

A

1

Type: Full

1. **Address:** Various locations, proposed Inner Ring Road
2. **Proposal:** (1) Various minor amendments
(2) Supplement to Environmental Statement
3. **Description:** At the meeting held on 3 February 2005 Members resolved that they were minded to grant permission subject to the Secretary of State not calling in the application for his own determination. I was authorised to issue the permission but have not exercised that authority for three reasons:
 - Minor amendments have been introduced and there is no clear authority for me to deal with these.
 - The supplement to the Environmental Statement have become more extensive than anticipated, have had to be advertised and have drawn criticism.
 - The passage of time and the presence of new Members make it appropriate that the matter should be brought back.

For Members' ease of reference, and because of the size of the February 2005 report, I am reproducing that as a separate green-paper document rather than add it to this report. It is being forwarded to Members and placed on deposit again. Since that report was considered, several related matters have progressed through the planning system and I cover these briefly below.

Listed building consent has been granted in respect of the works at the Seven Stars (DER/704/1381) and Stafford Street (DER/1105/1883), together with conservation area consent for the works at Ford Street (DER/704/1382) and Five Lamps (DER/704/1383), in each case by the Secretary of State. The Ford Street consent is tied to the letting of a contract for the construction of the Inner Ring Road. I understand that it will be necessary to demolish the premises earlier under a pre-main works contract so that services can be relocated and I expect that an application will be made for a variation of that condition. Such an application will be dealt with by the Secretary of State. Finally outline planning permission for rebuilding on the site remaining after the demolition of 40 West Avenue has been granted.

Amendments

The amendments to application DER/704/1380 are to cover a variety of minor matters where adjoining owners have asked for a revised detail to meet their reasonable operational requirements. In detail the changes are:

A DEVELOPMENT BY THE CITY COUNCIL (cont'd)

1 Code No DER/704/1380

- a. Revised turning head in Wilmot Street to avoid operational conflict with the access to the adjacent car park.
- b. Parking area to be constructed adjacent to the Seven Stars public house, King Street, on land shown for "possible parking" on the previously advertised scheme. This seeks to secure planning permission for this car park as part of the principal planning application rather than at a later date under a separate planning application, in each case to meet the requirements of the adjacent owners.
- c. Access, turning area and extension to 48-50 Stafford Street to meet the requirements of the operators of the nursing home premises.
- d. Rebuilding to full height of the walls intended to be demolished at Stafford Street under listed building application DER/1105/1883 to meet the conditions imposed by the Secretary of State.

Two amendments described in the report (item A4) to the meeting of 22 December 2005 have been withdrawn from the application. These are a revised highway alignment, some 1.5m to the east, adjacent to Lonsdale House, Lodge Lane and a parking area for Lonsdale House. However, as a result of this withdrawal, there is a final amendment:

- e. Amended access arrangement for Lonsdale House.

Supplementary Environmental Statement

This deals with the following matters:

- a. In part A, information that replaces that in the November 2004 Environmental Statement concerning air quality.
- b. In part B, additional information is provided. This covers archaeology, alternatives not pursued, flood risk, contamination and cumulative impact. It also deals briefly with the minor amendments now incorporated into the application.
- c. In part C are the alternative proposals for the phase 3b area. These include an assessment of the new built form at 40 West Avenue, which has been dealt with by an application for planning permission as detailed above, and those at St Helen's Street corner, 85 King Street and west of the King Street link that have not yet been brought forward.

A DEVELOPMENT BY THE CITY COUNCIL (cont'd)

1 Code No DER/704/1380

4. Relevant Planning History: As above.

5. Implications of Proposal:

5.1 Economic: In relation to the scheme in general, these remain as in the report to 3 February 2005 meeting. In relation to the amendments, each of them would enable the relevant owners and occupiers (including the City Council for the Wilmot Street car park) to operate more efficiently than under the original proposals.

5.2 Design and Community Safety: As in the previous report except for small design improvements arising from the proposals for more built form in place of landscaping.

5.3 Highways: The rebuilding of the wall at Stafford Street and the alignment for its rebuilding is as envisaged in the original scheme and the effect on the highway proposals is no different. The car park for the Seven Stars was shown as a possible car park in the original design and the impact of its eventual construction was taken into account. The other minor works will have no impact.

5.4 Disabled People's Access: Item (c), at 48-50 Stafford Street, is specifically for the convenience of disabled and infirm people.

5.5 Other Environmental: Impact on the setting of the listed buildings is dealt with in "Officer Opinion" below.

6. Publicity:

Neighbour Notification letter		Site Notice	
Statutory press advert and site notice	*	Discretionary press advert and site notice	
Other			

7. Representations: At the time of the preparation of this report two had been received in relation to the September 2006 advertisement but some remained outstanding from the December 2005 advertisement. These are reproduced *[in members' rooms if too many received]* and I have omitted comments that relate to matters irrelevant to the planning considerations or which are repetitions of objections to unchanged parts of the scheme.

A DEVELOPMENT BY THE CITY COUNCIL (cont'd)

1 Code No DER/704/1380

Members should take account only of representations made in relation to the amendments and not those made to the original scheme and considered on 3 February 2005.

The grounds are:

- The application should not be considered until the application to the High Court seeking judicial review of the Secretary of State's decisions on the listed building application at Seven Stars and conservation area consent at Five Lamps has been settled
- The Wilmot Street turning head alteration will involve the loss of planting
- The car park at the Seven Stars will involve tree loss, cause drainage difficulties and adversely affect the setting of that building and St. Helen's House. Access arrangements could be dangerous
- The porch design at 48-50 Stafford Street is of inadequate quality
- Mitigation measures in the supplementary ES are not in the application

8. Consultations: As in the reproduced report with the following additions:

DofES (EH&TS) – The supplementary ES uses updated survey information on air quality on which to base forecasts of the impact of the proposals. The update, which is based on more robust and contemporary data than the original ES, supports the previously held view that the overall impact on the city's air quality arising from the scheme should be marginal.

EH – Previous objections to phase 3b have been withdrawn on the basis of undertakings given by the City Council as developer to bring forward a series of enhanced mitigation measures as set out in Section 3 above, under "Supplementary Environmental Statement (c)".

CAAC – wanted a full-height replacement of the Stafford Street wall which is now included. As reported at the 12 October meeting CAAC accepted that the rebuilding of 40 West Avenue was better than landscaping. CAAC is aware of the mitigation proposals through my report to its 14 September 2006 meeting but cannot consider such in detail until applications are received.

A DEVELOPMENT BY THE CITY COUNCIL (cont'd)

1 Code No DER/704/1380

EA – has accepted the surface water drainage and flood risk proposals.

DC archaeologist – welcomes the further work done by Birmingham University and incorporated into the supplementary ES.

Natural England – repeats its previous no objection position (as the former English Nature) but suggests that some possible impacts concerning Japanese Knotweed, nesting and breeding birds, water quality and bats should be dealt with by condition

- 9. Summary of policies most relevant:** These are set out in the reproduced report. However, the adopted version of the CDLP uses different policy numbers and for convenience I set out below the policy references in the latest version issued in October 2006. Also, some PPGs have been replaced and I quote below the current titles.

CDLP Review, Relevant Policies:

Key Planning Objectives – paragraphs a, b, c, f, g, h and I are all relevant to greater or lesser degrees.

Two policies relate directly to the “Connecting Derby” project:

- T2 - City Council Schemes a) City Centre Integrated Transport Project: “Connecting Derby”
- CC16 - Transport

Plan-wide and area policies are:

- T6 - Provision for Pedestrians
- T7 - Provision for Cyclists
- T8 - Provision for Public Transport
- GD4 - Design and the Urban Environment
- R7 - Markeaton Brook Mixed Use Area
- E4 - Nature Conservation
- E7 - Protection of Habitats.
- E9 - Trees
- E12 - Pollution
- E17 - Landscaping Schemes.
- E18 - Conservation Areas.
- E19 - Listed Buildings.
- E21 - Archaeology.
- L12 - Protection of Community Facilities.

A DEVELOPMENT BY THE CITY COUNCIL (cont'd)

1 Code No DER/704/1380

The above is a summary of applicable policies and members should refer to their complete CDLP Review issued in October 2006 for the full versions.

Planning Policy Guidance Notes:

- PPS1 - Delivering Sustainable Development.
- PPG13 - Transport
- PPG15 - Planning and the Historic Environment
- PPG16 - Archaeology and Planning.
- PPG17 - Open Space, Sport and Recreation

- 10. Officer Opinion:** My advice is confined to the minor amendments to the application and to the new and replacement work in the supplement to the Environmental Statement. I do not intend to re-open the debate on the principles of the Inner Ring Road nor on the unchanged detail that was debated exhaustively and resolutions passed on 3 February 2005.

Before dealing with the amendments and the Supplementary Environmental Statement, I need to give further policy advice on the loss of currently green areas.

