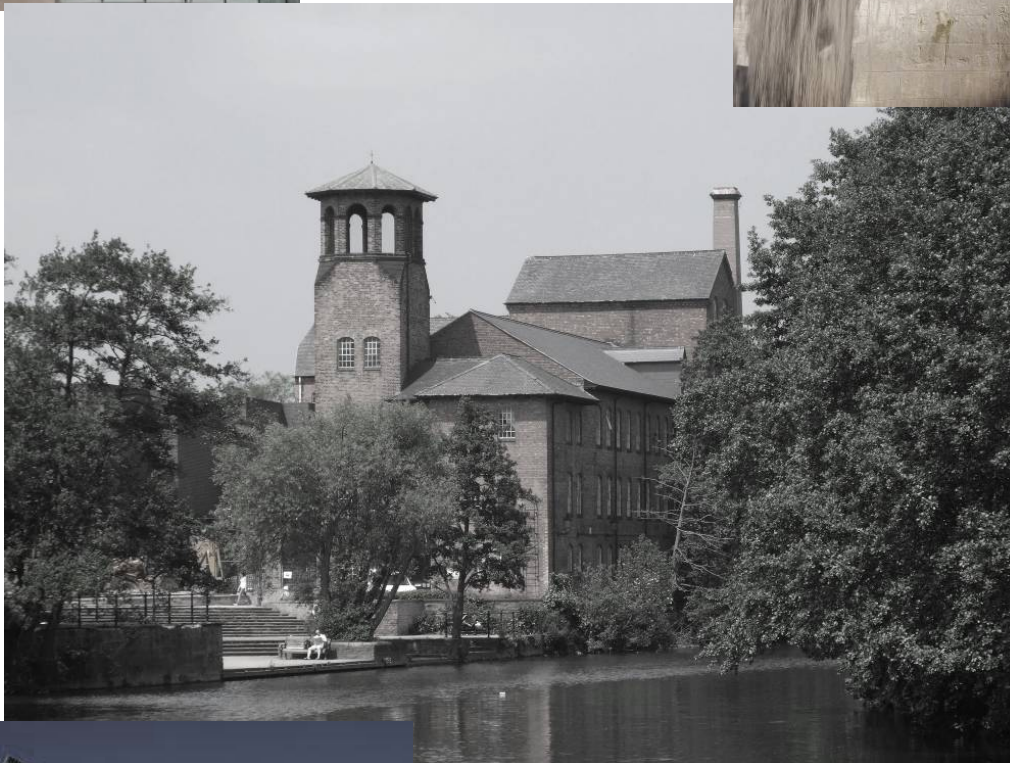


# Item 7

Derby City Council  
Planning Control Committee  
23<sup>rd</sup> September 2010



Development Control Report Of  
The Director of Planning and Transportation

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**Planning Control Committee 23 September 2010**

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## **Committee Report Item No: 1**

**Application No:** DER/05/10/00544 & DER/05/10/00545

**Type:** Listed Building &  
Advertisement  
Consent

1. **Address:** Hallmark Hotel, Midland Road (former Midland Hotel)

2. **Proposal:**  
Display of internally illuminated fascia signs

3. **Description:**

The former Midland Hotel is an important, Grade II Listed building, which lies opposite the Derby Railway Station, on Midland Road. It is a three storey building, with red brick façade and stone detailing, dating from the mid 19<sup>th</sup> Century and is located within the Railway Conservation Area. The hotel has been renamed the Hallmark Hotel, following refurbishment and as part of this re-branding, internally illuminated fascia signs have been installed over the entrance portico at the front of the building.

The signs currently in situ were the subject of previous applications for Listed Building and Advertisement Consent, refused in May 2009, on the grounds of their design, bulky appearance and means of illumination. Following discussions with the applicant, to achieve a more appropriate form of signage for this historic building, a revised type of fascia sign has been submitted for the portico. The proposal involves revisions to the design of the current signs, which are black di-bond panels, with individual raised gold letters, halo illuminated by LED's. The panels are approximately 1 metre in height and cover the 3 sides of the portico. The panels would incorporate cream cornice detail on the top and bottom edge.

The portico is a plywood structure and relatively modern addition to the listed building and prior to the current signs being installed; there were individual raised gold letters on the pediment. It is unclear as to whether the lettering was illuminated. The agent claims that they were lit from behind the ply by fluorescent tubes, although the photo evidence is not conclusive.

4. **Relevant Planning History:**

DER/03/09/00288 & DER/03/09/00289 – Display of 3 internally illuminated fascia signs, Refused – May 2009. Reason for refusal is as follows:

“The signs, by reason of their poor design, bulky appearance, the means of illumination and size, which wholly obscure the roof of the entrance portico, have a significant detrimental impact on the character of the listed building and fail to preserve or enhance the character and appearance of the Railway Conservation Area, and are, thereby, to Policies E18, E19 and E26 of the adopted City of Derby Local Plan Review”.

5. **Implications of Proposal:**

5.1. **Economic:**  
None.

5.2. **Design and Community Safety:**

The proposed illuminated signs are intended to reflect the contemporary style of the hotel, whilst having regard for the character, period and appearance of the historic building. There are no community safety implications arising from this proposal.

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**Application No:** DER/05/10/00544 & DER/05/10/00545

**Type:** Listed Building &  
Advertisement  
Consent

### **5.3. Highways – Development Control:**

The signs can be seen from the public highway and the application states that the illumination would be 30 cd/m2. No objections subject to restrictions on the luminance.

### **5.4. Other Environmental:**

No environmental implications.

## **6. Publicity:**

Neighbour Notification Letter		Site Notice	
Statutory Press Advert and Site Notice	Yes (LBC)	Discretionary Press Advert and Site Notice	
Other			

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

## **7. Representations:**

None received to date.

## **8. Consultations:**

### **8.1. CAAC:**

Recommend refusal. It was acknowledged that the portico was erected approximately 30 years ago without signs. Members considered that an applied fascia would be inappropriate as would any illumination in this location, to the detriment of the listed building. It was suggested that lettering applied directly to the portico may be more appropriate if the surface under the surface was investigated.

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

E19 Protection of listed buildings and buildings of historic importance  
E26 Advertisements

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

## **10. Officer Opinion:**

The former Midland Hotel, now Hallmark Hotel on Midland Road is an important listed building in the Railway Conservation Area. The front entrance to the building faces the railway station and the portico whilst being a modern addition, is a prominent feature on the building. The current illuminated signs over the main entrance are unauthorised and their removal has been sought pending the outcome of the current applications for alternative fascia signs. The proposed replacement signs are the result of extensive discussions with the applicant to secure a design of signage, which protects the special character of the building.

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**Type:** Listed Building &  
Advertisement  
Consent

The main issues raised by this proposal are with the impact of the signs on the historic character and integrity of the listed building and on the character of the Conservation Area. The amendments to the design of the signs, which involve addition of cornice detailing, narrowing of the proportions of the sign and further details of the intended means of illumination, would improve the appearance of the signs. The cornice detail takes reference from the stone features on the façade and assists in reducing the bulk of the fascia. The fascia material, which is black in colour, would be better as a matt finish, to emulate the painted wood finish of the portico. However the material and its finish can be controlled by a suitable condition.

The proposed signs would have halo illuminated lettering, which the agents have indicated would involve solid letters which are lit from behind. This method of illumination would only light the letters on the fascia. This is compliant with the guidance in the City Council's Draft Shop Front and Advertisement Guide. Comment has been made that the previous sign on the portico was not illuminated. Information supplied by the agent is not conclusive on this matter. Despite these concerns, I am satisfied that some form of illumination is appropriate on the entrance to a hotel, since it generates a considerable level of night time activity.

Overall the revised design of the signs is considered to be of a much improved quality, to those, which were refused consent. They are of sufficient quality, in terms of their design and illumination to protect the historic and architectural interest of the listed building and to preserve the character and appearance of the Conservation Area.

### **11. Recommended decision and summary of reasons:**

#### **DER/05/10/00544 – Listed Building Consent**

**11.1. To grant** listed building consent with conditions.

#### **11.2. Summary of reasons:**

The proposal has been considered against the relevant saved policies of the adopted City of Derby Local Plan Review and all other material considerations, and it is considered that the proposed advertisements would not detract from the special character of the Grade II listed building in line with the provisions of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990.

#### **11.3. Conditions:**

1. Standard condition 100 (Approved Plans)
2. Notwithstanding the details of the lettering and mode of illumination shown on the plans hereby approved, precise details of the depth of lettering, colours and of the mode of lighting for the letters, shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with such approved details.
3. Before installation of the signs, details of the proposed fascia material and finish shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with such approved details.

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**Application No:** DER/05/10/00544 & DER/05/10/00545

**Type:** Listed Building &  
Advertisement  
Consent

**11.4. Reasons:**

1. Standard reason E04
2. Standard reason E40 – Policy E19
3. Standard reason E40 – Policy E19

**11.5. Informative Notes:**

The applicant is advised that within 3 months of the date of this consent the existing fascia signs should be removed and replaced with the signs, hereby approved, subject to compliance with attached conditions. The existing signs, are liable to enforcement action and possible prosecution and the Council's Enforcement and Compliance Team can provide advice on this matter, on 01332 255967.

**DER/05/10/00545 – Advertisement Consent**

**11.1 To grant** advertisement consent with conditions.

**11.2 Conditions:**

1. Standard condition 03 (time limit)
2. Standard condition 40 (intensity of illumination – 600 cd/m2)

**11.3 Reasons:**

1. Standard reason 56
2. Standard reason E19

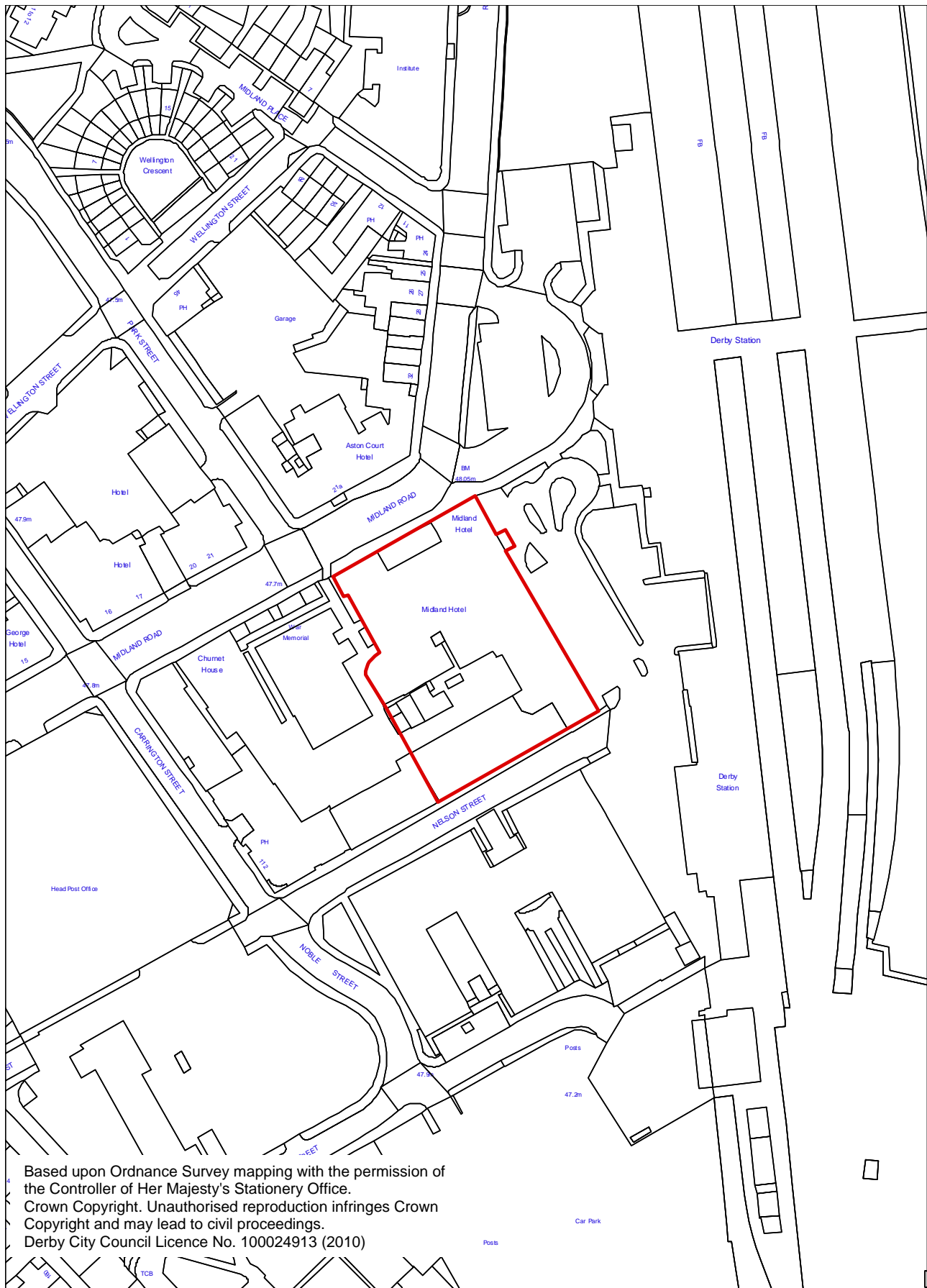
**11.6. Application timescale:**

The period for determination of both applications was 6 July 2010 and they are being brought to the meeting due to comments of CAAC.

