDLPR for the full version or access the web-link.

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http://www.cartogold.co.uk/DerbyLocalPlan/text/00cont.htm

Over-arching central government guidance in the NPPF is a material consideration and supersedes earlier guidance outlined in various planning policy guidance notes and planning policy statements.

7. Officer Opinion:

Key Issues:

In this case the following issues are considered to be the main material considerations which are dealt with in detail in this section.

- Policy principles
- Traffic implications and access
- Infrastructure and Environmental impacts

Policy principles

The application site is located in the Chaddesden / Spondon green wedge and the principle of residential development on the land is contrary to green wedge policy as set out in policy E2 of the CDLPR. Development on the site would mean that the land would cease to perform a green wedge function. It is therefore important to understand the purposes of green wedges along with the complex set of existing and emerging national and local policy issues which are material in considering whether that function should be lost to residential development. A significant factor in determining the application is how much weight to give to various policy documents and material considerations. These include the National Planning Policy Framework (NPPF), the adopted City of Derby Local Plan Review (CDLPR) and the City Council's emerging Core Strategy alongside the Council's five year housing supply position.

National Planning Policy Framework

The NPPF was published in March 2012 and it provides national guidance on planning decision making. The policy document outlines a presumption in favour of sustainable development and it sets out the Governments objective to boost significantly the supply of housing. Both of these objectives are clearly relevant in determining this application. In terms of decision taking, the 'presumption' is defined as:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, granting permission unless;
 - any adverse impacts in doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - Specific policies in this Framework indicate development should be restricted.

The theme of sustainable development is embedded in all of the NPPF policies and all relevant policies within the framework need to be considered and given weight.

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Paragraph 215 of the NPPF states that 'due weight' should still be given to relevant policies in existing plans according to their degree of consistency with the NPPF. It is considered that the policies in the CDLPR have a high level of consistency with the NPPF and should therefore continue to be the starting point for all decisions and given a significant amount of weight in this and any other application.

Housing land supply

The NPPF sets out a requirement for local authorities to identify and maintain a supply of deliverable housing sites to meet needs for at least 5 years. It states at paragraph 49 that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites. The definition of 'deliverable' means that they are in a suitable location for housing, that the land is available for development and that development would be economically viable.

The Council cannot currently demonstrate a 5 year supply of deliverable housing sites. It is seeking to identify its housing needs and meet them through the Core Strategy process and until the Core Strategy is formally adopted many of the sites are identified in the Draft Core Strategy cannot be counted in the supply. The lack of sites is not necessarily a result of land not being available. It is also influenced by it not being currently economically viable for developers to build on certain housing sites because of economic and market conditions. In the event that an authority cannot demonstrate a 5 year housing supply the NPPF states that it should grant planning permission for residential development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Saved policies of the City of Derby Local Plan Review

The starting point for the determination of planning applications remains the Development Plan and particularly the policies set out in the CDLPR. Those policies remain relevant and should be given weight in the determination of this application. One of the main issues to consider is the suitability of the site for residential development given its location within a green wedge and the issues relative to the weight given to save policy E2 are discussed further below.

Policy H13 outlines general criteria on which residential proposals should be assessed. The policy seeks to ensure that a satisfactory form of development is provided, which safeguards residential amenities, provides a high quality living environment and achieves appropriate housing densities and interesting urban forms and townscape design. This residential proposal is submitted in outline only with details of layout, scale, external appearance and landscaping to be agreed as reserved matters therefore the detailed design of a residential layout is not submitted for consideration. It is considered that a good quality residential layout and design of development could be achieved within the site itself to meet the requirements of saved policies H13, GD4 and E23 through the reserved matters applications. A number of local residents who have objected to the application have expressed concerns that the provision of housing on this site would result in detriment to their existing levels of privacy and amenity. However, through reserved matters applications, a design of development could be secured which ensures that our normal standards for separation distances can be achieved and it is considered that suitable control remains in place, through the reserved matters, to ensure that the privacy and amenity of existing neighbouring residents is suitably protected. The

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number of residential units proposed is a maximum and would have to be demonstrated through the detailed design processes. However, it would achieve a suitable density of development for this site, in line with the aims of saved policy H13 and is therefore reasonable as part of this outline application.

Where the development struggles to meet with the aims of policies H13, GD4 and E23 is in its relationship with the wider urban area. The Inspector who considered the site in detail at the Inquiry for the CDLPR (2005) described development on this site as "...taking the form of a free-standing residential community which would have a tenuous link with the built up area and existing communities. The housing along Derby Road turns its back on the site: Acorn Way is a strong physical boundary: and adjoining open land is a major influence." Located in the green wedge between Spondon and Chaddesden, it is considered that a development in this location would struggle to directly identify with either community. Given the strong physical boundaries between the site and its neighbours, it is considered that it would be difficult to secure a layout of the development on the site that relates well to existing housing in the locality. The houses on Derby Road turn their backs to the development site and because Acorn Way is a clear boundary forming the eastern edge of Chaddesden and open fields would remain to the east of the site, it would virtually be an island of development that would struggle to relate to the neighbouring communities. There have been no significant changes in land use or form since the CDLPR Inspector commented on potential development within this site and concerns regarding its relationship to the wider urban area remain. Whilst the detailed design of the scheme is reserved for future approval, it is considered that this difficult relationship may result in development struggling to come forward in a satisfactory form which meets good standards of design. Accordingly, conflicts with policies H13, GD4 and E23 arise.

Policy H11 requires affordable housing to be provided for the scale of this development and the provision of a percentage of homes to a Lifetime Homes Standard is also sought through policy H12. Such requirements are normally secured through the terms of a Section 106 agreement and the applicants have agreed Heads of Terms which provide both and this would be subject to the terms of such an agreement being agreed and finalised.

Green wedge implications

Policy E2 is very relevant to the determination of this application given that the application site falls wholly within the Chaddesden / Spondon green wedge. The policy seeks to maintain green wedges as open and undeveloped spaces and it offers limited scope for built development. The purpose of the green wedge is to define and enhance the urban structure of the City as a whole. Green wedges play a crucial role in retaining open areas of land between separate parts of the City which helps to maintain their identity and reduce the impression of urban sprawl. The two essential characteristics of green wedges are that they have an open and undeveloped character and that they penetrate the urban area from the open countryside.

The Chaddesden / Spondon green wedge helps to clearly define the built edges of the separate communities contributing to their separation, character and identity. It allows the open countryside to penetrate from the adjacent borough of Erewash well into the City, clearly delineating the neighbourhoods of Chaddesden and Spondon,

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providing residents with access to the open Countryside via a series of Public Rights of Way and preventing the coalescence of those neighbourhoods.

The proposed residential use of the land is not one of the uses that are permitted within a green wedge and it therefore represents an inappropriate form of development that is contrary to adopted policy. It is considered that the loss of this undeveloped, open land would compromise the overall function of the green wedge. The site is part of an area of land which provides a significant open break within the existing built up area. The loss of that open character, if the site were allowed to be developed for residential purposes, would be prominent and intrusive, resulting in significant narrowing of the green wedge, reducing the level of separation between Chaddesden and Spondon. It is acknowledged that the green wedge would only be narrowed at the southern end and that the width of the remaining green wedge would be maintained to the north. However, development on the application site would reduce the extent to which countryside is able to penetrate the urban area of the City, particularly on the western side. This would reduce the proximity of open countryside in relation to the built up area of Chaddesden. Penetration would be maintained on the eastern side of the green wedge but this area contains the playing fields for West Park Secondary School and is not so publically accessible. On the eastern side, the open character of the green wedge is also interrupted by the built development of West Park Secondary School and along West Road. It is considered that this interruption on the eastern side increases the need to maintain openness of the green wedge on the western side, to maintain an uninterrupted flow of countryside on the western side. Acorn Way forms a strong boundary on the western side of the green wedge and it is considered that breaking that boundary would result in an obvious intrusion into the green wedge that would be damaging to its overall character. The maintenance of an open and undeveloped character on the application site is therefore considered to be important in maintaining the character and function of the Chaddesden / Spondon green wedge. Allowing a residential development on the site would clearly be contrary to those aims and contrary to Policy E2. It is considered that significant weight should be given to this issue in the determination of this application.

The Draft Core Strategy

The City Council are in the process of consulting on its Draft Core Strategy. The consultation identifies the Council's preferred strategy for meeting its growth needs to 2028. Paragraph 4.5 of the Draft Core Strategy acknowledges that development of some land within green wedges is necessary to deliver the amount of housing needed. The strategy to release some green wedge land is very much based on ensuring that viable, functional and defendable green wedges are retained and their accessibility and green infrastructure role is strengthened. This approach has been supported by a Green Wedge Review, which considered the role and function of each of the wedges in the City and opportunities to release land for development to meet the City's housing needs.

The application site is considered in the Green Wedge Study which concludes that;

"Development of the promoted site would lead to a high level of impact on the green wedge, in terms of narrowing and the potential for gradual coalescence of neighbourhoods. The promoted site is very much part of the green wedge and development would be damaging to its definition and undermine the strong

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boundaries. The extent to which the countryside is able to penetrate the urban area would also be reduced. The flow of countryside on the western side of the green wedge is particularly important due to the impact of built development at West Park School on the eastern side."

In light of the conclusions of the Green Wedge Study, this site is specifically excluded from the preferred growth strategy due to significant concerns regarding the impact of residential development on the green wedge.

The applicants have provided information from a previous owner of the site which outlines issues that the owner experienced with rubbish and materials being dropped and left on the site consistently which they indicated resulted in the land being unsuitable for farming and agriculture. A local resident who has written in support of the application has suggested that the site is a nuisance given its untidy state but this is set alongside a large number of objections from other residents who clearly value the site for its openness. Issues relative to maintenance are noted but any potential issues relative to the inability of the site to support a farming or agricultural use are not considered to give substantial grounds on which a built form of development on the site should be supported.

Traffic implications and access.

The Transport Assessment (TA) submitted with the original application proposed new accesses for the development site on to both Acorn Way and Derby Road with a link road joining the access points. The TA proposed a simple priority junction onto Acorn Way and junction options for the Derby Road frontage in the form of a priority junction or traffic signal solutions. The Highway Authority advised the applicant's traffic consultants that their proposed access strategy could not be supported and proceeded to discuss alternatives.

The traffic consultants supplied a revised access strategy in the form of a technical note and this revised strategy removed the proposed vehicular access to Derby Road and offered a roundabout on Acorn Way approximately 200m north of Derby Road, together with a capacity improvement to the Acorn Way arm of the Derby Road/Raynesway roundabout. Pedestrian and cycle access is proposed to be retained to the Derby Road site frontage thereby providing access to the bus services which run along the Derby Road/Nottingham Road corridor.

The majority of local residents who have written in objection to this application have expressed concern regarding the implications of the additional housing on congestion and traffic problems in the local area. This has led to concerns being expressed with regards to road safety. In accordance with the advice that has been provided by the Highway Officer, it is clear that the solution to providing a formalised access into the site off Acorn Way can be achieved without highway safety being unreasonably compromised. At this stage, the layout and design of internal roads within the development itself are not for consideration and a satisfactory solution for the internal road network would need to be agreed with the Highway Authority in any future, reserved matters applications. The location of the separate pedestrian / cycle access onto Derby Road is also deemed to be acceptable in highway safety terms. This route would provide additional access for occupants of the development to bus services and local facilities. The consultation with local residents on the revised access solution for the site was on-going at the time of drafting this report and

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members will be updated at the meeting on any further representations that may be received. In light of the advice provided, it would be reasonable to secure a detailed design for the proposed site access onto Acorn Way through suitably worded conditions and through the Section 106 agreement, the wider implications of the development on the highway network can be suitably mitigated through contributions towards public transport improvements. With such measures in place, I would be satisfied that the requirements of saved policies T1 and T4 would be met by the revised access proposals.

Saved local plan policy T14 states that planning permission will not be granted for development proposals which would sever Public Rights of Way or prejudice access to these routes. The existing footpath that crosses the application site is proposed to be maintained and upgraded. This could be secured through a reserved matters application and the aims of policy T14 should not be compromised by this proposal.

Infrastructure Issues and Environmental Impacts Infrastructure

Policy GD8 requires new development to make provision for necessary and appropriate infrastructure directly related to the development. The applicants have agreed the Heads of Terms for a complete Section 106 package which secures appropriate infrastructure as a means for mitigating the impacts of the proposed development. This includes the provision of primary and secondary school places which is clearly an issue of concern for a number of local residents who have objected to the planning application. Ensuring that proposals meet the needs of new and existing communities is supported by the NPPF. As part of the Section 106 package, the applicants are proposing contributions towards primary and secondary school places. It is understood that some surplus of places presently remains at Springfield Primary School but it is unknown when any approved development would come forward on this site and therefore the Section 106 seeks to secure a primary school contribution. A full contribution is also being sought for secondary school places given that West Park currently has no capacity. The applicants have agreed the terms of such a contribution along with contributions to facilitate the replacement of the temporary classrooms at West Park Academy. Such intentions would meet with the infrastructure requirements of policy GD8 and the NPPF.

Public open space provision

Policy L3 sets out requirements for public open spaces in new developments. The provision of both on-site and off-site new open space is a matter for agreement with the applicant, and this has been agreed as part of the heads of terms for the Section 106 agreement. An area of land which stands north of the application site is identified in the CDLPR as land for new public open space under policy L4(9). In the information supporting the application, the applicant has indicated a clear intention to facilitate the provision of that open space. Whilst such matters remain part of the discussions concerning the Section 106 agreement, the provision of a mechanism to bring forward the provision of the public open space would be a benefit arising from the development of this site. To the north of the site is a nature conservation area protected under policy E4(45) in the CDLPR. As part of the Section 106 package, the applicants have expressed an intention to facilitate improvements to that land also in order to provide improved public accessibility and this would offer further

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benefits that would arise from allowing residential development on the application site.

Environmental Impacts

The application has not been supported by a tree survey or protected species survey therefore the wildlife interest on the site and its ecological value is unknown. A Tree Preservation Order covers the site and established trees and hedgerows of significance would, where practically possible, be retained as part of any landscaping scheme, should development of the site be supported. Given that that is an outline scheme for residential development with only means of access being subject of approval, the lack of such information does not give a reasonable ground on which the application should not be validated and considered by the City Council. However, the implications of the development of the site for wildlife and the wider environment, particularly species protected by law would need detailed consideration if a recommendation were made to grant planning permission.

Whilst the site is not considered to be a significant flood risk, land drainage and flooding matters have been considered and a Flood Risk Assessment was submitted with the application. Both the Land Drainage Officer and the Environment Agency have not raised any concerns about the proposal on flood risk grounds, subject to conditions being imposed to secure a suitable SuDS and flood protection / mitigation measures as part of any future development. This could reasonably be secured through reserved matters applications and it is considered that the scheme satisfactorily meets the tests of policy GD3 and the NPPF.

Summary

The application is contrary to exiting CDLPR policies which still carry weight in the decision making process. Additionally, the evidence and analysis carried out as part of the on-going Core Strategy development has identified significant adverse impacts which would arise if this site were to be developed for residential uses. The CDLPR Inquiry Inspector found that the site performs poorly as a location for new housing development. The evidence which the Council has developed as part of the emerging Core Strategy is consistent with the Inspectors findings, particularly in terms of the impact on a sensitive part of the long established green wedge which helps to define and separate the areas of Chaddesden and Spondon, as well as the sites relationship with the urban area.

However, the harm to the green wedge and the ability to create a satisfactory form of development and the resulting conflict with CDLPR policy have to be balanced against the inability of the Council to currently demonstrate a 5 year supply of deliverable housing sites, as required by the NPPF, and the resultant presumption in favour of sustainable development. The site is in a sustainable location. The applicants are clearly making a case that housing development on the site is deliverable, given its sustainable location and availability for development. Through this application, it has also been shown that an access to the site can be achieved which meets with the Highway Authority's requirements. Paragraph 14 of the NPPF requires clear consideration of the benefits arising from a scheme and along with the provision of additional housing for the City, weight should also be given to the works to the public open space and local nature reserve that would be facilitated by this development along with the educational provisions which would facilitate replacement classrooms at West Park Academy. These are clear benefits arising from this

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Type: Outline with means of access

development and it needs to be considered whether they outweigh the adverse impacts of the scheme which result from the harm to the character and function of the green wedge.

In weighing up these issues it is important to note that the Core Strategy is at a draft plan stage with submission for examination in public envisaged for 2014. Whilst the document can currently carry limited weight in the decision making process; the Draft Core Strategy identifies what the Council considers to be a deliverable strategy to meet its objectively assessed housing needs and therefore afford a 5 year supply of deliverable housing sites, whilst delivering the required supporting infrastructure in a sustainable manner.

In developing the Core Strategy, the Council has had to assess all types of land within the City for its suitability to meet the current unprecedented need for housing, As such, the Draft Core Strategy does include housing sites on land currently allocated as green wedge as part of its supply of deliverable housing sites. The green wedge sites included within the Draft Core Strategy are those that have been assessed through the Green Wedge Review as having the potential to discretely roll-back green wedge boundaries without compromising the role and function of the green wedge.

The application site is not included in the draft strategy. It is not considered that the boundaries of this part of the Chaddesden / Spondon green wedge can be rolled back without its role and function being compromised. Although a suitable access solution for the site is proposed, it would result in the change of part of Acorn Way from rural to urban given the widening of carriageway and footway. Whilst the provision of new off-site public open space is desirable along with improvements to the nature conservation area, they are off site works that would not protect or maintain the openness to any part of the application site. Its current open character would be lost to build development and such detrimental impacts cannot be mitigated.

It is considered that the development of the site would have a high level of impact on the existing green wedge sufficient to offer the gradual coalescence of the neighbourhoods of Chaddesden and Spondon. Allowing development on the site would be detrimental to the role and function of the green wedge, contrary to the aims of policy E2. It is considered that such implications should be afforded significant weight when balancing the scheme alongside its benefits. The development of the site would potentially have an effect on achieving the aims and objectives of the Draft Core Strategy also. Overall, it is considered that the harm to the green wedge, as defined in the CDLPR and as revised and re-invigorated as part of the Draft Core Strategy, would represent the precise adverse impacts the NPPF, in paragraph 14, refers to as being sufficient to outweigh the presumption in favour of sustainable development. Accordingly, there are significant reasons why the site should not be granted planning permission for the development proposed and the loss of the green wedge to residential development cannot be supported.

8. Recommended decision and summary of reasons:

To refuse planning permission.

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Summary of reasons:

- 1. In the opinion of the Local Planning Authority, residential development on the application site would be prominent and intrusive leading to the narrowing of the Chaddesden / Spondon green wedge, damaging its openness, undeveloped character and strong boundaries. It would reduce the extent to which the countryside is able to penetrate the urban area and would create a potential for the gradual coalescence of the Chaddesden and Spondon neighbourhoods. As such, the proposal would compromise the role and function of the green wedge in this location, contrary to the aims of saved policy E2 of the adopted City of Derby Local Plan Review.
- 2. The Local Planning Authority is not satisfied that, through reserved matters applications, a suitable and acceptable form of development can be secured which provides an interesting urban form and high standard of design, a high quality living environment and layout of buildings, for the site. In particular, it is considered that development on this site would fail to provide a satisfactory form of development and relationship with nearby properties, reflecting the urban grain, and communities in the wider area. Accordingly, the Local Planning Authority cannot conclude that a satisfactory form of development can be achieved through the reserved matters and accordingly, the proposal is contrary to the aims of saved policies H13, GD4 and E23 of the adopted City of Derby Local Plan Review.

S106 requirements where appropriate:

Draft Heads of Terms include the following:

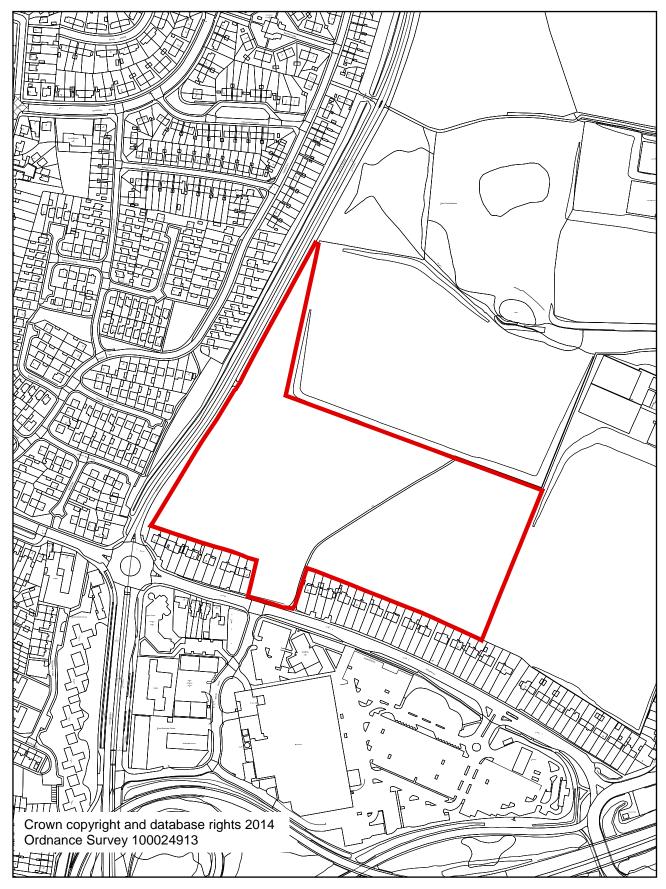
- Affordable housing
- Incidental open space
- Major open space
- Play areas
- Public realm
- Public art
- Lifetime homes
- Education
- Highways
- Community Centres
- Libraries
- Sports facilities
- Health
- Employment Initiatives

Application timescale:

The deadline for the determination of this application has already expired.

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Type: Outline with means of access



Application No: DER/06/13/00662 Type: Full

1. Application Details

Address: Land between No's 11 and 20 Thanet Drive, Alvaston.

Ward: Boulton

Proposal:

Erection of 4 bungalows and associated access and parking

Further Details:

Web-link to application documents:

http://eplanning.derby.gov.uk/acolnet/planningpages02/acolnetcgi.gov?ACTION=UNWRAP&RIPNAME=Root.PgeDocs&TheSystemkey=94841

The application site relates to a grassed area of open space located beyond the highway turning head at the end of Thanet Drive in a residential area of Alvaston. The site is generally flat with a very slight slope toward Thanet Drive. The surrounding area is comprised of a mix of two storey and bungalow semi-detached and terraced properties, some of which have curtilage boundaries backing onto the site. At the north east boundary a semi-mature 5-7 m high evergreen hedge exists. A public footpath runs along the south west boundary, but is outside the red edge of the application site.

The proposed development is for the erection of four terraced single storey bungalows arranged in a staggered formation. The building footprint would occupy much of the width of the site with 4 off-street parking spaces provided to the frontage. Each dwelling would measure approximately 7.5m in width, 8.8m in depth and 5m in height and is formed of 2 bedrooms, a lounge and a kitchen. Windows are shown on both the front and rear elevations with a single bathroom window on the both gable elevations.

Revised layout and site location plan drawings have been submitted. These seek to address concerns raised by colleagues in Highways Development Control. The result is an amended red edge line on the northwest boundary; the entire block of dwellings being re-positioned approximately 3.3m further toward Thanet Drive; re-aligned turning head and driveway and re-positioned parking bays further toward units 1 and 2.

An updated Design and Access Statement has also been provided, to justify the loss of open space to meet requirements of the NPPF and saved CDLPR policies L1 and L2.

2. Relevant Planning History:

DER/02/97/00184: Use of land for site compound and siting of buildings for temporary period. Granted March 1997.

3. Publicity:

Neighbour Notification Letter – 10 letters sent to neighbouring properties

Site Notice – on street lighting column near site

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

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A 21 day re-consultation was carried out in light of the revised drawings...

4. Representations:

Ten letters of objection have been received and an objection petition received:

- Inadequate parking for existing residents on Thanet Drive
- Other rear gardens are more suitable for 4 bungalows
- No overflow parking if residents have more than 1 car
- Young children play on the green, where parents can see them it is safe and away from main roads
- It will invade people's privacy and safety
- Emergency services will not have sufficient access to properties
- Construction traffic
- Aesthetic impact
- Potential tenants
- The buildings will lead to overcrowding and loss of common land and open space
- Concerns about children accessing (crossing busy roads) to other open areas to play
- Bin store is not well located and environmental, hygiene and fire hazard
- The land is very much at the heart of the area with local children playing and for dog walkers
- The green space needs to be protected as the development of the green space will lead to further development elsewhere

5. Consultations:

Highways DC:

Highways DC initially commented that further clarification was required on footpath widths; visibility splays; land drainage matters. In light of the amended drawings submitted, the Highways Development Control Officer has no over-riding objections..

6. Relevant Policies: Saved CDLPR policies

L 17	Land	Iscaping	Schemes
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E23 Design

GD4 Design and the Urban Environment

GD5 Amenity

H13 Residential development – general criteria

L1 Protection of Parks and Public Open Space

L2 Public Open Space Standards

T4 Access, Parking and Servicing

The above is a list of the main policies that are relevant. Members should refer to their copy of the CDLPR for the full version or access the web-link.

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http://www.cartogold.co.uk/DerbyLocalPlan/text/00cont.htm

Over-arching central government guidance in the NPPF is a material consideration and supersedes earlier guidance outlined in various planning policy guidance notes and planning policy statements.

7. Officer Opinion:

Key Issues:

In this case the following issues are considered to be the main material considerations which are dealt with in detail in this section.