Whilst no land vested as public open space is required, there are various temporarily landscaped areas along the line of the road scheme. These raise a potential issue of loss of 'open space of public value', as defined by PPG17. However, most these open spaces only exist in the first place because they are the site of dwellings demolished as unfit during the 1960s and grassed over as a housekeeping operation in anticipation of the Inner Ring Road scheme. Had that proposal not existed they would have been residentially redeveloped, not grassed. Some smaller areas were not originally housing but the principle still holds good in that some sort of development would have taken place. The sites are also all clearly identified in the Local Plan as falling within the scope of the Connecting Derby scheme, so the development plan accepts their loss. The PPG therefore appears to be of very limited relevance to these circumstances.

PPG17 states that open space of public value should not be built on unless an assessment has been undertaken to show the space as surplus to requirements. There is, perhaps unsurprisingly, no direct reference to the "temporarily grassed with public access allowed" scenario as such circumstances would hardly have been in the forefront of the mind of the authors of the PPG. A comprehensive study of the type envisaged by the guidance has not been undertaken in

A DEVELOPMENT BY THE CITY COUNCIL (cont'd)

1 Code No DER/704/1380

Derby and the PPG advises that in such cases the developer should demonstrate that the open space is surplus, consulting the local community and demonstrating widespread support for its proposal.

Because the open spaces exist solely because of the road scheme, it would seem wholly unreasonable to invoke this aspect of the guidance in full. However, I take the view that making the impact of the road on open space and landscaping clear before determination can only be helpful to the scheme.

The amount of existing temporary open land and landscaping lost in connection with the application totals some 17223 sq metres but this includes the green area of 2322sq m at King Street that has never been open to the public. The road proposals will create 18191 sq metres of new permanent grassed areas (10124 sq m) and shrub planting (8067 sq m). This excludes grassed areas within roundabouts. The overall effect is therefore broadly neutral in terms of area of open land, but more clearly beneficial in terms of land open to the public with 18191 replacing 14901. Clearly the distribution will be different, with landscaping and open space becoming more evenly spread along the line of the new road. Within the overall expansion of open land there will be a move from plain grassed land to amenity landscaping, but this is to be expected as the past treatment has been the minimum to keep the land tidy.

In conclusion therefore, although the road will lead to the loss of some temporary open areas which were being safeguarded for its construction, the permanent landscaping proposed will help to mitigate this loss. In the light of all the circumstances, there is considered to be no conflict with the advice of PPG17.

In relation to Natural England's comments, water quality will be protected by the drainage systems' design. In relation to the other matters:

- Japanese Knotweed is an alien plant that the City Council has a duty to control on its land irrespective of development taking place. Such control is being undertaken and will continue to be so, being taken into account in or before the contract for the works.
- Bird nesting and breeding, and protection of bats, both involve the responsibilities of the developer under wildlife legislation. Requiring observance of those responsibilities via the LPA is pointlessly cumbersome as the LPA can do little more than ensure that the legal requirements are met.

A DEVELOPMENT BY THE CITY COUNCIL (cont'd)

1 Code No DER/704/1380

I do not think that imposing conditions through the planning system would add anything useful.

Turning to the specific matters of this report back to Committee, I will deal with them in the following order:

1. The minor amendments.
2. The Supplementary Environmental Statement.
3. Comments on objections.
4. Conclusion.

Minor amendments

- a. Revised turning head in Wilmot Street to avoid operational conflict with the access to the adjacent car park. This is a sensible change to separate turning from entrance / exit of the car park and has an insignificant impact.
- b. Parking area to be constructed adjacent to the Seven Stars public house, King Street. This does provide more parking spaces than the pub has at present but not more than parking policy allows for premises of this size. The amount of parking is as agreed with the owner's representative to ensure that viability is maintained in the pub's new circumstances.

Access is always slightly awkward from the right-hand side of a one-way street but is already practised in Duffield Road and Garden Street. Parking could be "spread amongst the trees" but the overall impact would be to reduce the identifiably separate amenity area and would, I believe, be retrograde. However, I believe that this adjacent area could be used for surface water run-off.

- c. Access, turning area and extension to 48-50 Stafford Street. The operator has a specific need to accommodate ambulances clear of the highway. The access will provide this and the lobby is of an acceptable design for this inconspicuous location.
- d. Rebuilding to full height of the walls intended to be demolished at Stafford Street under listed building application DER/1105/1883. This amendment is essential to meet the conditions imposed by the Secretary of State and must be included in the details of the planning application.

A DEVELOPMENT BY THE CITY COUNCIL (cont'd)

1 Code No DER/704/1380

- e. This is little more than the inclusion of a vehicular access to the proposed road to serve an existing parking area. It has insignificant impact.

However, the rebuilding, whether in respect of alignment or height, is very much a contingency proposal. The objective of all parties is to agree an alignment and design as part of the redevelopment proposals for the entire Friar Gate Goods Yard and not to rebuild on an alignment that would quickly be demolished and rebuilt again.

Similarly, the road design included in the current scheme would, in all probability, be amended, leading to a situation where the great majority was built under DER/704/1380, but the immediate vicinity of the Uttoxeter New Road junction would be either under a variant of it or under a separate permission associated with the redevelopment of the Friar Gate Goods Yard site as has been done for Bradshaw Way.

Nevertheless, the Inner Ring Road application has to be “self-contained” in that authority for the accommodation and mitigation works has to be in place in case there is no prospect, by the time of the road’s construction, of the development of abutting sites going ahead sequentially and dealing with the question of boundary treatment.

Supplementary Environmental Statement

Air Quality

The replacement work on air quality simply assesses the scheme against contemporary air quality data. As before, it uses computer modelling to make predictions of pollution levels with and without the scheme in future years. However, the data used was more detailed, robust and contemporary than in the original ES. Input data was agreed with the Pollution Section before the models were run.

The supplementary ES confirms that the impact of the scheme, in terms of nitrogen dioxide levels, will be greatest in the vicinity of Ford Street, St. Alkmund’s Way / Eastgate and the Council House, although even at these locations the increase in pollution levels will be relatively small. The modelling also shows that there should be more widespread benefits in terms of a general reduction in city centre nitrogen dioxide levels. It is therefore unlikely that the scheme will have a significant impact on the recently revised boundaries of the city’s nitrogen dioxide Air Quality Management Area.

For PM₁₀ dust particulates, the situation is much the same, with marginal increases in pollution levels predicted on the line of the route offset against a general reduction in relieved streets and overall City Centre PM₁₀ levels.

A DEVELOPMENT BY THE CITY COUNCIL (cont'd)

1 Code No DER/704/1380

Flood Risk

The additional information on flood risk was asked for by the Environment Agency. The increase in impermeable area is some 3220sq m. over existing conditions, largely because on much of the route the sites of the demolished former houses were grassed over and so have to be counted as permeable. The additional run-off will be balanced and the details have been accepted by the EA. This aspect of the scheme is not controversial.

Contamination

Contamination is another area where the EA asked for more work. The conclusion is that the risks are moderate to very low and any material unsuitable for retention will have to be taken off site. As is always the case with potential contamination it is impossible to know the entire picture in advance and permissions have to be issued on this basis.

Archaeology

The archaeological work builds on that already done when the application was first considered by Members and involved excavations in all promising areas that were accessible. The conclusions are that the initial ES conclusion of a possible “moderate adverse” effect can now be lowered to a “slight adverse” effect.

There remains the question of possible items of interest beneath land that is currently inaccessible, either because the City Council does not own the land or it contains buildings that will only be demolished for the scheme. Some of these cannot be demolished because of conditions imposed by the Secretary of State, but on others I have indicated that premature demolition should not take place just for the purpose of archaeological exploration. I recommend a condition to ensure that such areas are properly evaluated at the commencement of works. It may be that investigation could take place in the context of development of the adjacent land but that is not a matter for this application.

The sections on alternatives to the proposed scheme and on cumulative impacts have been added to rectify perceived weaknesses in the original ES. For alternatives, the work already existed in the form of consultation documents and Cabinet reports but it is now summarised in the ES.

Cumulative impacts arise from traffic-generating developments likely to come on stream and affect the traffic levels on the road. The traffic model takes them into account although it necessarily relates to a fixed point in time. Potential and committed schemes are a moving target and it is impossible to revise continually.

A DEVELOPMENT BY THE CITY COUNCIL (cont'd)

1 Code No DER/704/1380

The section on minor amendments covers both those in this planning application, (items (a) to (d) in the “amendments” section of description of the proposals) and concludes that they do not affect the overall conclusions of the ES.

The chapter on the alternative built form proposals for the King Street Link and the Five Lamps area evaluates all the possible built form mitigation measures. The King Street Link and the Five Lamps works are still classified as having “moderate adverse” effects although it recognises that each of the alternatives would improve on the conditions that would have resulted from the first version of mitigation.

In summary, the supplement concludes that the amended and further information reveals nothing significantly different to conclusions of the original ES, that the impact of the minor amendments to the scheme is neutral, and that the potential built form mitigation is slightly better.