## **Committee Report Item No: 1**

**Application No:** DER/05/10/00544 & DER/05/10/00545

**Type:** Listed Building &  
Advertisement  
Consent





## **Committee Report Item No: 2**

**Application No:** DER/01/10/00089/PRI

**Type:** Full

1. **Address:** 11 Canal Street, Derby

2. **Proposal:**  
Erection of workshop unit

3. **Description:**

This application relates to an existing auto electrical repair business located to the east of Canal Street. It is situated within a mixed use area comprised of commercial and residential development to the east of the city centre. There are small commercial units to the north and south of the site and a car showroom opposite. To the east, the site backs onto a modern development of three storey apartments, beyond which, lies the Railway Conservation Area.

At present the site is occupied by a two storey industrial unit which fronts onto Canal Street and wraps around the southern site boundary. It is a predominately brick-built structure with a shallow mono-pitched roof. Vehicular access into the site is via an existing gateway off Canal Street and to the rear of the main building is a large service yard. The yard is enclosed by high level corrugated fencing and is occupied by a number of detached car port structures and storage containers.

Planning permission is sought to erect a detached workshop in the northeast corner of the application site. The proposed structure would measure approximately 10m (L), by 7.5m (W), by 5.09m to its ridge and 4.4m at eaves height. It would be a portal framed structure constructed of composite steel cladding with a dual pitched roof. Access into the building would be provided via roller shutter in the western elevation of the building.

The supporting documentation states that the erection of the proposed workshop would be used in connection with the existing car repair business carried out by Derby Auto Electrics.

4. **Relevant Planning History:**

DER/11/87/01394 – 1<sup>st</sup> floor office extension to contractors yard and depot - granted conditionally – 18/02/88

DER/09/96/01083 – Change of use to motor vehicle repairs, testing and trade parts sales – granted conditionally – 01/10/96

DER/04/97/00411 – Extensions to garage (office and stores) - granted conditionally – 05/06/97

DER/03/04/00463 – Erection of raised roof to offices/retail to form first floor store rooms – granted conditionally – 06/05/2004

5. **Implications of Proposal:**

5.1. **Economic:**

The proposed workshop will aid the expansion of the existing business on the site.

5.2. **Design and Community Safety:**

The workshop building is considered to be acceptable in context to the surrounding built development. It would be set back from the site frontage and,



## **Committee Report Item No: 2**

**Application No:** DER/01/10/00089/PRI

**Type:** Full

accordingly, would have only a limited impact on the character of the street-scene along Canal Street. There are no issues with regards to community safety.

**5.3. Highways – Development Control:**

There are no significant highway implications.

**5.4. Disabled People's Access:**

Not applicable.

**5.5. Other Environmental:**

See part 8.1 below.

**6. Publicity:**

Neighbour Notification Letter	18	Site Notice	N/A
Statutory Press Advert and Site Notice	N/A	Discretionary Press Advert and Site Notice	N/A
Other			

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

**7. Representations:**

Seven objection letters/emails have been received in response to the proposal. The reasons for objection are summarised below:

- the height of the building - loss of light/outlook
- restriction of access to the rear of Nightingale Mews for maintenance
- noise nuisance issues/pollution concerns
- risk of fire, due to the close proximity of the building to Nightingale Mews
- concerns regarding the storage of hazardous materials within the building
- contrary to the intentions of the Eastern Fringes Area Action Plan
- security concerns
- impact on the Railway Conservation Area

*These representations have been made available in the Members Rooms.*

**8. Consultations:**

**8.1. Environmental Services (Health – Pollution):**

In order to protect the local amenity, a comprehensive acoustics survey is recommended, assessing the proposals against the criteria contained within BS4142. Should this indicate that mitigation works are required a scheme must be submitted by the developer for approval by Derby City Council before the development proceeds. A limit on the hours of operation is also recommended.

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**Type:** Full

### **8.2. Cityscape:**

In the light of the new evidence provided, Derby Cityscape has withdrawn its initial objection for this planning application. Further discussions with the owner has suggested that the proposed building will accommodate some of the industrial activities inside, which are currently being carried out in the open area and thus help tidy up the street scene.

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

GD4	Design and the Urban Environment
GD5	Amenity
CC13	Castle Ward
EP13	Business and Industrial Development in Other Areas
E10	Renewable Energy
E23	Design
T4	Access, Parking and Servicing
T10	Access for Disabled People

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

### **10. Officer Opinion:**

The key issues in relation to this application are considered to be the principle of the development in this location, the design of the building and its impact on the character and appearance of the locality, and issues relating to residential amenity and highway safety.

#### **The principle of the development**

The application site is situated within an area covered by adopted CDLPR Saved Policies CC13 and EP13. Policy CC13 restricts B2 uses completely, however, Policy EP13 allows for business and industrial development (including B2 uses), where they would not adversely affect the amenity of nearby residents. This issue of residential amenity is addressed later in this report.

The application site is also within an area covered by the Derby Cityscape Master plan and the City Centre Eastern Fringes Area Action Plan. The Masterplan identifies this area as the most sustainable location for the provision of an urban village. The CCEFAAP (preferred option November 2008) highlights this site for residential development. Both documents are a material consideration in the determination of the application, however, the CCEFAAP is not yet a formerly adopted document and only has limited weight at the present time.

Whilst regard has to be given to the intentions of the Masterplan and the CCEFAAP, given the size of the development, its location, and the fact that the site is already occupied by an auto electrical business, the proposal is unlikely to prejudice future redevelopment of the area or general intention of either the Masterplan or the CCEFAAP. The proposed workshop would be used to accommodate some of the existing activities which already occur within the site and would not introduce a new business, or result in a change of use.

**Committee Report Item No: 2****Application No:** DER/01/10/00089/PRI**Type:** Full

In view of the above, the development is considered to be acceptable 'in principle' subject to consideration of other material considerations, such as its design and impact upon residential amenity.

**Design/Impact on the character of the area:**

The application site is located close to, but not within, the Railway Conservation Area and the proposed development would be well screened from public vantage points within this designated zone. The main issue to be considered here is the impact the workshop building would have on the character and appearance of street-scene along Canal Street itself. Canal Street currently exhibits a fragmented street-scene. It is predominantly comprised of low-level commercial and industrial buildings, of various ages and styles. The buildings along the eastern side of the street are situated close to the back of the highway, whilst the buildings opposite are set back behind fairly substantial forecourts. To the southeast of the site are taller, more traditional, former mill buildings which are now divided into commercial units. The character of the area changes dramatically to the east of the site, here, the development is comprised of a mixture of fairly new brick built apartment buildings and terrace dwellings which abut the Railway Conservation Area.

As a result of its fairly modest scale the workshop would only be visible within Canal Street when standing directly opposite the site access. The existing buildings either side of the site entrance would obscure views of proposed development from elsewhere along Canal Street and views into the site from Siddals Road are also fairly limited, because of the existing boundary treatment and the siting of nearby buildings.

Whilst I fully acknowledge that the workshop building would be industrial in terms of its design and external appearance, I have taken into account the fact that this is presently a fairly industrial area. Moreover, I feel that the visual impact of the development would be minimised by its siting at the rear of the plot. On balance, given the character of the existing locality, the siting of the building, and fact that surrounding buildings restricts direct views into the site, I feel that the proposal would be acceptable on design grounds.

**Residential Amenity**

A planning decision was issued in 1996 which allowed the application buildings and rear yard to be used for motor vehicle repairs, testing and trade parts sales. The applicant explains that the company supply and fit electrical parts such as vehicle safety systems, alternators and starter motors. At present the majority of the work is carried out within an existing workshop to the south of the plot and also within the car ports located in the rear yard. There are no existing planning conditions restricting the hours of operation at the site, or restrictions on any outside working.

A number of the neighbour objection letters raise issues regarding existing noise/disturbance occurring within the application site. Whilst there is no scope as part of this application to restrict what the applicants already have permission for, regard has to be given to whether the proposal would exacerbate the situation for nearby residents, or in fact, whether the proposal could help to improve the situation.

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**Type:** Full

In terms of the precise uses of the new workshop, the submitted information suggests that the building would be used in connection with the existing practice of electrical repair works on vehicles. These operations currently take place in the open yard, under car ports. The workshop would act as a secure cover for vehicles and staff and, once inside the building, engines would be turned off and batteries disconnected. There would be no heavy-duty power tools involved in the type of works carried out. The applicant has highlighted the intention to acoustically line the building.

If this were an entirely new use, I would be concerned with the introduction of such a development close to residential properties. However, I have had regard to the fact that the site already has permission to be used for motor vehicle repairs/testing; a permission which was granted prior to the erection of nearby residential properties. The new workshop building would actually enclose the operations which currently occur within the rear yard and would also provide an opportunity for the Council to condition sound monitoring and insulation measures, along with hours of working within the building.

I have also considered that the close proximity of the proposed workshop buildings to the rear elevation of the properties within Nightingale Mews, however, I do not feel there would be a material impact on the level of light reaching the habitable rooms of nearby apartments, nor do I feel there would be an undue overbearing/massing impact. Whilst the new workshop building would be situated only approximately 2.8m from the rear of Nightingale Mews, the three storey apartment block to the east. It would be positioned close to a predominately blank elevation. The four small windows closest to the new building serve non-habitable rooms and, given the limit height of the workshop, I am satisfied that no significant loss of light to these windows would occur.

On balance, I am satisfied that the proposed development would not result in any additional noise and disturbance to neighbouring residents and, in fact, it would offer an opportunity to improve the existing situation by moving the existing operations into within the workshop. Accordingly the proposal is considered to comply with saved Policies GD5 and Policy EP13 (b) of the adopted CDLPR.

### **Highways/Parking**

The Highways Officer considers that the number of parking spaces details and the manoeuvring within the site to be satisfactory. The proposed development would not impact upon the off street parking provision on the site. In view of this, the proposal is considered to be acceptable on the ground of highway safety and I find no conflict with the requirements of Policy T4 of the CDLPR.

### **Other issues**

The objections relating to restricted access to Nightingale Mews for maintenance purposes is not a material planning considerations. Right of access is a private matter. The issues regarding fires and storage of hazardous materials are covered under other legislation.

### **Conclusion**

The proposed development would accommodate some of the activities which currently take place within the external yard and, accordingly, should help to mitigate

## **Committee Report Item No: 2**

**Application No:** DER/01/10/00089/PRI

**Type:** Full

any noise and disturbance which occur at the present time. Together with the suggested noise monitoring/mitigation measures and restrictions on the hours of operation, I am satisfied that the proposal would be acceptable in terms of its impact on residential amenity. There are no highway safety concerns and the proposal is also considered to be an acceptable form of development when assessed in context to the character of the surrounding locality.