- The principle of residential development / loss of informal open space
- Design issues and Impact upon the street scene
- Residential amenity issues
- Highways issues/parking provision

<u>Principle of development – loss of open space</u>

The application site in question is not allocated for any particular use in the adopted CDLPR, nor does it carry any formal designation as public open space under Local Plan policy. The site is well served by local services and facilities and represents a sustainable location for residential development. The main issue from a planning policy perspective is that the application site is an area of local green amenity space and we need to be satisfied that the loss of this open space would be acceptable. Both the CDLPR and the National Planning Policy Framework (NPPF) contain policies relating to the loss of open space and these are relevant and should be considered. The CDLPR Policy L1 states that 'within areas of public open space, planning permission will not be granted for any proposal other than those associated with the provision of leisure or recreational uses of an open nature, unless an assessment has been undertaken which has clearly shown the open space to be surplus to requirements'. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. The land fits into the NPPF definition of Open Space and would fit into the category of 'incidental open space' as defined in the supporting text of Policy L2 in the CDLPR

Clearly the proposal would not see the existing recreational facility retained or replaced and therefore both the CDLPR and the NPPF require an assessment to be undertaken which demonstrates that the open space is surplus to requirements. The applicants have provided an assessment which considers the purpose, function and value of the land in question and how it fits into the character of the neighbourhood. Generally, they observe the main benefit of the space is one of visual amenity, although they do recognise some recreational activity takes place here. Whether the open space is surplus to requirements needs to be considered in both quantitative and qualitative terms and requires some subjectivity. The applicants have identified that there are other small local areas of amenity space at the end of Thanet Drive and a larger area within walking distance at Crayford Road.

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The applicant's view is therefore that the open space has limited value and that there are alternative areas in the location. They consider that these factors demonstrate that it is surplus to requirements. Having said that, a number of objectors are concerned about the loss of the green space and the comments reflect a perceived value of the grassed area for recreational purposes. As the open space here has existed for many years, local people have become accustomed to it being there for their use and enjoyment. The submitted open space assessment in my opinion does not properly demonstrate that the application site is surplus to requirements as open space, as required under Policy L1 and the NPPF.

However a balanced judgement is needed as to the weight given to the provision of 4 affordable homes against the loss of this local green amenity space. The loss of the open space is regrettable, although I am mindful of the NPPF's policy requiring Local Authorities to "boost significantly the supply of housing". Although the four bungalows proposed do not provide a significant amount of new housing, they would contribute much needed new homes as the Council has also identified significant need for new affordable housing.

A further material consideration in this case is that the NPPF requires Local Authorities to maintain a five year supply of deliverable housing sites within the city. It is acknowledged that the city does not currently have a five year supply of deliverable housing sites. In such cases the NPPF sees the development plan as being out of date and states that new housing should be permitted unless the proposal would result in significant demonstrable harm, which would outweigh the benefits. Because the Council cannot demonstrate a five year supply the determination of the application is about weighing up the adverse impacts of the scheme, including the loss of the open land, against the benefits of the proposal in terms of providing new homes. Paragraph 14 of the NPPF requires those adverse impacts to be significant and demonstrable in order to mean that the proposal would be unacceptable.

In this case, the open land in question has local amenity value and whilst it is clearly valued by local residents, its loss would not result in a significant loss of public open space in the local area. The proposed development would provide affordable housing to address a local housing need and make a small contribution to increase the supply of housing in the city. The balance in this case is therefore considered to be in favour of the proposed residential development on the basis that the removal of the open space would not result in significant harm to the amenities of the residential area.

Design

The design of the proposed block of 4 dwellings would reference the architectural language and building scale of the existing bungalows adjacent to the site. This is most evident in the eaves fronted roof design, insertion of chimneys and door/window proportions on the principal elevations. As such the development would integrate well into the surrounding built environment. The staggered formation of the 4 dwellings ensures a visual break upon the principal elevation building line which also allows some landscaped area to remain to the frontage. In my view, the proposed layout utilises the land well and avoids the entire frontage being hard surfaced, to the benefit of the character and appearance of the scheme. The site offers a reasonable sized plot for 4 dwellings and whilst the cumulative footprint is larger than some of the nearby houses, it would not be excessive or disproportionate when read against the physical presence of other terraced dwellings along Thanet Drive.

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The amenity area to the rear is entirely sufficient and will be communal rather than separated individual gardens. In addition, the existing evergreen hedge provides a substantial green boundary and screening from adjoining rear gardens. Thus, a condition requiring its retention and protection during construction phases shall be included. I note the position of the bin store is near to the highway turning head and would be somewhat prominent in the street scene. This structure is shown as 1.5m in height and 2.8m x 2.8m in footprint with 4 brick piers and diagonal boarded timber fencing. While it is sited near to the street frontage it is there for practical reasons of bin carrying distance and to avert bin storage upon the dwelling frontages. In my view, any alternative positions within the site are no better. Moreover, with sufficient landscaping the bin store structure could be better screened. Overall, the proposed development is acceptable in design terms.

Residential amenity

The main amenity impact would be upon those neighbouring residents at No's 9, 11 and 20 Thanet Drive, due to their proximity to the site. Turning to No.20, the side elevation of this property contains a ground and first floor window, none of which would be overlooked or suffer any massing affect from the physical impact of the nearest proposed unit number 4. Beyond the northwest boundary, No's 9 and 11 are a pair of semi-detached two storey dwellings which face onto the application site. The nearest part of the proposed development to these existing properties would be the gable elevation of unit 1, at a distance of approximately 8m. I do not dispute that a degree of loss of openness and natural light would occur, at certain times of day due to the presence of the block of dwellings. While the outlook will undoubtedly change for those existing residents, the height and distance of the development in relation to the principal windows on the front elevations of No'9 and 11 would not result in significant adverse harm. Overall, the development would be generally acceptable in amenity terms.

Objections have been received from other nearby surrounding occupiers, but because of their distance from the proposed development little weight can be afforded to these points of objection. Finally, I do accept there is likely to be *some* impact on residential amenity resulting from the proposal, however I am of the opinion the impacts are not significant enough, in terms of material harm, to warrant the refusal of the scheme now proposed.

Highway implications

It is intended to utilise and improve an existing turning head at the end of Thanet Drive to serve this development and provide 4 off-street parking spaces. In light of revised plans (revision F) correctly demarking the site red edge boundary and the road access from the turning head the proposed vehicular access would incorporate suitable pedestrian visibility splays and a turning area appropriate for a development of this size. A number of objectors raise the point that the scheme will lead to additional on-street parking and congestion. It is difficult to argue that the proposed development would generate a high level of traffic movement and parking problems in this locality, because it is a relatively small scheme with sufficient off-street parking provision to meet the Council's Parking Standards. Furthermore, it is unlikely that the development would result in vehicular conflicts of on-street parking. The footpath to the south west edge of the site will be maintained in its currents width and not impeded by the proposal.

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Summary

In my opinion, the proposed development would create a satisfactory living environment for future occupiers and provides an opportunity to deliver 4 affordable bungalows, without having a detrimental impact upon neighbouring dwellings, or the visual amenity of the locality. The loss of the open space has been considered and in this particular instance the loss can be justified, against the provision of new housing addressing a housing need in the city. Accordingly the scheme would reasonably comply with the saved Local Plan policies listed above and it is recommended that planning permission is granted.

8. Recommended decision and summary of reasons:

To grant planning permission with conditions.

Conditions:

- 1. Standard condition 100 (time limit)
- 2. Standard condition 04 (approved plans)
- 3. Standard condition 21 (Landscaping within 12 months)
- 4. Standard condition 19 (Means of enclosure)
- 5. Standard condition 30 (Hard surfacing)
- 6. Standard condition 27 (External materials)
- 7. Unique condition 1 (obscure glazing requirement)
- 8. Unique condition 2 (protection of evergreen hedge on northern boundary)

Reasons:

- 1. Standard time limit reason
- 2. For the avoidance of doubt
- 3. Standard reason E10 Policy GD4
- 4. Standard reason E10 Policy GD4
- 5. Standard reason E21 Policy T4
- 6. Standard reason E14 Policies E23 and GD4
- 7. Standard reason E28 Policy GD5
- 8. Standard reason E10 Policy GD5

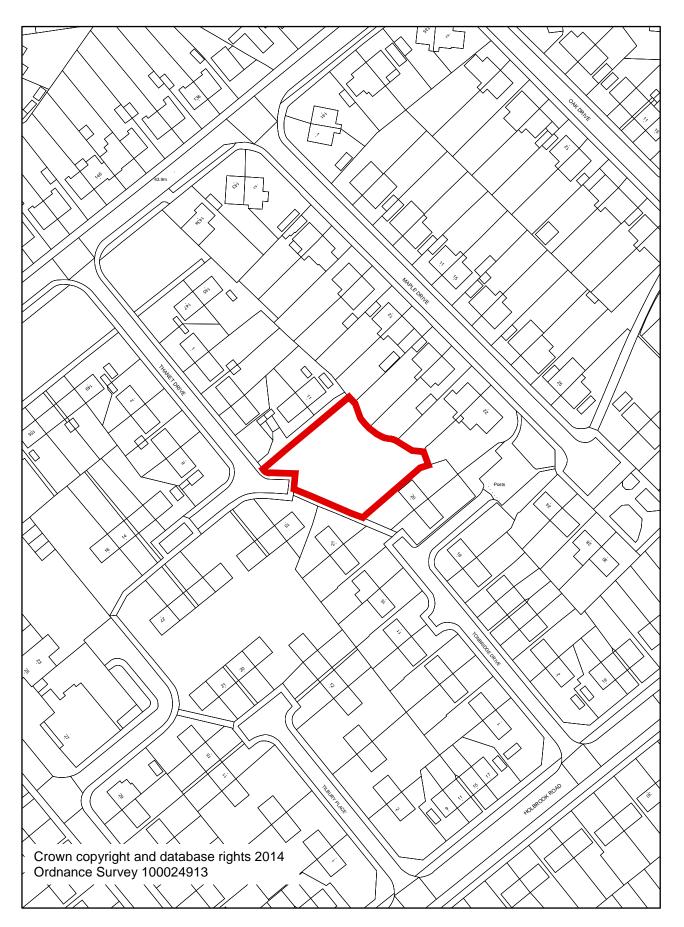
S106 requirements where appropriate:

There are no S106 requirements arising from this development.

Application timescale:

The application 8 week target date expired on 12 August 2013.

Application No: DER/06/13/00662 Type: Full



Application No: DER/11/13/01328 Type: Full

1. Application Details

Address: Walter Evans C of E Primary School, Darley Abbey Drive, Darley Abbey

Ward: Darley

Proposal:

Erection of 3 classroom block and enlargement of hall and provision 4 additional parking spaces.

Further Details:

Web-link to application documents:

http://eplanning.derby.gov.uk/acolnet/planningpages02/acolnetcgi.gov?ACTION=UNWRAP&RIPNAME=Root.PgeDocs&TheSystemkey=95550

This application seeks full permission for extensions to Walter Evans primary school, which lies to the north of Darley Abbey Drive, in Darley Abbey. The school lies outside the Darley Abbey Conservation Area, although it is within the World Heritage Site buffer zone. The school is of a modern, post war design, with the main buildings being of a hexagonal shape both externally and internally and cladding panel construction. It is all single storey with a flat roof. There is tarmac playground and Multi Use Games Areas (MUGA) to the north of the main building with playing fields to the west of the site.

The proposals are part of a city wide primary school expansion programme, to provide additional pupil places to meet the increasing demand for school places at reception to Year 2 level. The predicted rise in pupil numbers is from within the existing catchment area, which encompasses Darley Abbey and not from any planned future housing growth in the wider city. The school currently accommodates 349 pupils, including approximately 34 nursery places. There is a present admission of up to 45 pupils per year group and with the proposed expansion; this would rise to an estimated 60 per year group. This amounts to an increase of 105 pupils over an estimated 7 year time frame, taking the total number of places (including nursery) to 454 at the school. This would be accompanied by an associated increase in 8 full time equivalent staff over the 7 year period.

The proposed development would include the erection of a three classroom block and an extension to the main hall of the school, with addition of 4 car parking spaces.

The classroom block is to be sited to the north of the main building on the site of the existing "Millennium Garden", which lies between the hard playground and the MUGA. The garden is a planted area for educational play by the pupils and includes trim trail and this is to be relocated to the other side of the MUGA, on a sloping grassed area, which is on the edge of the playing field. The classroom block would be orientated to the east and open directly onto the playground and be well related to the main school building. The block would have a rectangular layout and be of a steel frame construction, faced in rendered panel and with full height glazing and rooflights to each classroom to maximise natural light. The building would also have a row of solar PV panels to the mono-pitch roof. The footprint of the building would be approximately 260 square metres, 22.2 x 11.7 metres in area and up to 3.95 metres in height.

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The extension to the school hall is also required to accommodate the increase in pupil numbers. The unusual shape of the building presents a challenge to the design of the extension and a flat roof addition with rectangular footprint is proposed to link with the main hexagonal structure on the north east corner of the building. The extension would be sited close to the school boundary with residential properties on Church Lane. It would add approximately 87 square metres to the existing hall and measure approximately 10.5 x 10.7 metres in area. The overall height of the extension would be up to 3.6 metres, some 1.5 metres lower than the main school building. The extension would be of similar external appearance to the classroom block, with rendered panels to tie in with the main building and high level window openings to each elevation.

The scheme would also involve the provision of 4 additional car parking spaces on the main car park to the front of the school, which currently has 13 spaces, including a disabled person's bay. The main access arrangements for vehicles and pedestrians from Darley Abbey Drive would not be altered as a result of this proposal. The school also has a current arrangement with St. Matthews Church to use its parking area for staff, during school hours and this would be maintained and extended for the use of additional staff.

Two trees, a Willow and Cherry are to be felled to accommodate the classroom block and hall extension respectively. Other small trees on the Millennium Garden, adjacent to the hall and the car park are capable of being replanted elsewhere on the school grounds. Screen planting, to include tree species is proposed along the north and east boundaries of the school and would form part of a landscaping scheme for the site.

A Member's site visit to the school took place on 12 February, at 3pm, just prior to school pick up time.

2. Relevant Planning History:

DER/04/12/00413 – Extensions to school (classroom, porch, lobby, reception and office and installation of windows), Granted – June 2012

DER/05/09/00563 – Erection of store, entrance gates, widening of vehicular access and formation of car parking area, Granted – September 2009

DER/08/03/01538 - Erection of reception class, lobby and store, Granted - October 2003

Various applications for other external works and extensions to school buildings, since erection of school in mid 1970's.

3. Publicity:

Neighbour Notification Letter – 14

Site Notice

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

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4. Representations:

21 objections and comments to the application have been received to date. The main issues raised are as follows:

- Increase in traffic and blocking resident's driveways in Darley Abbey Drive at peak times.
- Increase in drop-off and pick up of pupils by car would increase safety hazards for pedestrians
- Church parking is overused.
- Noise pollution from the additional classrooms and hall extension.
- Classroom block facing towards residential properties on Church Lane resulting in loss of privacy.
- No need for additional classrooms. Capacity at existing school for increase in pupils. Additional pupils would come from outside the local area.
- Unsympathetic design out of keeping with existing school buildings.
- Proposal is excessive in scale.
- Concerns about drainage and surface water discharge from the development.
- Object to solar panels on roof, due to obscuring of view.
- Proposed screen planting along boundaries would not protect privacy for nearby residential properties.

5. Consultations:

Highways DC:

Darley Abbey Drive is a road maintained at public expense, there are no changes to the access to the school. There will be eight additional full time members of staff at the school over a seven year expansion period, in the first year there will be no additional staff. There is currently parking for staff on site, with 12 spaces rising to 16 spaces within the site of the school (not including the disabled person's bay)

There is currently an informal arrangement with the Church of St Matthew, Darley Abbey, which affords the school staff beneficial use, during school hours, of the Church's private car park. This is situated in Darley Abbey Drive, within walking distance. Some staff parking will be required to be suspended during the construction period; seven spaces nearest to the proposed building will not be available. However, adjacent parking will be available on the site, by the provision of new spaces to be completed prior to the main build.

There is also cycle storage on site for 20 cycles.

The school has a travel plan which has recently been updated, however I would recommend that this is reviewed regularly and updated over the next seven years of expansion.

Any permission should be subject to planning conditions for control over provision of car parking spaces, surface drainage and school Travel Plan.

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Natural Environment:

A landscaping scheme for the loss of the trees identified in the landscaping section of the Design and Access Statement, including the additional planting to the boundaries, should be required. The landscaping scheme should also include the relocation of trees 8 and 11 in the Tree Survey, which should be done prior to the commencement of building work as they are on, or near, the line of the contractor access. Otherwise, no further comment to make other than the usual standard conditions to ensure tree protection measures for retained trees, as detailed in section 5 of the Tree Survey, such as protective fencing is in place before and during construction works and where necessary, no dig solutions are implemented in their root protection area.

Environmental Services (Health – Pollution):

No concerns about the application on environmental protection grounds.

Derbyshire Wildlife Trust:

The application has sufficient information (ecological survey) in order to demonstrate the presence or otherwise of protected species. The additional survey work that has now been completed in relation to bats associated with the buildings and trees is satisfactory and that no further surveys are required.

Supports the recommendation that the metal fascia to be removed carefully by hand, as indicated in the survey report and recommend that ecologist is present on site whilst this work is undertaken.

To safeguard nesting birds during the works a condition should be attached to control removal of vegetation on site, within the breeding season.

Suitable features for roosting bats and nesting birds should be incorporated into the classroom building to enhance biodiversity.

Support proposals to provide compensatory tree planting for trees to be removed and native species should be selected to provide most benefit.

Police Liaison Officer:

No objections.

Sport England:

The site forms part of a playing field as defined under the relevant planning regulations and has been used as playing field within last five years and the field encompasses at least one playing pitch of 0.2 ha or more.

Following submission of further information on the siting of the development and impact on playing field/ playground, the proposal meets Sport England's playing fields policy and therefore there are no objections to the scheme.

Land Drainage:

Surface water run off development should be disposed of via SUDs. A revised Flood Risk Assessment has been submitted to accompany the application. The revised proposal indicates surface water is to be discharged via storage tank as means of attenuation. Increase in impermeable area would add to rainfall intensity and flood risk. Not adequately addressed in the Flood Risk Assessment.

Application No: DER/11/13/01328 Type: Full

6. Relevant Policies: Saved CDLPR policies

- GD1 Social Inclusion
- GD2 Protection of the Environment
- GD4 Design and Urban Environment
- GD5 Amenity
- E5 Biodversity
- E9 Trees
- E10 Renewable Energy
- E17 Landscaping schemes
- E23 Design
- E29 Protection of World Heritage Site and surroundings
- L6 Sports pitches and playing fields
- LE1 Education uses
- T1 Transport implications of new development
- T4 Access, parking and servicing

The above is a list of the main policies that are relevant. Members should refer to their copy of the CDLPR for the full version or access the web-link.

http://www.cartogold.co.uk/DerbyLocalPlan/text/00cont.htm

Over-arching central government guidance in the NPPF is a material consideration and supersedes earlier guidance outlined in various planning policy guidance notes and planning policy statements.

7. Officer Opinion:

Key Issues:

In this case the following issues are considered to be the main material considerations which are dealt with in detail in this section:

- 1. Traffic and highway safety implications of increase in pupil numbers
- 2. Building design and layout
- 3. Loss of playing fields and/or play area for the school use
- 4. Removal of trees and landscaping on the site and
- 5. Impacts on residential amenity.

Policy background

This is a proposal for expansion of a primary school, by the addition of three classrooms and associated works to extend the hall and to provide additional car parking. It is one of a number of primary schools across the whole city which has similar expansion requirements to meet an increasing demand for entry level school places from September 2014. The predicted increase in pupil numbers over the short to medium term arises from within the school's catchment area, which in this case is Darley Abbey. The school is expected to be taking an additional 105 pupils over the next seven years in reception to Year 2 level and there is insufficient capacity within the existing school buildings to accommodate that level of potential increase. The expected additional school places would increase to total number of pupils at the school to 454, which includes the existing nursery.

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Policy LE1 deals with new development for educational uses, which includes extensions to schools. It provides that development would normally be permitted, provided that a number of criteria are met, which are to ensure that the proposal a) is well related to public transport and would not have significant adverse traffic implications, b) is supported by a school travel plan to encourage use of alternative modes of transport by parents, staff and children, c) is in keeping with general scale and character of the surrounding area and d) would prevent unacceptable levels of disturbance to nearby properties. These issues will be deal with in turn in regard to the proposed extensions to this school.

Traffic and highway safety implications

The proposed increase in pupil numbers at this school over the estimated seven year period would be accompanied by an expected eight additional full time equivalent staff over that period. An additional four parking spaces are proposed on the school site to form a total of 17 spaces for staff. These are to be provided from September 2015 school year, on the basis that there is no additional staff required for the 2014-15 year, because the intake would only be an extra 15 pupils in this first year. There is also the existing informal parking arrangement for staff at St. Matthews Church, during the school day. This is some 50 metres from the school entrance and therefore within walking distance of the school. This arrangement is to continue and provides sufficient space for overspill staff parking. There is existing covered cycle storage on the school, which is for use of children and staff and provides adequate cycle parking for the proposed increase in pupil numbers. The Highways Officer is satisfied with this level of increase in school places, in terms of traffic generation and impacts on highway safety. The existing access and parking arrangements on the school would not be altered and there is already a Traffic Regulation Order in place on Darley Abbey Drive to restrict on street parking at the front of the school during school start and finish times. This is subject to the new enforcement procedures, which have begun to operate. The main issue is therefore whether the additional pupil numbers at the school would have significant traffic management implications. It is considered that proposed increase in pupils would not have significant impacts on the local highway and such the provisions of Policies LE1 a), T1 and T4 would be satisfactorily met.

The school has an existing School Travel Plan in place for the current intake of pupils and this would need to be updated and extended to deal with the proposed expansion. This provides the means to reduce car borne trips to the school by parents and staff and satisfies the requirements of Policies T1 and LE1 b).

Building Design and layout

The design and form of the classroom block and hall extension are largely functional and modern in their appearance to reflect the appearance and scale of the main school building, which is of an unusual honeycomb structure. The proposed buildings would be of a conventional rectangular form, which being on the rear of the site do not detract or conflict with the character of the main building. The extension to the hall would work successfully with the hexagonal shape structure. The new buildings would also be clad in render panels of similar colour to the existing school. Overall, the development would tie in well with the existing school buildings and have limited impact on the public realm. They would not be seen from Darley Abbey Drive and also have minimal adverse impact on the setting and character of the World Heritage

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Site. The proposals would therefore meet the design requirements of Policies GD4, E23 and E29.

Residential Amenity

The proposed development would comprise a new classroom block and extension to hall of the main building, which would be sited to the north of the school buildings onto part of playground and amenity space of the school. The school is bordered to the north and east boundaries by residential properties on Church Lane which back onto the school and are at a lower level than the school buildings. They generally include semi-detached and detached dwellings.

The hall extension is to be sited close to the eastern boundary with properties on Church Lane, at a minimum distance of approximately 5 metres from the boundary. It would be elevated in relation to the nearby dwellings and a minimum of about 25 metres from the rear elevations of the nearest properties - 42 and 44 Church Lane. There are to be high level window openings on the hall extension which are not likely to cause overlooking of the adjacent dwelling as they are at least 2.2 metres above ground level. The height of the extension is up to 3.7 metres overall and would not cause unreasonable massing or harm to the living environment of the nearby residents.

The classroom block is to be located alongside the main playground area and a minimum of 25 metres from the east boundary with the Church Lane properties and about 40 metres from the rear of those nearby dwellings. This is a substantial distance from the affected residential properties and would cause minimal impact on the privacy of local residents, particularly having regard for the children's play space between the classroom block and the boundary. As such the siting and design of the proposed block would, in my opinion, not have an adverse effect on the amenities of nearby dwellings.

Concerns have been raised about noise disturbance arising from the additional pupils at the school. The application was accompanied by an acoustic survey for the proposed development which demonstrates that the new plant in the new buildings would not cause disturbance to nearby dwellings. The increase in pupil numbers at the school on its own is not a material consideration, since all we are considering is the impact of the additional development that is the three classrooms and extended hall. The survey has satisfactorily shown that noise levels from the development would not be unreasonable in terms of impact on residential amenity and the Environmental Health Officer has not expressed concerns in this regard.

New screen planting of trees and shrub vegetation are proposed along the north and east boundaries with the dwellings on Church Lane, which should provide some protection for these properties from any loss of amenity from the development. Overall, I am satisfied that residential amenities of nearby properties would not be significantly undermined by the proposals and are therefore in line with Policy GD5 and LE1 d).

Impact on playing fields/ play area

Policy L6 requires that development proposals should not result in a loss of land previously or currently in use for sports or recreational purposes, including playing fields associated with educational sites, such as schools. The proposed development of classroom block and hall extension would involve a small loss of the school's

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playground and the relocation of the Millennium Garden would encroach onto the edge of the playing field. Local Plan policy and the NPPF state that this loss of playing field would only be appropriate in particular circumstances, where there is either retention or enhancement of the facilities through the development, alternative provision of facilities in a different location or it can be demonstrated that the facilities are no longer required for sports or recreational purposes. The latter criteria clearly do not apply in this instance. The retention of or alternative provision of playing field or playground would therefore be required to meet the tests of the policies.

The proposed siting of the classrooms and hall extension would result in a loss of 31.8 sqm of the hard play space. There is however proposed to be an addition of 58.5 sqm hard play surface adjacent to the classroom block to adjoin the existing play area. The MUGA which is being retained would not be altered under this proposal. The re-siting of the existing Millennium Garden is proposed to be placed on a sloping part of the playing field adjacent to the marked out sports pitch on the site, where it abuts the MUGA. The applicant has provided additional layout plans and sections to address initial concerns raised by Sport England that the relocation of the garden would be formed on sloping area on the edge of the playing field, which is not capable of being used for sports and does not affect the existing playing pitch. The removal of a small part of the playground for the proposed building would also be adequately compensated by an extension to the hard surfaced play area up to the new classroom block. This alternative provision of play space also satisfies the requirements of Sport England's policies to provide facilities of equivalent or greater quantity to mitigate for loss of existing provision.