Observations on objections

The criticisms of most of the minor amendments cannot possibly be substantiated and the only one that raises any significant matters is the car park for the Seven Stars where the application moves from its original indication of a possible car park to a definite one. As I have explained above in relation to this item I am satisfied that a concentrated parking area is preferable to a dispersed one. There is no point in enlarging the site to allow planting within it as this would only be at the expense of a discrete landscaped area. High-quality surfacing will be required with drainage not exacerbating run-off into the surface water sewers.

The comments of the Assistant Director, EH&TS, answer adequately the criticisms of the air quality work. I would simply add that whatever base date is used, the conclusion is that the scheme will generally have a positive effect on air quality. That is the factor by which the air quality impact should be judged, not by the fact that odd points can be identified where it will be worse.

Conclusions

The minor amendments are just that, so minor as to be insignificant except for the Seven Stars car park which I consider to be acceptable and no more than what was envisaged, but via a separate application, in the original scheme.

A DEVELOPMENT BY THE CITY COUNCIL (cont'd)

1 Code No DER/704/1380

The supplementary ES gives more assurances in certain areas and concludes a neutral to slightly better impact than was available at the time of the first consideration of this application

This Committee is not the body that decides whether to build the road; that is for Cabinet and Council and the decision has been made there. This Committee's function is to determine a planning application according to planning law. The proposals are wholly in accordance with those policies in the adopted Local Plan that foreshadow the construction of the remainder of the Inner Ring Road and associated works.

At its root, opposition to it is based on the quite irrational proposition that the Local Planning Authority should not follow the principle in section 54a of the Act in that the objectors think that "other material circumstances" should be given such weight as to lead to a refusal.

Subject to the conditions set out below, I consider that planning permission can now be issued for the proposals

11. Recommended decision and summary of reasons:

11.1 To grant permission with conditions.

11.2 Summary of reasons: The proposal has been considered against the Structure Plan, Adopted City of Derby Local Plan Review (CDLPR) policies, the duties under the Planning (Listed Buildings and Conservation Areas) Act 1990, the provisions of PPG15 and PPG16 as set out in Section 9 of this report and all other material considerations.

Primarily, the proposals will fulfil the objectives of policies T2 / CC16 of the adopted CDLPR. The proposals also help to meet the Key Planning Objectives and policies R1, R2, T1, T6, T7 and T8 of the CDLPR. They are either compatible with policies E18 and E19 and other policies or, if not totally compatible, are acceptable because greater weight can properly be given to the achievement of objectives enshrined in policies related to the specific project.

Similarly, whilst aspects may not be totally desirable in relation to the duties in Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to the advice in PPG15, the overall benefits and policy considerations above are sufficient to justify the areas of harm to the historic environment.

11.3 Conditions

A DEVELOPMENT BY THE CITY COUNCIL (cont'd)

1 Code No DER/704/1380

The list below is what I have identified at the present time may be suitable for formal conditions. I have specifically excluded conditions to achieve objectives more appropriately dealt with under other powers such as the Water Act, the Highways Act or wildlife protection legislation. Also, I do not recommend the use of conditions to regulate the manner that the works are carried out, apart from a general indication of acceptable working hours. Concerns in this area are more properly addressed through the Construction, Design and Management Regulations.

Whilst I have framed these conditions on the basis that there has to be a distinction between the City Council's functions as planning and as highway authority, I am nevertheless aware that the permission will be under Regulation 3 and the permission will be "personal" to the City Council. I have therefore avoided conditions where monitoring and discharge would depend substantially on advice from within the Highways Division as such would add nothing to the quality of the development nor to accountability.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Before commencement of the development hereby approved full details of the landscaping scheme shown on the general arrangement drawing and proposed elsewhere in connection with the development shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out no later than the first planting and seeding seasons following completion of the road construction and any trees which within a period of five years from the implementation of the scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.
3. The permitted hours of working shall be: 07.00 to 19.00 Monday to Friday and 07.00 to 17.00 Saturday. No construction work shall be carried out at any other time including Sundays and Bank Holidays except in the case of emergency or as otherwise approved in writing by the Local Planning Authority.
4. Details of the colour scheme for the street furniture and other structures shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
5. All buildings / structures / walls affected by this proposal and within areas identified in the submitted documents as having heritage interest

A DEVELOPMENT BY THE CITY COUNCIL (cont'd)

1 Code No DER/704/1380

shall be are subject to adequate recording as recommended in the various Historic Buildings and Archaeological Assessments (to appropriate RCHME level). Other demolitions shall be recorded by photographs before and during demolition. Once completed, the record shall be forwarded to the Local Planning Authority. .

6. No development in any parts of the works where potential archaeological interest has been identified in the documents forming part of the application shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) submitted by the applicant and approved by the by the Local Planning Authority.
7. The site remaining after the demolition of 40 West Avenue shall be developed in accordance with planning permission DER/806/1312 and such reserved matters as may be approved (or such permission for equivalent development as may supersede it) not later than concurrently with the works.
8. The boundary walls and gate piers fronting Stafford Street shall be reinstated on the new back of footway using reclaimed materials and details to match the existing. If sufficient material is not available alternative materials to the approval of the Local Planning Authority shall be sourced.
9. No development shall be commenced on phase 3b until:
 - (i) full details of accommodation works to the retained Seven Stars curtilage have been submitted to and approved in writing by the Local Planning Authority;
 - (ii) full details of surfacing materials, guardrails and street furniture between St Helen's Street and Lodge Lane have been submitted to and approved in writing by the Local Planning Authority
 - (iii) full details of surfacing materials, guardrails and street furniture between Kedleston Street and Kedleston Road, including to the limit of the works in that road, have been submitted to and approved in writing by the Local Planning Authority
10. No development shall be commenced on the length within Friar Gate Conservation Area until full details of surfacing materials, guardrails and street furniture have been submitted to and approved in writing by the Local Planning Authority.
11. Specifications of all surfacing materials and specifications/ drawings of barriers, walls and fences shall be submitted to and approved by the

A DEVELOPMENT BY THE CITY COUNCIL (cont'd)

1 Code No DER/704/1380

Local Planning Authority before development is commenced. Within Conservation Areas and adjacent to listed buildings (to which conditions 7, 8, 9 and 10 above relate) such details shall indicate appropriate quality materials.

12. This permission shall relate to drawing Nos:

(a) for information only: WP42/PA/01; WP42/PA/02; WP42/PA/03; WP42/PA/04; WP42/ES/25; WP42/ES/42; WP42/ES/43; WP42/ES/44; WP42/ES/55.

(b) relating to the construction: AS/GEN/29C; AS/GEN/76; WP42/PA/06; WP42/PA07; WP42/PA/08; WP42/PA/09; WP42/PA10; WP42/PA11; WP42/PA/12; WP42/PA13; WP42/PA/14; AS/PA/02; AS/PA/03; AS/PA/05A; AS/PA/08; WD/11494/A001; WD/11494/A002 REV A;

11.4 Reasons

1. As required by Sections 91 – 92 of the Town and Country Planning Act 1990.
2. Standard Reason E10 (add: “in accordance with the objectives of policy E17 of the adopted City of Derby Local Plan Review - 2006”)
3. To protect the amenities of nearby residential and commercial properties in accordance with the objectives of policies GD5(d) and (e) and E12 of the adopted City of Derby Local Plan Review – 2006.
4. Standard Reason E26 (add: “in accordance with the objectives of policy E23 of the adopted City of Derby Local Plan Review - 2006”)
5. To ensure that these items are properly recorded in accordance with the objectives of policies E18 and E21 of the adopted City of Derby Local Plan Review – 2006.
6. To ensure that these items are properly recorded in accordance with the objectives of policy E21 of the adopted City of Derby Local Plan Review – 2006.
7. To ensure that the approved mitigation development is put in place in conjunction with the road construction, in accordance with the objectives of policy E18 of the adopted City of Derby Local Plan Review – 2006.
8. To ensure that the approved mitigation development is put in place in conjunction with the road construction, in accordance with the

A DEVELOPMENT BY THE CITY COUNCIL (cont'd)

1 Code No DER/704/1380

objectives of policy E19 of the adopted City of Derby Local Plan Review – 2006.

9. To ensure that these details, which are in sensitive locations, are compatible with their surroundings and with the objectives of policies E18 and E19 of the adopted City of Derby Local Plan Review – 2006.