### **11. Recommended decision and summary of reasons:**

**11.1. To grant** planning permission with conditions.

#### **11.2. Summary of reasons:**

The proposal is considered to be acceptable in terms of its design and impact upon visual amenity. There are no over-riding highway safety issues and, subject to the recommended conditions, it is considered that the proposal would not materially impact upon the amenity of neighbouring residents.

#### **11.3. Conditions:**

1. Standard condition 03 (three year expiry)
2. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
Ordnance survey sitemap dated as received on 27 January 2010.  
  
Amended site plan dated as received on 24 June 2010.  
  
Amended elevations and floor plans (job no: 9105, sheet no: 10) dated as received on 24 June 2010 and showing revised door openings.
3. Standard condition 27 (details of external materials)
4. Within one month of the development hereby approved being brought into use, a comprehensive noise survey shall be carried out assessing the proposal against the criteria contained in BS4142. The results of that noise survey, together with details of any additional noise mitigation measures, shall be provided to the Local Planning Authority for its written approval. The agreed mitigation measures shall then be implemented in accordance with a timetable which shall first have been agreed in writing by the Local Planning Authority.
5. Hours of working within the workshop building hereby approved shall be restricted to 08:30 to 17:30 Monday to Friday and 08:30 to 12:00 on Saturdays. No work shall be carried out on Sundays or Bank Holidays.

#### **11.4. Reasons:**

1. Standard reason E56 (time limit reason)
2. Standard reason E04 (avoidance of doubt)
3. Standard reason E26 (visual amenity of the street-scene) ...policies E23 and GD4
4. Standard reason E38 (amenity of nearby residents)....policy GD5
5. Standard reason E38 (amenity of nearby residents)....policy GD5

**Committee Report Item No: 2**

**Application No:** DER/01/10/00089/PRI

**Type:** Full

**11.5. Informative Notes:**

None

**11.6. S106 requirements where appropriate:**

None

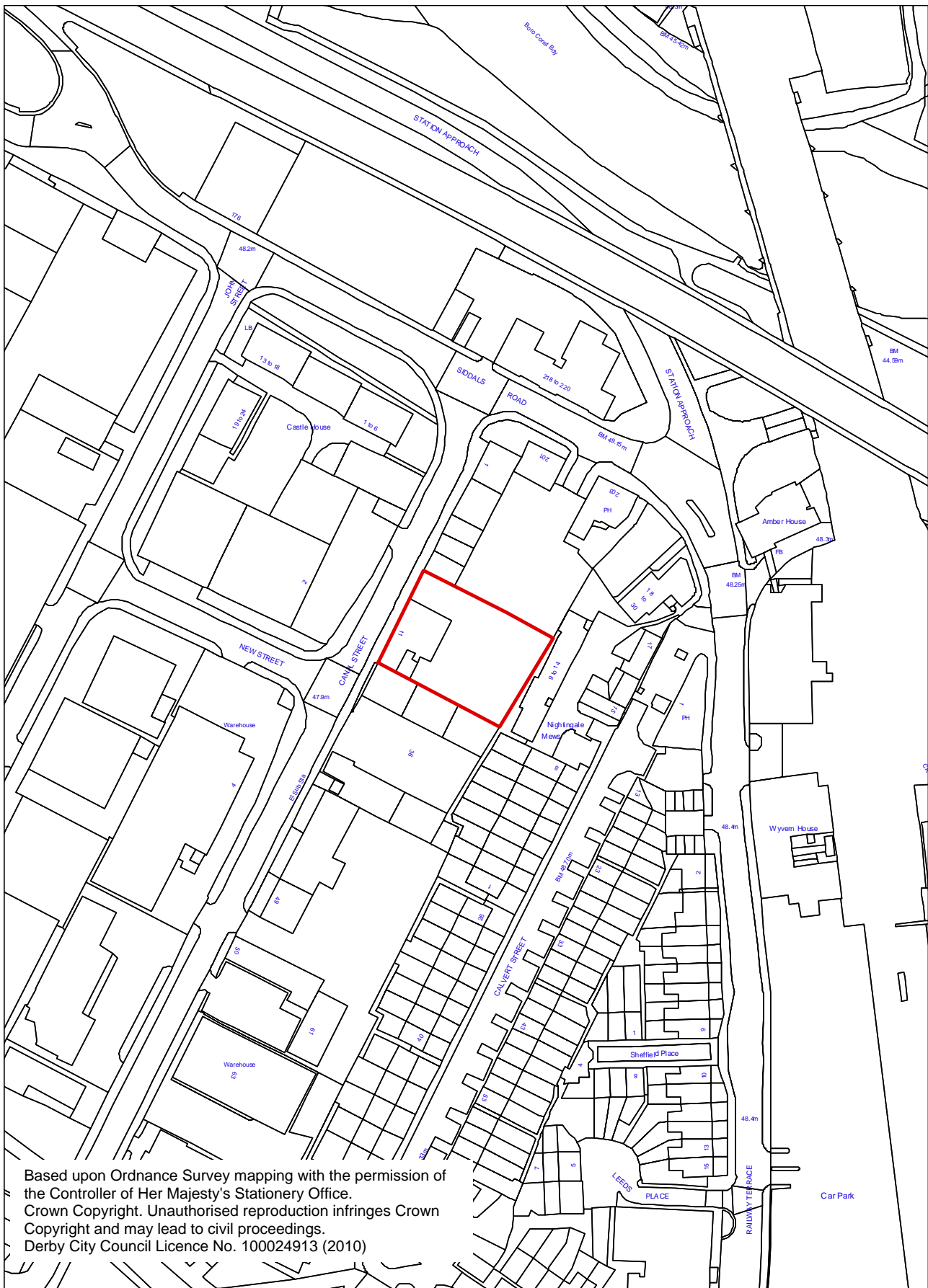
**11.7. Application timescale:**

The target date for dealing with the application was the 24<sup>th</sup> of March 2010. The application has been brought to committee as a result of the number of objections received.

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**Application No:** DER/01/10/00089/PRI

**Type:** Full





## **Committee Report Item No: 3**

**Application No:** DER/08/10/00987

**Type:** Full (Reg 3)

1. **Address:** Darley Park, Darley Abbey

2. **Proposal:**

Formation of footpath/ cycle route and modification of existing paths

3. **Description:**

This is a revised application, which relates to formation of a new pedestrian/cycle route through Darley Park. The park extends from the Strutts Park Conservation Area and the rowing clubs to Darley Abbey, alongside the River Derwent. Darley Park is one of the city's main open spaces, which is characterised by extensive mature tree cover and the river corridor. The park forms part of a linear green corridor, running along the river through the city centre, linking a series of open spaces within the city. It is included in the southern section of the Derwent Valley World Heritage site and the Darley Abbey Conservation Area.

The previous proposal was refused permission by this Committee on 25 February, due to concerns about its adverse visual impact on the openness of the historic parkland and detrimental effect on the character of the World Heritage Site and Conservation Area. Specific issues were related to its tarmac construction and surfacing and the width of the path, at 2.5 metres along the length of the park.

This scheme covers the same general route through the park, to run from the existing tarmac path adjacent to Derby and Derwent Rowing clubs, in a northerly direction to the car park at Deans Field, Darley Abbey. The proposed path would be a shared footpath and cycle route of 2.5 metres width on the southern section up to the stone balustrade abutting the river bank. From this point northwards the path would be 1.8 metres width to the children's play area, where the route would overlay on the existing path. This northern section would be for pedestrian use only. Cyclists would be directed onto the existing stone dust path around the meadow and cricket pitch, alongside the river. The existing path would be resurfaced to give an overall width of 2 metres. These latter works do not require planning permission and are not included as part of the application. The alignment of the revised route would closely follow the river bank, to the balustrade at the bend in the river and up to the children's play ground.

The method of construction and surfacing of the path needs to meet the conflicting demands of users in terms of durability and its appearance must minimise urban intrusion into the historic landscape. These factors have been given due consideration and a macadam base is proposed to provide a solid foundation and long life span, with a gravel chipping surface to give a natural appearance in the parkland setting. In order to illustrate the appearance of the surface, a sample section of path has been constructed at the southern end of the park, close to Derwent Rowing Club. It has been dressed with two different types of gravel to show the visual characteristics of the proposed path. There would be some sections of the path utilising no-dig construction, where the route affects the root protection areas of existing trees.

In connection with the project, links to the riverside path are proposed to be improved on either side of Handyside Bridge, a Grade II Listed building. These works would involve widening of the existing paths to 3 metres and regrading of levels to

## **Committee Report Item No: 3**

**Application No:** DER/08/10/00987

**Type:** Full (Reg 3)

rationalise pedestrian/cycle routes around the bridge. These external works are minor in nature and would not in themselves constitute development which requires permission.

The overall aim of the proposal is to provide an accessible link through the park, for shared use of walkers, wheelchair users, people with pushchairs and cyclists. It is intended to provide linkages with existing sections of the riverside path through the city centre and routes into and through Darley Abbey. The proposed route is part of the 6Cs Strategic Green Infrastructure project to provide access improvements to the River Derwent corridor, linking green spaces from Bass's Recreation Ground to Darley Abbey. A key component of the scheme is to complete the missing links along the corridor and provide a continuous, accessible and safe route for pedestrians and cyclists, enabling greater use of the open spaces. Delivery of the project would be a major contribution to achieving an accessible green corridor along the full length of the World Heritage Site, through the lower Derwent Valley. The current proposal would also connect to other public realm improvements, which have been implemented or are planned along the river corridor. These include Cathedral Green and Full Street and masterplan proposals for Darley Mills and Darley Abbey Stables.

### **4. Relevant Planning History:**

DER/12/09/01440 – Formation of footpath/ cycle route, Refused permission – February 2010. Reason for refusal:

“The proposed path, which would have a significant degree of permanence, being of tarmac construction and bound gravel surface, would be of excessive width and inappropriate surfacing materials, is considered to be intrusive and out of keeping with the open character of the historic designed landscape of Darley Park and this would have a significant detrimental impact on the character and appearance of the Darley Abbey Conservation Area and on the special character of the Derwent Valley Mills World Heritage Site, contrary to Policies E18 and E29 of the adopted City of Derby Local Plan Review.”

### **5. Implications of Proposal:**

#### **5.1. Economic:**

None.

#### **5.2. Design and Community Safety:**

The proposed path would have a visual impact on the parkland, which is an historic landscape of mown grassland and mature trees. The width of the path would be limited to 1.8 metres on the northern section of the route, which would not be subject to screening by trees, to lessen the effect on views from the terrace, which is in the vicinity of the site of the old hall. The proposed surface material for the path has been selected to provide a natural appearance to minimise the urbanising effect on the landscape. The visual impact of the path would further be softened by existing and proposed tree planting and alignment of route close to the river bank.

The route is designed to be safe and accessible for all users and to encourage people to use the open space. There is a balance to be met to preserve the semi-rural character of the park, by maintaining and providing trees for

## **Committee Report Item No: 3**

**Application No:** DER/08/10/00987

**Type:** Full (Reg 3)

screening and for their nature benefits. Reasonable efforts have been made to ensure that the path would be a safe route for the public and complement the character of the green corridor.

### **5.3. Highways – Development Control:**

To be reported

#### **Highways – Land Drainage:**

The section of path north from Handyside Bridge lies within 8 metres of the river and appears to be located on top of a recognised flood defence. Approval of the works should be gained from the Environment Agency, due to their location and potential affect on the defences.

### **5.4. Disabled People's Access:**

To be reported.

### **5.5. Other Environmental:**

The park is a designated Local Wildlife Site, as woodland and pasture habitat and runs along the river, which is also a designated wildlife Site. The path would be constructed generally on close mown grass, which is of limited ecological value.