The overall impact of the development on the school's playing fields and play space would therefore be minimal and satisfactorily meet the tests of national policy guidance and Policy L6.

Trees and ecology

The proposed development of the classroom block and hall extension would result in the loss of two mature trees on the site, a Willow and Cherry tree. These are close to the hard play area to the rear of the school buildings and have minimal public amenity value. An updated ecological survey was undertaken, which demonstrated that these trees had low potential for bat roosts. There are other groups of retained trees to the north corner of the playing field and front of the school and there is proposed to be planting of new trees around the north and eastern boundaries of the school to provide screening for nearby residential properties. Two other groups of young trees to be removed on the site could be relocated within the site and the small Oak tree on the Millennium Garden is proposed to be replanted. The loss of trees on site is considered to be limited and therefore acceptable and would be adequately mitigated by relocations and new planting of trees within the school grounds. Tree planting would be secured by planning condition as part of a landscaping scheme for the proposal. The proposal is therefore considered to meet the provisions of Policies GD2, E5 and E9.

Flood Risk

The application is accompanied by a Flood Risk Assessment, due to the site area of the whole school, including playing fields being over 1 hectare. However, the school and surrounding area are not in a designated flood zone, known to be at risk of flooding or close to any identified watercourses. A revised drainage strategy has

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been submitted in order to address some concerns raised by the Land Drainage team, in regard to the need for some on-site surface water attenuation to provide

Sustainable Drainage solutions (SUDs) for this site. I am mindful that this is a minor development to the school, which is not known to be at a medium to high risk of flooding and as such the flood risk to the public from the proposal is generally low. It is therefore appropriate in this case to deal with the provision of suitable surface water drainage systems by means of a planning condition, which is sufficient to address flood risk Policy GD3.

8. Recommended decision and summary of reasons:

To grant planning permission with conditions.

Conditions:

- 1. Standard condition to give three year time limit.
- 2. Standard condition to secure approval of specified plans.
- Standard condition to secure details of external materials before development commences.
- 4. Standard condition to secure a landscaping scheme for hard surfacing and planting, to include details of screen planting, of tree and shrub species alongside north and east boundaries of the site.
- 5. Standard condition to secure implementation and maintenance of the landscaping scheme, controlled under condition 4.
- 6. Standard condition to secure details and implementation of tree protection measures for retained trees and hedges before and during construction in accordance with BS5837:2012.
- 7. Details of a surface water drainage scheme, to include SUDs, to be submitted and agreed before development.
- 8. Additional car parking spaces to be made available for use before 1 September 2015, in accordance with agreed details.
- 9. Hard surfaced areas to be drained and surfaced to prevent discharge onto highway.
- School Travel Plan to be revised and updated within 12 months of completion of development.
- 11. Suitable features for roosting bats and nesting birds to be implemented on the site, subject to details to be agreed.
- 12. The new hard play area to be provided adjacent to classroom block to be implemented and made available for approved development is brought into use.

Reasons:

- 1. As required under the relevant legislation.
- 2. For the avoidance of doubt.
- To ensure a satisfactory development in the interests of visual amenity Policies GD4 & E23

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- 4. To safeguard the visual and residential amenities of the local area Policies GD2 & E17
- 5. To safeguard the visual and residential amenities of the local area Policies GD2 & E17
- To safeguard and protect trees during construction in interest of visual amenity
 Policies GD2 & E9
- 7. To ensure satisfactory drainage arrangements to minimise flood risk Policy GD3
- 8. In the interests of traffic safety Policy T4
- To ensure satisfactory drainage arrangements in interests of highway safety Policy GD3 & T4
- To provide access to alternative modes of transport in the interests of reducing car borne journeys – Policy T1 & T4
- 11. In the interests of biodiversity and safeguard protected species Policy E5
- To ensure adequate provision of recreational space on site, in the interests of amenity – Policies GD1 & L6

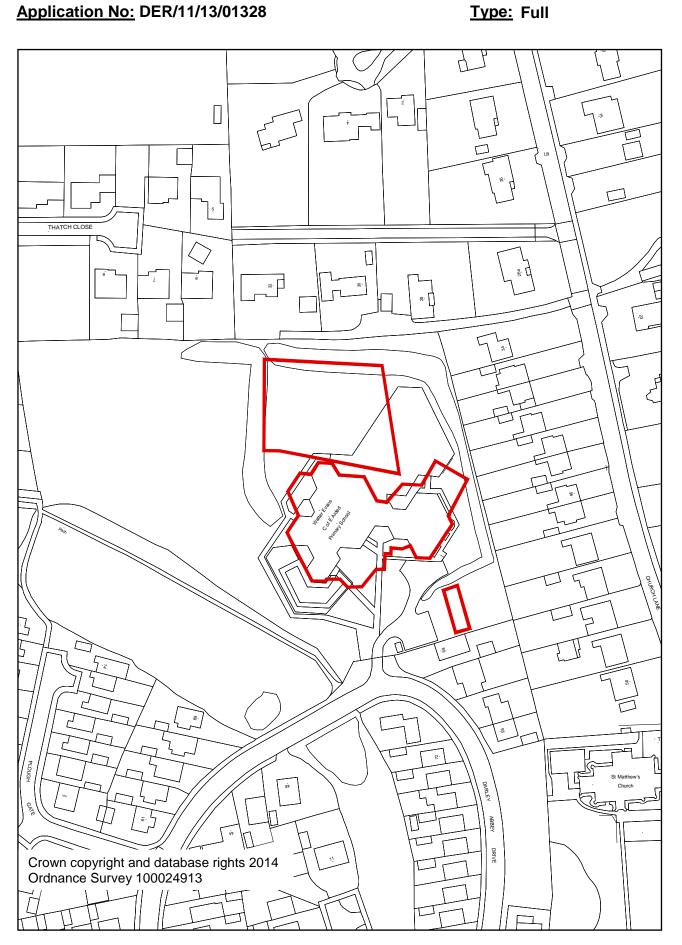
Informative Notes:

No removal of vegetation that may be used by breeding birds should take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and measures to protect the nesting bird interest on the site are implemented.

Application timescale:

The target determination period for this application expired on 22 January 2014 and is brought to committee due to the number of objections.

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<u>Application No:</u> DER/12/13/01503 and DER/12/13/01486 <u>Type:</u> Full and Listed Building Consent

1. Application Details

Address: Site of former Derby Police Station, Full Street, Derby.

Ward: Arboretum

Proposal:

Erection of 46 apartments, hotel, offices, commercial uses (Use Class A1/A2/A3/A4), car parking, alterations to access and associated works.

Further Details:

DER/12/13/01486 Full Planning Application, Web-link to application documents: http://eplanning.derby.gov.uk/acolnet/planningpages02/acolnetcgi.gov?A

CTION=UNWRAP&RIPNAME=Root.PgeDocs&TheSystemkey=95716

DER/12/13/01503 Listed Building Consent, Web-link to application documents: http://eplanning.derby.gov.uk/acolnet/planningpages02/acolnetcgi.gov?ACTION=UN WRAP&RIPNAME=Root.PgeDocs&TheSystemkey=95716

Development Proposal

This report considers the full planning application and listed building consent for the proposed development of the former Police Station, Full Street. The listed building consent considers the joining of the flood defence wall to the statutory listed Magistrates Court which is located to the south of the application site.

The application site lies within the City centre, on the outskirts of the City Centre Conservation Area and in close proximity to key Statutory and Locally Listed Buildings that form the Derby's civic heart. The site is largely rectangular and bound by the River Derwent to the east, Magistrates Court to the south, Full Street to the west and the Cathedral Green to the north. Key buildings in this locality are the Locally Listed Council House, Grade II Magistrates Court, Grade I Cathedral and Grade II Silk Mill. In addition to these key buildings there are also key views, which must be considered. The site covers approximately 0.486 hectares with a width and length of 50 metres and 90 metres, respectively.

The accompanying and supplementary documentation includes Design and Access Statement, Planning Statement, Energy Strategy, Consultation Report, Sustainability Statement and Environmental Statement which is supplemented with further reports including Flood Risk Assessment, Transport Assessment, Travel Plan Framework, Contamination Reports (Phase I and Phase II) and Remediation Strategy, Noise Survey and documentation relating to Air Quality including methodologies and assessments. The Environmental Statement, (ES) due to a changing baseline, considers in some of the supplementary documentation the former Police Station buildings being in place and following their demolition. The ES, its content and conclusions are summarised below. At the time of drafting this report significant demolition and site clearance had taken place along with the commencement of refurbishment works to the Magistrates Court.

The application seeks permission for the erection of a mixed use development consisting of 46 apartments (one bed and two beds); office development with ground floor uses of A1, A2, A3 and A4, and a hotel comprising of 118 bedrooms with reception area, staff accommodation, restaurant and bars which fronts Full Street

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providing an active frontage. The proposed development is being proposed to be developed in two phases; phase one comprises of the hotel and apartments and phase two comprises of the office block with commercial uses at ground floor.

The residential block is located to the rear of the site providing a frontage to the river corridor. The apartment block consists of 5 storeys with a 6th penthouse development which is stepped in from the main elevations over a largely rectangular footprint. In order to add interest to the elevations and mass of the development projecting balconies are proposed off the living rooms. There is approximately 17 metres between the residential elevation and the hotel, however the finished floor level of the two are staggered in order to reduce overlooking potential. The stairwell is centrally located within the building and provides access to the basement. The materials are indicatively annotated on the submitted plans these include render, terracotta cladding, red facing brick at the basement level, the balconies would be of a glass and metal construction.

The two blocks link at ground and basement level through a red facing brick addition which allows for servicing and access to the basement level.

The hotel is based on an L shape footprint with non-accommodation uses, the stairwell and lift shaft situation at the widest part. 118 bedrooms are proposed over 7 storeys with the ground floor level straddled between the existing external ground level and basement. The ground floor of the hotel accommodates public uses such as a bar and restaurant which provide an active frontage to this location along with ancillary hotel accommodate for offices, reception area etc. The elevations of the hotel have been designed in order to reduce mass and scale through the introduction of uniformed window positions, the front elevation and side elevation also introduces window recesses to add interest. The proposed materials mimic that of the apartment block.

The office accommodation which will front Cathedral Green and provide a backstop to this public open space consists of a round fronted building with glazing detail. The offices are set over 6 storeys, however as this is a commercial building the difference between floor levels is greater than in a residential development, thus the building stands higher than those buildings in phase 1. The ground floor will provide office access along with three units for A1, A2, A3 or A4; these units can be accessed externally. The layout of the offices is largely open plan however there is potential for smaller units.

There are no links between the three blocks except at basement level. The apartment courtyard is accessed off Full Street which provides a link to the main access of the apartments. The site will be accessed solely from Full Street for pedestrians, cyclists, motor vehicles and for servicing. The servicing and underground car parking access is located between the footprint of the proposed and the Magistrates Court. Each proposed use will have independent access for pedestrians. The environment for pedestrians will also be improved along the riverside walkway through improved natural surveillance. 106 car parking spaces are proposed in the underground basement, 10 of these spaces are designated for disabled people. Cycle storage is also proposed in this location. 43 spaces will be provided at phase 1 and 63 space provided in phase 2.

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Environmental Statement

The application is accompanied by an Environmental Statement which addresses any significant environmental effects that may arise as a result of the proposed development. The proposed development is considered to be an 'Urban Development Project' under Schedule 2 of the Environmental Impact Assessment Regulations and consideration has been given to the baseline in the instance of this ES as demolition of the former Police Station along with site clearance has taken place since the previous application was considered and determined and at the time of preparing this current application. The ES therefore acknowledges that the baseline is changing and this is acknowledged, where relevant, within the submission.

The Environmental Statement covers various disciplines, each of which will be summarised below. The ES covers 14 topic headlines; the section on 'Site Development and Proposed Development' is covered above in the overall description.

Planning Policy Context

This chapter considers the relevant planning policies at national and local level in order to establish the applicable policy framework for the ES. The determining policy framework in this instance is considered to be the National Planning Policy Framework and the City of Derby Local Plan Review. The ES also considers the Core Strategy and whilst this is a material consideration, limited weight can be applied to its content as it has not gone through the robust consultation and adoption process. The ES considers that the proposed development is in accordance with local planning policy, the emerging local plan policies and the requirements of the National Planning Policy Framework (NPPF).

Socio-Economic Issues

This chapter commences with the baseline conditions and generating a socio-economic profile on which the proposed development can be assessed. This includes population data (2011); age of residents; households including tenures, type and existing stock; the general economy including employment and unemployment data along with skills and education. Consideration is also given to health and well being through access to medical practices, sport and recreation. No mitigation is required under this chapter as there are no adverse socio-economic impacts. Table 4.17 summaries the impacts, mitigation and residual impacts of the development. All are positive in the short term, minor, moderate and/or major and/or negligible.

Townscape and Visual Issues

Visual Impact Viewpoints, consisting of photomontages, supplement this chapter in order to assess the visual impacts of the development at local and mid-distant aspects. The assessment has been considered with two baselines a) the former Police Station being in situ as per the initial drafting of the ES and b) where the demolition has taken place.

There are considered to be 12 key and sensitive aspects which consider the setting of the proposed development with its context including the highway network, Listed Buildings and the street scene. This chapter also gives consideration to the extant permission where no mitigation was proposed.

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It is accepted that the proposed development will significantly change the townscape, particularly as demolition has taken place, however reasonable steps have been taken in order to reinstate the built frontage to the riverside and Full Street which is considered to be positive. There will also be an impact on distant views to the Cathedral and given the stature of this Listed Building these are considered to be minor detrimental impacts. However weight is given to the reduced mass of the current proposals when compared with the extant permission.

As the scheme has been comprehensively designed through discussions with specific consultees and the Local Planning Authority, no mitigation is proposed.

Ecology and Nature Conservation

Initial desktop studies have been undertaken July 2003, February 2007 and October 2013 to ensure that the most current data is used. Consideration is given to habitats, protected species, flora and fauna. Mitigation measures have been proposed in the operational phase but not during construction. The site is considered to have a low ecological value and as such no habitats will be retained or enhanced, as per recommendations. Furthermore any impacts on ecology and nature conservation are considered to be minimal overall.

Cultural Heritage

Whilst archaeology would normally be considered in this chapter for the purposes of this ES it has been scoped out due to works and considerations already take place on site.

The ES recognises the importance of the proposals location; in the World Heritage Buffer Zone and adjacent to the City Centre Conservation Area and in proximity to the Statutory Listed Magistrates Court, Silk Mill, St Marys Bridge and Cathedral. There are also a number of locally listed buildings within the immediate locality which have been given due consideration. Consideration has been given to the previous uses on site along with the scale, design and external appearance of the former Police Station.

It is accepted that there will be an adverse impact during construction phases however given the temporary nature of such no mitigation is recommended. In terms of longer term impacts, the proposed scheme has embedded mitigation which has sought to reduce impact on the heritage assets through design evolution. This chapter concludes that there are no significant adverse effects with some minor beneficial effects reported in respect of the setting of buildings.

Transport

This chapter considers the change in traffic flows and should be considered in conjunction with the Transport Assessment. There would be no materially irreversible adverse environmental transport impacts as a result of the proposed development and no secondary impacts. Mitigation measures are proposed during construction and a Travel Plan will encourage sustainable travel.

Air Quality

The proposed development is not expected to have significant impacts on air quality for existing residents in the locality and air quality for future residents is considered to be acceptable. Mitigation isn't required or recommended in this instance. Although best practice measure should be followed during construction.

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Noise Environment and Vibration

This chapter considers noise and vibration from various sources including during construction, road traffic, fixed plant within the site through consideration of baseline survey information from three fixed locations. There are not considered to be any detrimental impacts in respect of noise and vibration that cannot be mitigated for during construction. For different commercial and residential uses to co-exist, such mitigation would include suitable glazing to windows, façade construction and following best practice during construction.

Flood Risk and Drainage

It is accepted that moderate adverse and minor adverse impacts are likely to occur during the construction phases as a result of runoff; implementation of the flood defence which may impact on the existing river bank; site spillages and ground water interference. There are also likely to be impacts during operational phases at minor and major levels. These impacts are similar to those listed above. Mitigation has been recommended through construction management techniques and implementation of oil/petrol interceptors the full list of mitigation proposed is set out in Table 11.10.

Ground Conditions

The survey was carried out in 2003 and as such the baseline may have changed through contaminants degrading or migrating on or off the site. Therefore a contingency mitigation plan is proposed due to unforeseen contamination. Mitigation is proposed on this site due to the baseline survey work, in the form of remediation. Environmental best practice measures should be followed. There will be an overall improvement to the environmental; quality of the site is all mitigation is implemented.

Utilities/Infrastructure Services

This chapter considers service provides for gas, water, electricity, telecoms and media. In summary all providers highlighted can provide a service to the development but the installation of such may result in temporary disruption to passing traffic and pedestrians. There are no long term impacts and as such no environmental impacts.

Summary

The Environmental Statement concludes that there are no overriding environmental constraints which would preclude the development of the former Police Station Site. The report has considered all significant, issues and impacts and proposes suitable mitigation where necessary in order to minimise impacts on the environment including people.

Previous Approvals (02/08/00290 and 02/08/00291)

These previous applications granted planning permission and Listed Building Consent for the erection of 74 apartments, offices and commercial uses with basement parking and conversion of the former Magistrates Court to offices.

The former Magistrates Court has been subject to separate recent applications (04/13/00403 & 04/13/00404) and works are currently being undertaken to implement this development.

The main differences between the previous applications and the current applications are shown on the submitted viewpoint photo montages; these accompany the

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Environmental Statement at figure 5.3. The key differences between the extant permission and the current application are:

- Introduction of a hotel block to replace some of the apartments;
- The proposed apartment block has a reduced height compared to the previously approved apartment block but has a wider footprint;
- Reduction in the overall scale of the office building;
- Reduction in height of the hotel block.

2. Relevant Planning History:

DER/04/13/00403 Granted Full Planning Permission - Change of use from Magistrate's Court (Use Class D1) to Offices (Use Class B1) and Local Studies Library (Use Class D1) and ancillary cafe, erection of substation, railings and formation of seating area and demolition of link over-bridge

DER/04/13/00404 Granted Listed Building Consent - Change of use from Magistrate's Court (Use Class D1) to Offices (Use Class B1) and Local Studies Library (Use Class D1) and ancillary cafe, erection of substation, railings and formation of seating area and demolition of link over-bridge

DER/02/08/00291 Granted Listed Building Consent – Erection of 74 apartments, offices (use class B1), commercial use (use class A1, A2, A3 and A5), associated car parking and alterations to access on Former Police Station Site and conversion of Magistrates Court Building to form offices

DER/02/08/00290 Granted Full Planning Permission – Erection of 74 apartments, offices (use class B1), commercial use (use class A1, A2, A3 and A5), associated car parking and alterations to access on Former Police Station Site and conversion of Magistrates Court Building to form offices

3. Publicity:

DER/12/13/01503 Listed Building Application

Site Notice erected 16 January 2014

Statutory Press Advert 13 January 2014

DER12/13/01486 Full Planning Application

Site Notice erected 16 January 2014

Statutory Press Advert 13 January 2014

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

4. Representations:

The applications have not, to date, attracted any letters of representation following the statutory consultation period, as detailed above.

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5. Consultations:

CAAC:

Object and recommend refusal due to the design of the Premier Inn and recommend that the design is amended to be in more in line with the wider conservation area - in particular relation to the cathedral and magistrates court. It was recommended that the materials are revised to relate to its immediate context and there is a reduction in height nearer to the magistrate's court. It was commented that roof plant and equipment could be very obtrusive and there was no detail shown on the drawings.

Highways DC:

The site already benefits from an extant permission for 74 apartments and office with ancillary uses which was granted in 2010. Given the central location of the development the car parking provision is considered to be acceptable. The existing access, northeast of the site will be redundant and will require reinstatement.

The retained access, opposite the Assembly Rooms car park, will require some consideration under the technical approval process (Section 278 and Section 38 works) as a pedestrian priority is recommended. The proposed loading bay will also require further consideration under a Traffic Regulation Order and an informative note is recommended.

There are no highway objections.

Environmental Services (Health – Pollution):

Land Contamination

I note that land contamination assessments have been submitted with the application, namely a Phase I and II Geo-environmental Assessment and subsequent Remediation Strategy (BWB Consulting Ltd). We will send detailed comments in relation to these assessments in due course. In the mean-time however, I would recommend that conditions requiring these are submitted and agreed in writing are imposed along with a condition requiring adequate remediation.

Noise

Chapter 10 of the submitted Environmental Statement discusses the impact of the development upon existing sensitive receptors and the road network and also the impact upon future sensitive receptors created as a result of the development i.e. residents of proposed dwellings and visitors to the proposed hotel.

The assessment also sets criteria for proposed fixed plant on site, to ensure significant adverse effects would not occur.

Generally, the various elements of assessment methodology used within the Chapter conform to accepted standards/guidance.

Background noise monitoring was conducted nearly 2 years ago, in April 2012. Although possibly considered out of date, I can see no significant reason to request background noise measurements to be updated.

Using background noise measurements in conjunction with road traffic modelling for 2018, the report concludes that all proposed residential premises will comply with BS8233 standards with a suitable glazing specifications, which have been detailed within Tables 10.6 and 10.8 and the associated sound reduction targets within Table 10.7.

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Construction noise is considered within the assessment, however in the absence of specific details at this stage, the assessment is generic (details in sections 10.5.1 to 10.5.3). A more detailed noise management programme is likely to be required at a later date within any construction management plans for the site, when further details are known (see comments on 'construction' below).

Fixed plant will be designed with the aim of achieving a rating level 10dB below the measured background levels, when assessed in accordance with BS 4142 and are detailed within Table 10.9. The report concludes that this should be achievable with good design and I have no reason to dispute this.

Conclusions on Noise

Overall, I would accept the conclusions and recommendations of the report, subject to the caution noted below in points N7 and N8.

Whilst I accept the calculations and specifications within the report based on averaged day/night values, there does not appear to be any specific consideration of the potential for the music from city centre bars/clubs to cause nuisance to future residents.

The assessment, whilst conforming to accepted guidance, is unlikely to consider the true significance of music entertainment in the city centre, which can be irregular (i.e. unpredictable days of the week) and creates disturbance primarily from low frequency elements such as the music's 'bass-line' and from drums and other percussive instruments associated with the rhythm of the music or the 'beat'.

Of particular note would be the proximity of the Ye Olde Dolphin Inn, which currently has a licence to play music outdoors until 23.30 hours four days a week and the numerous venues along Sadler Gate that can play external music until as late as 04:00 hours under the terms of their licences. I also note the periodic use of the adjacently located Cathedral Green for outdoor events.

Such elements have the significant potential to cause disturbance to future residents, even in light of the proposed glazing specifications and so I would urge the Local Planning Authority to take this into material consideration within their determination.

I would recommend that the glazing specifications and associated sound reduction targets detailed within tables 10.6, 10.7 and 10.8 of Chapter 10 of the Environmental Statement are secured by condition, to ensure that the development complies fully with these.

I would recommend that the target criteria for any proposed fixed plant on site are also secured by condition, namely the targets detailed within table 10.9 of Chapter 10 of the ES.

Air Quality

I note that an Air Quality Impact Assessment has been submitted under Chapter 9 of the Environmental Statement. I can comment on the assessment as follows:

The assessment considers relevant issues relating to air quality and uses appropriate methodology and guidance.

The assessment considers the impact of the development upon local air quality from increases on traffic and proposed boilers/CHP plant. It also considers the effects of

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poor local air quality on new sensitive receptors introduced by the development, namely residents of the proposed dwellings.

An assessment of construction dust has been conducted based upon by the methodology of the IAQM (Institute of Air Quality Management). I would accept this approach.

The assessment concludes that air quality impacts from, and on, the development are expected to be "negligible".

Based on the information provided, I would accept the report's conclusions and I would suggest that no further consideration of air quality impact is required, with the exception of construction dust management.

Construction

Given the scale of the development, I would recommend that the applicant prepares and submits a Construction Management Plan for the control of noise and dust throughout the demolition/construction phase of the Development.

The statement will need to provide detailed proposals for the control of dust and other air emissions from the site, having regard to relevant guidance, for example guidance produced by the Greater London Authority (GLA, 2006), or the Institute of Air Quality Management (IAQM, 2012).

Noise management procedures should have regard to the guidelines described in BS5228, or other agreed guidance/standards.

I would strongly recommend the inclusion of a condition requiring the above, for submission and approval before construction activities commence. The Plan should be complied with fully throughout both the demolition and construction phases of the development.

DCC Archaeologist:

Archaeology was considered under the previous application through a desktop assessment, deposit modelling and archaeological evaluation through trial trenching which was carried out on site.

This previous work demonstrated that the site had previously been in the riverine environment, with changes to land levels. No archaeological potential was identified during these works. In light of this and the construction of the former Police Station no further work is recommended.

Environment Agency:

The Environment Agency have considered the submitted planning application, the revised Flood Risk Assessment (Reference NTS2357/FRA Revision E) received on 11 February 2014; and to your written confirmation of the flood risk Sequential Test being applied and passed dated 27 February 2014.

The Agency raise no objections subject to suitable conditions being attached relating to a timescale for the integrated flood defence being constructed on Phases 1 and 2.

DCC Regeneration:

It is encouraging to see this application submitted for a key city centre site near the start of the World Heritage Site and adjacent to the river and the Cathedral. When implemented it will continue the regeneration of this area sitting between the

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renovated Council House, the former Magistrates Courts in course of renovation for managed workspace and the improved Cathedral Green and Silk Mill where a significant start on renovation has been made.