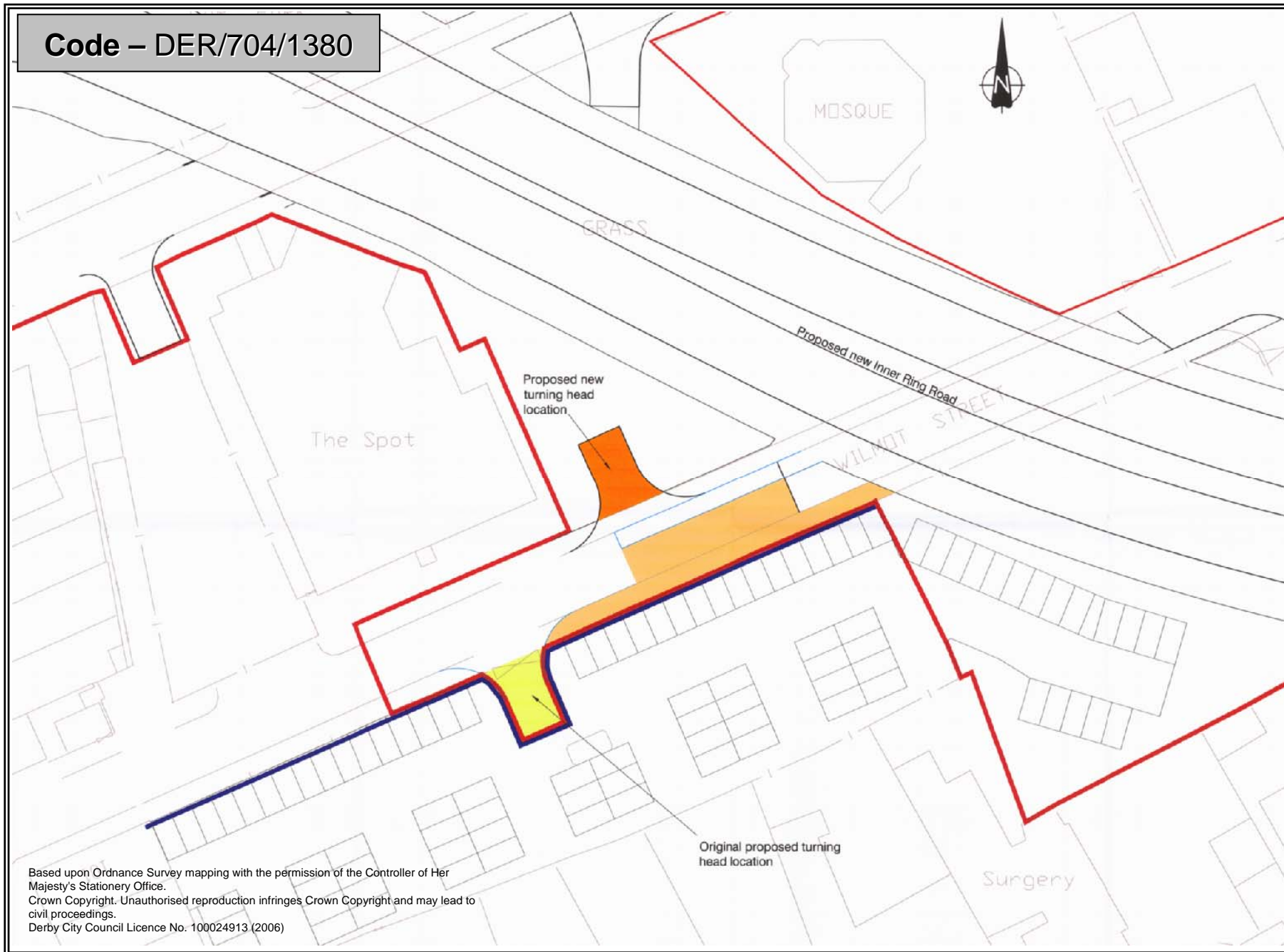
10. To ensure that these details, which are in a sensitive location, are compatible with their surroundings and with the objectives of policies E18 and E19 of the adopted City of Derby Local Plan Review – 2006.

11. To ensure that these details are compatible with their surroundings and with the objectives of policies E18, E19 and E23 of the adopted City of Derby Local Plan Review – 2006.

12. Standard Reason E04.

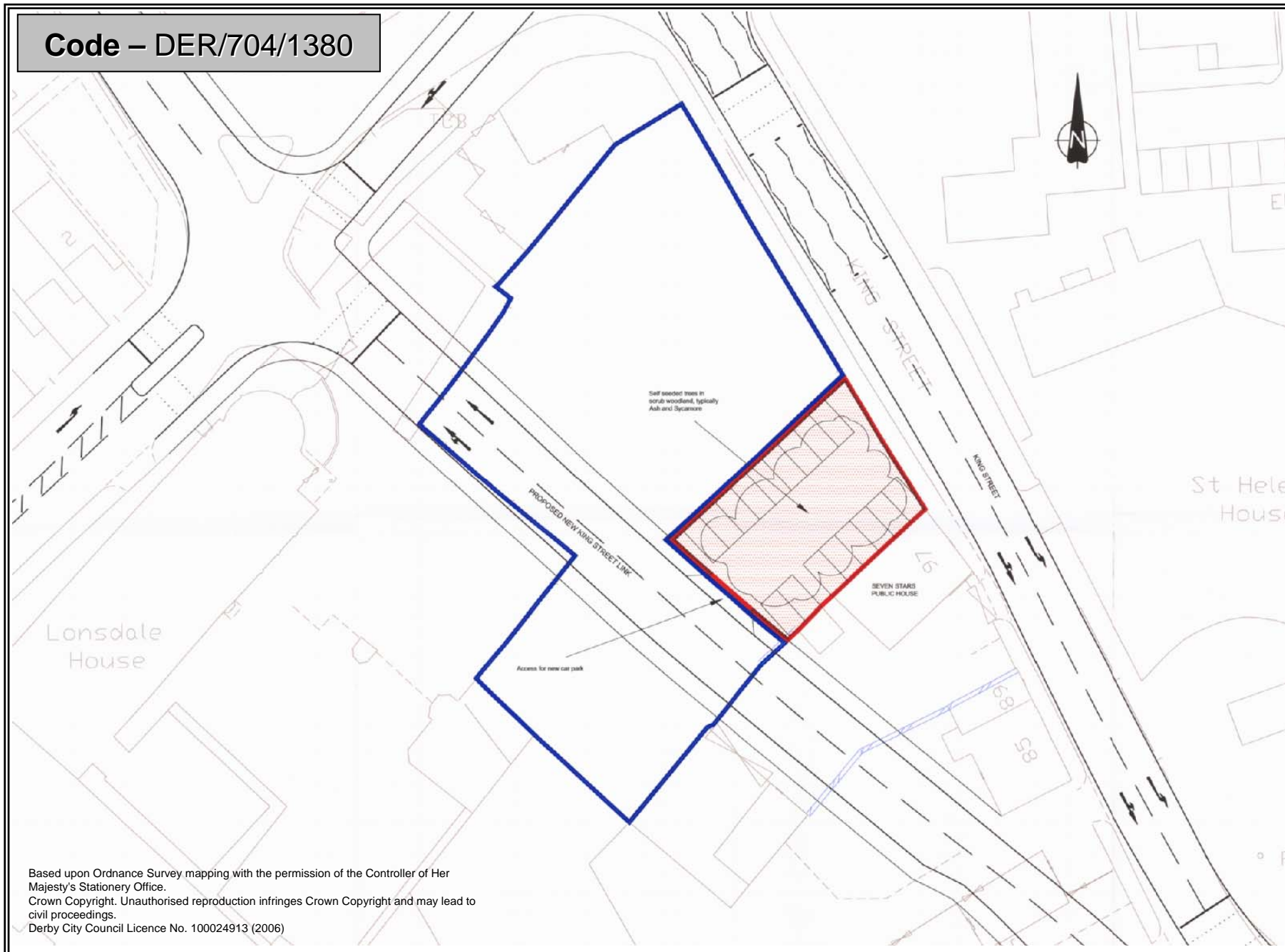
11.5 106 requirements where appropriate: None.