There are significant groups of mature native trees within the park, which are part of an historic landscape and contribute to the open parkland setting. Certain tree groups along the riverside are self set and obscure once open views across the park. These trees have colonised the river bank and resulted in a loss of landscape value, although they have some ecological value. As part of the proposals it is proposed to coppice the trees to open up views along the river, as seen from the path. Other trees, which are in poor health, due to disease or decay would also be removed. Compensatory tree planting is proposed to improve the species mix on the river bank. This would include the native Black Poplar species, which is now rare in this country and should enhance biodiversity in this site.

## **6. Publicity:**

Neighbour Notification Letter	9	Site Notice	
Statutory Press Advert and Site Notice	Yes	Discretionary Press Advert and Site Notice	
Other			

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

## **7. Representations:**

Seventeen letters of support, one of comment and two of objection have been received to this application. The main issues raised are as follows:

- The tranquil character of the area would be destroyed and the path would be an intrusion into the landscape.

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- There is an existing cycle route on the other side of the river, via Darley Fields and as such there is not a need for an additional cycle path.
- The path would significantly improve access to the park, particularly for wheelchair and pushchair users
- The extension to the cycle route would provide a useful link across the park for cyclists
- The proposal would reduce erosion by encouraging people to use the path, rather than the existing eroded routes through the park
- The route would improve access for cyclists using the park as a safe through route and as a circuit with Darley Fields.
- In winter parts of the park are inclined to be boggy and the path would improve the choice of routes

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

Following refusal of the previous scheme, additional public consultation was undertaken by the applicant. This is in addition to the consultation, which was carried out prior to the original submission. A consultation event was carried out at Darley Park in April, showing the revised proposals for the path. As a result of this process:

- 59 individuals indicated that they were in support of the proposal
- 13 were in objection to the proposal.

As part of the original pre-application publicity the following groups were consulted:

Friends of Darley Open Spaces, Darley Abbey Society, Little Chester Residents Association, Strutts Park Residents Association, Darley Abbey Historical Society.

## **8. Consultations:**

### **8.1. Building Consultancy:**

No Building Regulation implications.

### **8.2. CAAC:**

The Committee noted the changes from the previously refused application and raised no objection in principle, provided that any associated signage is unobtrusive and kept to the minimum height and number that may be required.

### **8.3. Natural Environment:**

To be reported.

### **8.4. Natural Environment (Tree Officer):**

To be reported.

### **8.5. Environmental Services (Trees):**

To be reported.

### **8.6. DCC Archaeologist:**

The route of the proposed footpath crosses a number of archaeological sensitive areas, notably two Archaeological Alert Areas and also a number of sites listed within the Derbyshire Historic Environment Record. To the south the pathway route runs within the Archaeological Alert Area corresponding to the area of Roman occupation in Derby. The route also crosses the known site of a Roman bridge and the associated Roman road. The northern part of the

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route is within the Archaeological Alert Area corresponding to the site of the 12th century Augustinian Abbey at Darley Abbey and the postulated route of the Roman road from Buxton to Derby, known as 'The Street'.

The northernmost section of the proposed new path, within the Darley Abbey Archaeological Alert Area, will be laid above an existing surface, and will therefore involve no ground impacts. The remainder of the path will in general be excavated into the existing ground surface, although there are short sections where the path will be of 'no dig' construction to avoid impacts to tree roots. The average depth of dig is proposed to be 150mm. This is unlikely to impact on buried archaeological remains.

However, some sections of path will involve rather more excavation of the existing ground contour, up to a maximum depth of dig in the region of 385mm. Because of the lack of previous archaeological evaluation in the area, the depth of any buried archaeology is unknown, and it is possible that a dig of 385mm might impact on buried archaeology in the most sensitive areas of the proposed route.

Any archaeological impact is likely to be extremely minor, and should be addressed through a condition placed on any planning permission, requiring a written scheme of investigation for archaeological monitoring to be agreed and any works to be undertaken by a qualified archaeological contractor.

**8.7. ENV Agency:**

To be reported.

**8.8. Derbyshire Wildlife Trust:**

To be reported.

**8.9. Police Liaison Officer:**

The path and its slight deviations from the previously submitted scheme areas has made the route safer by maintaining good natural linear surveillance views throughout.

The issues regarding unmaintained low tree base growth and avoiding dense cross screening should be easily addressed but will require maintaining to continue to provide the necessary surveillance gaps and ensure fear of use does not preside. Side verges should remain closely mown where possible.

Unfortunately paths and links through open land do attract miscreants of all types. By considering safety of use and of users as a priority and keeping a balance with amenity access for all and for all seasons, the path should be a welcome addition and not a nuisance crime and fear generator.

The 2.5m width demonstration section is useful to gauge the impact and ensure passing distances are adequate, so as pedestrians, cyclists and disabled users do not feel fear or feel threatened when passing each other.

The surface should also assist any emergency access that may be required.

I do think by upgrading the existing routes and forming more accessible routes for all users, increased activity of use can also be beneficial for the safety and success of these proposals.

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

GD2	Protection of the environment
GD3	Flood Protection
GD4	Design and the urban environment
E2	Green Wedges
E4	Nature Conservation
E9	Trees
E18	Conservation Area
E21	Archaeology
E23	Design
E29	Protection of World Heritage Site and surroundings
L1	Protection of parks and public open space
T6	Provision for pedestrians
T7	Provision for cyclists
T10	Access for disabled people

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

### **10. Officer Opinion:**

#### **Open Space and Green Wedge**

This proposal would form a formal pedestrian and cycle route within Darley Park, which is an area of public open space and Green Wedge. The pathway would provide an accessible, shared use route through the open space, improving access to the park for wheelchair users, pushchair users and cyclists. Policies E2 and L1 allow for recreational uses of an open nature in both Green Wedge and public open space. The proposed route would improve opportunities for recreation in the park and as such, the scheme would be in line with the intention of these policies. The main consideration for this proposal is in regard to the scale and surfacing materials and the visual impact on the undeveloped and open character of the historic parkland.

The proposed route is to be formed through the centre of the park, following desire lines of the public use alongside the river, following the most direct alignment between the north and south entrances. It also runs along the most level part of the parkland linking the existing access points, to ensure accessibility for all types of user. Due to these siting requirements, the path would inevitably have a degree of prominence in the landscape. Its appearance and construction would amount to an urban intrusion into the semi-rural setting of the park, although with a suitable natural surface dressing, the visual impact of the path on the openness of the local area would be significantly lessened.

#### **Conservation and Archaeology**

The park is located within the Conservation Area and the World Heritage Site, which extends along the River Derwent corridor to the Silk Mill Museum, to the south. The parkland is an historic landscape, associated with the former Darley Hall, now demolished. It is 18th Century landscaped grounds with groups of mature trees, which contribute significantly to the character of the park. As such the parkland is a highly sensitive location, integral to the historic importance of the World Heritage Site,

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due to its association with the former owners of Darley Abbey Mills. Policies E18 and E29 allow for developments, which would preserve and enhance the special character and appearance of the area and encourage its physical and economic revitalisation. Proposals should also, where possible conserve and enhance biodiversity. The main issues related to the path proposal are with the width and the construction and surfacing material and the potential impact on the historic importance of the parkland and wider character and appearance of the Conservation Area and World Heritage Site.

There is an accepted need for a more permanent, accessible link, through the park to connect the Silk Mill museum to Darley Abbey Mills and the green spaces along the World Heritage Site corridor. The proposed route is part of the Green Infrastructure plan to open up this section of the World Heritage Site to more visitors. It therefore is required to be suitable for purpose. Sustrans recommends that the width of shared use paths should be a minimum of 3 metres, which can be reduced to 2 metres, where there is likely to be light usage. The width of the proposed path would be 2.5 metres, for the southern part of the route, reduced to 1.8 metres on the more visually sensitive northern section. This is a compromise solution, following the refusal of the previous proposal to ensure that access for disabled users, cyclists and pedestrians is achieved through the parkland, to meet the objectives of the wider project. The route of the path is designed to meander along the valley floor, following the course of the river and close to the canopies of trees, which are intended to ensure that it blends into the open setting.

The choice of surfacing material for the proposed path is an important element, in determining visual impact of the scheme on the parkland. There is recognised to be a potential conflict between conserving the historic interest of Darley Park and character of the wider area and improving access to the green corridor. Consideration has been given to different types of surfacing, ranging from loose natural materials to tarmacadam. The appraisal was based on various factors, including the needs of intended users, landscape impact, long term maintenance and capital costs. The path would link with the existing riverside footpath/cycle route from the city centre to Darley Abbey and beyond. It would be used by wheelchair users, pushchairs and cyclists, who generally require a hard and resilient surface. Due to the open and semi-rural character of the park, a natural material is proposed, to give a softer visual appearance. Maintenance and costs were also issues, which were considered. A material with lower maintenance requirements and harder wearing is sought, since the path is likely to be heavily used. A sample of the preferred surface dressing material has been created in the park, close to Derwent Rowing Club at the southern end of the route, for the purpose of demonstration and consultation. Members are invited to view to the sample section of gravel dressed surface to assist in determination.

The use of totally loose gravel and rolled stone surfacing were discounted, on the grounds that it would not be suitable for wheelchair users, pushchairs or cyclists, in terms of accessibility. It would also require a high level of maintenance, needing regular replenishment and conflict with grass mowing machines. Rolled stone has been used on the riverside path in other locations in the city, although problems have been encountered with deterioration of the surface and difficulties experienced by disabled users. At the other extreme, a tarmacadam path was considered out of



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keeping with the character of the park. The proposed surfacing would have a tarmac base, to provide longevity and solid foundation, with a gravel dressing on top. This would give a more natural appearance and texture, with a bound rather than loose surface. It is considered that this construction would have a visual impact complementary to the open character and historic context of the parkland. Overall, the design and materials for the proposal would achieve a reasonable balance between improving public access to the green spaces and historic environment along the river and conservation of the park.

The park is also affected by two distinct areas of archaeological interest to the northern and southern sections of the site. Policy E21 refers to sites within Archaeological Alert Areas, where development may impact adversely on remains of archaeological significance. The route of the path would cross areas of known archaeological interest, although the depth of excavation required for construction is not anticipated to be greater depth than 385mm. This would relate only to the southern Alert Area, since the north area would utilise the existing path. This potential level of excavation is likely to have a very minor impact on any archaeological remains. A suitable watching brief condition would ensure that the archaeological interest on the site is not adversely affected.

#### **Ecology and Trees**

The park and the river corridor are designated Local Wildlife Sites, as historic parkland and woodland pasture. The proposed path runs alongside the river, up to 3 metres from the river bank at its closest point. The route would not impact adversely on the riverside habitat, although some enhancement works are proposed to specific areas of embankment which have been eroded. The path would be constructed mainly on areas of close mown grass, which have limited ecological value. Further enhancement of biodiversity between the path and the river banks is proposed, by allowing sections of grass to grow taller and form meadow habitat, to increase wildlife interest along the riverside.

As part of the footpath scheme it is proposed to remove and prune various trees along the riverside. Some of the trees are self-set Sycamores, which have colonised the river bank and obscured historic views across and down the river. These trees have resulted in a loss of landscape value in the park. Other trees to be felled have been identified as being in poor health or condition. It is not intended to remove trees specifically to accommodate construction of the path. There would be sections of no-dig construction, in the root protection areas of existing trees to ensure minimum impact on the tree roots. The comments of the Arboricultural Officer will be reported to the meeting.

#### **Access for pedestrians and cyclists**

One of the objectives of the proposed footpath/cycle route is to provide improved accessibility through the park, for pedestrians and cyclists, to address a current gap in the route from city centre to Darley Abbey. The path is also intended to improve access for disabled people through the park, by providing a continuous and safe route connecting to existing pathways. These are requirements of Policies T6, T7 and T10, which seek to provide safe and pleasant environment and convenient routes for pedestrians, cyclists and disabled people.

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Concerns have been expressed by the Police Liaison Officer that the design of the proposed route would not be adequately safe. Proximity of the path to trees and vegetation, which results in screening of certain areas is considered to create opportunities for criminal behaviour. However, the route is primarily in the open and skirts around individual trees, close to the river. These concerns should also be weighed against the landscaped character of the park, which comprises of mature trees. This is an integral part of the visual quality of the open space and on this issue, the route needs to harmonise with the landscape. There could be some pruning work undertaken to existing trees, to remove hidden areas for safety reasons, if considered necessary. There is no intention to install lighting along the path. This is also to protect the landscape value and openness of the park.