It will provide city living in an attractive position overlooking the river, improve visitor attraction by provision of the hotel and in the second phase provide office accommodation forming a terminal feature to the south side of the open space. The development will create jobs and there is the opportunity to facilitate pre-employment training in the hotel. The developer should discuss a Recruitment and Training scheme with the Economic Regeneration Team for construction and end users.

The proposal has the potential to meet the aims of the Derby Plan, Council Plan and Economic Strategy in relation to improving the quality and ability for places in which to work and live. It is also a Priority Project in the City Centre Regeneration Framework and with its location and proposed uses is in accordance that the key themes in that document.

Police Liaison Officer:

Welcome the re-development of this site subject to considering their previous consultation response on the old applications. These relate to suitable fencing for the residential units, appropriate distances between the uses and projecting balconies and the discouragement, through landscaping, misuse of open spaces for BMX riders and street skaters.

Derwent Valley Mills Partnership:

The site is set within the Buffer Zone of the Derwent Valley Mills World Heritage site an is a key attribute that contributes to its Outstanding Universal Value as there is a clear example of 'an important interchange of human values, over a span of time or within a cultural area of the work, on developments in architecture or technology, monumental arts, town planning or landscape design'; an example of a type of building or architectural technological ensemble or landscape, which illustrates a significant stage in human history. UNESCO World Heritage Committee recorded that these criteria were met for these reasons; 'the Derwent Valley saw the birth of the factory system, when new types of buildings were erected to house the new technology for spinning cotton developed by Richard Arkwright in the early 19th Century and in the Derwent Valley for the first time there was large-scale industrial production in a hitherto rural landscape. The need to provide housing and other facilities for workers and managers resulted in the creation of the first modern industrial towns.

A Management Plan for the World Heritage Site was created in 2002 and the Heritage Co-coordinator has consulted with the Derbyshire County Council Conservation and Design Section over the proposal and would offer the following comments:

The proposal is an amendment to a currently 'live' application however the amendments are not considered to be significant given the close proximity and relationship to Cathedral Green, Silk Mill and the World Heritage Site. The introduction of the Hotel meets the objectives of the Management Plan. The design of the hotel is broadly consistent with the previously approved scheme and careful consideration should be given to:

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- Expressing a significant depth between adjacent facing materials of different types, and
- Increasing the strength of the corner feature of the whole building, beyond that reserved for the ground floor entrance feature.
- Using the opportunity presented by the inclusion of a hotel in the mix of uses, to use locally distinctive materials, making reference to the adjacent listed heritage assets and their settings.

English Heritage:

Defer to the local knowledge of the City Council in assessing the EIS. Particular attention should be paid the setting of the Grade II Silk Milk, Grade II Magistrates Court, the Derwent Valley Mills World Heritage Site buffer zone, the Grade I Cathedral and the City Centre Conservation Area.

In respect of the Magistrates Court particular attention should be paid to the height of the proposal, as there is a significant difference between the two. The design should be amended in order to consider the mass of the proposal. The roof plant should also be reconsidered. The NPPF is clear on how heritage assets can be harmed through development within their setting.

Proposed developments should make a positive contribution to local character and distinctiveness. Materials should also be considered.

The above issues should be addressed and the application determined in accordance with national and local policy guidance.

Derbyshire Wildlife Trust

DWT have considered the submitted documents and in particular Chapter 6 of the Environmental Statement which relates to Ecology. Acknowledgement is given to the desk studies which were carried out in 2003, 2007 and 2013 which supplement the field survey work which was carried out in 2003, 2004, 2007, 2011 and 2013 along with the bat survey which was carried out in 2004 and 2013. This ecological work is considered to be sufficient given the presence of empty buildings on the site. However the submitted information lacks mitigation and enhancement. DWT have provided some suggestions of enhancement and opportunity and recommend a condition is attached to secure biodiversity enhancement.

In addition they are unclear as to how any potential external lighting strategy may impact on ecology therefore a condition is recommended which seeks to obtain details of an external lighting strategy.

I have the following comments to make by way of clarification;

- Although it is apparent that work on the area has been undertaken over a considerable length of time (since at least 2003), DWT were unaware of the previous grant of permission and the conditions that had been attached to (DER/02/08/00290/PRI) which you have kindly supplied.
- Given that the current application is seeking to vary design elements of the proposal, rather than the principle of development, it would be unreasonable in planning terms to apply additional conditions relating to the schemes

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substantive scale/structure, such as green roofs. I appreciate and understand that this has been discussed, but that it has not proved possible within the current proposal due to the requirements of the building's future occupier.

- You clarified that as part of the implementation process that a number of conditions associated with the November 2010 permission have not been discharged and that the City Council is still in discussion with Wilson Bowden/design team regarding the detail of the matters in relation to landscaping (conditions 2 & 3). I would suggest that as part of these on-going discussions that the City seek to make biodiversity gains in relation to the use of bird and bat boxes (either within the landscaping or non-public facing/hidden elements of the built structure eg facilities plant areas) and appropriate planting of native species along the riverside walkway and tying into the new landscapes on Cathedral Green, which form part of the Local Plan principles. Where more formal landscaping is proposed within the private courtyard the use of non-invasive horticultural species which provide both nectar, pollen and seed sources for invertebrates and birds could be used.
- I note from the submitted Planning Statement (Pegasus Group) that the development is to be phased and that part of the Our City Our River Corridor blue corridor flood works is to be incorporated into both phases of the development. I appreciate that there has been changes to the design and that the previous condition 7 regarding the flood wall is now longer required, as the flood wall has become an integral part of the design of the built structure. There still may be some scope, in order to meet one of the objectives of the OCOR biodiversity, that both the City Council and Environment Agency advocate the use of appropriate biodiversity enhancement features within the flood wall such as elements of a 'green wall', nesting points for sand martin/kingfisher and appropriate aquatic planting of the wall foot. It is suggested that such elements might form part of the submission for the discharge of Condition 2 & 3.
- I welcome your inclusion of a lighting condition within the current application as
 this is an important aspect of creating a darkened corridor along the River
 Derwent which will encourage the use of the river by nocturnal/diurnal animals
 such as bats and potentially otter.

6. Relevant Policies: Saved CDLPR policies

GD2	Protection of the Local Environment
GD3	Flood Protection
GD4	Design and the Urban Environment
GD5	Amenity
R1	Regeneration Priorities
CC1	City Centre Strategy
CC2	City Centre
CC7	Residential Uses within the Central Area
CC12	Full Street Police Station, Magistrates' Courts and the Cathedral Gardens
CC15	Improvements within the Central Area
0040	Cantual Area Car Darking

CC18 Central Area Car Parking
H11 Affordable Housing

H12 Lifetime Homes

H13

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H13	Residential Development – General Criteria
EP10	Major Office Development
EP13	Business and Industrial Development in Other Areas
S1	Shopping Hierarchy
S2	Retail Location Criteria
S9	Range of Goods Conditions
S12	Financial and Professional Services and Food and Drink Uses
E4	Nature Conservation
E6	Wildlife Corridors
E10	Renewable Energy
E17	Landscaping Schemes
E18	Conservation Areas
E19	Listed Buildings and Buildings of Local Importance
E20	Uses within Buildings of Architectural and Historic Importance
E21	Archaeology
E23	Design
E24	Community Safety
E27	Environmental Art
E29	Protection of World Heritage Site and its Surroundings
L2	Public Open Space Standards
L3	Public Open Space Requirements in New Development
T1	Transport Implications of New Developments
T4	Access, Car Parking and Servicing
T10	Access for Disabled People

The above is a list of the main policies that are relevant. Members should refer to their copy of the CDLPR for the full version or access the web-link.

http://www.cartogold.co.uk/DerbyLocalPlan/text/00cont.htm

Over-arching central government guidance in the NPPF is a material consideration and supersedes earlier guidance outlined in various planning policy guidance notes and planning policy statements.

7. **Officer Opinion:**

Key Issues:

- Principle of Development
- Amenity and Design
- **Environmental Issues**

Principle of Development

The site of the proposal is not allocated under CC12 for any particular uses but it requires that any scheme meets a number of general requirements in relation to the retention of the Magistrates' Court, a well-integrated and comprehensive development of the site as a whole and the incorporation of uses that would maximise potential for activity on the site, including evening activity. The site is within the World Heritage Site Buffer Zone and an Archaeological Alert Area, and is adjacent to the City Centre Conservation Area, the River Derwent wildlife corridor and Wildlife Site.

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Due to the mixed use nature of the proposal it is best considered in its constituent parts.

Apartments

The main concern with the residential element of the proposal appears to be whether a high quality living environment can be created taking into account its location as part of a mixed use development. I am satisfied that the residential development, as proposed, will create a high quality living environment in the City Centre which is in line with policies CC7 and H13. Policy CC7 encourages people to live in the central area providing it does not undermine the vitality and viability of the City Centre. Given the mixed used nature of this site I am satisfied that the proposal satisfied this objective. The application site is well related to amenities and public open space therefore the environment created is considered to be acceptable for city centre living. Recommended mitigation will ensure that the adjacent offices within the Magistrates Court and those proposed in phase 2 will not have a detrimental impact on their amenity. The recommended mitigation relates to suitable sound insulation, glazing and positioning of plant on the roof. By complying with Policy CC7 the application also broadly complies with the criteria of policy H13 in relation to design. siting, protection of privacy and residential amenities. The proposal therefore presents a satisfactory living environment for inner city living.

The submitted noise assessment and conclusions of the Environmental Statement have been considered by colleagues within Environmental Health who raise no objection to the integration of residential within this office and hotel complex. Colleagues are satisfied with the methodology, submitted assessment and its conclusions. That being said given this central location the exact nature of disturbance from local music venues, including the Ye Olde Dolphin, Cathedral Green and the market place is not fully understood as they have permission to play outdoor music and hold events. Whilst I note that colleagues are concerned that suitable insulated glazing may or may not fulfil the requirements to safeguard amenity, the apartment block would be screened from these venues by the hotel block and in the future will be screened by the offices on phase 2.

Hotel

Policy EP16 allows for the development of visitor accommodation in the City Centre, particularly in areas well related to the railway station. There may be sites within the city centre that are better related to the railway station, however the site of the proposal is relatively close to the bus station from where there is a shuttle bus service to the railway station. This site is well related to the city centre shopping area and, in particular, the Cathedral Quarter. This part of the proposal is considered to be in line with the intentions of EP16.

Offices

Policy EP10 requires that major office developments of over 2,500 square metres gross floor space demonstrate a sequential approach to site selection. The first preference is for City Centre sites. The application site is within the City Centre and so the requirements of EP10 are met. EP13 allows for business development outside allocated sites provided that the proposal would not lead to an oversupply of business and industrial land. Where residential amenity may be affected, permission should be restricted to B1. The proposal should also be well integrated with the

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existing pattern of development. The proposal is considered to meet these requirements and therefore meets the tests of EP13.

Restaurant/Bar/Retail (A3/A4/A1/A2)

Policy S12 allows for financial and professional services and food and drink uses on the edge of centre locations in the defined shopping centre hierarchy provided that it would not lead to an over concentration of such uses likely to undermine the vitality and viability of the Centre. The site is considered to be edge of centre for the purposes of this policy and it is unlikely that the proposed A2, A3 and A4 uses would undermine the vitality and viability of the wider city centre. These uses would, therefore, be acceptable in principle in this location.

The concern with this group of uses is with the proposed levels of A1 retail use on the site. However it is assumed from the layout drawings that any, or all, of the 3 units could be used for retail purposes. There does not appear to be any indication on the detailed plans of the intended end users, which is not unusual in this instance. As the site is outside the defined shopping centre hierarchy any proposal should be able to demonstrate that it meets the test in the NPPF Para, 24 which requires that a sequential approach to site selection has been demonstrated.

I note in the Design and Access statement that it is the intention that there will be only a small element of complementary retail to support the development itself. I am willing to accept that a limited amount of retail may be justified as serving the office staff and residents of the apartments. Any additional units would have to show that they have been considered against and meet the test in the NPPF as there are currently more sequentially preferable sites within the City Centre Shopping Area. A condition restricting the sale of goods is recommended in line with Policy S9 similar to one which was imposed on the previous planning permission.

Amenity and Design

The consideration of design and amenity must give reference to this sites location within the heart of the City's Civic Centre and its impact on views of the key heritage buildings. The main built form, scale and massing of the proposed development has reduced, albeit slightly, from that previously approved. However the previous applications have now been implemented, through the demolition of the former Police Station, therefore the previous scheme can be implemented. The differences in the scale and mass are delineated on the viewpoints in Figure 5.3 of the submitted ES and on the submitted plan drawing no. 1396E(PL)-035B.

Whilst I acknowledge the concerns of the Conservation Area Advisory Committee in respect of the design of the hotel block I do have to consider the design and scale of the apartment block under the extant permission and conclude that there is limited difference in appearance and scale. The ground floor of the proposal introduces a more active frontage through increased glazing and has block detailing on the elevations in order to add interest along with additional windows in all elevations. These add interest to the external appearance of the proposal and are favourable in urban design terms. The proposal's relationship with the Magistrates Court has changed very little from the approved scheme in overall design and external appearance terms.

The same consideration has been given to the development's impact on key views of the Cathedral and Silk Mill. I am content that the design evolution of the mixed use

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development has sought positive amendments to lessen the impact on the setting of these heritage assets. The introduction of plant on the roof would be controlled by condition to ensure adequate screening and to limit views of any plant from street level and from a distance.

In addition the introduction of a flood defence wall as an integral part of the development and its attachment to the Magistrates Court building would be controlled by condition under the Listed Building Consent.

A further consideration is the implementation of the development in two phase. The initial phase would be to construct the hotel and apartment block and the second phase would be to implement the office development, by extending onto the phase 1 building. Whilst the implementation of the development as a whole is the most desirable, I am of the opinion that the commencement of the proposed development, given the stagnant nature of this site over recent years is to be welcomed, to kick start the physical regeneration of the site. The applicant has stated that the office development will not be speculatively constructed and an end user will be sought to implement this part of the overall development.

Particular attention has been given to the construction of the site over two phases, with submitted plans providing details of the implementation of phase 1 only. The introduction of block detailing and changes in material on the end gables of phase 1 adds interest in the interim period and will provide a satisfactory backstop to the Cathedral Green open space. The overall development has been designed to maximise the views of the open space and will provide a quality urban design, which complements the streetscene and the historic setting of this part of the city centre.

Given the conclusions of the Environmental Statement and on-going negotiations with the developer and their architect I am satisfied with the overall external appearance of the development, its relationship with the nearby Listed Buildings and the views created. Furthermore there are no overriding impacts on the wider area which includes the City Centre Conservation Area and World Heritage Site.

The application site sits just outside of the City Centre Conservation Area and therefore shares and is visible within key views. Given this application proposes a slight reduction in scale and massing compared to the scheme previously approved I am satisfied that there are no overriding concerns. No objections have been received from Conservation colleagues and English Heritage who have duly considered the application and the similarities between the extant permission and accepting that this permission can be implemented. That being said further consideration needs to be given to finishing elements such as the detail of the access gates that will sit between the Magistrates Court and phase 1. It is felt any gates in this position should be of a high quality and decorative in order to mimic the grandeur of the Magistrates Court. Further areas for development that will add to the visual amenity of the development are the landscaping area within the courtyard and finishes of the flood defence wall which overlooks the Riverside Path. A condition is recommended in order to secure a suitable siting for roof level plant in order to minimise impacts on distant views from the World Heritage Site and Conservation Area.

I have no overriding concerns with the amenity afforded to the residents of the apartment block or guests of the hotel. Whilst the distance between the two is 18 metres the elevations and window positions are designed as such to limit overlooking

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potential. The central courtyard offers a limited area of amenity space for residents however they are in close proximity to Cathedral Green, Darley Park and Bass's Recreational Ground, which are all within walking distance.

Environmental Issues

The Environmental Statement concludes that subject to suitable mitigation there are no major adverse impacts as a result of the proposed development. On considering the consultation responses, which are set out above, I am content with this conclusion.

The proposed development has been subject to a Sequential Test assessment, due to its siting in Flood Zone 2, which concludes that whilst the residential and hotel uses are more vulnerable uses under the technical guidance, the Local Planning Authority is satisfied that there are no other sites reasonably available in a lower risk zone that could accommodate this development. In making this decision the developments proposals to implement part of the Our City Our River Masterplan and the sites regeneration priority nature have been taken into consideration.

Discussions with the Environment Agency and colleagues in Land Drainage have been on-going since the preliminary application stage with all parties being happy with the Flood Risk Assessment, Drainage Strategy and implementation of the integrated flood defence which sits within the objectives of the Masterplan of the Our City Our River scheme. Therefore there are no concerns and/or objections in respect to flood risk and surface water drainage.

The River Corridor is designated under policy E4 (7) 'The River Derwent and it's as Banks' as being a Nature Conservation Area therefore development should only be permitted where it does not have an adverse impact on ecology and biodiversity. In this instance, given the site as demolished has limited ecological value I am content with the proposed landscaping within the site which seeks to accommodate plant species that will encourage birds and insects. In addition as the site is being remediated of contamination there would be betterment in terms of water quality.

As per the recommendations of the Environmental Statement and the comments of Derbyshire Wildlife Trust there are no adverse impacts on ecology as a result of the proposed development. I am mindful of the requested conditions made by Derbyshire Wildlife Trust but must consider the extant permission where no such conditions were imposed and note the limited differences between the extant permission and current proposal. In addition Policy CC12 'Full Street Police Station, Magistrates Court and the Cathedral Gardens' seeks, as a comprehensive development proposal, for the Cathedral Green open space adjacent to the site to be improved due to the limited landscaping opportunities within the built form of the proposed. That being said the proposed development does seek to incorporate landscaping within the application site, where possible, this landscaping will be planted out to encourage birds and insects. The landscape planting scheme provides opportunity for enhancing biodiversity within the site and in my opinion, satisfactorily addresses the limited impact on ecology in the vicinity of the site. This approach has subsequently been agreed with the Derbyshire Wildlife Trust, 03/03/2014, which is also set out above.

Furthermore given the wider comprehensive development, under Policy CC12, there have been improvements to biodiversity and ecology through the completion of the Cathedral Green. Holistically in this location I am satisfied that there is net gain in

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terms of ecology with no objections from consultees in relation to the designated Nature Conservation area along the River.

Highways, Parking and Access

The application site is in a highly sustainable location, with easy access to the bus station and train station, accessible to cycle and pedestrian routes and located within the City Centre. The car parking provision to be provided in the basement of the building is considered to be acceptable in this instance with one space per apartment. There are no spaces to be provided for hotel guests however there are public car parks in the immediate vicinity, which would serve the demand.

The implementation of the loading bay would be controlled by a Traffic Regulation Order which will be dealt with separately under the Highways Act. There are no significant traffic impacts expected to arise from the proposal and as such no objections have been raised on highway safety grounds.

Summary

Listed Building Consent

The Listed Building Consent is furnished with the identical information to that which accompanies the full planning application and it is felt that main issues in considering this consent are how the two built forms will join and impact upon the fabric of the Magistrates Court. Therefore I recommend conditions are attached to this consent in order for the precise details to be agreed. In respect to the impact of the proposal on the historic and architectural interest of the listed building I am satisfied that there are no adverse impacts and recommend Listed Building Consent be granted.

The Full Planning Application

The individual constituents of the proposal, subject to the restriction of A1 retail, are in line with the relevant national and local planning policies and so consideration of the more general environmental and design policies is important. The design of the proposed mixed use scheme has been subject to negotiation and is considered to be acceptable in terms of its scale, external appearance, massing and design. Furthermore the relationship created with the adjacent Listed Magistrates Court is considered to be sympathetic and acceptable.

The impact of the proposal on the setting of the Cathedral and Silk Mill are also considered to be acceptable.

In addition the proposed scheme would implement part of the Our City Our River flood defence which has wider public benefits in respect of flood prevention for the city.

It is therefore recommended that planning permission be granted.

8. Recommended decision and summary of reasons:

To grant planning permission with conditions.

- A. To authorise the Director of Planning and Property Services to negotiate the terms of a Section 106 Agreement to achieve the objectives set out below and to authorise the Director of Legal and Democratic Services to enter into such an agreement.
- **B.** To authorise the Director of Planning and Property Services to grant permission upon conclusion of the above Section 106 Agreement.

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Summary of reasons:

Listed Building Consent

In respect of the proposal I am satisfied that there is no adverse impact on the setting of the adjacent Listed Buildings and the historic fabric of the Magistrates Court would be preserved.

The Full Planning Application

The individual constituents of the proposal are considered to be acceptable as a comprehensive development scheme. The design of the proposed mixed use scheme has been subject to negotiation and is considered to be acceptable in terms of its scale, external appearance, massing and design. Furthermore the relationship created with the Listed Magistrates Court is considered to be sympathetic and acceptable. The impact of the proposal on the setting of the Cathedral and Silk Mill are also considered to be acceptable. There are no detrimental impacts on the highway network. In addition the proposed scheme would implement part of the Our City Our River flood defence which has wider public benefits in respect of flood prevention for the city. There are also considered to be no adverse environmental impacts arising as a result of the proposed development.

Conditions DER/12/13/01486 Full Planning Application:

- Standard condition 03 (Time Limit)
- 2. Standard condition 100 (Approved Plans)
- 3. Standard condition 27 (External Materials)
- Standard condition Landscaping
- 5. Standard condition Landscaping Maintenance
- 6. All of the respective elements of the agreed remediation proposals will need to be suitably validated and a validation report shall be submitted to and approved in writing by the Local Planning Authority, prior to the development being occupied.
- 7. Prior to commencement of development, not including demolition, a Construction Management Plan shall be submitted and agreed in writing.
- 8. Prior to the commencement of development, full details of the proposed external lighting scheme should be submitted to and agreed in writing by the Local Planning Authority. All approved measures must be implemented in full and maintained thereafter.
- Precise details of all plant to be installed on the roof shall be submitted and approved in writing by the Local Planning Authority. The agreed details shall be implemented in full unless any variations are agreed in writing.
- 10. Precise details of ventilation for any A3/A4 uses shall be submitted prior to the occupation of these units.
- 11. Prior to any development of Phase 1 details of sound insulation and ventilation for the apartment block and hotel shall be submitted and agreed.
- 12. Prior to the occupation of Phase1 precise details of the sites hoarding shall be submitted to and approved in writing. The submitted details shall also include a maintenance strategy for the hoardings.

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- 13. Precise details of the proposed gates and boundary treatments shall be submitted to and approved in writing by the occupation of phase 1.
- The 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) No part of the development hereby permitted shall be brought into use until provision has been made within the application site for parking of cycles in accordance with details submitted to and approved in writing by the Local Planning Authority. The cycle stands shall be located near to the main entrance to the development, be covered and that area shall not thereafter be used for any purpose other than the parking of cycles.
 - b) No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority.
- 15. No development shall commence on any part of the application site unless or until details of the access to provide a dropped and tapered kerbing arrangement to the North East of the development and closure details for the existing access to the South East on Full Street have been submitted and approved at to the satisfaction of the Local Planning Authority
- 16. Range of Goods Restriction condition for A1 retail in accordance with Policy S9.
- 17. Mitigation proposed within the Environmental Statement should be implemented in full unless otherwise agreed in writing by the Local Planning Authority. The proposed mitigation required under the Environmental Statement is set out within Chapters 8 'Transport', 9 'Air Quality', 10 'Noise Environment and Vibration and 11 'Flood Risk and Drainage'.
- 18. Before development commences or such other timescale as may be agreed with the Local Planning Authority, a scheme for the design and construction of the integrated flood defence for Phase 1 shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The scheme to be submitted shall demonstrate:
 - external facing materials;
 - engineering materials;
 - protection from flooding up to 48.69 metres above Ordnance Datum (mAOD)
 - as the climate change plus freeboard level;
 - construction details including for the groundwater cut-off trench, where required;

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- that the wall will perform as a flood defence; and
- the continuity of flood protection and tie-in details with the Magistrates Court and future flood defences to be delivered as part of Phase 2.

The scheme shall be fully implemented and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority in consultation with the Environment Agency.

- 19. Prior to the commencement of Phase 2 of the development, a scheme for the design and construction of the integrated flood defence for Phase 2 shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The scheme to be submitted shall demonstrate:
 - external facing materials;
 - engineering materials;
 - protection from flooding up to 48.69 metres above Ordnance Datum (mAOD)
 - as the climate change plus freeboard level;
 - construction details including for the groundwater cut-off trench, where required;
 - that the wall will perform as a flood defence; and
 - the continuity of flood protection and tie-in details with Phase 1 and high ground at Cathedral Green.

The scheme shall be fully implemented and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority in consultation with the Environment Agency.

- 20. Finished ground floor levels of the buildings shall be set at 49.50 metres above Ordnance Datum (mAOD) with the exception of the hotel foyer which shall be set at 48.0 mAOD, in accordance with the Vertical General Arrangement EIA Assessment Plan (Drawing Reference 1396E-(EIA)-04), unless otherwise agreed in writing by the Local Planning Authority in consultation with the Environment Agency.
- 21. No development shall take place until a surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The scheme to be submitted shall demonstrate:
 - surface water leaving the site shall be no greater than existing Brownfield rates;
 - the ability to accommodate surface water on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based on the submission of drainage calculations;

<u>Application No:</u> DER/12/13/01503 and DER/12/13/01486 <u>Type:</u> Full and Listed Building Consent

 surface water shall be appropriately treated before being discharged offsite;

- there will be no compromise to the function and integrity of the flood defences; and
- details of how the drainage features shall be maintained and managed after completion.

The scheme shall be fully implemented and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority in consultation with the Environment Agency

- 22. No development approved by this planning permission, shall take place until a scheme that includes the following components 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 preliminary risk assessment which has identified: all previous uses, potential contaminants associated with those uses and a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
 - 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.
 - 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy 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 written consent of the Local Planning Authority in consultation with the Environment Agency. The scheme shall be implemented as approved.