Code – DER/704/1380



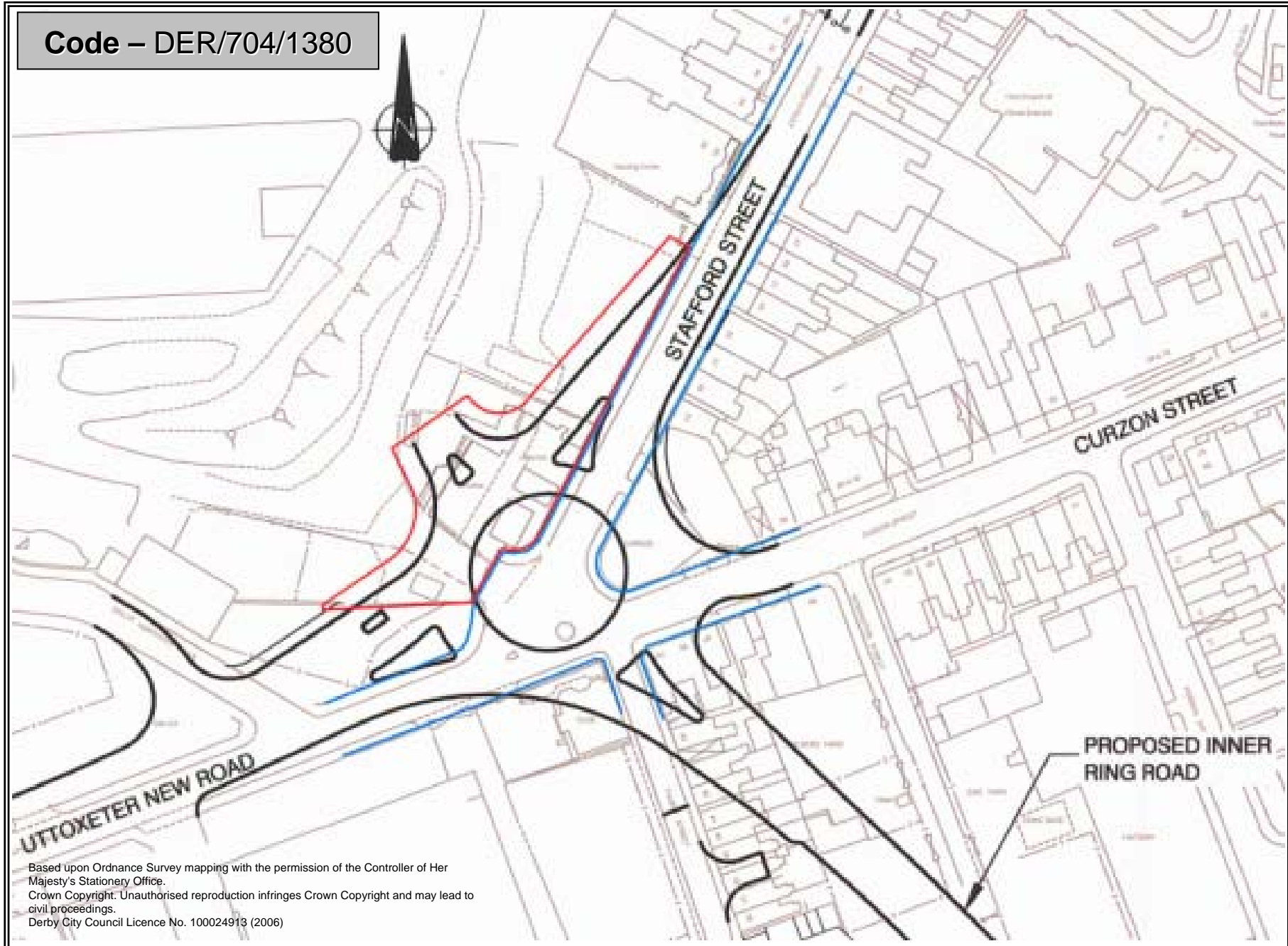
Based upon Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office.
Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings.
Derby City Council Licence No. 100024913 (2006)

Code – DER/704/1380



Based upon Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office.
Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings.
Derby City Council Licence No. 100024913 (2006)

Code – DER/704/1380



Based upon Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office.
Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings.
Derby City Council Licence No. 100024913 (2006)

Code – DER/704/1380



Proposed Extension
This Application

Nursing Home

Aquisition of Land By Derby City
Council Highways (for this
Applicant) From other Ownership.
Not included in this Application

Turning

Line of New Road by DCC
Highways

STAFFORD STREET

Bl & Ward Bdy

Based upon Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office.
Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings.
Derby City Council Licence No. 100024913 (2006)

B1 APPLICATIONS

1 Code No: DER/706/1161

Type: Outline (all reserved matters)

1. **Address:** Site of 63 – 65 and rear of 61 Nottingham Road, Spondon
2. **Proposal:** Residential development
3. **Description:** This site on Nottingham Road, Spondon, comprises the rear garden of a detached dwelling at No.61, together with a childrens nursery and associated curtilages at Nos.63- 65. There are two period buildings close to the site frontage and numerous ancillary outbuildings to the rear, on a relatively level site. Existing vehicle access and off-street parking are sited off Nottingham Road. The surrounding locality is characterised by a mix of commercial and residential uses. There is a boarding cattery at the adjacent property and traditional semi-detached and detached housing nearby. An extensive area of public open space lies to the north of the site.

Outline permission is sought for residential development on the site, which is approximately 0.2 hectare in area. All matters are reserved for a future application. No details of a layout or number of units has been submitted, although vehicular access is indicated to be achieved off Nottingham Road.

4. **Relevant Planning History:** None
5. **Implications of Proposal:**
 - 5.1 **Economic:** None
 - 5.2 **Design and Community Safety:** No details of design or layout accompanied this application and as such these matters would be considered under a future reserved matters application. No adverse community safety implications would arise from the proposed residential use of the site.
 - 5.3 **Highways:** A centrally placed access within the frontage would enable an optimal visibility onto the highway. No objections subject to details being submitted of parking and vehicle access.
 - 5.4 **Disabled People's Access:** Not applicable at this outline stage.
 - 5.5 **Other Environmental:** A substantial proportion of the site is built on or hardsurfaced, whilst the rear of No.61 is primarily lawned. There is a relatively limited number of small trees towards the northern boundary, which have minimal amenity value.
6. **Publicity:**

B1 APPLICATIONS (cont'd)

1 Code No: DER/706/1161

Neighbour Notification letter		Site Notice	
Statutory press advert and site notice		Discretionary press advert and site notice	
Other			

7. **Representations:** Four letters of objection have been received and copies are reproduced. The main issues raised are as follows:

- The proposed residential development of the gardens would amount to a significant change of use, which would be detrimental to the living conditions of nearby residents
- It would result in a considerable increase in traffic on Nottingham Road, leading to additional parking on the highway and a potential hazard to local people
- Nearby properties would be overlooked by the proposal and residents amenities would be undermined
- If the nursery moved to the adjacent dwelling, No. 61 it would undermine residential amenities
- The proposal would generate a significant level of noise and disturbance.

8. **Consultations:**

DCS (EnvHealth) – A preliminary site investigation report should be submitted before development commences and where potential contamination is identified a risk assessment and site investigation should be carried out. These requirements can be secured by a planning condition.

9. **Summary of policies most relevant:** Adopted City of Derby Local Plan Review policies:

GD5 – Amenity
H13 – Residential development on unallocated land
E10 – Renewable Energy
E17 – Landscaping Schemes
E23 – Design
T4 – Access, parking and servicing

B1 APPLICATIONS (cont'd)

1 Code No: DER/706/1161

The above is a summary of the policies that are relevant. Members should refer to that copy of the CDLPR for the full version.

- 10. Officer Opinion:** Permission is sought for residential development of three adjoining properties, with long narrow curtilages, which are currently in a single mixed business and residential use. The site lies within a densely built up frontage of mainly residential properties and it amounts to a brownfield site, as defined by PPG 3 (Housing). The proposed redevelopment of the site for a more intensive form of residential use, would accord with the objectives of national planning guidance and Policy H13, since it would represent a more efficient use of land and is capable of accommodating a good quality form and layout. This site is in a relatively accessible location, on a main road and public transport route. The site is therefore considered to be appropriate in principle for residential development.

Although details of siting and design are reserved matters in this case, the proposed development would be capable of forming a high quality living environment and maintaining an appropriate standard of privacy and amenity for nearby residential properties. The adjacent semi-detached dwellings on Nottingham Road have long narrow rear gardens and a suitable residential layout could be created, which would not result in undue overlooking or an oppressive impact on the neighbouring residents.

A development served off a single point of access is envisaged, which would meet the Council's Highways requirements. Having regard to the site area and its location, the likely traffic generation on Nottingham Road would not be significant. The Council's Highways Officer has not raised any objections to additional residential development and overall I am satisfied that highway safety in the local area would not be compromised.

A limit of no more than 9 dwellings is sought on this site and as such the Section 106 thresholds for contributions are not exceeded. This would be in line with the density criteria in Policy H13, since this number of units would amount to 37 dwellings per hectare. The upper limit of dwellings can be secured by a planning condition. It should be borne in mind that this condition does not necessarily mean that 9 dwellings would be developed on the site.

11. Recommended decision and summary of reasons:

11.1 To grant permission will conditions.

B1 APPLICATIONS (cont'd)

1 Code No: DER/706/1161

11.2 Summary of reasons: The proposal has been considered in relation to the provisions of the adopted City of Derby Local Plan Review and all other material considerations as indicated in 9 above and would be an appropriate form of residential development, which would be in keeping with the local streetscene and would create a satisfactory living environment subject to approval of appropriate details.

11.3 Conditions

1. Standard condition 01 (outline permission)
2. Standard condition 02 (reserved matters)
3. Standard condition 38 (disposal of sewage)
4. Standard condition 100 (contamination)
5. The siting, design, layout and orientation of the building shall have full regard to the need to reduce energy and water consumption.
6. This permission shall imply approval for the erection of no more than 9 dwellings within the red edged site.

11.4 Reasons

1. Standard reason E01
2. Standard reason E02
3. Standard reason E21
4. Standard reason E49
5. Dwellings that are south facing, having solar panels and/or wind turbines and water conservation measures will help to reduce energy consumption reducing pollution and waste....policy E12
6. A more intensive development would attract contributions to be secured by a legal agreement, which have not been sought for this proposal.