Overall it is considered that the proposed route would allow significant access improvement for visitors to Darley Park and the World Heritage Site. It would enhance linkages with open spaces along the River Derwent from south of the city centre to Darley Abbey. The proposal is therefore considered to meet the relevant policies of the Local Plan.

### **11. Recommended decision and summary of reasons:**

**11.1. To grant** planning permission with conditions.

#### **11.2. Summary of reasons:**

The proposal has been considered in relation to the provisions of the City of Derby Local Plan Review and all other material considerations as indicated in 9 above. The proposed footpath would not have a significant visual impact on the character and appearance of the Conservation Area and would preserve the special character of the World Heritage Site. The proposal would enable the retention of trees in the park, which contribute to the character of the local area.

#### **11.3. Conditions:**

1. Standard condition 03 (time limit – 3 year permission)
2. Standard condition 100 (approved plans - )
3. Standard condition 24 (tree protection measures)
4. Notwithstanding the details of materials of construction that may have been submitted with the application, details of all surfacing materials shall be submitted to and be approved in writing by the Local Planning Authority before development is commenced. Any materials that may be agreed shall be used in the implementation of the development unless otherwise agreed in writing with the Local Planning Authority.
5. Before development commences, a working method statement for the storage of machinery, equipment and materials, required for the construction of the path, shall be submitted to and approved in writing by the Local Planning Authority. All works shall be implemented in accordance with such approved details for the duration of the construction, unless otherwise agreed in writing by the Local Planning Authority.

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6. No development shall commence until a Written Scheme of Investigation (WSI) for archaeological monitoring has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved WSI and undertaken by a suitably qualified and experienced archaeological contractor. The scheme shall include an assessment of significance and research questions, and
  - a. The programme and methodology of site investigation and recording
  - b. Provision to be made for analysis of the site investigation and recording
  - c. Provision to be made for reporting, publication and dissemination of the analysis and records of the site investigation
  - d. Provision to be made for archive deposition of the analysis and records of the site investigation
  - e. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

**11.4. Reasons:**

1. Standard reason E56
2. Standard reason E04
3. Standard reason E24 – Policy GD2 & E9
4. In the interests of visual amenity and to preserve the character and appearance of the Conservation Area and special character of the World Heritage Site – Policies GD4, E18 and E29
5. To prevent pollution of the watercourse or damage to existing trees, during construction of the path – Policies GD2, E4 and E9
6. To safeguard any archaeological remains on under the site – Policy E21

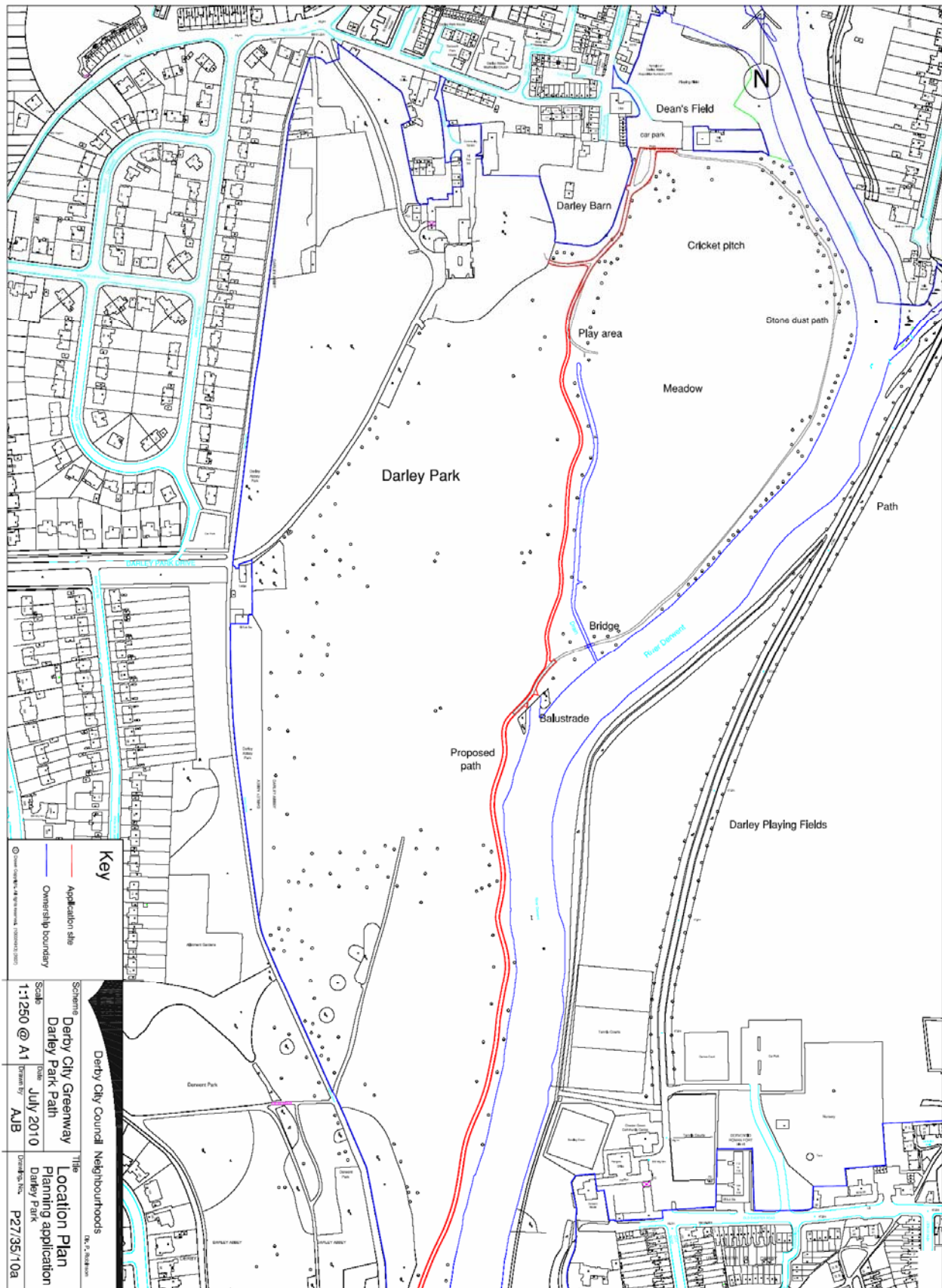
**11.5. Application timescale:**

The period for determination of the application expires on the 4 October 2010 and is brought to committee due to the previous refusal of permission by the Committee.

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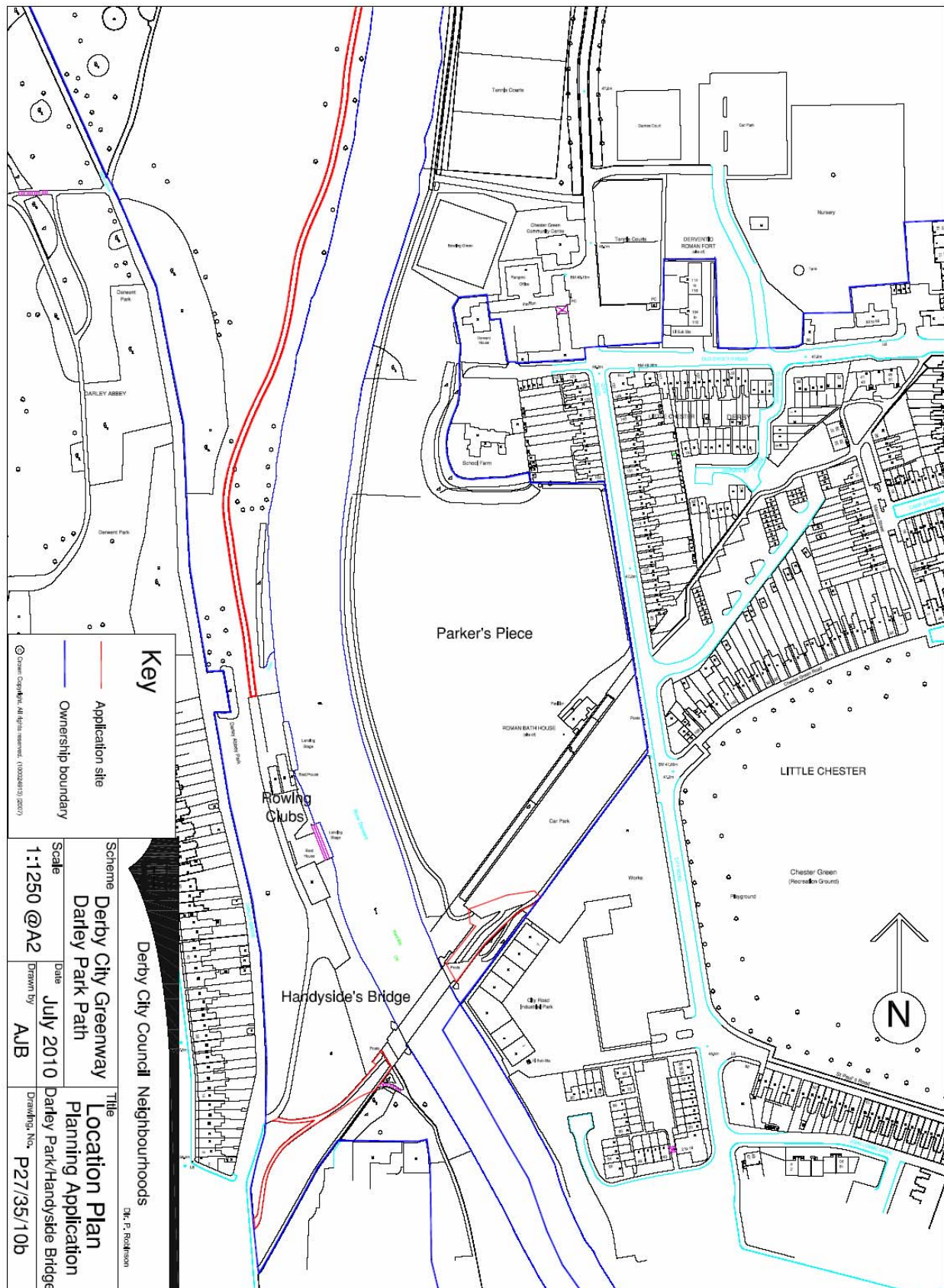
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**Type:** Full (Reg 3)





**Type:** Full (Reg 3)



## **Committee Report Item No: 4**

**Application No:** DER/06/10/00754

**Type:** Full

1. **Address:** Derby Moor Community Sports College, Moorway Lane, Littleover.
2. **Proposal:**  
Extensions to school, erection of school buildings, link, alterations to landscaping and access and demolition of Cromford Building.

3. **Description:**  
Planning permission is being sought for the redevelopment of Derby Moor School and these proposals have been developed and funded through the Building Schools for the Future (BSF) programme.

The school site is accessed off Moorway Lane and it comprises both Derby Moor and Ivy House Schools with their associated playing fields. The school buildings sit to the eastern edge of the site, close to Moorway Lane. The land on the northern, southern and western edges is open playing fields and a local wildlife site sits within the schools curtilage, adjacent to the north-western boundary. The site is boarded to the north and east by residential property. To the south and west are open areas including the King George V playing fields with residential development beyond. The school site is allocated as green wedge in the saved policies of the CDLPR.

At the early design stages of the BSF programme, a number of different solutions to the redevelopment of the school have been considered and the funding strategy identified a split between the need for new build on the site alongside refurbishment and redecoration of some of the existing buildings. The redevelopment proposals proposed in this application have been reached following careful analysis of the existing school buildings against a defined set of criteria. The designs for the school have been developed in consultation with the staff and pupils at the school.

It is anticipated that the development proposals will provide an additional 1,878 sqm of floor space within the school and offer an additional 9 full time staff positions. It is anticipated that the new school will have a design capacity of 1505 pupils which will offer an increase of 144 pupils from its existing capacity.