23. No occupation of each phase of development shall take place until a Verification Report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority in consultation with the Environment Agency. The report shall include results of sampling and monitoring carried out in accordance with the approved Verification Plan to demonstrate that the site remediation criteria have been met. It shall also include a plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the Verification Plan. The Long-Term Monitoring and Maintenance Plan shall be implemented as approved.

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24. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority in consultation with the Environment Agency) shall be carried out until the developer has submitted a Remediation Strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority in consultation with the Environment Agency. The Remediation Strategy shall be implemented as approved.

Reasons DER/12/13/01486 Full Planning Application:

- 1. Standard reason E56
- Standard reason E04
- Standard reason E14
- 4. Standard reason E14
- 5. Standard reason E14
- 6. In the interests of public health.
- 7. In the interests of public health.
- 8. In the interest of preserving ecology.
- 9. In the interests of amenity and the setting of key listed buildings.
- 10. In the interest of public health.
- 11. In the interests of residential amenity.
- 12. In the interests of amenity.
- 13. In the interests of visual amenity.
- 14. In order to promote sustainable travel
- 15. In the interests of highway safety.
- 16. In the interests of preserving the City Centre shopping hierarchy.
- 17. To ensure a satisfactory development and in the interests of providing a high quality living environment for future residents.
- 18. To ensure the provision of adequate flood protection to the buildings and their future occupants.
- 19. To ensure the provision of adequate flood protection to the buildings and their future occupants.
- 20. To reduce the impact of flooding on the proposed development.
- 21. To prevent the increased risk of flooding and to ensure the future maintenance of the drainage system.
- 22. To protect the water environment and respond to the submitted Phase 1 and Phase 2 intrusive investigation which identifies sources of elevated contamination and potentially risks.

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- 23. To protect the water environment by demonstrating the remediation has been completed.
- 24. No site investigation can fully characterise a site. If any further contamination is identified during the development this will need to be dealt with appropriately to ensure the protection of the water environment.

Conditions DER/12/13/01503 Listed Building Consent:

- Approved Plans
- 2. Time Limit
- 3. Precise details of the design, joining and position of the flood defence to the Magistrates Court shall be submitted and approved in writing by the Local Planning Authority. The agreed details shall be implemented in full unless written approval is given to any variation.
- 4. Precise details of the proposed gates, fixings and boundary treatment shall be submitted to and approved in writing.

Reasons DER/12/13/01503 Listed Building Consent:

- 1. Reason E04
- 2. Reason
- 3. In the interests of preserving the heritage assets and setting of the Magistrates
- 4. In the interests of heritage preservation and visual amenity.

Informative Notes:

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact: <a href="https://disabs/highways

Traffic Regulation Orders – The proposal relies on the introduction of a new traffic regulation order (TRO) i.e. the introduction of a loading area to the frontage of the proposal on Full Street together with alterations to on-street parking restrictions. It should be noted that the TRO process is not certain as it is subject to a formal consultation process, including public consultation, and the Council must give proper consideration to any valid objections that are raised. If you proceed with the development prior to ensuring that the various TROs you rely on have been formally confirmed you will be doing so at your own risk. You are required to fund all costs associated with the new and amended TROs that are implemented. The process and costs will be administered through the S278 agreement.

In discharging condition 4 of DER/12/13/01486, which relates to landscaping, the applicant/developer should be mindful of the comments made by Derbyshire Wildlife Trust, 03/03/2014, in respect of enhancing biodiversity and nature conservation.

An appropriate scheme to discharge the above condition should include a flap valve on the surface water outfall and a penstock in a chamber on the landward side of the flood defence wall in order to safeguard the function and integrity of the flood defence wall.

Application No: DER/12/13/01503 and DER/12/13/01486

Type: Full and Listed Building Consent

In addition to planning permission, the proposed integrated flood defence wall requires the prior written consent of the Environment Agency under the terms of Section 109 (3) of the Water Resources Act 1991. There is a statutory two-month period in which to determine an application for consent and a fee of £50 is charged. The applicant is advised to liaise with Mr. David Turnbull in our Partnerships and Strategic Overview Team (Tel: 0115 846 2632) at the earliest possible opportunity.

Future occupants of the building and the future Management Company are advised to register with the Environment Agency's free Floodline Warnings Direct service by telephoning Floodline on 0845 988 1188 and to make a Flood Plan. The provision of an early warning of a flood event provides valuable time in which to be prepared and take appropriate action

S106 requirements where appropriate:

The developers have submitted a financial viability assessment on this application, which was subsequently independently assessed by the District Valuer. The assessment showed that the profit level was below that at which developers would normally proceed with a development and therefore the ability for the development to provide for planning obligations is extremely limited. However, the previous application, which also showed a lower than normal profit level, did provide some S106 contributions, albeit lower than our SPD standards. The developers were therefore keen to provide some contributions.

The appraisal showed that affordable housing could not be supported on the scheme at any level, and the District Valuer supported that assessment. On the previous permission, affordable housing was only secured if full grant funding was secured and there was therefore no cost to the development itself. That grant funding is no longer available therefore I am satisfied that the development should go ahead without any affordable housing provision.

The developers are keen to make some contributions towards planning obligations, as they did on their previous scheme. The level of contribution is below what we would normally seek through our Supplementary Planning Document, but we comfortable that the level is all that this development can afford. It is a key regeneration site that has stood derelict for a long time. The package that we have negotiated balances the need to provide for some contributions whilst allowing the development to go ahead.

The S106 will provide contributions towards:

- Public art
- Public realm/ open space
- Highways
- Lifetime Homes
- A Recruitment & Training Agreement to secure local jobs

Education colleagues have confirmed that there is spare capacity to accommodate the very small number of children that the development will generate.

Application No: DER/12/13/01503 and DER/12/13/01486 **Type:** Full and Listed

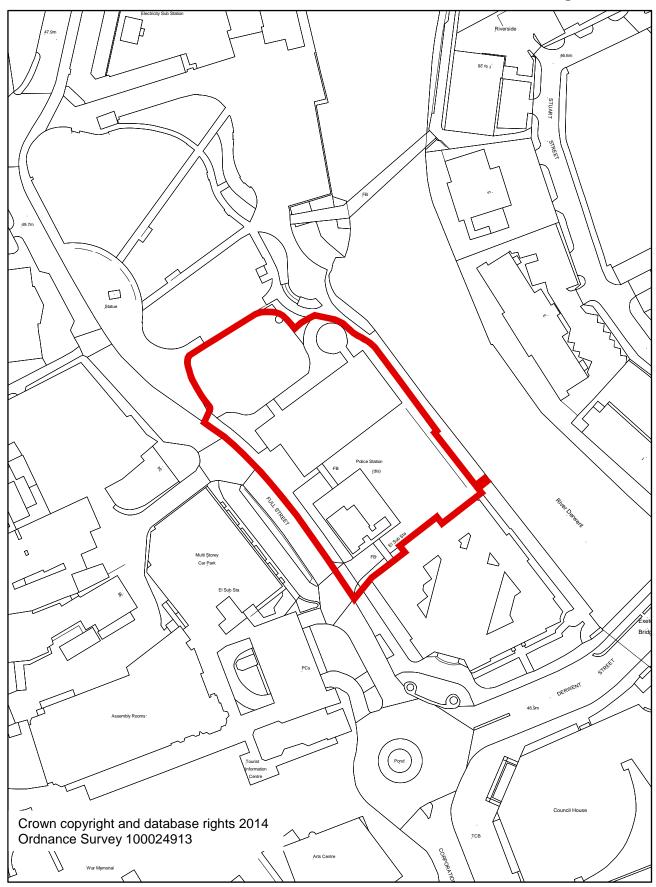
Building Consent

Application timescale:

The Listed Building Consent application has expired, 14th February 2014, however it was felt that the two applications should be reported together. The Full Planning Application expires 11th April 2014.

Application No: DER/12/13/01503 and DER/12/13/01486

Type: Full and Listed Building Consent



Application No: DER/10/13/01236 Type: Full

1. Application Details

Address: 1-50 Keys Street, 1-20 Alice Street and 6-10 Robert Street, Derby.

Ward: Darley

Proposal:

Installation of replacement front doors

Further Details:

Web-link to application documents:

http://eplanning.derby.gov.uk/acolnet/planningpages02/acolnetcgi.gov?ACTION=UNWRAP&RIPNAME=Root.PgeDocs&TheSystemkey=95452

This application relates to the installation of replacement doors within the front elevations of various properties located along Keys Street, Alice Street and Robert Street. They are all situated within the Nottingham Road Conservation Area and are covered by an Article 4 Direction which restricts (amongst other things) alterations to doors within elevations fronting a highway.

The buildings in question are an important collection of late 19th century terrace houses with some 1930s housing built for the Liversage Trust. The majority were designed by Alexander Macpherson and are of two-storeys, built in brick with tiled roofs in an Arts and Crafts style. The general uniformity of the buildings, coupled with the variation in details, gives this important group an interesting and pleasant character.

Whilst there is some variation in style of front doors along Keys St, Alice St and Robert St, the majority of properties have been installed with mid-20th century flat plywood doors with a red painted finish. These plywood doors are of a poor quality and do not particularly add to the character of the conservation area. Numbers 17 and 19 Alice Street still retain what appear to be their original solid timber four panel doors.

This application proposes the replacement of the existing doors with four panel composite doors and uPVC frames. Composite doors are made for a variety of materials such as uPVC, an inner hardwood frame and polyurethane foam core. The replacement doors would have an external skin made of GRP (Glass reinforced plastic) providing a strong durable finish which doesn't require re-painting.

2. Relevant Planning History:

None relevant to this application

3. Publicity:

Neighbour Notification Letter - 46

Site Notice

Statutory Press Advert

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

Application No: DER/10/13/01236 Type: Full

4. Representations:

Ten letters from residents have been submitted in support of the application. The issues raised are summarised below:

- The existing doors are not appropriate, offer poor security, are ill fitting and cause draughts
- The doors affect the cost of heating and we have to retreat to the middle room to keep warm
- The doors would blend in with the doors at the bottom of Keys St

5. Consultations:

CAAC:

The Committee object and recommend refusal due to use of inappropriate materials.

Built Environment:

We would recommend that timber be used instead of the composite material as we are concerned that the distinctive character of the area could be detrimentally affected by the proposed doors and that this could have a longer term influence on materials used within the conservation area. The detailing of the doors is not appropriate and either should be supported by evidence or changed to 6 panels to match Nottingham road or plank style more typical of arts and crafts dwellings.

6. Relevant Policies: Saved CDLPR policies

- GD4 Design and the Urban Environment
- GD5 Amenity
- E23 Design
- E18 Conservation Areas

The above is a list of the main policies that are relevant. Members should refer to their copy of the CDLPR for the full version or access the web-link.

http://www.cartogold.co.uk/DerbyLocalPlan/text/00cont.htm

Over-arching central government guidance in the NPPF is a material consideration and supersedes earlier guidance outlined in various planning policy guidance notes and planning policy statements.

7. Officer Opinion:

Key Issues:

In this case the following issues are considered to be the main material considerations which are dealt with in detail in this section.

 Whether the proposals would preserve or enhance the character and appearance of the Nottingham Road Conservation Area

This application involves altering the existing flat plywood doors to a more appropriate four panelled style of door. The plywood doors are not original features, are of a very poor quality and, in my opinion, they add little to the visual interest of the buildings or the street. In fact I would argue that they detract from the character and appearance of the streetscene. Whilst the Conservation Officer is happy that the four panel style of the door is more appropriate than the existing flat design, the key

Application No: DER/10/13/01236 Type: Full

concern raised by both the Conservation Area Advisory Committee and the Conservation Officer is the use of composite doors rather than solid wood doors.

Although the Conservation Officer advice is that composite doors give a better finish than a traditional UPVC door, the finish is not the same as a timber door and he raises concerns about how the use of the composite doors would impact upon the distinctive character of the area. The Conservation Officer points out that the arts and crafts movement was about the return to hand craftsmanship and a reaction against industrialising society and because of this, non-traditional construction doors would appear out of keeping within the overall composition and the group resulting in another step on the change of character for the area. He advises that the properties should be considered as a whole and, in particular, if a timber appearance for the door were acceptable then a timber appearance for the windows may also be argued to be acceptable and that ultimately that this could have a longer term influence on materials used within the conservation area. The Conservation Area Advisory Committee recommend refusal of the application due to the use of inappropriate materials.

Whilst the advice of the Conservation Officer and Conservation Committee is not taken lightly and I agree that the use of solid wood doors would be more appropriate, the main consideration is whether the proposal would be an improvement over and above the existing flat plywood doors. Saved Local Plan Policy E18 states that applications will be supported if they preserve or enhance the character of the conservation area and, in this case, it is considered that the proposed composite doors would provide a visual improvement over the existing poor quality plywood examples. Ultimately the existing doors aren't themselves solid wood and their flat design adds little to the visual interest of the buildings or the street. The proposed replacement doors would offer a significant improvement in terms of the design of the doors and would ensure the uniformity of the terraces is retained. Evidence from the local studies library and remaining timber doors at numbers 17 and 19 Alice Street suggest that the scale, proportions and design of the replacement 4 panel doors would be respectful to the style of original doors.

Whilst I don't disagree with the advice provided by the Conservation Officer and the Conservation Area Advisory Committee regarding the materials, given the poor quality of the doors the plywood doors the application is considered to provide an enhancement to the character of the conservation area and therefore I recommend that planning permission is granted for their replacement. However I do not feel the remaining solid wood doors at 17 and 19 Alice Street should be replaced, as this would result in a loss of the historic fabric of the buildings and would ultimately be detrimental to the character of the buildings and the surrounding conservation area.

8. Recommended decision and summary of reasons:

To grant planning permission with conditions.

Summary of reasons:

It is considered that, subject to conditions, the proposal would enhance the character of the dwellings and the character and appearance of the surrounding conservation area.

Application No: DER/10/13/01236 Type: Full

Conditions:

- 1. Standard 3 year time limit for the implementation of the works
- 2. Condition listing approved plans:
- 3. Condition requiring further details of door furniture and colour finish
- 4. Condition requiring the retention of the solid timber four panel front doors at numbers 17 and 19 Alice Street and the original plank doors, which allow access to the rear of the dwellings within the application site.

Reasons:

- Standard time limit reason
- 2. For the avoidance of doubt
- 3. To preserve the character of the conservation area....policy E18

Informative Notes:

None

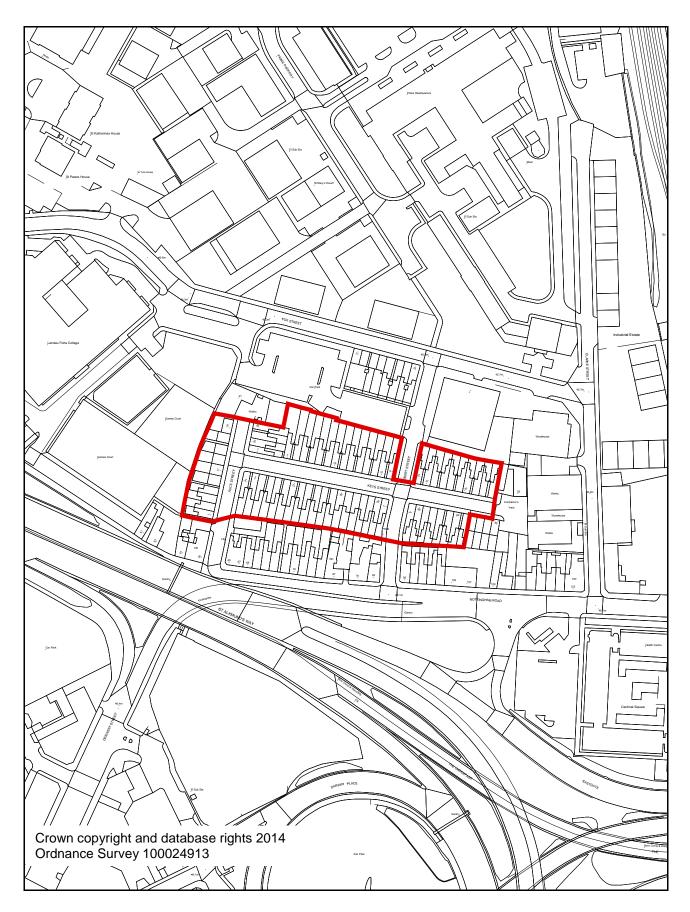
S106 requirements where appropriate:

None required

Application timescale:

The application expired on the 16th of January 2014. It is to be heard at committee due to objections from the Conservation Area Advisory Committee.

Application No: DER/10/13/01236 Type: Full



<u>Application No:</u> DER/01/13/00055 <u>Type:</u> Outline – all

matters reserved

1. Application Details

Address: Garages adjacent to Lilac Court, Lilac Close, Alvaston.

Ward: Alvaston

Proposal:

Residential Development

Further Details:

Web-link to application documents –

http://eplanning.derby.gov.uk/acolnet/planningpages02/acolnetcgi.gov?ACTION=UNWRAP&RIPNAME=Root.PgeDocs&TheSystemkey=94192

This is an outline application, with all matters reserved, for residential development on a parcel of land located between 105 and 129 Boulton Lane and to the rear of Lilac Court. The site is irregular in shape and narrows in size toward the southern boundary. At its widest point it measures approximately 25m and the longest section measures approximately 40m. Land levels are relatively flat. The site is generally unkempt, litter strewn and overgrown. A number of evergreen and deciduous trees occupy the north-east part of the site. To the immediate north is a statutory Listed 18th Century farmhouse and stable block. To the east is a two storey nursing home building and two blocks of flats (Lilac Court) which front the site. To the south are gardens serving the flats and nos 3 and 5 Oak Drive. To the immediate west is a semi-detached dwelling no.129 Boulton Lane.

Initially, a layout plan was submitted with detailed drawings illustrating the siting of 9 dwellings on the site, for illustrative purposes only. However, an amended site plan has been submitted that removes that notional detail.

This application purely seeks to establish the principle of its redevelopment for residential purpose with all details relative to layout, scale, access, external appearance and landscaping reserved for future approval.

2. Relevant Planning History:

No relevant planning history.

3. Publicity:

Neighbour Notification Letter

Site Notice

Statutory Press Advert

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

4. Representations:

Four letters of objection have been received.

- Invasion of privacy
- Direct overlooking to houses and rear gardens

<u>Application No:</u> DER/01/13/00055 <u>Type:</u> Outline – all matters reserved

- Access would be dangerous
- It is a small area to overcrowd with buildings
- Reduced to light gardens

Two letters of support have been received.

5. Consultations:

CAAC:

Objection raised. Resolved to recommend refusal on the grounds that the construction of nine houses on the site would be overly-intensive. This would cause an adverse impact on the approach to and setting of the listed buildings, which would be detrimental to their value as an historic ensemble.

Highways DC:

There is an existing access which is gated and appears to lead to the land together with access to No 129 Boulton Lane, however, it appears that the garages that were on the site were served from Lilac Court not Boulton Lane and therefore any residential development on the site will lead to an intensification of traffic accessing and egressing onto Boulton Lane. There is an existing footway to the frontage of the site, this is quite narrow to the North of the site and pedestrians would benefit from improved facilities as a result of any development. There is a sign, lamp column and telegraph pole that may need possible relocation as a result of the development and this will need to be undertaken at the developers' expense. The number of units indicated leaves minimal space for turning/servicing and parking provision within the site and will need reducing to provide a workable proposal.

In principle a residential development would be acceptable in this area subject to the details of the access and internal layout being acceptable to the Local Planning Authority.

Built Environment - Conservation:

We would object and recommend refusal. The proposal would have a detrimental impact on the setting of the grade II listed barns immediately adjacent and to a lesser extent the farm house. The existing barns have been converted but their character has been retained. The views particularly from Boulton Lane of the gable and the inter relationship between the house and barn complex would be disrupted. This would be detrimental to both the barns and the farm house. The close proximity of the proposed dwellings and there contrast in layout, mass, form and design detail would in our view detract from the setting of these important listed buildings. This is therefore contrary to the Derby City Local Plan Policy E19 which states that "Proposals will also not be approved where they wold have a detrimental effect on the special architectural or historic interest of a statutory listed building, its character or setting." It would be noted that in principle we would not object to perhaps constructing some dwellings the site however they would need to respond to the context and architecture of the barns. Any new re-design should be informed by a heritage assessment.

<u>Application No:</u> DER/01/13/00055 <u>Type:</u> Outline – all matters reserved

Police Liaison Officer:

No objections to the principle of use but on this approved main access and bend in the narrow road, any on street parking/obstruction of the highway should give great concern over the safety of all users including pedestrians on the crossover section. Parking should be provided within the site curtilage and within the control and guardianship of the residents, to be safe and secure. A main dwelling elevation to the street scene would improve surveillance and ensure an active edge.

I also would encourage defensible space to frontages with setbacks for privacy and secure boundaries to all private space. Bins and parking are the main issues that frequently arise from high density developments, which also have later impacts on a residents well-being, crime levels and neighbour social cohesion. Secure by Design standards should be the minimum standards applied to all residential development and not just publically funded social housing. This will ensure Derby remains a safe place to live in for everyone, regardless of tenure, and crime opportunities continue to be reduced by good planning and quality design of the built environment, as encouraged by the new National Planning Policy Framework and Building for Life 2012.

6. Relevant Policies: Saved CDLPR policies

- GD2 Protection of the Environment
- GD4 Design and the Urban Environment
- GD5 Amenity
- H13 Residential Development General Criteria
- E7 Protection of Habitats
- E9 Trees
- E17 Landscaping Schemes
- E23 Design
- T4 Parking and Servicing

The above is a list of the main policies that are relevant. Members should refer to their copy of the CDLPR for the full version or access the web-link.

http://www.cartogold.co.uk/DerbyLocalPlan/text/00cont.htm

Over-arching central government guidance in the NPPF is a material consideration and supersedes earlier guidance outlined in various planning policy guidance notes and planning policy statements.

7. Officer Opinion:

Key Issues:

In this case the following issues are considered to be the main material considerations which are dealt with in detail in this section.

 The principle of use of the site for residential development and future amenity considerations.

The site represents previously developed land within the confines of the city of Derby. It is located between a major road through Alvaston and a quiet access road off Lilac Close, within an area dominated by housing. It therefore constitutes a sustainable location, where new housing development is acceptable in principle. The application

<u>Application No:</u> DER/01/13/00055 <u>Type:</u> Outline – all matters reserved

under consideration here involves a small pocket of land which can be defined as brownfield (domestic garages and an access road dissect the southern part of the site) and is located within a built up residential area. The site frontage could form an integral part of the urban street context along this part of Boulton Lane, whereas the rear section is somewhat more isolated. Generally, it will have good links to existing infrastructure and community facilities. This site is not allocated for any particular use in the CDLPR and has no planning history for residential purposes.

Given that this application has been submitted in outline only, the illustrative drawings provided with the application are <u>not</u> subject of formal approval and granting this outline planning permission would <u>not</u> establish a detailed permission for the provision of nine dwellings on the site.

Moreover, nine dwellings is far too intensive for a site of this size and shape, so any future detailed application should contain fewer residential units. It is important to note the revised layout plan shows a 'blank canvas' development site, which as an outline application is entirely acceptable.

The original layout plan indicated plot/building positions and it is that superseded drawing which, I feel, has in part raised concerns by local residents who considered the scheme illustrated in that original drawing as inappropriate for the site. Most notably, the existing surrounding context of the neighbouring statutory Listed Building, no.129 Boulton Lane, Lilac Court flats and the parcel of trees will have a significant determining factor of plot positions and dwelling orientation. Through any future reserved matters applications, it could be demonstrated that an appropriate scale, design and form of residential development is to be achieved, which fits in with the character of the surrounding area and does not unreasonably harm the amenities of neighbouring residential properties. It is also through the reserved matters that the implications of any proposed layout on the existing trees would be fully considered.

Residential amenity

We would seek to ensure the occupiers of the new houses would have a high quality living environment as a result of any future proposed layout. The juxtaposition of the new houses with the existing houses and flats must be sited as to minimise any loss of privacy, light/massing impact on neighbours. Yet with an appropriate density and formation of plot positions, impacts on residential amenity should be minimised in accordance with the provisions of Policies GD5 and H13.

Highway implications

Means of access is not to be decided under this proposal. The location and alignment of the vehicular access is identified off Boulton Lane. Any layout and design of the access, driveway and parking arrangements would need to ensure that any new access is located in a position which ensures vehicles can safely access/egress the site and that pedestrian and vehicular visibility levels are adequate. As stated above, the precise location of any accesses would need to be assessed as part of a reserved matters application but, in principle; no objections have been raised by colleagues in Highways Development Control.

Trees

With regards to the trees on site, it is considered that any development should be designed to ensure their retention. Subject to the imposition of appropriate tree

<u>Application No:</u> DER/01/13/00055 <u>Type:</u> Outline – all matters reserved

protection conditions, I am satisfied that the site could be developed without adversely impacting the trees located along the site boundaries.

Summary

In summary, the detailed design of the dwellings would be considered as part of the reserved matters and I am satisfied that appropriate conditions can be attached to ensure that issues relating to site drainage, land contamination are also addressed as part of the detailed scheme.

8. Recommended decision and summary of reasons:

To grant planning permission with conditions.

Summary of reasons:

For the reasons outlined above, this outline scheme is generally consistent with the aims of the policies outlined in the local plan. There are no clear grounds on which outline planning permission should refused in this residential context..