Code – DER/706/1161



B1 APPLICATIONS (cont'd)**2 Code No:** DER/706/1202**Type:** TPO

1. **Address:** Site of Four Winds 672 Burton Road
2. **Proposal:** The felling of 2 Ash trees protected by tree preservation order No 181 1998.
3. **Description:** The trees all lie within the grounds of the former dwelling house at Four Winds, 672 Burton Road. The site was granted planning permission for redevelopment last year. The original dwelling has now been demolished and redevelopment of the site for 18 apartments is now underway. The site has a number of large and smaller trees mainly around the periphery of the site many of which were not affected by the redevelopment itself.

The current application is for the felling of 2 trees that are protected by tree preservation order. The protected trees are two large Ash trees growing on the boundary between the site of 672 Burton Road and 674 Burton Road indicated as T2 and T3 on the application plan.

4. **Relevant Planning History:** DER/305/471 Erection of 18 apartments with two garage blocks and parking spaces. Granted with conditions 22/7/05.

DER/805/1274 Various works to 2 Sycamore, 2 White Beam, 8 Lime, 3 birch 1 Deodar Cedar, 1 Oak, 3 Red Oak trees all protected by tree preservation order. Consent granted with conditions 11/11/2005.

5. **Implications of Proposal:**

- 5.1 **Economic:** None.

- 5.2 **Design and Community Safety:** None.

- 5.3 **Highways:** None.

- 5.4 **Disabled People's Access:** None.

- 5.5 **Other Environmental:** The proposal would result in the loss of 2 large ash trees that provide a significant visual amenity in the area.

6. **Publicity:**

Neighbour Notification letter	12	Site Notice	
Statutory press advert and site notice		Discretionary press advert and site notice	
Other			

B1 APPLICATIONS (cont'd)

2 Code No: DER/706/1202

7. **Representations:** Five letters of objection have been received two of which are from the same person. Copies of these are reproduced.

The grounds for objection include:

- Loss of public amenity
- Affect on wildlife
- Loss of privacy
- Loss of screening.

8. **Consultations:** Both Ash trees have decay present and have lost branches in recent months. Decay of this nature can kill trees by the girdling action of the canker, however it is more likely that the trees could fail causing damage to life or property. They could be safely retained by reducing them by at least a third, (topping). This is not good practice and would result in the loss of the trees as an amenity anyway.

I recommend approval of the application conditional upon replacement of trees of a suitable size and species in positions to be determined

9. **Summary of policies most relevant:** None.

10. **Officer Opinion:** The trees all lie within this site which is currently undergoing redevelopment. The original dwelling has now been removed and redevelopment by the erection of 18 apartments is already underway. Members may remember attending a visit to the site prior to the application being determined. The application trees were shown on the tree survey accompanying that application and were recommended for removal in that survey. However, as it was not a necessity for them to be removed for the development to take place, the applicants were advised that the removal of trees protected by tree preservation order would be more appropriately be dealt with by an application for tree preservation order consent. This is the application now submitted.

The two Ash trees are tall mature specimens which have significant impact in the streetscene and provide a significant visual amenity to members of the public. They have been inspected by the arboricultural officer and he says that both trees have decay and have lost branches in recent months. The decay could cause the trees to die or to become a serious danger through failing branches. He recommend that approval be given to the removal of the trees subject to conditions requiring that replacement trees be planted of a suitable size and species in positions to be agreed.

B1 APPLICATIONS (cont'd)

2 Code No: DER/706/1202

In the light of this expert opinion I consider that there is little alternative than to accept this advice and grant consent for the removal of the Ash trees but requiring that replacement trees be planted.

11. Recommended decision and summary of reasons:

11.1 To grant consent with conditions.

11.2 Summary of reasons: There is a clear arboricultural justification for the removal of the 2 Ash trees in this case.

11.3 Conditions

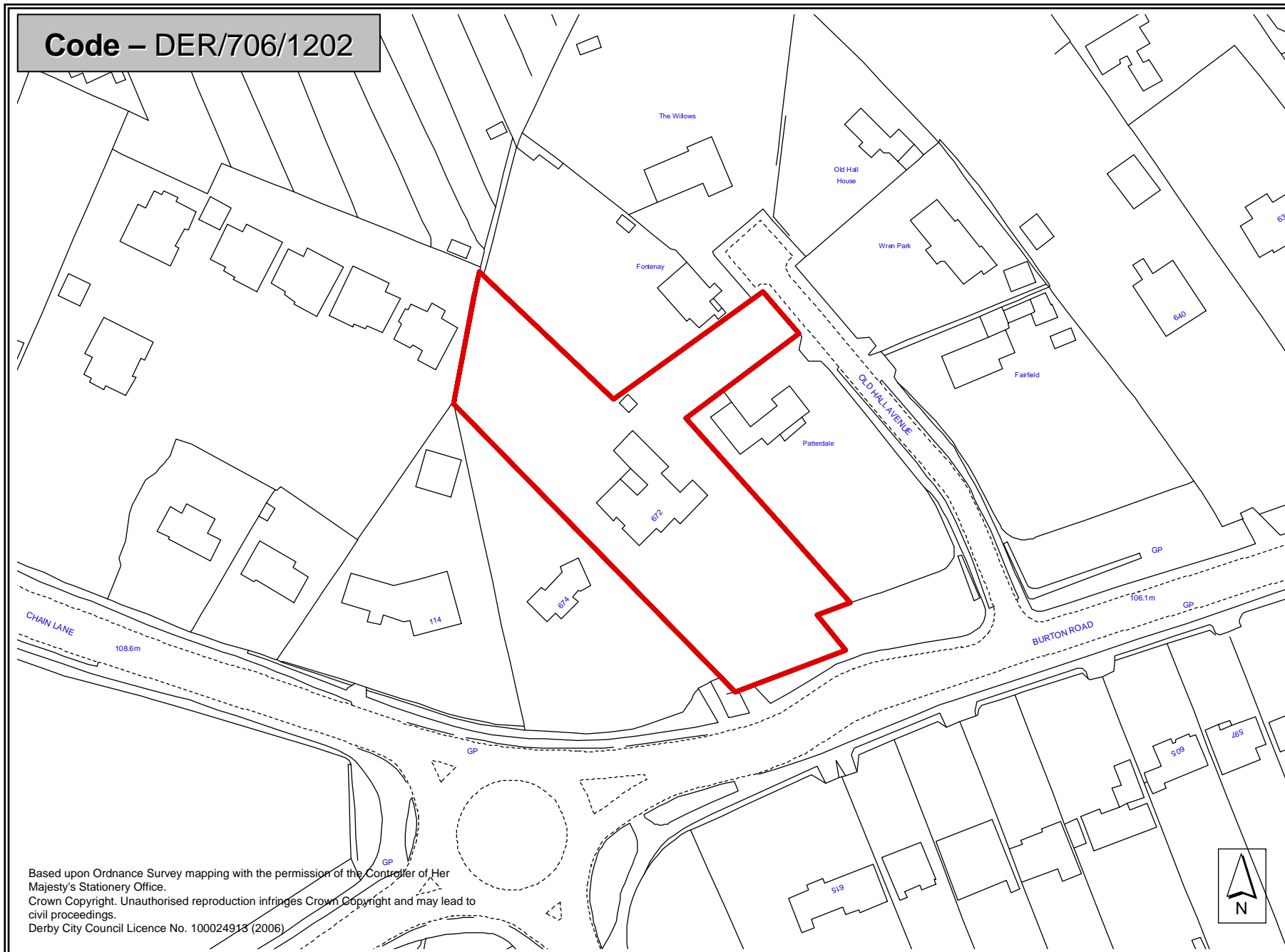
1. Standard condition 56... replacement trees.
2. Standard condition 57...maintenance of replacement trees.

11.4 Reasons

1. Standard reason E32...visual amenity and tree health.
2. Standard reason E32...visual amenity and tree health.

11.5 S106 requirements where appropriate: -

Code – DER/706/1202



Based upon Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office.
Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings.
Derby City Council Licence No. 100024913 (2006)

B1 APPLICATIONS (cont'd)**3 Code No:** DER/906/1449**Type:** Full

1. **Address:** Unit 3, Lock-up Yard, Corn Market
2. **Proposal:** Change of use to Hot Food Shop
3. **Description:** This unit is one of five on the southern side of Lock-up Yard. They are market-stall type units set back beneath a canopy. It is currently vacant. Other uses in the Yard comprise two restaurants, a public house, a travel agent and a flower shop. The Market was created in the 1970s to replace the one demolished where Osnabrück square now stands. Even then it was a scaled down version of the original to reflect falling demand for a fresh fish, game and poultry market. Further changes in shopping habits have resulted in this unit being vacant for some considerable time
4. **Relevant Planning History:** As above.
5. **Implications of Proposal:**
 - 5.1 **Economic:** None.
 - 5.2 **Design and Community Safety:** None.
 - 5.3 **Highways:** None.
 - 5.4 **Disabled People's Access:** None.
 - 5.5 **Other Environmental:** Whilst hot food shops can affect amenity adversely, the nature of the surroundings and the adjacent wet fish stall uses make this unlikely here.
6. **Publicity:**

Neighbour Notification letter		Site Notice	
Statutory press advert and site notice		Discretionary press advert and site notice	
Other			

7. **Representations:** None.
8. **Consultations:**

CAAC - Object and recommend refusal on the grounds that the loss of this A1 retail use within the specialist single-use range of kiosks would detract from the retail-market character of the Lock-up Yard and

B1 APPLICATIONS (cont'd)

3 Code No: DER/906/1449

thereby fail to preserve the special character of the this part of the City Centre Conservation Area.