### **The Design**

Derby Moor comprises a cluster of buildings of varying heights with the main school accommodation separated into three buildings named Derwent, Cromford and Stenson. The proposed redevelopment involves the demolition of the Cromford building. It was considered difficult to convert and its removal has enabled new development to be provided which creates improved links between the Derwent and Stenson buildings. The western section of the Stenson building is also proposed be removed with the main sections around the sports hall retained. The retained sections would be re-roofed and re-clad with new windows installed. The proposed works also include the demolition of the northern sections of the Derwent building. It has not proved cost effective for the retained section of Derwent to be re-clad given that it has recently been overclad therefore this building will be made good and altered where it links with the new development. The extent of the demolition works that are proposed also includes two properties which front Moorway Lane that are in the control of the school. Their removal would allow for new access arrangements and parking areas to be accommodated at the front of the site.

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The existing sports pavilion, garage, substation and squash court buildings are to be retained and overclad. The main area of new build that is proposed would sit centrally, in between the retained sections of the Derwent and Stenson buildings. This new building is referred to as the 'learning barn' and it would extend up to four storeys in height. The learning barn would provide a link between the retained buildings and accommodate the new school entrance. It is proposed to become the focal point of the school. The learning barn would sit into the sloping section of the site and this would provide a building with four storeys facing south and three storeys when viewed from the north and Ivy House School. The learning barn would extend alongside the Stenson building frontage and provide a prominent façade to the school when viewed from Moorway Lane.

Some small scale buildings are proposed as part of the works including secure cycle stores maintenance equipment and refuse bin store and an energy centre. These are all single storey buildings that would sit in close proximity to the school buildings and easily accessible from the car parking and servicing areas.

The Design and Access statement that was submitted with the application indicates that the form of the building is designed to offer a clear, simple volume that will act as a surface or "plane" against which the Derwent and Stenson buildings will be viewed. It is indicated that this will help to unify the existing building heights and enclosures. The elevations of the learning barn would accommodate large areas of glazing with sections of cladding and aluminium and glazed panelling. Existing buildings will be clad using a similar palette of materials, where necessary. It is intended that the use of a limited palette of materials and colours across the school will unify the group of buildings.

The internal layout of the school has been designed to provide flexible learning suites or clusters with spaces that can be adapted by the students and staff in a response to their own requirements. This flexibility is proposed to be supported by a responsive, adaptive and high quality information technology system, partitions and storage. It is intended that the learning suites will be flexible and able to adapt in order to meet long term changes at the school and to meet the demands of the evolving curriculum. Where possible, corridors have been removed from the new and existing buildings in order that any circulation takes place through open learning areas. The Design and Access statement indicates that the staff and students emphasised a desire for the school to work together as a single entity with no departments left feeling isolated or inaccessible. The idea indicated behind the design of the internal spaces is the creation of a school which performs as a single organic unit that is enhanced by long views through glazed partitions across open plan classrooms.

The learning zones are proposed to extend beyond the buildings into external learning zones that are proposed to be located outside of each of the teaching wings. The majority of those external spaces will extend out from the north and west of the new school buildings. These outdoor learning zones are proposed as part of the development for design and technology, humanities, communications, performance arts, creative arts, multi-functional maths and ICT and the ecology and growing lab. These outdoor zones are proposed to be provided with ICT, water and power provision where necessary.



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### **Access**

The main pedestrian and vehicular accesses into the site will remain off Moorway Lane. Separate vehicular accesses will be provided to the dedicated parking areas for Derby Moor School and Ivy House School. A total number of 120 car parking spaces are proposed and this includes disabled and visitor parking spaces which are proposed to be located close to the main entrance. This would provide an increase of 5 spaces as the site currently accommodates 115 spaces. The 45 existing car parking spaces and drop off / pick up bay for Ivy House School will be retained. At the front of the site, 11 minibus drop off spaces, 10 overspill minibus waiting bays and parking provision for 4 coaches are proposed to be provided within the site. A 6m wide pedestrian access directly off Moorway Lane will provide a dedicated access to the new main entrance. Secure and enclosed cycle parking for 300 cycles is to be provided which is an increase of 60 spaces as currently the schools accommodate 240. Those spaces would be accommodated with two secure storage areas. One is proposed to be incorporated at the front of the Stenson building, near to the main entrance, the second is proposed to be located at the rear of the Derwent building. It is intended that this storage area will serve those pupils who access the site via the north-west corner of the playing fields which links through to Greenfields Avenue.

### **Sustainability**

The new buildings are proposed to be highly insulated and maximise natural day lighting and ventilation. The development proposes a new single storey building to the south of the main school that would serve as an energy centre. It is intended that it would accommodate a biomass boiler and rainwater harvesting systems along with a teaching area for pupils to learn about those systems. Energy efficient lighting systems and appliances are also proposed.

### **Sports Provision**

The proposals would retain and enhance the existing sports facilities that the school offers. Two multi use games areas would be resurfaced and provided with floodlights. The existing five court would also be refurbished whilst being maintained in its current location. Earthworks are proposed to increase the flat area around the athletics track in order to provide a greater area of run-off and improve safety. A new trim trail is proposed across the playing fields which it is anticipated, along with a series of new footpaths, will improve accessibility between the sports facilities. It is proposed that the sports fields and multi used games areas will be made available for managed community use outside of school hours.

The proposals that are the subject of this planning application have already been the subject of wide consultation with the City Council, the school and local residents through the BSF process. The planning application is supported by a Design and Access Statement, Tree Assessment Report, Planting Schedule, Ecological Assessment, invasive weeds walkover survey, Bat Survey, Regeneration Statement, Transport Statement and a Level 2 Scoping Flood Risk Assessment. Detailed drawings have also been provided to demonstrate site access and loading, proposed external services, external lighting, fencing and security, hard and soft landscaping proposals and a planting strategy.

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### **4. Relevant Planning History:**

DER/06/08/00981 – Erection of school buildings including central block, outdoor performance area, cycle storage facilities, extension to existing buildings and formation of car parking areas – outline planning permission was granted 26/09/08

### **5. Implications of Proposal:**

#### **5.1. Economic:**

It is anticipated that the redevelopment proposals will result in an increase of 9 full time staff, employed at the school. It is also anticipated that the BSF programme will deliver local economic benefits in terms of employment, training, business growth and investment.

#### **5.2. Design and Community Safety:**

The existing buildings on the school site and the two properties fronting Moorway Lane are not considered to be of any significant architectural merit and no objections are raised to the demolition works that are proposed across the site. The new areas of building are of a unique design that have evolved in response to the existing school buildings on site, the land level changes across it and the desire to provide flexible and adaptable internal spaces that will provide an attractive learning environment. The resulting school would be provided with a modern external appearance whose scale reflects its functional use. The built form is centred around the cluster of existing buildings on the site and the learning barn would provide the school with a strong identity, becoming a landmark within Moorway Lane. It is considered that this will improve legibility within the site and make a positive statement about the status of the school. Such aims are supported and there are no overriding objections raised to the design solution being pursued in this application for the school.

The views of the Crime Prevention Design Advisor are provided in section 8 of this report.

#### **5.3. Highways – Development Control:**

To be reported.

#### **Highways – Land Drainage:**

It is noted that the application submission indicates that both a Sustainable Urban Drainage System (SuDS) and main sewer are proposed to be used as a means of disposal of water for the new development. The submitted Flood Risk Assessment does not provide any additional clarification or detail and no specific SuDS features are shown in the landscaping details. However, no overriding objections are raised to the application subject to conditions being imposed which require the submission of full details, including calculations, run-off rates and a geotechnical study which outline what foul and surface water sewerage schemes are to be implemented.

#### **5.4. Disabled People's Access:**

The number and location of disabled people's parking spaces are considered satisfactory. It is considered that the proposals will deliver improved accessibility to the new development and to the site as a whole.

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The site is located in the green wedge and accommodates a local wildlife site. Derbyshire Wildlife Trust and Natural England have commented on the proposals and it is not considered that they would have an adverse effect on the nature conservation value of the wildlife site.

A Tree Assessment Report has been provided in support of the application. It identifies 20 individual trees and 12 groups of trees as part of the survey and centres on the area of the site where the redevelopment works are proposed to take place. The survey does not extend to include all of the trees on the site. The survey indicates that the redevelopment proposals would require the loss of 17 individual trees and 7 groups of trees. Of those that are being highlighted as needing to be removed, the majority were assessed as arboriculturally low quality and value in the Tree Assessment Report, one group and two individual trees being the exception, these being classed as moderate quality and value.

The original Ecological Survey for the site that was undertaken in 2008 found no evidence of protected species but it was considered that there was some limited potential for bats to be present in two of the existing buildings. In August 2009 additional bat survey work was undertaken and it concluded that no evidence of bat occupation was observed in association with the buildings. Due to the transitional nature of bat roosts it was indicated that demolition works should be undertaken in accordance with the requirements of a good practice method statement which is outlined in the application submission. Bat boxes are proposed as part of the habitat enhancements for the site.

**6. Publicity:**

Neighbour Notification Letter	62	Site Notice	
Statutory Press Advert and Site Notice	Yes	Discretionary Press Advert and Site Notice	
Other			

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

**7. Representations:**

In response to this application I have received one letter of objection from a local resident. The nature of the concerns raised in the objection relate to;

- The proposals resulting in additional traffic and congestion
- The increased number of vehicles posing as a safety risk for pedestrians
- The resulting school being an eyesore
- The new building offering overlooking and a loss of privacy for neighbours
- Proposed lighting causing excessive light at night
- The screening that is proposed being inadequate

*This representation has been reproduced in this report.*

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**8. Consultations:**

**8.1. Natural Environment:**

To be reported.

**8.2. Natural Environment (Tree Officer):**

No overriding objections are raised to the proposals. It is anticipated that there will be implications for the root protection areas of some of the retained trees which will therefore require the submission of site-specific method statements detailing the installation of the new surfacing where these excursions into the root protection area are shown. It is therefore recommended that conditions should be attached to any planning permission granted to require the submission of a scaled tree protection plan and the submission of an arboricultural method statement which should detail the no dig surfacing solutions described in the tree survey.

**8.3. Environmental Services (Landscape):**

To be reported.

**8.4. Environmental Services (Sport & Leisure):**

To be reported.

**8.5. Environmental Services (Health – Pollution):**

Consultation is on-going and Members will be updated at the meeting on the information provided in the Landfill Statement, Ground Investigation and Test Report and Acoustic Statement. It is recommended that conditions are attached to any consent to require the completion of a Phase 1 desktop study and if it identifies potential contamination, a Phase II intrusive site investigation. A remediation method statement should be provided for any contaminants identified and confirmation that the remediation proposals have been suitably validated. It is also advised that the proposed floodlighting should be located, installed and maintained in a manner so as to minimise the impact upon neighbouring premises and full details of the lighting should be submitted for approval.

**8.6. DCC Archaeologist:**

A section on 'desktop archaeological study' is provided in the Design and Access Statement but it has been advised that this is incomplete and further information has been requested by the County Archaeologist on heritage information and consultation. At the time that this report was being drafted that additional information was being compiled and consultation with the Archaeologist is ongoing. Members will be updated at the meeting on the outcome of those consultations.

**8.7. ENV Agency:**

The Agency have commented that the proposal will only be acceptable if a condition is imposed on any planning permission granted which requires full drainage details for the site to be submitted and agreed that are based on sustainable drainage principles. This information should include an assessment of the hydrological and hydrogeological context of the development and shall also include details of how the scheme shall be maintained and managed after completion. The Agency has provided detailed

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advice on the design principles for the drainage solution that the scheme should be designed in accordance with.