Conditions:

- Reserved matters details to be submitted to include details relative to scale, layout, external appearance, access arrangements and landscaping
- 2. Time limit for the approval of reserved matters and the commencement of development
- 3. Time limit for implementation and maintenance of landscaping
- 4. Requirement for a tree survey to be provided as part of the reserved matters

Reasons:

- 1. The application was submitted in outline only
- 2. In line with relevant legislation
- 3. To ensure a satisfactory external appearance Policy E17
- 4. To enable the Local Planning Authority to exercise control in the interests of visual and environmental amenity Policy E9

Informative Notes:

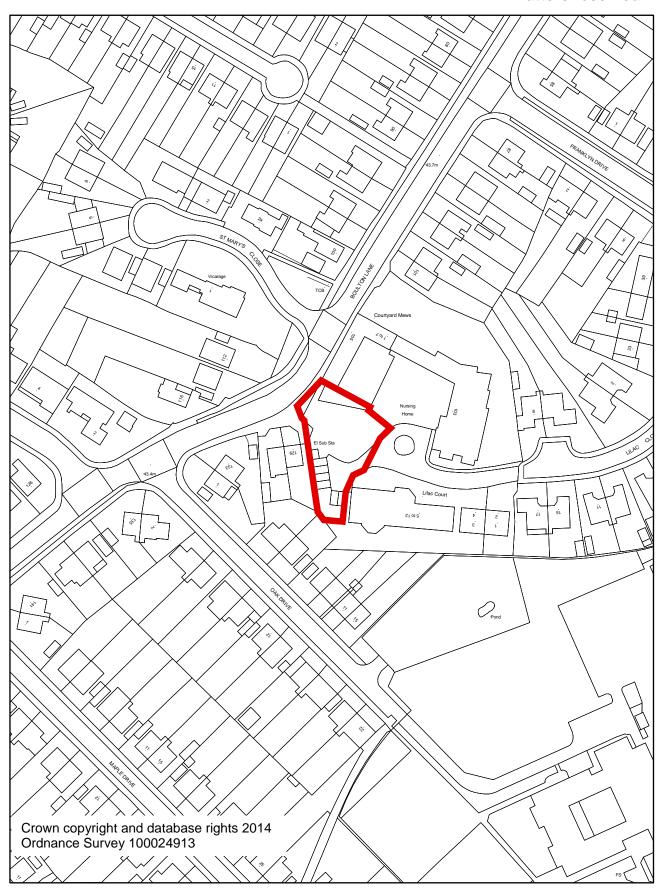
The applicants are reminded that the granting of outline planning permission does not imply the acceptance of the proposals outlined in the drawings submitted with the application which is provided for illustrative purposes only.

Application timescale:

This application expired on 15 April 2013.

Application No: DER/01/13/00055

Type: Outline – all matters reserved



<u>Application No:</u> DER/02/12/00190 <u>Type:</u> Outline – access, scale and layout

1. Application Details

Address: 220 Osmaston Road, Derby (former La Gondola Hotel).

Ward: Arboretum

Proposal:

Part demolition of hotel and erection of hotel building

Further Details:

Web-link to application documents -

http://eplanning.derby.gov.uk/acolnet/planningpages02/acolnetcgi.gov?ACTION=UNWRAP&RIPNAME=Root.PgeDocs&TheSystemkey=92694

The former La Gondola hotel and restaurant fronts onto Osmaston Road. The existing hotel accommodates 20 hotel rooms, a restaurant and function room along with conferencing facilities. It currently comprises a group of linked buildings of two storeys. The hotel sits centrally within a large plot and a hard surfaced area of car parking extends to the front of the building and a second area sits at the back of the site and is accessed via an under croft through the hotel building. The single point of access to the site is via Osmaston Road. The site slopes up from Osmaston Road with the hotel building sitting at a raised level. It is clearly visible in views along Osmaston Road and it occupies a prominent position, sitting at a raised land level relative to the residential properties on Osmaston Road that are located to its east. Residential properties in Grange Street extend up to the sites southern boundary. To the north west is Ashtree House which is an attractive two storey building. It is in use as a family support centre for the Children and Young Peoples Department of the City Council. It is a large building with an irregular footprint.

This application seeks permission for the demolition of the two storey section of the hotel building at the north west edge of the site along with the section of building above the under croft. The demolition of a single storey flat roofed extension at the rear of the main hotel building is also proposed. This would result in the loss of 10 hotel bedrooms, a storage area and kitchen.

Outline planning permission is sought for a 15 suite 'apart hotel' development. This is a development of self-catering apartments that would be booked through the hotel booking system. This means that occupiers can check in and out at any time. The apart hotel building would extend in an irregular 'U' shape around the sites southern, eastern and western boundaries and would stand alone, detached from the existing hotel building. It would project approximately 4.5m beyond the front elevation of the existing hotel and would extend between one and two storeys in height. The footprint of the building is shown to extend within approximately 1m of the eastern boundary with neighbouring properties in Grange Street, between approximately 1.5 and 4.5m from the southern boundary with neighbouring properties also in Grange Street and approximately 0.5m from the site boundary shared with Ashtree House. This outline application seeks approval for access, layout and scale details only therefore the detailed design of the buildings elevations and the landscaping proposals for the wider site are not for approval. A sectional drawing has been provided which shows a building of 6.4m height where it extends to two storeys. This drawing shows a

Application No: DER/02/12/00190

Type: Outline – access, scale and layout

building designed with a flat roof. The single storey elements are also proposed to accommodate a flat roof.

A Design and Access Statement, Transport Statement and Bat Survey have been provided in support of the application.

2. Relevant Planning History:

Most recent:

DER/09/04/01711 – Extension to restaurant (enlargement of bedroom and office) – granted 03/12/04

3. Publicity:

31 Neighbour Notification Letters

Site Notice

Statutory Press Advert

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

4. Representations:

Four representations have been received in response to this application with objections being raised to the scheme. It should be noted that these were received in response to the original application submission and no further representations have been received since additional consultations were undertaken following a reduction in the scale of the development. The nature of the objections received in response to the application generally relate to the following;

- The traffic exiting onto Osmaston Road becoming dangerous given the close proximity of a school to the site and visibility from the existing hotel exit being limited.
- The mass of the development being inappropriate alongside residential properties.
- Overshadowing from the building impacting upon neighbouring amenities.
- Windows in the development overlooking neighbouring properties and reducing the neighbouring occupier's privacy and security resulting in a loss of health and well-being.
- The development increasing existing problems with noise nuisance in the area
- The application providing an insufficient level of information relative to the buildings height.

5. **Consultations:**

Highways DC:

It is considered that there would be insufficient space within the car park for a refuse vehicle to safely manoeuvre and it is considered that the most practical solution for refuse collection would be for the vehicle to remain on Osmaston Road and for the bins to be collected from a bin store. Should planning permission be granted it is recommended that the formal delineation of spaces within the parking area is

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secured prior to the development being brought into use along with the provision of bin store details, cycle parking provision and the provision of staff parking spaces within the site.

Derbyshire Wildlife Trust:

The Trust noted that the site had been inspected and assessed for its ability to support roosting bats by a suitably experienced and qualified ecologist. No evidence of bats was found and it was noted that the dusk emergence survey was undertaken outside of the optimal survey season.

The Trust advise that it is likely that the assessment provides sufficient information regarding these protected species and as no evidence of bats were found they should not present a constraint on the proposal. Given the lateness of the emergence survey, it is recommended that a condition is imposed which requires the ridge tiles of the buildings to be demolished, to be vertically lifted by hand. It is also suggested that conditions are imposed to ensure that breeding birds are protected during the works.

6. Relevant Policies: Saved CDLPR policies

GD4 Design and the Urban Environment

GD5 Amenity

EP16 Visitor AccommodationE7 Protection of Habitats

E9 Trees

E17 Landscaping Schemes

E23 Design

T1 Transport Implications of New Development

T4 Access, Parking and ServicingT10 Access for Disabled People

The above is a list of the main policies that are relevant. Members should refer to their copy of the CDLPR for the full version or access the web-link.

http://www.cartogold.co.uk/DerbyLocalPlan/text/00cont.htm

Over-arching central government guidance in the NPPF is a material consideration and supersedes earlier guidance outlined in various planning policy guidance notes and planning policy statements.

7. Officer Opinion:

Key Issues:

In this case the following issues are considered to be the main material considerations which are dealt with in detail in this section.

- The demolition works
- The layout and scale of the development
- The implications for access and parking
- The implications for neighbouring occupiers

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This site is not allocated for any particular use in the CDLPR. The formation of an apart-hotel development falls within the same use class as the existing hotel and so could be considered as an extension to the existing use. Policy EP16 permits new visitor accommodation in areas that are well served by the public transport network and it is considered that this is a sustainable location for such a use with good links to the network and city centre. The NPPF includes hotels as a main town centre use but given that this proposal involves extending the site of an existing hotel, there would be little benefit in a sequential test to site selection being sought. Given its scale, it is considered unlikely that this proposal would prejudice any city centre sites that have permission for hotel uses. In policy terms, there are therefore no overriding objections to the proposed extension to the existing hotel use.

The demolition works.

The existing hotel building is not of any special architectural quality. It is considered that the removal of the existing linked section of two storey building and the single storey extension to the rear of the site, would have limited implications for the design and character of the remaining hotel building or this part of Osmaston Road. Given the advice that has been provided by Derbyshire Wildlife Trust, it is clear that sufficient survey works have been undertaken to assess the buildings potential to support roosting bats. In light of that advice, I am satisfied that adequate consideration has been given to the implications of the scheme for bats and the aims of saved local plan policy E7 have been met. Overall, it is considered that the proposed demolition works are acceptable.

The layout and scale of the development.

The large irregular shaped 'U' footprint would provide a building which encloses and dominates the sites north-west, south-east and southern boundaries. These parts of the site are already fully hard surfaced and are currently occupied by existing hotel accommodation or car parking areas. A sufficient width would be maintained between the existing hotel building and the new apart-hotel to allow vehicles to access the rear of the site. However, it has been indicated by the applicant that vehicle parking and servicing would be limited to the area at the front of the site and this would allow for some landscaping to be accommodated at the rear. This would improve the setting for future users of the apart hotel and such a design of layout can be secured through the landscaping proposals that will need to be agreed as part of the reserved matters.

The two storey section of the building would extend principally along the north west boundary shared with Ashtree House although a section of two storey building would also extend close to the southern boundary adjacent to the shared parking areas for properties in Grange Avenue. Given its footprint and height, the buildings mass would be significant when compared to that of the modest two storey dwellings that stand adjacent to the site in Grange Avenue. However, there is already a distinct change between the scale of building on the application site and Ashtree House relative to those domestic scale properties that stand adjacent and I do not consider that the development would be out of character in this context. The projection of the buildings footprint beyond the frontage of the existing hotel building and Ashtree House is not ideal. However, given its 8m width, the frontage of the apart-hotel should not appear overly dominant in views along Osmaston Road given its limited size relative to the scale of the frontages of Ashtree House and the remaining La

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Gondola hotel. Massing diagrams have been provided in support of the application which shows how the 6.5m height of the proposed building would sit below the height of Ashtree House and the existing hotel. There is clear variety to the position of buildings along Osmaston Road relative to the highway and in these circumstances; I do not consider it possible to raise objections to the forward projection of the proposal beyond Ashtree House or the existing hotel building given its reduced scale relative to these neighbouring buildings.

The external appearance of the development is reserved for future approval but the scale is to be agreed as part of this application and the section drawing shows the two storey section as accommodating a flat roof with a small degree of pitch. The applicant has indicated an intention to secure a modern design for the building. It is considered that the flat roof design would only be appropriate if a modern treatment is pursued for the buildings elevations as I consider that this would contrast appropriately with the architectural design of Ashtree House and La Gondola. As the appearance of the development is reserved for future approval, the external treatment can be controlled in the future through the reserved matters applications and I have no objections to a two storey flat roof building being approved as part of the details of scale that are the subject of the outline application.

Overall, the layout and scale details of the development are considered appropriate to enable a development of good design to be achieved at the reserved matters stage. Only limited views of parts of the apart hotel would be achieved from the main public views in Osmaston Road and I consider that the scheme reasonably meets with the aims of saved local plan policies GD4 and E23 which seek to protect the character of areas and secure good stands of design.

The layout of the proposed development would result in the loss of two trees from the site. They are located on the sites rear boundary and they have limited public amenity value. The loss of any trees as part of the works is regrettable, given the extent of hard surfacing across this site but the two trees concerned are not the subject of any protection by way of a tree preservation order and could be removed by the applicants at any time, irrespective of the proposed works. The mature trees at the front of the site are now shown to be retained and this is supported given their prominent position in views along Osmaston Road.

The implications for access and parking.

Access to the site would be unchanged by the development with the existing access off Osmaston Road being the only means for vehicles and pedestrians to gain access to the site. The number of vehicles that can be parked on the site would be reduced by the development and the desire to maintain all vehicular activity to the front of the existing hotel building. Conditions can be imposed which ensure that the parking area is clearly laid out with appropriate areas provided for bin storage and staff parking. The landscaping details submitted as part of the reserved matters can also secure soft landscaping in areas which are no longer to be used for parking purposes and it is hoped that this will assist in improving the amenities within the site. The applicant has suggested that the servicing requirements for the apart hotel should be likened to that required for apartments and there should be no need for HGV's to access the site. I have noted that there are no overriding objections raised to the application on highway safety grounds and consider that the imposition of conditions relative to the laying out of the parking area and the provision of bin storage and

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cycle parking is appropriate given that the means of access to the site are subject to approval as part of this outline scheme.

The implications for neighbouring occupiers.

The single storey section of the apart hotel building is proposed to extend around the south east corner of the site. This would extend across the area where the existing single storey extension is located, which is proposed to be demolished. It should be noted that the neighbouring residential properties in Grange Street sit at a lower land level than the application site. The houses at no's 2-8 Grange Street are located approximately 11m from the south east boundary of the site. No's 30-34 sit closer to the southern boundary at 4m. However, the single storey sections of the proposed building would have a limited height given that they are to accommodate flat roofs. Where those parts of the apart hotel building sit directly opposite dwellings in Grange Street, I am satisfied that the proposal would not cause an unreasonable degree of massing for those neighbouring residential properties beyond that created currently by the existing hotel building and boundary wall. Given the position of the apart hotel building to the north of those dwellings, any direct loss of light should also be limited.

The mass of the two storey section of the building would principally dominate the north western boundary and the south western corner of the site. The building would provide a dominant mass along the majority of the boundary that the site shares with Ashtree House and would be clearly visible above the existing boundary treatment. Although an existing section of two storey building would be removed from alongside this boundary as part of the demolition works, the current outlook from a number of windows in the south eastern elevation of Ashtree House would be changed by the proposal with some reduction in light likely to result at some times during the day. Ashtree House is not however, in residential use and it serves as a family centre, with offices. As such, changes in outlook and amenity are not so strictly protected. In the south western corner, the two storey building would not stand directly opposite the rear elevations of dwellings in Grange Street but would stand opposite the shared parking court which serves No's 30-44 Grange Street. It is clear that some local residents had concerns relative to the height of the building and its proximity to the Although the objections raised by neighbours were received site boundaries. following the original application submission which involved a building with more height, it can only be assumed that those concerns remain. However, the layout and scale of the two storey elements of the scheme are considered to have a reasonable relationship to neighbouring properties.

As the external appearance of the development is not part of this outline scheme the position of the windows in the apart hotel building are not to be agreed as part of the application. However, the plans submitted with the application demonstrate the layout for the 15 individual suites and those plans show how the majority of the windows would enjoy their principal outlook into the application site. The main exceptions to this are ground floor suites and a single suite in the south west corner which would accommodate windows in the southern elevation of the building. Although those windows would face the neighbouring parking court in Grange Street, the applicant has shown an intention to design windows for that part of the building which have restricted outlook and such a detail can be pursued as part of the reserved matters. Overall I am satisfied that the layout of the 15 suites can be

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accommodated without a significant degree of overlooking being created that would unreasonably impact upon neighbouring occupiers.

Objections have been raised to the application by neighbouring occupiers with concerns raised that the proposal would result in an increase in noise in the area. The proposed hotel development is considered likely to generate a similar level of noise and activity to the sites existing hotel use. The numbers of windows proposed in the elevations which extend towards neighbouring residential properties are limited and changes to the parking layout will also mean that vehicular movements would be limited to the front part of the site. These features of the layout of the development will assist in reducing any nuisance for neighbouring occupiers further.

For the reasons outlined in this report, it is considered that the layout, scale and access details for the apart hotel development are reasonable and they meet with the aims of the saved policies of the CDLPR. It is therefore considered that this outline application should be supported.

8. Recommended decision and summary of reasons:

To grant outline planning permission with conditions.

Summary of reasons:

The provision of additional hotel accommodation is considered acceptable given the sites sustainable urban location. Given its layout and scale, it is considered that the development would be acceptable in residential amenity and highway safety terms. Through the proper application of policies at the reserved matters stage it is considered that an appropriate external appearance to the development can be secured which will ensure that the development dos not have an adverse impact upon the character of the existing hotel, neighbouring properties and the wider area.

Conditions:

- 1. Standard condition 01 (reserved matters)
- 2. Standard condition 02 (approval of reserved matters)
- Standard condition 21 (landscaping)
- 4. Standard condition 100 (approved plans)
- 5. Condition requiring the laying out of the parking area and staff parking space, prior to the development being brought into use.
- 6. Condition requiring details of bin storage areas and cycle parking to be submitted and approved prior to the development being brought into use.
- 7. Condition requiring the ridge tiles of the building to be removed by hand, during demolition works.

Reasons:

- 1. Standard reason E01
- 2. Standard reason E02
- 3. Standard reason E14 ...policy E17
- 4. For the avoidance of doubt.
- 5. In the interests of highway safety ...policy T4.

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- 6. To ensure a satisfactory layout of development, to promote alternative modes of transport to the site other than the car and in the interests of highway safety ...policy T4.
- 7. To ensure adequate protection of species protected by law and in accordance with the details provided in the submitted bat survey ...policy E7.

Informative Notes:

The applicants are advised that no removal of trees, shrubs and ivy that may be used by breeding birds should take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details measures to protect the nesting bird interest on the site.

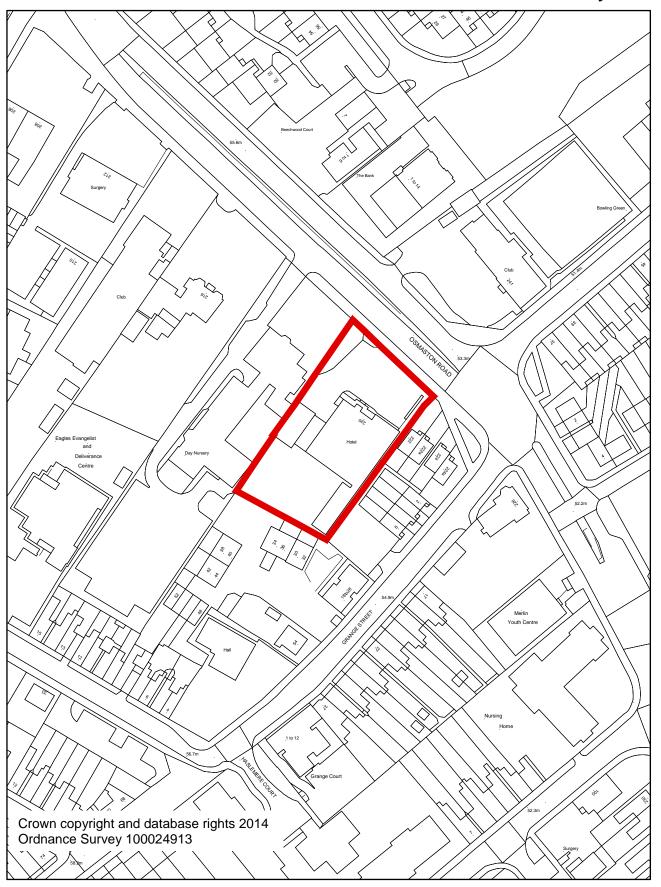
S106 requirements where appropriate:

There are no S106 requirements arising from this development.

Application timescale:

The timescale for the determination of the application has already expired.

Type: Outline – access, scale and layout



Application No: DER/10/13/01231 Type: Listed building consent

1. Application Details

Address: 65 Friar Gate, Derby.

Ward: Darley

Proposal:

Installation of replacement windows and mouldings

Further Details:

Web-link to application documents:

http://eplanning.derby.gov.uk/acolnet/planningpages02/acolnetcgi.gov?ACTION=UNWRAP&RIPNAME=Root.PgeDocs&TheSystemkey=95447

This application relates to an early 19th Century, three/four storey Grade II Listed building on the north side of Friar Gate, within the Friar Gate Conservation Area. It is a mid-terraced building with red brick facade and moulded stone cornice and parapet. The building is part of an important 18th and 19th Century street frontage on Friar Gate and the properties on either side of the building are also statutory listed.

Works have been on-going at the property for some time as party of its conversion from a school back to a single dwelling. This application relates to the installation of replacement windows on the first floor level of the building, within its front elevation. The windows in question are 6/6 sliding sashes in very poor condition. They are not original and appear to date from the latter half of the 20th century when the building was a school. The originals were apparently destroyed in 1832 reform act riots. The replacement windows would be 6/6 sliding sash style, however they would be double glazed units with 24mm wide glazing bars.

2. Relevant Planning History:

DER/11/12/01323 - Extensions to school building (steps, balcony and conservatory) to form dwelling including reinstatement of doors and windows and internal alterations – granted with conditions – 29/01/13

3. Publicity:

Site Notice

Statutory Press Advert

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

4. Representations:

One email of support has been received as follows:

'I am in full agreement with the application to replace the modern, poor quality and condition windows with new 'heritage' ones that are more appropriate to the appearance of this listed building.'

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5. Consultations:

CAAC:

Resolved to recommend refusal as the proposed double glazed units would contain glazing bars which would be thicker than those originally used. Suggested that single glazed panels be used to match existing windows.

Built Environment:

Do not believe that the proposal would be detrimental to the building and given that secondary glazing is not an option and that the existing windows are poorly detailed and in a very poor state of repair we believe that the proposals are acceptable. Finish, finish to glazing units, treatment of glass and dark matt seals within units subject to approval. The sash boxes and surrounds should be retained and repaired if possible.

6. Relevant Policies: Saved CDLPR policies

- E18 Conservation Areas
- E19 Listed Buildings and Buildings of Local Importance

The above is a list of the main policies that are relevant. Members should refer to their copy of the CDLPR for the full version or access the web-link.

http://www.cartogold.co.uk/DerbyLocalPlan/text/00cont.htm

Over-arching central government guidance in the NPPF is a material consideration and supersedes earlier guidance outlined in various planning policy guidance notes and planning policy statements.

7. Officer Opinion:

Key Issues:

In this case the following issues are considered to be the main material considerations which are dealt with in detail in this section.

The impact of the proposal upon the character and appearance of this grade II listed building

The advice from the Conservation Officer is that the windows haven't been in the building for a great deal of time. They appear to date from the mid to late 20th century, following the pattern of earlier windows and are in a very poor and dilapidated condition. One has fallen out entirely. Whilst in general the use of double glazing within listed buildings isn't supported and other options, such as secondary glazing, are always recommended. In this particular instance the internal panelled shutters at first floor would preclude the use of secondary glazing, as in order to install it the primary historic fabric would need to be cut into. This situation only occurs on the first floor and the installation of secondary glazing is proposed elsewhere within the building.

The precise difference in the design of the windows would be the thickness of the double glazed glass units themselves, the thickness of the glazing bars and changes to sash weights. It should be noted that there are variations to the thickness of the glazing bars within the existing windows, for example, the ground floor room to the north has thicker detailing within the windows to the rear, compared with those on the front elevation. In this specific instance, the replacement windows would be of a similar thickness and detail to the ground floor windows and the glazing bars would

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be 2mm thicker than the windows it would replace. The proposed mouldings to the windows are more appropriate than existing and would be in keeping with the character of the building. To reduce the opportunity for any double reflection which can occur from double glazed units the glass be hot rolled to give the appearance of crown glass and distort the reflections. It is also recommend that the seals be black rather than silver to avoid any possible reflection within the units themselves. These precise details can be controlled through condition.

Overall whilst not an ideal situation and not appropriate in many cases, in this specific instance it is considered that the proposals would be acceptable. The proposal involves the removal of modern fabric which is not in keeping with the building and its replacement with more appropriately detailed fabric, which would not result in the alteration of historic primary fabric. Given that secondary glazing is not an option and that the existing windows are poorly detailed and in a very poor state of repair, the Conservation Officer does not believe that the proposal would be detrimental to the building. Whilst regard has been given to the objections from the Conservation Committee, on balance, it is considered that the proposals would not be harmful to the character or appearance of this heritage asset and would comply with the Local Plan policies above.

8. Recommended decision and summary of reasons:

To grant listed building consent with conditions.

Summary of reasons:

Taking into account the fact that secondary glazing is not an option, without causing significant harm to the primary fabric of this listed building, and the fact existing windows are poorly detailed and in a very poor state of repair, it in this instance the proposal is considered to preserve the character and appearance of this grade II listed building.

Conditions:

- 1. Standard 3 year time limit for the implementation of the works
- 2. Condition listing approved plans
- Condition controlling details of finish, finish to glazing units, treatment of glass and use of dark matt seals within units

Reasons:

- Standard reason Standard time limit reason
- 2. For the avoidance of doubt
- 3. To safeguard the character and appearance of the listed building....policy E19

Informative Notes:

The applicant is advised that the sash boxes and surrounds should be retained and repaired if possible.