DofC&ASS (EH&TS) – No objection subject to fume extraction being provided.

Police – The provision of waste bins should be considered.

9. Summary of policies most relevant: Adopted CDLPR:

- GD5 - Amenity
- CC1 - City Centre Strategy.
- CC2 - City Centre Shopping Area.
- S12 - Financial and professional services and food and drink uses.
- T4 - Access, parking and servicing.
- T10 - Access for disabled people.

The above is a summary of the policies that are relevant. Members should refer to their copy of the CDLP Review - 2006 for the full version.

- 10. Officer Opinion:** The site is within the central shopping core but is not a protected frontage and there is no policy objection to the loss of an A1 unit. It seems that the CAAC objects not so much to the proposed use as to the loss of the existing use. That loss, even if it were detrimental to the character of the conservation area, is quite outside planning control. The unit could be let for any normal retail trade without the involvement of the planning system and there is no legal or policy basis for attempting to preserve character through the retention of specific retail trades. I consider that the CAAC is being unrealistic in expecting a wet fish stall ever to be re-opened here. The City Council, as owner, could decide to let it only as wet fish stall but has not done so because it recognises the impossibility of a successful letting.

I do not see amenity as a problem. The use will probably produce no more odour than the existing nearby uses. However, a flue should be required and this can go through the roof. If it can be short, it may be reasonable to approve it under the terms of the recommended condition but I will write a letter advising of the need for planning permission if it is more substantial. A hot food shop could operate as the fish stalls do, completely open, or a shop front could be put in; the letter should also cover that. There is no justification for any restriction on hours of operation.

B1 APPLICATIONS (cont'd)

3 Code No: DER/906/1449

Waste bins need to be considered comprehensively for Lock-up Yard rather than as an adjunct to individual stalls or shops and I am taking this up within the department.

11. Recommended decision and summary of reasons:

11.1 To grant permission with conditions.

11.2 Summary of reasons:

The proposal has been considered against the Adopted City of Derby Local Plan policies set out in (9) above and all other material considerations and is in conformity with them subject to the conditions imposed. It would bring back into use, for a purpose quite appropriate for a City Centre location, a vacant unit where there is no longer a demand for the original specific retail use.

11.3 Condition

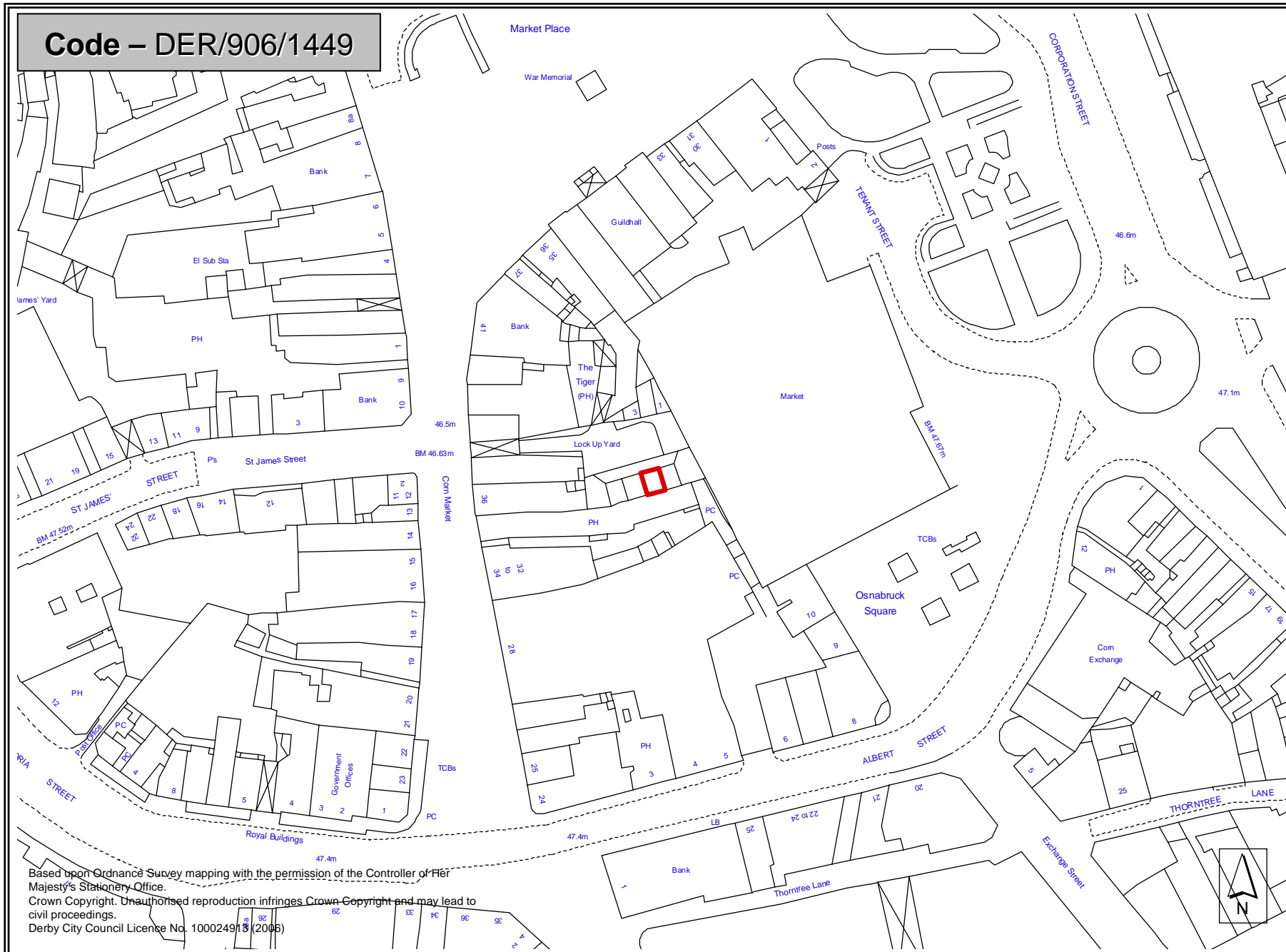
Standard condition 47 (fume extraction)

11.4 Reason

In the interests of the amenity of nearby premises and the immediate environment of Lock-up Yard, in accordance with the objectives of policies S12 and E18 of the adopted City of Derby Local Plan Review – 2006.

11.5 S106 requirements where appropriate: None.

Code – DER/906/1449



Based upon Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office.
Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings.
Derby City Council Licence No. 100024913 (2006)

B1 **APPLICATIONS** (cont'd)

- 4 **Code No:** DER/806/1340, DER/806/1341 **Type:** Full, Listed Building
DER/806/1342 Consent & Conservation
Area Consent
1. **Address:** Eborn House, Nursing Home, Fraser Hall, Dovedale and Trent Houses, Leylands Estate, Broadway
 2. **Proposal:** Demolition of nursing home, extension and alterations to Eborn House, erection of 38 extra care flats, extension to Fraser Hall to provide residents lounge and glazed link, external alterations to Dovedale and Trent Houses and formation of car parking and landscaping scheme
 3. **Description:** Applications for full planning permission, listed building consent and conservation area consent have been submitted for alterations and redevelopment on part of the Leylands Estate, off Broadway. The estate is a self-contained residential area for retired people, built in the 1950's, which is managed by the Retail Trust. The estate is a Conservation Area, with a Grade II Georgian building, dating from about 1820 at its centre, known as Eborn House. The listed building is a former two storey dwelling, in white render and is the oldest building on the estate. The cottages and communal facilities are from the post war period and of similar design and form. The existing nursing home is a flat roof, single storey building, with an S- shaped layout, which is currently vacant. Fraser Hall, Dovedale and Trent Houses have similar architectural features and use similar materials. The hall provides community facilities for the residents of the estate and both Dovedale House and Trent Houses are apartment blocks with 8 flats each.

The proposals are intended to modernise and enhance residential accommodation and facilities for the elderly residents of the Leylands. Changes to housing standards and requirements are an important factor which has led to the proposed development of new high dependency residential accommodation, referred to in the application as extra care flats. It is also proposed to upgrade the existing 16 flats in Dovedale and Trent Houses, involving modest external alterations to both buildings. Other objectives of the scheme are to provide modern social and communal facilities and improve accessibility and linkages around the estate for all residents.