### **8.8. Derbyshire Wildlife Trust:**

The Trust have considered the conclusions reached in the Ecological Assessment and the Bat Report and advise that it is highly unlikely that the proposed development will have any impact upon bats. It is therefore indicated that the applicants have provided sufficient information to enable a decision to be made on the application in accordance with the requirements of PPS9. It is recommended that as a precautionary measure, the recommendations provided in the bat survey should be followed with any buildings being demolished under the good practice statement that has been provided. It is advised that the proposed demolition work has potential to impact upon breeding birds depending upon the timing of the operations and it is therefore recommended that all demolition works and vegetation clearance should take place outside of the bird breeding season. The retention of the Local Wildlife Site in its current state is welcomed and supported and the Trust commend the location of the perimeter fencing which will allow for the continued connectivity of the wildlife corridors between the wildlife site and the hedgerow and grassland habitats. It is suggested that the management of the wildlife site should be funded and implemented in accordance with the management plan. The proposed measures for biodiversity enhancement are welcomed including the creation of the wildflower meadow. It is suggested that beneficial biodiversity features should also include the installation of nest boxes on suitable buildings. It is advised that perimeter fencing should be erected in a sensitive manner to respect the integrity of the existing hedgerows and to allow for their continued long term management. Suitable protective fencing should also be erected to prevent damage to the local wildlife site and other retained habitat features during construction. Overall, it is concluded by the Trust that the proposal represents a good practice example of how existing biodiversity value can not only be retained but significantly enhanced within a development proposal.

### **8.9. Police Liaison Officer:**

Advises that the zoning and sub division of areas to reduce trespass and risk is supported. Past problems at the school were exacerbated by the school not having a clearly defined and secure entrance point and control of movement into the site. It is suggested that an additional CCTV camera is installed to ensure comprehensive coverage and to provide surveillance to the secure cycle store. It is advised that all external lighting should be designed to meet the approved and recommended standard to ensure safe use at all times, by all users and to assist the CCTV system.

### **8.10. Natural England:**

No objections are raised to the proposal in respect of species especially protected by law subject to a condition being attached that requires that site clearance works that involves the destruction or removal of vegetation shall not be undertaken during the bird nesting season except when approved by the Local Planning Authority. It is also recommended that the method statement outlined in the bat survey is followed throughout the development

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procedures. Natural England welcome any future management of the Local Wildlife Site that can be secured through the application and the proposals to create a new island habitat area and its use of native planting, bird boxes and bat boxes.

### **8.11. CABE:**

The CABE Schools design panel have reviewed the planning application and rate the overall design quality of the development with a pass against all 10 points of assessment criteria. A scheme with an overall 'pass' rating is one where the fundamental design principles are considered sound. It indicates that the school is set to provide a decent environment for learning and teaching and relates appropriately to its locality. The scheme could be further improved and it is encouraged that any weaknesses identified in the report are resolved. Proposals achieving a pass indicate that a sound investment of public funds is being made and therefore meet the BSF minimum design standard.

It is indicated in the comments provided by the design panel that the rational refurbishment strategy has the potential to be a successful learning environment but there remains some weaknesses. There are few classrooms with direct access to their external learning areas, discouraging frequent use of these spaces by students and staff. The extent of the northern service yard and its close proximity to the school buildings has a significant negative impact on the surrounding learning and recreation spaces such as the court, ecology area and humanities zone. The scale, design and treatment of the service yard, particularly the screening of its edges, seem ineffectual at limiting poor visual and acoustic impact of 'back of house' functions on the quality of surrounding student spaces. The multi level landscape does take advantage of the site's topography but it is important that materials are specified that enhance the quality and diverse character of the external spaces.

The panel considered that the design establishes a sound relationship between the old and new with appropriate use of over cladding to create clear and coherent elevations for the existing buildings. By employing a high level of transparency on the main entrance façade the 'learning barn' establishes a good civic presence, welcoming the local community with a sense of openness. It is suggested that further consideration should be given to the selection of an appropriate palette of colours along the sides of the barn and a composition that reinforces the expression of the bold extruded form. Attention should be paid to the resolution of fixings and junctions that are sympathetic to this particular form.

Internally, some issues are raised relative to the circulation around the school being compromised around the 'knuckle' between the Derwent building and the learning barn and it appears that some students with mobility difficulties will need to share a goods lift or travel a significant distance across the school that is dedicated for student use. Separation between students and the service yard leading the kitchen and dining room may also be inadequate.

The ambition to achieve a BREEM excellent score for the school is encouraged and using a wind turbine, recycling and composting as

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educational tools is positive and the floor to ceiling heights appear to contribute to natural ventilation strategy. However, the panel advise that care should be taken to maximise natural daylight and ventilation within deep-plan layouts, especially at the centre of the learning barn where it may be more difficult to deliver a passive, low energy environment.

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

GD1	Social Inclusion
GD2	Protection of the Environment
GD3	Flood Protection
GD4	Design and the Urban Environment
GD5	Amenity
GD8	Infrastructure
E2	Green Wedges
E4	Nature Conservation
E5	Biodiversity
E9	Trees
E10	Renewable Energy
E13	Contaminated Land
E17	Landscaping Schemes
E23	Design
E24	Community Safety
L6	Sports Pitches and Playing Fields
LE1	Education Uses
T1	Transport Implications of New Development
T4	Access, Parking and Servicing
T6	Provision for Pedestrians
T7	Provision for Cyclists
T10	Access for Disabled People

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

### **10. Officer Opinion:**

#### **Policy Considerations**

The site of the proposal is in a designated green wedge and its impact on the green wedge is one of the most significant issues for consideration in the determination of this application. The primary function of green wedges is to define and enhance the urban structure of the city as a whole. Their two essential characteristics are that they have an open and undeveloped character and that they penetrate the urban area from the open countryside.

Although green wedges should have an open and undeveloped character, planning policy does allow for development to take place within them in some circumstances. This includes proposals for essential buildings and activities which are ancillary to existing educational establishments. The policy also allows for permission to be granted for the redevelopment of existing buildings for uses within specified categories which includes educational establishments. The proposal is for



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extensions to, and replacement of, buildings at an existing school, which could be reasonably described as 'essential and ancillary', and as such would be in line with the intentions of the policy in terms of land use principle. However, even where the land use may be acceptable in principle, policy E2 also states that permission will only be granted where the scale, siting, design, materials and landscape treatment maintain and do not endanger the open and undeveloped nature of the wedge, its links with the countryside and its natural history value. The proposals should also not detract from the open character of the wedge particularly in areas of particular prominence or narrowness, and that the proposal would not lead to an excessive increase in numbers of people, traffic or noise.

The proposals outlined in this application extend within and around the siting of the schools existing footprint and they do not involve significant encroachment further into the wedge from the east than at present. The proposals would offer considerable changes to the layout, with some open areas being built over and some new open areas being created. The footprint of the school buildings will therefore change but should not be significantly larger than the current campus. The additional landscaping features that are proposed as part of the redevelopment should also add to the feeling of openness in and around the site. There are some areas of new encroachment to the south of the site, where there is an increased area of parking over some current open space but this would be considered a relatively minor impact on the 'openness and undeveloped' nature of the wedge.

Notwithstanding the extent of the footprint of the proposed new school, Policy E2 also sets out various criteria for the design of buildings. They suggest that the scale, siting, materials and landscape treatment should maintain, and not endanger, the open and undeveloped nature of the wedge. In terms of its scale, the learning barn would be the most significant addition to the site and is a structure which will extend higher than existing buildings on the site. Policy E2 implies throughout that building should be as small scale as possible in order to protect the aforementioned 'openness'. However, in this case, it is considered that the new building will not be sited in a part of the wedge that is particularly sensitive given the cluster of school buildings that already dominate this area of the site. The additional new build elements associated with the scheme are not considered to be of excessive scale and overall, I am satisfied that the proposals are unlikely to undermine the existing character and openness of this part of the green wedge.

### **Design**

The design of the building has evolved as a solution to redevelopment of the school whilst retaining some of its existing buildings and functions. It is modern in concept and its external appearance would reflect this whilst providing the school with a distinctive character and unified form. The learning barn would add significant mass to the school when viewed from Moorway Lane but the building height is not excessive compared to the existing school buildings on the site. The use of various types of cladding and panelling will help to unify the new build elements with the retained buildings on the site and overall, I would raise no overriding objections to the proposals on general design grounds. I have given careful consideration to the design issues raised by the schools design panel at CABE. It is clear that through the BSF process, detailed consideration has been given to how the internal and external spaces will function and relate to each other and how the landscaping of the

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site will be used to separate and define the different functions around the site. In light of no overriding concerns relative to the fundamental principle of the design being raised by CABE and the project passing each of the design panels assessment criteria, I am satisfied that the refurbishment and new build strategy being adopted here would offer a successful scheme for the new school.

### **Residential Amenity**

The majority of the building works will be centred around the existing school buildings towards the eastern section of the site and close to Moorway Lane. It is therefore the properties on Moorway Lane that are likely to be most affected by the proposals. This scheme is, for the main part, for the redevelopment of an existing school which has already established high levels of vehicular and pedestrian activity in the locality. The increase in staff and pupil numbers that would result from the works is not considered significant enough to increase levels of activity to and around the site likely to result in any additional loss of amenity for residents in the immediate locality. The nearest residential properties to the proposed learning barn are located some 30m away on Moorway Lane. The concerns raised in objection to this application are from the owner of one of those properties and the concerns relative to overlooking and a loss of privacy have been carefully considered. However, the 30m distance that would be maintained between the front of the learning barn and the rear boundaries of the nearest property is considered satisfactory, exceeding separation distances that we would normally try and secure. I would therefore conclude that overlooking and privacy issues would not give grounds on which objections to this application could be sustained.

One of the multi use games areas that is proposed to be floodlit sits close to the Moorway Lane site frontage. Control over the design and siting of the floodlights will be necessary to ensure that highway safety is not comprised on Moorway Lane and to ensure that the light they emit does not pose as a nuisance for the occupiers of the residential properties opposite. I am satisfied that suitable conditions can be imposed to secure those details. Likewise, conditions can also be used to control the level of illumination proposed for new signage around the school entrance and it is hoped that this should assist in addressing some of the concerns raised by the objector to the application.

### **Sports Provision**

Derby Moor School is a specialist sports college and it already accommodates a number of sports facilities and pitches within the school grounds. This application serves to improve that provision and does not result in the loss of any land previously or currently used for sports and recreational purposes. I am therefore satisfied that the proposals meet with the aims of saved local plan policy L6.

Amendments to the proposed trim trail are being secured in accordance with the advice provided by Sport England and Members of the Committee will be updated on any amendments that have been secured, at the meeting. The two courts that are proposed to be re-surfaced are already hard surfaced pitches and I am satisfied that those works should not have significant implications for the openness of the green wedge. The provision of floodlighting would offer improved sports provision as it would increase the schools ability to continue sports and recreation activities into the evening during the winter months. The provision of floodlighting columns raise

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residential amenity considerations but their design can be controlled in order to limit their implications for the openness of the green wedge and the amenities of nearby residential properties.

### **Ecological Impact**

The site accommodates a Local Wildlife Site and in line with saved local plan policy E5 features of nature conservation should be retained when applications for new development are being considered. These proposals clearly demonstrate a desire to retain the local wildlife site and increase the biodiversity value of other areas of the school site through the creation of areas of wildflower meadow planting and the provision of bird tables, bat and squirrel boxes. Such aims have been supported by Derbyshire Wildlife Trust and Natural England and the increase in biodiversity that would result across the site is welcomed. In accordance with the advice of Derbyshire Wildlife Trust I consider it would be appropriate for conditions to be imposed on any planning permission that may be granted to require the wildlife site to be suitably protected during construction works.

Given the advice that has been provided by Derbyshire Wildlife Trust and Natural England, I am satisfied that adequate survey work has been undertaken and sufficient consideration given to the impact the development could have on protected species. It would be reasonable to impose a condition that requires the demolition works to be undertaken on site in accordance with the good practice statement outlined in the bat survey and with such a condition in place, I am satisfied that the requirements of saved policy E7 and Planning Policy Statement 9 have been given due consideration.