S106 requirements where appropriate:

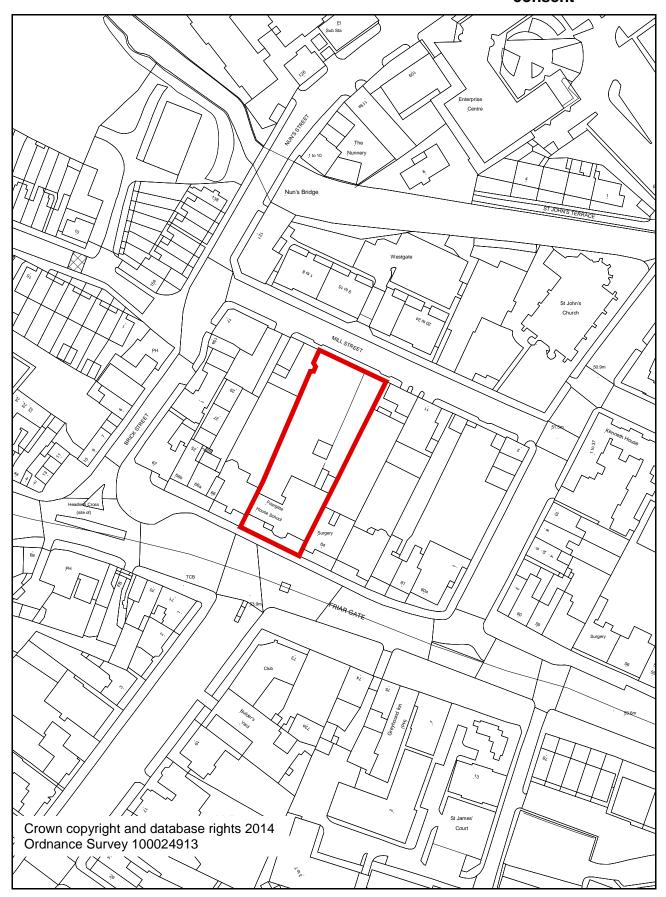
None

Application timescale:

The application expired on the 2nd of January 2014. It is to be heard at committee due to objections from the Conservation Area Advisory Committee.

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Type: Listed building consent





Derby City Council

Delegated Decisions Made Between 01/01/14 and 28/02/14

Application Type	Location	Proposal	Decision	Decision Date
Full Planning Permission	Land at Cathedral Road, Derby (Former Sixt Kennings)	Retention of use of land for car park for a temporary period of 2 years	Refuse Planning Permission	07/02/2014
Full Planning Permission	Land at junction of Willow Row, Walker Lane and Cathedral Road, Derby, DE1	Change of use to public car park for temporary period (three years)	Refuse Planning Permission	13/01/2014
Full Planning Permission	Land off Hudson Way, Derby	Retention of change of use to public car park for temporary period (three years)	Refuse Planning Permission	07/02/2014
Full Planning Permission	16A King Alfred Street, Derby, DE22 3QJ	Extension and alterations to dwelling to form additional dwelling (Use Class C3)	Granted Conditionally	16/01/2014
Full Planning Permission	1 Crabtree Close, Allestree, Derby, DE22 2SW	Two storey side extension and single storey rear extension to dwelling house (dining room, kitchen, garage, bedroom and bathroom)	Granted Conditionally	02/01/2014
Full Application - disabled People	186 Rykneld Road, Littleover, Derby, DE23 7AN	Two storey and single storey side extensions to dwelling house (enlargement of kitchen, 2 shower rooms, hallway, lift, landing and storage)	Granted Conditionally	13/01/2014
Full Planning Permission	58 Alvaston Street, Alvaston, Derby, DE24 0PA	First floor extension to dwelling house (bedroom)	Granted Conditionally	13/02/2014
Variation/Waive of condition(s)	Site of 44 Middleton Avenue, Littleover, Derby, DE23	Demolition of dwelling and erection of four dwelling houses - Variation of condition 10 of previously approved planning permission Code. No. DER/08/06/01325 to amend approved plans	Granted Conditionally	14/02/2014
Outline Planning Permission	Land adjacent 74 Westbury Street, Derby, DE22 3PN	Residential development (four flats)	Granted Conditionally	27/02/2014
	Full Planning Permission Full Application - disabled People Full Planning Permission Outline Planning	Full Planning Permission Land at Cathedral Road, Derby (Former Sixt Kennings) Full Planning Permission Land at junction of Willow Row, Walker Lane and Cathedral Road, Derby, DE1 Full Planning Permission Land off Hudson Way, Derby Full Planning Permission 16A King Alfred Street, Derby, DE22 3QJ Full Planning Permission 1 Crabtree Close, Allestree, Derby, DE22 2SW Full Application - disabled People Littleover, Derby, DE23 7AN Full Planning Permission Sa Alvaston Street, Alvaston, Derby, DE24 0PA Variation/Waive of condition(s) Site of 44 Middleton Avenue, Littleover, Derby, DE23 Outline Planning Permission Land adjacent 74 Westbury Street, Derby,	Full Planning Permission Land at Cathedral Road, Derby (Former Sixt Kennings) Full Planning Permission Land at junction of Willow Row, Walker Lane and Cathedral Road, Derby, DE1 Full Planning Permission Land off Hudson Way, DE1 Land off Hudson Way, Derby Permission Full Planning Permission Land off Hudson Way, Derby Permission Land off Hudson Way, Derby Permission Land off Hudson Way, Derby Permission Full Planning Permission Land off Hudson Way, Derby Descance Retention of use of land for car park for a temporary period of 2 years Land of 2 years Change of use to public car park for temporary Permission and single store park for temporary Permission additional daterations to dwelling to form additional dwelling (Use Class C3) Two storey side extension and single storey rear extension to dwelling house (dining room, kitchen, garage, bedroom and bathroom) Full Application - disabled People Littleover, Derby, DE23 TAN Littleover, Derby, DE23 TAN Shower rooms, hallway, lift, landing and storage) First floor extension to dwelling house (bedroom) Pirst floor extension to dwelling house (bedroom) Welling houses - Variation of condition 10 of previously approved planning permission Code. No. DER/08/06/01325 to amend approved plans Outline Planning Permission Land adjacent 74 Westbury Street, Derby, Permission Permission Permission Land adjacent 74 Westbury Street, Derby, Permission Permission Permission Permission Permission Retention of use to public car park for temporary Permission of u	Full Planning Permission Land at Cathedral Road, Derby (Former Sixt Kennings) Land at junction of Willow Permission Full Planning Permission Land at junction of Willow Permission Full Planning Permission Land at junction of Willow Permission Refuse Planning Permission Refuse Planning Permission Full Planning Permission Land off Hudson Way, DE1 Full Planning Permission Land off Hudson Way, Derby Retention of change of use to public car park for temporary Permission Refuse Planning Permission Full Planning Permission Full Planning Permission 16A King Alfred Street, Derby, DE22 3QJ Additional dwelling (Use Class C3) Full Planning Permission 1 Crabtree Close, Allestree, Derby, DE22 2SW Kitchen, garage, bedroom and bathroom) Full Application disabled People Littleover, Derby, DE23 7AN Two storey side extensions to dwelling house (enlargement of kitchen, 2 shower rooms, hallway, lift, landing and storage) Full Planning Permission Full Planning Permission Sa Alvaston, Derby, DE24 OPA Variation/Waive of conditionally Variation/Waive of condition(s) Cutline Planning Permission Land adjacent 74 Westbury Street, Derby, Westbury Street, Derby, DE26, Derby,

Application No	Application Type	Location	Proposal	Decision	Decision Date
07/13/00815/PRI	Outline Planning Permission	Land at side of 53 Morley Road, Chaddesden, DE21 4QU	Residential Development (one dwelling house)	Granted Conditionally	22/01/2014
07/13/00863/PRI	Full Planning Permission	Castleward including Siddals Road/Canal Street/John Street/Carrington Street/Copeland Street/New Street/Liversage Street, Derby	Erection of 9 flats, and retail (Use Class A1), restaurant/cafe (Use Class A3) and office (Use Class B1) units	Granted Conditionally	21/01/2014
08/13/00895/PRI	Full Planning Permission	Former Dunelm Mill Store, Ascot Drive, Derby, DE24 8GW	Use of the existing building as a Class A1 (retail) unit for the sale of 'bulky goods' including the sale of camping and outdoor activity equipment and ancillary clothing and footwear	Granted Conditionally	31/01/2014
08/13/00901/PRI	Full Planning Permission	1a Grange Road, Alvaston, Derby, DE24 0JW	Extensions to dwelling house (bathroom, bedroom, ensuite and enlargement of kitchen and garden room)	Granted Conditionally	12/02/2014
08/13/00926/DCC	Local Council own development Reg 3	Moorfield Childrens Home, 400 Sinfin Lane, Sinfin, Derby, DE24 9HN	Demolition of buildings, erection of 2 accommodation buildings, garage store and formation of hard landscaped areas including car parking, access and multi-use games area	Granted Conditionally	29/01/2014
08/13/00949/PRI	Full Planning Permission	Apartment 5, Mickleover House, Orchard Street, Mickleover, Derby, DE3	Installation of replacement dormer windows	Refuse Planning Permission	22/01/2014
08/13/00985/PRI	Full Planning Permission	1 Marks Close, Sunnyhill, Derby, DE23 7HB	Formation of rooms in roof space (2 bedrooms and front dormer)	Granted Conditionally	13/01/2014
08/13/00992/PRI	Full Planning Permission	78 West Bank Road, Allestree, Derby, DE22 2FZ	First floor extension to dwelling house (bedroom) - amendment to previously approved permission Code No. DER/05/13/00503	Refuse Planning Permission	21/02/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
08/13/00996/PRI	Full Planning Permission	56 Burlington Way, Mickleover, Derby, DE3 5BD	Two storey side and single storey rear extensions to dwelling house (utility room, store, study, ensuite and enlargement of lounge and bedroom)	Granted Conditionally	02/01/2014
09/13/01021/PRI	Full Planning Permission	622 Harvey Road, Derby, DE24 0EJ	Formation of vehicular access	Granted Conditionally	12/02/2014
09/13/01028/PRI	Full Planning Permission	2 Woodbeck Court, Oakwood, Derby, DE21 2PP	First floor extension to dwelling house (bedroom and front and rear dormers)	Granted Conditionally	14/01/2014
09/13/01046/PRI	Works to Trees under TPO	130 Whitaker Road, Derby, DE23 6AP	Crown lift to 5m of Oak tree protected by Tree Preservation Order No 278	Granted Conditionally	31/01/2014
09/13/01056/PRI	Full Planning Permission	20 Cornflower Drive, Oakwood, Derby, DE21 2SA	Single storey rear extension and first floor extension to dwelling house (enlargement of dining room, study, bedroom and en-suite)	Granted Conditionally	12/02/2014
09/13/01062/PRI	Works to Trees under TPO	Trees adjacent to 5 Hemlock Close, Oakwood, Derby, DE21 2NZ	Crown reduction by 4 metres and crown thin by 30% of Ash tree protected by Tree Preservation Order No 24	Refuse Planning Permission	12/02/2014
09/13/01069/PRI	Full Planning Permission	Whitecross House, Leyland Gardens, Derby, DE1 3PL	Change of use from residential dwelling (Use Class C3) to 2 flats	Granted Conditionally	13/01/2014
09/13/01096/PRI	Full Planning Permission	Balfour Beatty Ltd, West Service Road, Raynesway, Derby	Demolition of buildings. Erection of 3 electricity towers, workshop, welfare and cycle facilities and formation of car park	Granted Conditionally	31/01/2014
09/13/01105/PRI	Full Planning Permission	Land north of 220 Rykneld Road, Littleover, Derby, DE23 4AN (Plots 1 and 2)	Erection of two dwelling houses with detached garages	Granted Conditionally	12/02/2014
09/13/01108/PRI	Full Planning Permission	38 Albert Road, Chaddesden, Derby, DE21 6SJ	First floor rear extension to dwelling house (enlargement of 2 bedrooms)	Granted Conditionally	29/01/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
09/13/01109/PRI	Full Planning Permission	Land Morgan Industrial Properties Ltd (Former B O C Ltd), Raynesway, Derby, DE21 7BD	Formation of temporary car park	Granted Conditionally	14/01/2014
09/13/01119/PRI	Full Planning Permission	Land adjacent 38 Hillcross Avenue, Littleover, Derby, DE23 7FW	Erection of detached dwelling house	Granted Conditionally	27/02/2014
09/13/01122/PRI	Full Planning Permission	26 Empress Road, Derby, DE23 6TD	Single storey rear extension to dwelling house (enlargement of sitting room)	Granted Conditionally	07/02/2014
09/13/01137/PRI	Full Planning Permission	University of Derby, Kedleston Road, Derby, DE22 1GB	Erection of sports centre	Granted Conditionally	17/02/2014
10/13/01147/	Full Application - disabled People	60 Chester Green Road, Derby, DE1 3SF	Ground floor extension to dwelling house (bedroom, en-suite and enlargement of kitchen)	Granted Conditionally	16/01/2014
10/13/01175/PRI	Full Planning Permission	4 Folly Road, Darley Abbey, Derby, DE22 1ED	Installation of dormers to the side and rear elevations and rooflights to the front elevation	Refuse Planning Permission	10/01/2014
10/13/01177/PRI	Full Planning Permission	189 Blenheim Drive, Allestree, Derby, DE22 2GN	Change of use of ground floor from cafe (Use Class A3) to Beauty Salon (Sui Generis use)	Granted Conditionally	06/01/2014
10/13/01194/DCC	Local Council own development Reg 3	Lord Street Community Nursery School, Lord Street, Allenton, Derby, DE24 9AX	Erection of community building	Granted Conditionally	13/01/2014
10/13/01202/PRI	Full Planning Permission	34 New Zealand Square, Derby, DE22 3BZ	Single storey extension to dwelling house (sitting room)	Granted Conditionally	15/01/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
10/13/01208/PRI	Full Planning Permission	Rolls Royce Plc, Wilmore Road, Derby, DE24 9BD	Demolition of ancillary buildings and removal of temporary structures. Extension of PTF building (office and manufacturing space) reconfiguration of internal access roads, erection of gatehouse and formation of additional parking spaces together with landscaping and associated engineering works	Granted Conditionally	13/01/2014
10/13/01220/	Variation/Waive of condition(s)	Site of Mackworth College buildings, Prince Charles Avenue, Mackworth, Derby, DE22 4LR	Variation of condition 2 of previously approved planning permission DER/06/13/00707/PRI to allow the inclusion of plots 116, 117, 118, 119, 120, 121 and 121A	Granted Conditionally	17/01/2014
10/13/01233/PRI	Full Planning Permission	28 Chaddesden Park Road, Derby, DE21 6HD	Retention of single storey rear extension to dwelling house (enlargement of kitchen and dining room)	Granted Conditionally	14/01/2014
10/13/01235/PRI	Full Planning Permission	Land at Rowallan Way, Chellaston, Derby DE73 5WX	Erection of 7 dwelling houses	Granted Conditionally	13/02/2014
10/13/01237/PRI	Advertisement consent	Unit 1, Meteor Centre, Derby, DE21 4SY	Display of 2 internally illuminated fascia signs and 13 non-illuminated banner signs	Granted Conditionally	19/02/2014
10/13/01239/PRI	Works to Trees under TPO	1 Willowtree Drive, Chaddesden, Derby, DE21 4TL	Crown reduction by 3-4 metres of Willow tree protected by Tree Preservation Order No. 411	Granted Conditionally	31/01/2014
10/13/01243/PRI	Works to Trees under TPO	11 Chaddesden Lane, Chaddesden, Derby, DE21 6LQ	Removal of epicormic growth to 6 metres removal of deadwood of Lime Tree protected by Tree Preservation Order No.23	Granted Conditionally	31/01/2014
10/13/01245/PRI	Full Planning Permission	69 Chesterton Road, Spondon, Derby, DE21 7EP	Two storey extension to dwelling house (kitchen, dining room, garage, pantry, en-suite, bathroom, bedroom and enlargement of bedroom)	Granted Conditionally	13/01/2014
10/13/01247/PRI	Full Planning Permission	20 Blagreaves Avenue, Littleover, Derby, DE23 7NS	Two storey extension to dwelling house (lounge, kitchen, bathroom, bedroom and cloakroom)	Granted Conditionally	12/02/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
10/13/01248/PRI	Full Application - disabled People	2 Bamford Avenue, Derby, DE23 8DT	Single storey extension to dwelling house (bedroom and wetroom).	Granted Conditionally	12/02/2014
10/13/01249/PRI	Full Application - Article 4	9 Camp Street, Derby, DE1 3SD	Replacement of windows and door to the front elevation	Granted Conditionally	20/01/2014
10/13/01255/PRI	Full Planning Permission	Pear Tree Infant School, Pear Tree Street, Derby, DE23	Formation of new surfacing	Granted Conditionally	20/01/2014
10/13/01256/PRI	Full Planning Permission	The Spinning Wheel PH, 96 Wood Road, Chaddesden, Derby, DE21 4LZ	Alterations to elevations to include installation of windows and doors	Granted Conditionally	14/01/2014
10/13/01258/PRI	Full Planning Permission	8 Cheverton Close, Alvaston, Derby, DE24 0XE	Single storey extension to dwelling house (reception room and enlargement of kitchen) and erection of detached garage	Granted Conditionally	13/01/2014
10/13/01262/PRI	Full Planning Permission	2 Albion Street, Derby, DE1 2PR (HMV Store)	Change of Use of Ground and First Floor from Retail (Use Class A1) to Building Society (Use Class A2)	Refuse Planning Permission	25/02/2014
11/13/01264/PRI	Full Planning Permission	257 Keldholme Lane, Alvaston, Derby, DE24 0ST	Single storey extension to dwelling house (utility room, shower room and enlargement of kitchen) and formation of vehicular hardstanding	Granted Conditionally	29/01/2014
11/13/01266/PRI	Full Planning Permission	16 Middleton Avenue, Littleover, Derby, DE23 6DL	Formation of rooms in roof space with rear dormer	Granted Conditionally	12/02/2014
11/13/01268/PRI	Full Planning Permission	6 Derrington Leys, Alvaston, Derby, DE24 0SB	Single storey extension to dwelling house (porch)	Granted Conditionally	30/01/2014
11/13/01275/PRI	Full Planning Permission	190 Broadway, Derby, DE22 1BP	Single storey rear extension and two storey side extension to dwelling house (study, store, en-suite and enlargement of dining room) and raised patio	Granted Conditionally	10/01/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
11/13/01277/PRI	Full Planning Permission	560 Duffield Road, Derby, DE22 2ES	Two storey and single storey extensions to dwelling house (bedroom, 2 en-suites, office, porch and enlargement of kitchen and bathroom) and erection of detached double garage	Granted Conditionally	14/01/2014
11/13/01282/PRI	Works to Trees under TPO	27 Chaddesden Park Road, Derby, DE21 6HE	Felling of 3 pine trees protected by Tree Preservation Order No 48	Refuse Planning Permission	31/01/2014
11/13/01283/PRI	Full Planning Permission	41 Cameron Road, Derby, DE23 8RT (Universal Auto Services)	Change of use from car vehicle repairs workshop (use class B2) and extension to form M.O.T. testing facility (sui generis use)	Refuse Planning Permission	12/02/2014
11/13/01285/PRI	Full Planning Permission	181 Stenson Road, Derby, DE23 7JN	Two storey side and single storey rear extensions to dwelling house (sitting room, store, two bedrooms and enlargement of kitchen and living room)	Granted Conditionally	07/01/2014
11/13/01286/PRI	Full Planning Permission	71 Uttoxeter Road, Mickleover, Derby, DE3 5GF	Single storey front extension (W.C) to dwelling house	Granted Conditionally	25/02/2014
11/13/01288/PRI	Advertisement consent	McDonalds, 181-193 Osmaston Park Road, Derby, DE24 8BT	Display of internally illuminated freestanding sign	Granted Conditionally	07/01/2014
11/13/01293/PRI	Advertisement consent	Lighting Columns on Brian Clough Way, Derby	Display of banner signs	Granted Conditionally	13/01/2014
11/13/01294/PRI	Advertisement consent	Lighting Columns on Ashbourne Road, Derby, (from Markeaton Island to Radbourne Lane)	Display of banner signs	Granted Conditionally	06/01/2014
11/13/01295/PRI	Full Planning Permission	Land adjacent to 58 Worcester Crescent, Chaddesden, Derby, DE21 4EQ	Erection of detached dwelling house	Refuse Planning Permission	13/01/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
11/13/01299/PRI	Listed Building Consent -alterations	Derby Independent Grammar School For Boys, Rykneld Road, Littleover, Derby, DE23 7BH	Retention of alterations to roof covering	Granted Conditionally	02/01/2014
11/13/01302/PRI	Works to Trees under TPO	21 Kings Croft, Allestree, Derby, DE22 2FP	Felling of Pear, Apple, Hawthorn and Holly trees and pruning of lower branches of Pine tree protected by Tree Preservation Order No. 471	Granted Conditionally	12/02/2014
11/13/01303/PRI	Full Planning Permission	116 Nottingham Road, Spondon, Derby, DE21 7NP (White House Private Day Nursery)	Change of use from Day Nursery (Use Class D1) to Financial and Professional Services (Use Class A2) or Offices (Use Class B1)	Granted Conditionally	13/01/2014
11/13/01304/PRI	Full Planning Permission	Beechdale Motor Groups Limited, The Parker Centre, Parker Industrial Estate, Mansfield Road, Derby, DE21 4SZ	Internal and external alterations to showroom and change of use of service workshop and parts store to car showroom (Sui Generis use)	Granted Conditionally	29/01/2014
11/13/01305/PRI	Full Planning Permission	2 Siddals Road, Derby, DE1 2PB	Change of use from workshop/office and garage to recruitment agency (Use Class A2) and external alterations	Granted Conditionally	29/01/2014
11/13/01306/PRI	Works to Trees under TPO	Land between 187 and 193 Broadway and rear of 19-23 Penny Long Lane, Derby, DE22 1BP	Pruning of Oak tree to allow 3 metre clearance and pruning of overhanging branch of Willow tree protected by Tree Preservation Order No.462	Granted Conditionally	12/02/2014
11/13/01307/PRI	Advertisement consent	2 Siddals Road, Derby, DE1 2PB	Display of 4 non-illuminated signs	Granted Conditionally	12/02/2014
11/13/01310/PRI	Full Planning Permission	91 Macklin Street, Derby, DE1 1LG	Change of use of rear of property from retail (Use Class A1) to residential (Use Class C3) and installation of door to the side elevation	Granted Conditionally	07/01/2014
11/13/01311/PRI	Full Planning Permission	16 Allestree Lane, Derby, DE22 2HR	Single storey extensions to front, side and rear of dwelling house (entrance hall, store, utility room, kitchen and lounge)	Granted Conditionally	12/02/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
11/13/01312/PRI	Full Planning Permission	Unit 1, Heatherton District Centre, Hollybrook Way, Littleover, Derby, DE23 7TU (Co-operative Retail Store Ltd)	Single storey rear extension to retail store (storage), installation of replacement entrance doors, trolley bay and cycle hoops together with formation of 3 additional parking spaces	Granted Conditionally	07/01/2014
11/13/01315/DCC	Local Council own development Reg 3	Portway Junior School, Robincroft Road, Allestree, Derby, DE22 2GL	Erection of single storey attached classroom	Granted Conditionally	14/01/2014
11/13/01317/PRI	Local Council own development Reg 3	Land at Green Park, Derby, DE22 4EX	Formation of 9 parking bays	Granted Conditionally	21/02/2014
11/13/01319/PRI	Works to Trees under TPO	Trees at front of 2 Old Vicarage Close, Littleover, Derby, DE23	Felling of 2 Lime trees protected by Tree Preservation Order No 37	Refuse Planning Permission	31/01/2014
11/13/01322/DCC	Local Council own development Reg 3	Redwood Junior & Infant School, Redwood Road, Sinfin, Derby, DE24 9PG	Erection of 4 classroom block	Granted Conditionally	12/02/2014
11/13/01323/PRI	Works to Trees in a Conservation Area	Trees at Old Forge, Markeaton Lane, Derby, DE22	Crown reduction by 3-4 metres of Beech tree, reduction by 4 metres and reshaping of Yew tree, felling of Willow tree and reduction by 2 metres of Conifer hedge (H2) within Markeaton Conservation Area	Raise No Objection	13/01/2014
11/13/01326/PRI	Prior Notification	126 Osmaston Road, Derby, DE1 2RF	Change of use from office (use class B1) to 5 flats (use class C3)	Approval Not required	09/01/2014
11/13/01329/DCC	Local Council own development Reg 3	Derwent Community School, St. Marks Road, Derby, DE21 6AL	Erection of 2 classrooms, covered walkway and formation of 6 additional car parking spaces	Granted Conditionally	14/02/2014
11/13/01331/DCC	Local Council own development Reg 3	Village Primary School, 155 Village Street, Derby, DE23 8DN	Erection of 3 classroom block, extension to form additional classroom and erection of canopy to form covered play area	Granted Conditionally	14/02/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
11/13/01332/DCC	Local Council own development Reg 3	Breadsall Hilltop Junior & Infant School, St. Andrews View, Derby, DE21 4ET	Erection of 4 classroom block and 3 classroom block and covered walkways and provision of additional parking spaces	Granted Conditionally	13/02/2014
11/13/01333/PRI	Advertisement consent	Land at front of Park Farm Centre, Birchover Way, Allestree, Derby	Display of 5 flag poles and flags and 1 non-illuminated totem sign	Granted Conditionally	10/01/2014
11/13/01336/PRI	Works to Trees under TPO	26 Sinfin Moor Lane, Chellaston, Derby, DE73 1SQ	Crown reduction by 2 metres of 2 Cedar Trees protected by Tree Preservation Order No 56	Granted Conditionally	12/02/2014
11/13/01337/DCC	Local Council own development Reg 3	Portway Infant School, Woodlands Road, Allestree, Derby, DE22 2HE	Erection of classroom and formation of additional hardstanding.	Granted Conditionally	13/01/2014
11/13/01338/DCC	Local Council own development Reg 3	Cherry Tree Hill Infant School, Lime Grove, Chaddesden, Derby, DE21 6WL	Erection of 2 x 3 classroom blocks, formation of hard play area and path and formation of 6 additional car parking spaces.	Granted Conditionally	14/02/2014
11/13/01339/DCC	Local Council own development Reg 3	Market Place, Derby, DE1	Erection of Ice Rink for Temporary Period (46 days in any 12 month period)	Granted Conditionally	03/01/2014
11/13/01342/PRI	Full Planning Permission	Brian Clough Business Centre, 200-222 Cotton Lane, Derby, DE24	Retention of cycle shelter	Granted Conditionally	16/01/2014
11/13/01345/DCC	Local Council own development Reg 3	Allenton Community Primary School, Brookhouse Street, Allenton, Derby, DE24 9BB	Erection of 6 classroom block and covered walkway, enlargement of hard play area and formation of 10 car parking spaces	Granted Conditionally	12/02/2014
11/13/01347/PRI	Full Planning Permission	41 Farmlands Lane, Littleover, Derby, DE23 7UR	Two storey side extension to dwelling house (bedroom and enlargement of lounge and bedroom)	Granted Conditionally	13/01/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
11/13/01348/PRI	Full Planning Permission	7 Oval Court, Littleover, Derby, DE23 6XP	Single storey rear extension to dwelling house (hall, utility room and garden room)	Granted Conditionally	13/01/2014
11/13/01350/PRI	Works to Trees under TPO	6 Glenorchy Court, Oakwood, Derby, DE21 2TU	Cut back overhanging branches by approximately 2 metres to previous cut back points of Oak tree protected by Tree Preservation Order No 31	Granted Conditionally	12/02/2014
11/13/01354/PRI	Full Planning Permission	43 Moor Street, Spondon, Derby, DE21 7EA	Change of use of ground floor from retail shop (Use Class A1) to Veterinary Surgery (Use Class D1)	Granted Conditionally	20/01/2014
11/13/01357/PRI	Full Application - Article 4	1 Milford Street, Derby, DE1 3EL	Installation of replacement windows and door	Granted Conditionally	11/02/2014
11/13/01359/PRI	Full Planning Permission	Shell Allestree, 339 Duffield Road, Derby, DE22 2DG	Replacement of fuel storage tanks and canopy and amendment to forecourt layout	Granted Conditionally	15/01/2014
11/13/01361/PRI	Works to Trees under TPO	27 Constable Drive, Littleover, Derby, DE23 6EQ	Crown cleaning of Cedar tree protected by Tree Preservation Order No 185	Granted Conditionally	12/02/2014
11/13/01363/PRI	Full Planning Permission	14 Main Avenue, Allestree, Derby, DE22 2EF	Two storey extension to dwelling house (garage, utility room, two bedrooms, bathroom, en-suite and enlargement of kitchen) and formation of raised patio	Granted Conditionally	12/02/2014
11/13/01364/PRI	Prior Notification	32 Osmaston Road, Derby, DE1 2HS (First and Second Floors)	Change of use from offices on first and second floor (Use Class B1) to form two flats (Use Class C3)	Approval Not required	14/01/2014
11/13/01367/	Full Planning Permission	10 Park View Close, Allestree, Derby, DE22 2GH	Two storey rear extension to dwelling house (enlargement of kitchen, utility room, wardrobe and shower room)	Granted Conditionally	22/01/2014
11/13/01368/PRI	Works to Trees in a Conservation Area	162 Duffield Road, Derby, DE22 1BH	Works to trees within Strutts Park Conservation Area including felling of two Crab apple, Conifer and Pine trees	Raise No Objection	13/01/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
11/13/01370/PRI	Full Planning Permission	1 Glenwood Road, Chellaston, Derby, DE73 1UB	Two storey extension to dwelling house (kitchen, shower room, utility room, study and two bedrooms)	Granted Conditionally	20/01/2014
11/13/01371/PRI	Works to Trees under TPO	22 Harvest Way, Oakwood, Derby, DE21 2XB	Felling of Ash Tree protected by Tree Preservation Order No.247	Granted Conditionally	12/02/2014
11/13/01372/PRI	Full Planning Permission	24 Derby Road, Chellaston, Derby, DE73 6RA	Extension to bungalow (utility room, dining room and enlargement of kitchen and bedroom) and erection of detached garage	Granted Conditionally	29/01/2014
11/13/01373/PRI	Full Planning Permission	89-93 Peet Street, Derby, DE22 3RG	Change of use and extension of single storey workshop to form two apartments and car parking area	Granted Conditionally	23/01/2014
11/13/01377/PRI	Full Planning Permission	42 Amber Road, Allestree, Derby, DE22 2QA	Single storey rear and side extensions to dwelling house (kitchen, utility room, study and w.c)	Granted Conditionally	21/01/2014
11/13/01378/PRI	Certificate of Lawfulness Proposed Use	78 Darley Abbey Drive, Darley Abbey, Derby, DE22 1EF	Single storey rear extension to dwelling house (kitchen/dining room)	Granted	29/01/2014
11/13/01382/PRI	Advertisement consent	Land at Raynesway Park Drive, Derby, DE21 7BH	Installation of freestanding totem sign	Granted Conditionally	12/02/2014
11/13/01383/PRI	Advertisement consent	Land at Raynesway Park Drive, Derby, DE21 7BH	Display of various signage	Granted Conditionally	11/02/2014
11/13/01386/PRI	Full Planning Permission	7 Latrigg Close, Mickleover, Derby, DE3 5NR	Erection of boundary fence	Refuse Planning Permission	27/01/2014
11/13/01387/PRI	Works to Trees under TPO	28 Binscombe Lane, Oakwood, Derby, DE21 2AZ	Reduction of lateral branches by 2.5m and removal of epicormic growth to Turkey Oak tree protected by Tree Preservation Order No 477	Granted Conditionally	12/02/2014
11/13/01389/PRI	Full Planning Permission	1 Uttoxeter Old Road, Derby, DE1 1GA	Change of use of ground floor from retail (use class A1) to Micropub (use class A4)	Granted Conditionally	21/01/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
11/13/01392/PRI	Full Planning Permission	29 Foremark Avenue, Derby, DE23 6JQ	Rear and side extension to dwelling house (kitchen, sitting room, shower roon and garage)	Granted Conditionally	14/02/2014
11/13/01394/PRI	Non-material amendment	Castleward including Siddals Road/Canal Street/John Street/Carrington Street/Copeland Street/New Street/Liversage Street, Derby	Outline application with details of phase 1 to comprise development of Castleward, involving demolition of buildings, residential development (up to 840 dwellings), retail (Use Class A1), restaurant/cafes (Use Class A3), offices (Use Class B1), hotel (Use Class C1), non-residential institutions (Use Class D1), assembly and leisure (Use Class D2), school (Use Class D1), community centre, (Use Class D1), bingo hall (Use Class D2), alterations to vehicular accesses, formation of boulevard and pedestrian crossing and refurbishment of public realm - non-material amendment to application Code No. DER/05/12/00563 to remove glass canopies above commercial units	Granted Conditionally	02/01/2014
11/13/01396/PRI	Full Planning Permission	55 Cadgwith Drive, Derby, DE22 2AF	Two storey extension to dwelling house (garage, bedroom and en-suite) and single storey front extension	Granted Conditionally	20/01/2014
11/13/01397/PRI	Full Planning Permission	8 Gisborne Close, Mickleover, Derby, DE3 5LU	Extension to bungalow (hall, w.c. and utility room)	Granted Conditionally	22/01/2014
11/13/01398/PRI	Full Planning Permission	9 Elms Avenue, Littleover, Derby, DE23 6FB	First floor side extension to dwelling house (bedroom)	Granted Conditionally	20/01/2014
11/13/01399/	Works to Trees under TPO	3 St. Johns Terrace, Derby, DE1 3LJ	Removal of bottom 6 branches of Alder tree protected by Tree Preservation Order No. 83	Granted Conditionally	12/02/2014
11/13/01400/PRI	Works to Trees under TPO	193 Broadway, Derby, DE22 1BP	Reduction of upper branches of Willow tree protected by Tree Preservation Order No 462	Granted Conditionally	12/02/2014
11/13/01401/PRI	Prior Notification	4 Darwin Road, Mickleover, Derby, DE3 5HT	Single storey rear extension (projecting beyond the real wall of the original house by 3.7m, maximum height 2.5m, height to eaves 2.1m) to dwelling house	Approval Not required	29/01/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
11/13/01404/PRI	Full Application - Article 4	26 Chevin Road, Derby, DE1 3EX	Installation of replacement windows to front elevation	Granted Conditionally	16/01/2014
11/13/01405/PRI	Advertisement consent	Unit 4, Kingsway Retail Park, Derby, DE22 3FA	Display of 3 internally illuminated fascia signs	Granted Conditionally	19/02/2014
12/13/01406/	Local Council own development Reg 3	43, 45, 47, 49 and 55 Chaddesden Lane, Derby, DE21 6LP	Formation of vehicular accesses	Granted Conditionally	11/02/2014
12/13/01410/PRI	Non-material amendment	Land off Durley Close/Branksome Avenue/Elvaston Lane, Alvaston, Derby	Erection of 32 dwelling houses and 6 flats (non-material amendment to previously approved planning permission Code No. DER/03/12/00255/PRI to add a car port to plot 34)	Granted	10/01/2014
12/13/01411/PRI	Works to Trees in a Conservation Area	Celtic House and Saxon House Car Parks, Friary Street and Curzon street Car Park, Curzon Street, Derby	Various works to trees within Friar Gate Conservation Area	Raise No Objection	13/01/2014
12/13/01413/PRI	Full Planning Permission	Temple Trees, 355 Uttoxeter Road, Mickleover, Derby, DE3 5AH	Demolition of detached garage and single storey outbuilding. Single storey side and rear extension to dwelling house (lounge, kitchen, shower room and utility room).	Granted Conditionally	19/02/2014
12/13/01415/PRI	Full Planning Permission	30 Crich Avenue, Littleover, Derby, DE23 6ES	Extension to dwelling house (bedroom and enlargement of kitchen and dining room)	Granted Conditionally	28/02/2014
12/13/01417/PRI	Full Planning Permission	20 Edith Wood Close, Alvaston, Derby, DE24 0HJ	Single storey side and rear extension (garage, shower room and enlargement of dining room and kitchen) and demolition of detached garage	Granted Conditionally	29/01/2014
12/13/01418/PRI	Full Planning Permission	18 Roosevelt Avenue, Chaddesden, Derby, DE21 6JQ	Single storey front, side and rear extensions to dwelling house (porch, double garage and conservatory)	Granted Conditionally	19/02/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
12/13/01419/PRI	Full Planning Permission	154 Stenson Road, Derby, DE23 7JG	First floor rear extension to dwelling house (enlargement of bedroom and study)	Granted Conditionally	14/02/2014
12/13/01421/PRI	Advertisement consent	Derby Skin Laser & Cosmetic Clinic, 49 Friar Gate, Derby, DE1 1DF	Display of non-illuminated hanging sign and wall plaque sign	Granted Conditionally	29/01/2014
12/13/01422/PRI	Full Planning Permission	Midland Canoe Club, north east of Old Lane, Darley Abbey, Derby, DE22	Demolition of clubhouse and external toilet facilities and erection of replacement Clubhouse	Granted Conditionally	28/02/2014
12/13/01423/PRI	Full Planning Permission	16 The Crest, Darley Abbey, Derby, DE22 2BR	Single storey front, side and rear extension to dwelling (garage, study, utility room and enlargement of lounge and kitchen), formation of rooms in roof space (two bedrooms and bathroom) and alteration to vehicular access	Granted Conditionally	30/01/2014
12/13/01425/PRI	Full Planning Permission	1 Sandbach Close, Oakwood, DE21 2BZ	Side and rear extensions to dwelling house (bedroom, en-suite and enlargement of kitchen)	Granted Conditionally	10/02/2014
12/13/01428/PRI	Full Planning Permission	The Kingfisher P H, Lexington Road, Chaddesden, Derby, DE21 6UZ	Single storey rear extension and external alterations to public house to form retail unit and formation of associated parking	Granted Conditionally	14/02/2014
12/13/01429/PRI	Full Planning Permission	Cygnet Hospital, City Gate Business Park, City Gate, Derby, DE24 8WY	Installation of six windows and replacement door	Granted Conditionally	11/02/2014
12/13/01432/PRI	Advertisement consent	Wilkinson Store, 858 Osmaston Road, Derby, DE24 9AB	Display of illuminated fascia sign	Granted Conditionally	10/02/2014
12/13/01434/PRI	Listed Building Consent -alterations	28-32 Iron Gate, Derby, DE1 3GL (The Standing Order P H)	Display of 3 halo illuminated individual letter signs, 2 internally illuminated menu boards, 2 non-illuminated amenity boards, 2 lanterns and 5 uplighters.	Granted Conditionally	10/02/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
12/13/01435/PRI	Advertisement consent	28-32 Iron Gate, Derby, DE1 3GL (Standing Order PH)	Display of 3 halo illuminated individual letter signs, 2 internally illuminated menu boards and 2 non-illuminated amenity boards	Granted Conditionally	10/02/2014
12/13/01436/PRI	Full Planning Permission	6 Gilbert Street, Alvaston, Derby, DE24 0LB	Single storey rear extension to dwelling (w.c and living/dining room) and formation of rooms in roof space (2 bedrooms and en-suite bathroom) and installation of dormer window	Granted Conditionally	18/02/2014
12/13/01437/PRI	Local Council own development Reg 3	24 Carlton Road, Derby, DE23 6HA	Extension to dwelling house (lobby)	Granted Conditionally	10/02/2014
12/13/01439/PRI	Non-material amendment	Site of former Derbyshire Royal Infirmary, London Road, Derby, DE1	Re-development of former Derbyshire Royal Infirmary site to form mixed use development comprising retail (use class A1), cafe/restaurant (use class A3), public house (use class A4), offices (use class B1), residential (use class C3) and formation of associated car parking - Non material amendment amendment to previously approved planning application Code No. DER/11/10/01439/PRI to amend conditions 11, 15, 25 and 29	Granted Conditionally	28/01/2014
12/13/01441/PRI	Full Planning Permission	Flats 1-30 Highgates, Back Sitwell Street and Flats 31-38 Highgates, Wilmot Street, Derby, DE1 2LR	Installation of replacement windows and doors	Granted Conditionally	11/02/2014
12/13/01442/PRI	Local Council own development Reg 3	83 St. Thomas Road, Derby, DE23 8RG	Change of Use from retail (Use Class A1) to residential (Use Class C3) including alterations to the front elevation	Granted Conditionally	12/02/2014
12/13/01443/PRI	Local Council own development Reg 3	95 Bethulie Road, Derby, DE23 8US	Single storey rear extension to dwelling house (shower room) and formation of access ramp	Granted Conditionally	12/02/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
12/13/01444/PRI	Non-material amendment	Land at Craddock Avenue and Arnhem Terrace, Spondon, Derby	Erection of 39 dwelling houses and 16 apartments - Non material amendment to previously approved permission Code No. DER/02/12/00169 to amend carports on plots 11 and 42	Granted	10/01/2014
12/13/01449/PRI	Prior Notification	34 Crich Avenue, Littleover, Derby, DE23 6ES	Single storey rear extension (projecting beyond the real wall of the original house by 3.7m, maximum height 3.65m, height to eaves 2.3m) to dwelling house	Approval Not required	10/01/2014
12/13/01450/PRI	Full Planning Permission	Castle and Falcon P H, East Street, Derby, DE1 2AU	Single storey extension to public house (w.c's) and installation of entrance doors and awning	Granted Conditionally	11/02/2014
12/13/01451/PRI	Full Planning Permission	1 Brunswood Close, Spondon, Derby, DE21 7LB	First floor extension to dwelling house (bedroom, ensuite bathroom and enlargement of bedroom) and installation of bay window to the front elevation	Refuse Planning Permission	11/02/2014
12/13/01452/PRI	Full Planning Permission	Pattonair, Wincanton Close, Derby, DE24	Erection of three linked temporary buildings	Granted Conditionally	12/02/2014
12/13/01453/PRI	Full Planning Permission	1 Brookside Close, Derby, DE1 3SR	Two storey side extension to dwelling house (kitchen, bedroom and bathroom)	Refuse Planning Permission	11/02/2014
12/13/01456/	Listed Building Consent -alterations	Derby Skin Laser & Cosmetic Clinic, 49 Friar Gate, Derby, DE1 1DF	Installation of non-illuminated hanging sign and wall plaque sign	Granted Conditionally	29/01/2014
12/13/01457/PRI	Certificate of Lawfulness Proposed Use	46 Elms Avenue, Littleover, Derby, DE23 6FG	Single storey rear extension to dwelling house	Granted	28/02/2014
12/13/01459/PRI	Full Planning Permission	Joseph Wright Centre, Cathedral Road, Derby	Extension to College on four floors to enlarge teaching space together with ancillary accommodation	Granted Conditionally	11/02/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
12/13/01460/PRI	Demolition-Prior Notification	S Robinson and Sons, Wincanton Close, Derby, DE24 8NJ	Partial demolition of industrial units	Raise No Objection	14/01/2014
12/13/01462/PRI	Full Planning Permission	134 Smalley Drive, Oakwood, Derby, DE21 2SQ	Extension to dwelling house (conservatory)	Granted Conditionally	10/02/2014
12/13/01464/PRI	Full Planning Permission	159-163 London Road, Derby, DE1 2SU	Change of use of first floor from motorbike workshop to fitness studio/gymnasium (Use Class D2)	Granted Conditionally	20/02/2014
12/13/01467/PRI	Full Planning Permission	318 Uttoxeter Road, Mickleover, Derby, DE3 5AG	Extensions to dwelling house (shower room, store room, conservatory and enlargement of bedroom and bathroom)	Granted Conditionally	21/02/2014
12/13/01469/PRI	Advertisement consent	Castle and Falcon, East Street, Derby, DE1 2AU	Display of various signage	Granted Conditionally	11/02/2014
12/13/01471/PRI	Advertisement consent	Land at Raynesway Park Drive, Derby, DE12 7BH	Display of freestanding totem sign	Granted Conditionally	10/02/2014
12/13/01472/PRI	Full Planning Permission	68 Hollowood Avenue, Littleover, Derby, DE23 6JD	Single storey side and rear extension to dwelling house (rear extension and conservatory)	Granted Conditionally	12/02/2014
12/13/01475/PRI	Advertisement consent	Omya House, Stephensons Way, Chaddesden, Derby, DE21 6LY	Display of 3 illuminated fascia signs and 1 illuminated entrance sign	Granted Conditionally	12/02/2014
12/13/01476/PRI	Prior Notification	30 Tower Street, Derby, DE24 8FP	Single storey rear extension (projecting beyond the real wall of the original house by 3.8m, maximum height 2.8m, height to eaves 2m) to dwelling house	Approval Not required	29/01/2014
12/13/01479/PRI	Full Planning Permission	180 Pear Tree Road, Derby, DE23 8NQ	Extension to shop (store)	Granted Conditionally	13/02/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
12/13/01481/	Full Planning Permission	10 Farley Road, Derby, DE23 6BX	Extensions to dwelling house (garage, study, kitchen, sitting room, dining room, porch, 2 bedrooms, enlargement of bedroom, en-suites and balcony)	Refuse Planning Permission	13/02/2014
12/13/01482/	Full Planning Permission	8-10 Haddon Street, Derby, DE23 6NP	Retention of change of use from offices (Use Class A2) to two flats (Use Class C3)	Granted Conditionally	13/02/2014
12/13/01483/	Works to Trees in a Conservation Area	Land adjacent to 18 Welney Close, Mickleover, Derby, DE3 5NZ	Crown Lift by 5m of Tree within the Mickleover Conservation Area	Raise No Objection	16/01/2014
12/13/01487/PRI	Full Planning Permission	Tauranga, 15 Penny Long Lane, Derby, DE22 1AX	Rear roof extension to dwelling house	Granted Conditionally	13/02/2014
12/13/01493/PRI	Full Planning Permission	2 Kedleston Close, Allestree, Derby, DE22 2RA	Single storey side extension to dwelling house (hall, shower room, and enlargement of kitchen)	Granted Conditionally	29/01/2014
12/13/01495/PRI	Full Planning Permission	3 Alton Close, Allestree, Derby, DE22 2LJ	Rear extension to bungalow (enlargement of lounge/ dining room and kitchen) and formation of rooms in roof space (2 bedrooms, bathroom and en-suite)	Granted Conditionally	14/02/2014
12/13/01499/PRI	Works to Trees in a Conservation Area	41 Kedleston Road, Derby, DE22 1FL	Crown reduction of Pyrus tree by 1.5m within Strutts Park Conservation Area	Raise No Objection	16/01/2014
12/13/01501/PRI	Full Planning Permission	15 Allestree Lane, Derby, DE22 2HQ	Two storey side and single storey rear extension to dwelling house (garage, bedroom and lounge)	Withdrawn Application	19/02/2014
12/13/01504/	Full Planning Permission	26a Scarsdale Avenue, Allestree, Derby, DE22 2JZ	Single storey extensions to bungalow (garage, living room, lobby and enlargement of bedroom)	Granted Conditionally	25/02/2014
12/13/01505/PRI	Full Planning Permission	509 Nottingham Road, Derby, DE21 6NA	Installation of replacement shop front, satellite dish and air-conditioning condensers	Granted Conditionally	12/02/2014
12/13/01506/PRI	Advertisement consent	509 Nottingham Road, Derby, DE21 6NA	Display of internally illuminated fascia and projecting signs	Granted Conditionally	12/02/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
12/13/01508/PRI	Full Planning Permission	The Old Silk Mill P H, 19 Full Street, Derby, DE1 3AF	Retention of roof lantern	Refuse Planning Permission	18/02/2014
12/13/01511/PRI	Full Planning Permission	37 Corinium Close, Alvaston, Derby, DE24 0TJ	Two storey side extension to dwelling house (sitting room, shower room, utility room and bedroom)	Granted Conditionally	29/01/2014
01/14/00001/PRI	Full Planning Permission	Land at side of 17 Cambridge Street, Spondon, DE21 7PZ	Erection of two dwelling houses	Granted Conditionally	27/02/2014
01/14/00004/PRI	Works to Trees under TPO	316 - 318 Burton Road, Derby, DE23 6AF	Felling of 2 Cedar trees, 2 Lawson Cypress trees and 3 Yew trees protected by Tree Preservation Order No.141	Granted Conditionally	31/01/2014
01/14/00005/PRI	Works to Trees in a Conservation Area	Trees at St. Christophers Court, Ashbourne Road, Derby, DE22 3FY	Various works to Trees within Friar Gate Conservation Area	Raise No Objection	13/02/2014
01/14/00015/DCC	Local Council own development Reg 3	Former Glasshouses and Nursery Builings, Markeaton Park, Markeaton Lane, Derby	Erection of car park and access road	Invalid - Finally Disposed of	13/01/2014
01/14/00025/PRI	Prior Notification	5 Willowtree Court, Mickleover, Derby, DE3 9GG	Single storey rear extension (projecting beyond the real wall of the original house by 4.49m, maximum height 3.54m, height to eaves 2.83m) to dwelling house	Approval Not required	10/02/2014
01/14/00035/PRI	Prior Notification	21 Penzance Road, Alvaston, Derby, DE24 0NG	Single storey rear extension (projecting beyond the real wall of the original house by 3.6m, maximum height 3.7m, height to eaves 2.5m) to dwelling house	Approval Not required	10/02/2014
01/14/00036/PRI	Prior Notification	3 Fulmar Close, Mickleover, Derby, DE3 5XH	Single storey rear extension (projecting beyond the real wall of the original house by 4.73m, maximum height 3.4m, height to eaves 2.75m) to dwelling house	Approval Not required	10/02/2014

Application No	Application Type	Location	Proposal	Decision	Decision Date
01/14/00050/PRI	Works to Trees under TPO	Land at the rear of 28 Kershope Drive, Oakwood, Derby, DE21 2TQ	Crown thin by 25% and removal of overhang to garden by 1.5metres of lateral branches of Oak tree protected by Tree Preservation Order No.31	Granted Conditionally	12/02/2014
01/14/00053/PRI	Non-material amendment	34 Full Street, Derby, DE1 3AL	Change of use from warehouse (use class B8) to retail/restaurant (use classes A1 and A3) and alterations to building- non material amendment to previously approved planning permission DER/10/12/01296 to remove rooflights from approved drawing	Granted	13/02/2014
01/14/00057/PRI	Prior Notification	17 Brookfield Avenue, Sunnyhill, Derby, DE23 7HJ	Single storey rear extension (projecting beyond the real wall of the original house by 4m, maximum height 3.6m, height to eaves 2.5m) to dwelling house	Approval Not required	10/02/2014
01/14/00072/PRI	Prior Notification	64 Muirfield Drive, Mickleover, Derby, DE3 5YF	Single storey rear extension (projecting beyond the real wall of the original house by 5.5m, maximum height 3.3m, height to eaves 2.3m) to dwelling house	Approval Not required	11/02/2014
01/14/00079/	Advertisement consent	Land at Raynesway Park Drive, Derby, DE21 7BH	Display of various internally illuminated and non illuminated signage	Granted Conditionally	12/02/2014
01/14/00091/PRI	Prior Notification	204 Birchover Way, Allestree, Derby, DE22 2RT	Single storey rear extension (projecting beyond the real wall of the original house by 5.96m, maximum height 3.4m, height to eaves 2.63m) to dwelling house	Approval Not required	25/02/2014
01/14/00094/PRI	Prior Notification	6 Fairway Close, Allestree, Derby, DE22 2PD	Single storey rear extension (projecting beyond the real wall of the original house by 4.8m, maximum height 3.6m, height to eaves 2.35m) to dwelling house	Approval Not required	25/02/2014
01/14/00105/PRI	Demolition-Prior Notification	Celanese Acetate Ltd, 1 Holme Lane, Spondon, Derby, DE21 7BP	Demolition of buildings	Granted	27/02/2014

Total Number of Delegated Decisions made during this period:

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