The loss of trees on the site is regrettable but it is recognised that some tree loss is unavoidable in order to secure the redevelopment and improvement works for the school. In accordance with the advice provided by our Tree Preservation Order Officer suitable conditions could be imposed to ensure that any retained trees are suitably protected whilst construction works are taking place. Detailed landscaping proposals have been provided with the application and these show where new trees, plants and hedges will be provided and used to provide shade, add visual interest and improve habitat areas. I have noted the advice provided by Derbyshire Wildlife Trust and Natural England relative to the removal of vegetation taking place outside of the bird nesting season but rather than imposing a condition consider it would be more appropriate to add a note to applicant given that breeding birds are protected by other legislation that is not enforced by the Local Planning Authority.

### **Sustainability**

The proposals include a number of significant sustainable features as part of the integral design of the building including use of natural daylight and ventilation within the main building, the recycling of water and the intention to accommodate a biomass boiler. I consider that the sustainability measures proposed are to be welcomed and meet with the requirements of saved CDLPR policy E10.

### **Flood Risk**

The site is located within Flood Risk Zone 1 which comprises land assessed as having a less than 1 in 1000 annual probability of flooding in any year. The application is accompanied by a Level 2 Scoping Flood Risk Assessment. The Environment Agency has raised no objections to the proposal, subject to conditions

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in respect of the approval of full drainage details being provided and agreed prior to the development commencing. It would be reasonable to secure these by condition of planning permission and a sustainable approach to the drainage system can be secured as part of those details.

### **Highways**

The information provided in the Transport Assessment and the access, safety and highway implications of the proposals were still under consideration at the time that this report was being drafted. It is anticipated that those matters will be resolved prior to the application being presented to the Planning Control Committee and Members of the Committee will be updated at the meeting on the highway implications of the proposals.

To conclude, in principle, no objections are raised to the redevelopment of this school site. Based on the information provided in the application and the consultations that have been undertaken at the time of drafting this report, I am satisfied that this development can be undertaken without detriment being caused to the character and openness of the green wedge and to residential amenity. Subject to the resolution of the outstanding issues that have been highlighted in the report, I am satisfied that the proposals reasonably meet with the aims of the appropriate saved policies in the local plan.

## **11. Recommended decision and summary of reasons:**

**11.1. To grant** planning permission with conditions.

### **11.2. Summary of reasons:**

The proposal has been considered in relation to the provisions of the Development Plan and all other material considerations as indicated in 9. above. The design, scale and mass of the development are considered acceptable in the green wedge. The implications of the redevelopment for residential amenity, biodiversity, flood risk, highway safety and sports provision at the school site accord with the aims of the saved policies outlined in the City of Derby Local Plan Review.

### **11.3. Conditions:**

1. Standard condition 03 (Time limit)
2. Standard condition 100 (Approved plans)
3. Standard condition 21 (Landscaping within 12 months)
4. A scaled tree protection plan shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing. The tree protection shall be designed in accordance with BS:5837: 2005 ("Trees in relation to construction") and in accordance with the following requirements:
  - a) A scheme of protection shall be submitted to and agreed in writing before any development commences
  - b) The date of construction of such protection and of its completion shall be notified in writing to and agreed in writing by the Local Planning Authority before any other site works commence

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- c) The agreed protection measures shall be retained in position at all times, with no use or interference with the land contained within the protection zone, until completion of construction works, unless otherwise agreed in writing by the Local Planning Authority.
- 5. An Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority prior to any works on site commencing that provides full details of the no-dig surfacing solutions outlined in section 4 of the Tree Assessment Report produced by fpcr dated June 2010.
- 6. Standard condition 38 (Drainage)
- 7. The details submitted pursuant to condition 6 shall accord with Annex F7 – F12 of PPS25. The information submitted pursuant to condition 6 shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced on site and shall include the following:
  - a. Calculations which demonstrate that the run off from the development shall be outlet at a rate not exceeding the present or pre-development rate with the one in 30 year rainfall event retained below normal ground level and the one in 100 year plus climate change rainfall event maintained on site;
  - b. calculations to show the run-off from the existing development to determine the discharge of surface water from the site is no greater than existing and that no habitable room is flooded with the limiting device in place;
  - c. a flood path to show where runoff excess of the one in 100 year plus climate change rainfall event will flow;
  - d. the results of a geotechnical study which outlines the permeability of the subsoil;
  - e. a statement which outlines how the sustainable drainage system is to be managed in the long term;
  - f. a drainage statement from the sewerage undertaker.
- 8. Precise details relating to the siting and design of the floodlighting columns proposed for the multi use games areas shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing. The details provided shall include a full description of the type of illumination proposed and detailed drawings indicating the light spread and pattern of the illumination provided by the columns shall be provided.
- 9. Standard condition 19 (Means of enclosure)
- 10. All vegetation clearance, tree felling and demolition works on site shall be undertaken in accordance with the good practice method statement outlined in the bat survey information provided by fpcr in its letter dated 18<sup>th</sup> September 2009.

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11. The proposals for biodiversity enhancement within the school site that are outlined in the submitted Design and Access Statement shall be implemented in accordance with a timetable of works that shall be submitted to and agreed in writing by the Local Planning Authority.
12. During the period of construction works the wildlife site shall be protected in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site.
13. Before development commences, a Phase I desktop study shall be completed for the site and shall be submitted to and approved in writing by the Local Planning Authority. The study shall document the sites history and identifying all potential sources of contamination and the impacts on land and controlled waters relevant to the site. A conceptual model for the site should be established, which should identify all plausible pollutant linkages. Where the desktop study identifies potential contamination, a Phase II intrusive site investigation should be carried out to determine the levels of contamination on site. A risk assessment will then be required to determine the potential risk to end users and other receptors. Consideration should also be given to the possible effects of any contaminants on groundwater. A detailed report of the investigation shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing. In those cases where the detailed investigation report confirms that contamination exists, a remediation method statement shall also be submitted to the Local Planning Authority for approval in writing. All of the respective elements of the agreed remediation proposals will need to be suitably validated in a validation report that shall be submitted to and agreed in writing by the Local Planning Authority, prior to the development commencing.

**11.4. Reasons:**

1. Standard reason E56
2. Standard reason E04
3. Standard reason E10
4. Standard reason E24 (policy E9)
5. Standard reason E24 (policy E9)
6. Standard reason E21 (policy GD3)
7. Standard reason E21 (policy GD3)
8. No such details have been provided with the application and to enable the Local Planning Authority to exercise control over the external appearance of the development in the interests of visual amenity and to preserve the amenities of nearby residential properties (policies E2, E23 and GD5)
9. Standard reason E08 (policy E23)

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10. To ensure that the existence of any bat roosts at the site is fully investigated and that there is minimal disturbance and protection of this protected species in accordance with the principles of Planning Policy Statement 9 – Nature Conservation and saved policy E9 of the adopted City of Derby Local Plan Review.
11. Standard reason E04
12. To protect the wildlife site during the course of construction works in order to protect its nature conservation value in accordance with the principles of saved policy E4 of the adopted City of Derby Local Plan Review.
13. Standard reason E54 (policy E13)

**11.5. Informative Notes:**

In accordance with the requirements of the Wildlife and Countryside Act 1981 all vegetation clearance, including tree felling and the demolition of buildings should be undertaken outside of the bird breeding season which extends from March to late August. If this is not possible, it is advised that a survey for occupied nests is conducted by a suitably experienced ecologist immediately prior to the commencement of the works. If any active nests are discovered, they should be left undisturbed until all young have fledged.

**11.6. S106 requirements where appropriate:**

None.

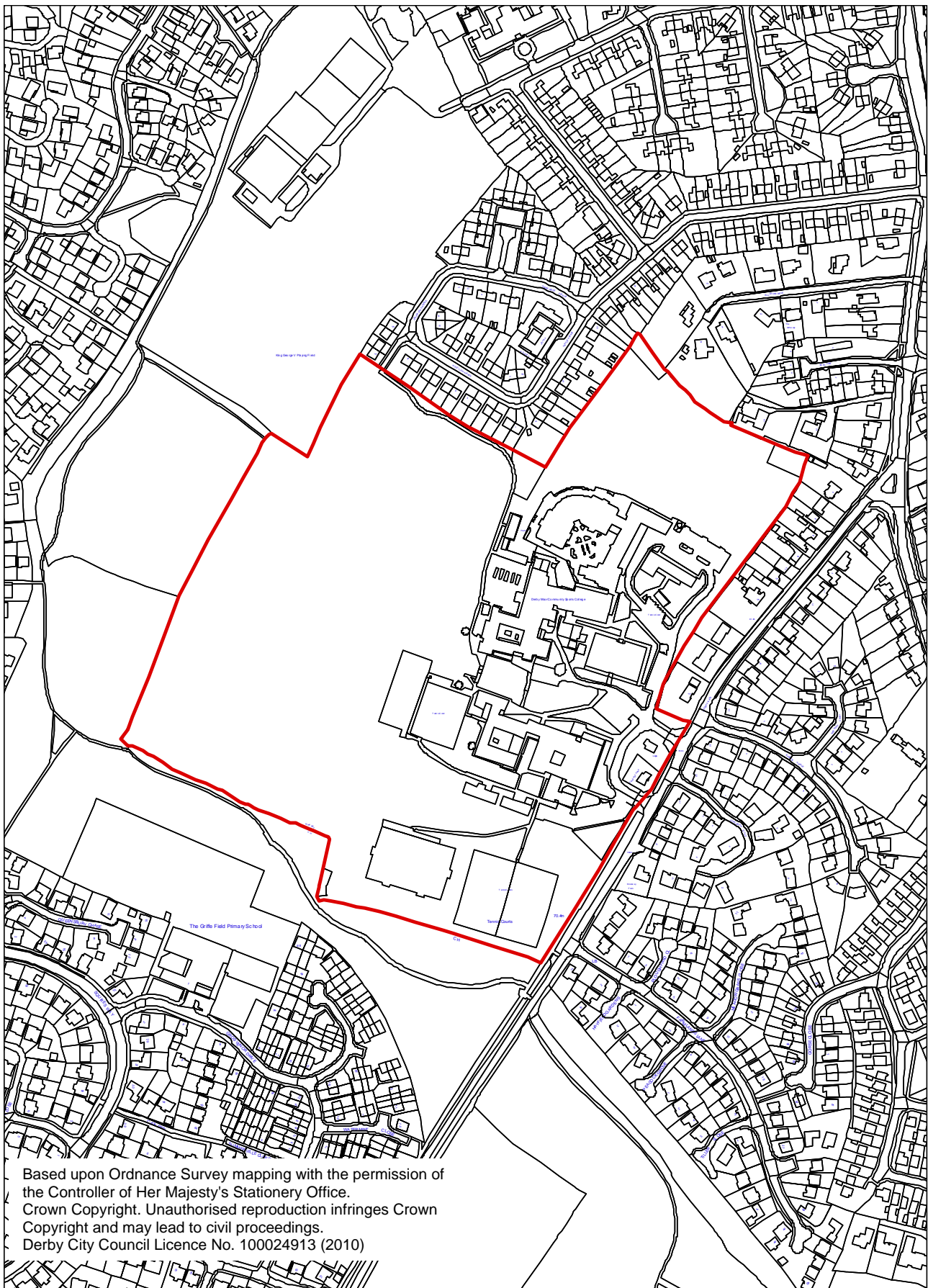
**11.7. Application timescale:**

The deadline for the determination of this application is 24<sup>th</sup> September.

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# Enclosure

## **Neighbour comments for Planning Application 06/10/00754**

**Site Address:** Derby Moor Community Sports College, Moorway Lane,  
Littleover, Derby

**Comments received from:** None, 34 Moorway Lane

**Type of Response:** OBJE

### **Comments:**

Extension to school will cause even more vehicle congestion , this has been already been made worse since the Ivy House school was built on the same site

The excess traffic will also pose an additional pedestrian risk on safety grounds

A large three storey building is planned, this will overlook our house and cause a loss in privacy and will be an eyesore!

The night lighting will also light up our house leading to excess light

The planned screening seems to be inadequate

Wishes to speak at committee.

**Date Comments Accepted: 14/07/2010**

DERBY CITY COUNCIL