The scheme relates primarily to the residential care accommodation and community facilities located in the central part of the estate. It would involve demolition of the post war, 29 bed nursing home and replacement with a two storey building of similar layout and siting, to provide 38 extra care flats. The new building would incorporate design features, reflecting those on the 1950's cottages and apartment blocks, such as hipped rooflines, with parapet eaves and two storey bay

B1 APPLICATIONS (cont'd)

4 Code No: DER/806/1340, DER/806/1341, DER/806/1342

windows. It would have a lower ground floor section, utilising the fall in gradient across the site. There would also be an atrium in the roof sections to allow light to the centre of the building. Fraser Hall would be subject to internal alteration and a single storey lounge extension on the south elevation. The extension would be semi-circular in layout up to 10 metres in depth, with a continuous row of full length windows and hipped roofline. A glazed corridor extension would link this extension with Eborn House and the new extra care flats and provide level access between the three buildings. Single storey and two storey annexes on the northern end of the 19th Century Eborn House would be demolished and replaced with a single storey restaurant extension, 9.5 metres x 13 metres in area and a semi-circular feature on the end. It would have a shallow pitched roofline with central atrium. Various internal alterations are proposed, which involve partitions to form toilet facilities and a lift shaft, removal of existing partitions and part removal of internal walls to remodel kitchen and servery. On the rear elevation, glazed panel doors would be inserted to replace two original window openings. The flats in Dovedale and Trent Houses would be remodelled with resultant changes to the front and side elevations of both buildings in terms of altered window openings, new front door canopies and external rendering to part of the front elevation. Finally, there would be alterations to footpaths and car parking areas to improve accessibility and circulation around the site. Dedicated parking provision for staff, residents and disabled people would be laid out. The communal garden would be landscaped, involving regrading of levels, provision of new footpaths and landscape features.

4. Relevant Planning History: Nothing of relevance.

5. Implications of Proposal:

5.1 Economic: None

5.2 Design and Community Safety: The proposed development would integrate characteristic features of the existing estate buildings and the overall scheme would complement the design and character of the Conservation Area and setting of the listed building. The estate is a self-contained residential enclave and a controlled environment. The proposals would in some respects improve security for residents, through its design and layout and by provision of internal linkages between buildings.

B1 APPLICATIONS (cont'd)

4 Code No: DER/806/1340, DER/806/1341, DER/806/1342

5.3 Highways: The development would have no significant impact on the highway network. The parking facilities on the site are considered to be adequate and it is not expected that parking would overspill on to Broadway, therefore there are no objections to the proposal.

5.4 Disabled People's Access: The proposals would result in significant improvements to the accessibility of existing buildings and between buildings around the site. The new dwellings would have high levels of accessibility within the design and therefore there would not be a need to secure lifetime homes. The overall scheme would secure significant numbers of accessible dwellings and deliver site access improvements.

5.5 Other Environmental: All the trees on the Leylands estate are protected by an area Tree Preservation Order. There is extensive tree cover in the area, although a relatively limited number would be affected by this development. Only five trees are proposed to be removed to accommodate the development, which includes a large Ash tree in the communal garden. This part of the estate is currently landscaped with lawn and ornamental shrubs and is subject to significant changes in levels across the site.

6. Publicity:

Neighbour Notification letter	27	Site Notice	
Statutory press advert and site notice	*	Discretionary press advert and site notice	
Other			

7. **Representations:** One letter of objection and one of comment have been received, copies of which are reproduced. The issues raised are as follows:

- The boundary hedge on the Penny Long Lane frontage should be retained at its present height to protect privacy for nearby residents.
- The potential disposal of part of the estate to the north and west of the Leylands is a cause for concern, in terms of its potential use. (However this matter is not being considered as part of this application)
- Concern about the development to form new residential extra care accommodation.

A letter of support from the Residents Association of the Leylands has also been received and a copy has been reproduced.

B1 APPLICATIONS (cont'd)

4 Code No: DER/806/1340, DER/806/1341, DER/806/1342

- 8. Consultations:** CAAC – No objection was raised to the principle of this major development proposal. Justification has been made for the demolition/ redevelopment of the former nursing home and the proposed new building is appropriately designed, with an acceptable relationship to the setting of the listed building and other buildings on the estate. The retention and adaption of Dovedale and Trent Houses was welcomed.

The proposals involving Eborn House, which include reinstatement of many of the internal rooms/ features and demolition of part of the service wing to create restaurant raised no objection in principle. However concerns were expressed over the semi-circular element of the proposed extension and to the extent of internal demolition within retained parts of the service wing. Recommended that these elements be discussed further with the applicant.

English Heritage – The architectural interest of Dovedale and Trent Houses depends heavily on their continuous strip of fenestration. No objection to blocking of openings internally, although external form of windows should remain.

Police – No objections to the proposal.

DCS (EnvHealth) – No objections.

DenvS (Arboricultural) - This scheme proposed removal of Ash, Birch and Apple. The latter two trees are showing early signs of decline and there are no objections to their removal. There is no arboricultural justification for the removal of the Ash tree and would recommend amendment of the building to facilitate its retention. Method statement will be required to protect retained trees during construction.

DCS (Social Services) – to be reported.

- 9. Summary of policies most relevant:** Adopted CDLPR policies:

- GD1 - Social Inclusion
- GD2 - Protection of the environment
- GD3 - Flood Protection
- GD4 - Design and the urban environment
- GD5 - Amenity
- H13 - Residential development on unallocated land
- E10 - Renewable energy
- E9 - Trees
- E17 - Landscaping schemes
- E18 - Conservation Areas
- E19 - Listed buildings and buildings of local importance
- E20 - Uses within buildings of architectural or historic importance

B1 APPLICATIONS (cont'd)

4 Code No: DER/806/1340, DER/806/1341, DER/806/1342

- E23 - Design
- T4 - Access and parking
- T5 - Off-street parking
- T10 - Access for disabled people

The above is a summary of the policies that are relevant. Members should refer to their copy of the CDLPR Review 2006 for the full version.

- 10. Officer Opinion:** This scheme of redevelopment and alterations to the main communal / social buildings and residential care accommodation would be significant, in terms of their impact on the built heritage and as a major development to provide new facilities for the residents of the Leylands estate. In addition to new development, the proposal would also involve revisions to the landscaping and car parking arrangements within the site. The proposals have been submitted on behalf of the Retail Trust and are sought to modernise accommodation and provide new community facilities for the benefit of their elderly residents. It is intended to bring existing provision up to current standards and to improve linkages and accessibility around the site. Overall the proposed scheme would be appropriate in principle and accord with the general policies of the adopted Local Plan.

The main issues raised by the development scheme are related to the historic and architectural importance of the Leylands estate and the impact of the proposals on its setting and on the integrity of the built form. It is a highly sensitive location, within the Conservation Area and includes Eborn House, a Grade II listed building. The general design and appearance of the new development would reflect that of the original buildings, which date primarily from the 1950's. Original design features of the estate are to be included in the new buildings and extensions. Their general elevational treatment would be in keeping with that of Fraser Hall, Dovedale and Trent Houses. The general layout and scale of the development proposals would be low rise and retain the domestic context of the Conservation Area.

The former 29 bedroom nursing home to be demolished was a later addition to the estate and is considered to make a limited aesthetic contribution to the Conservation Area. Its proposed demolition is considered to be appropriate on the basis of its limited merit and because it would be replaced with a good quality development, which reflects the design and form of the buildings on the wider site. The new extra care accommodation would be a two storey development, of increased height and improved design than the existing single storey nursing home, which I consider would make a positive contribution to the Conservation Area. The built form would be set into the gradient of the slope and would be partially screened from the Penny Long Lane frontage by existing mature landscaping and proposed tree planting. This would minimise the visual impact of the larger building on the surrounding streetscene.

B1 APPLICATIONS (cont'd)

4 Code No: DER/806/1340, DER/806/1341, DER/806/1342

The proposed lounge extension to Fraser Hall would complement the design and form of the main building and appear subordinate in scale. It would be adjoined to a lightweight glazed corridor, which would be transparent and would not detract from the form and appearance of the existing built form. The proposed external alterations to Dovedale and Trent Houses would mainly relate to the front elevation of both buildings, which are identical in design. They would involve blocking up of some windows and render to hide the blocked openings. The removal of some window openings is considered to be a relatively minor change, which is required due to the internal alterations to the existing flats. These are accepted as necessary design alterations, which would not have an undue impact on the overall character or interest of the buildings. In the absence of a render covering, the blocked up openings would have a somewhat poor appearance and as such the proposed render would give a clean finish.

The listed building at the centre of the site, Eborn House dates from the early 19th Century and differs significantly in appearance and form to the rest of the estate. The proposed alterations to this building relate mainly to the service wing to the north of the original dwelling. The end sections of the service wing to be demolished are later additions and the internal alterations would primarily involve removal of non-original features. These works are accepted in principle, since they would not intrude unduly into the main part of the building. External changes to window openings would not be detrimental to the appearance of the building, subject to details of their design and joinery, which can be dealt with by condition. The extent of internal demolition to the kitchen and servery, which would be adjoined to the proposed extension has raised some concern and the agent has agreed to reduce the amount of demolition. The proposed internal demolition should be balanced against the need to adapt the long term use of the building to achieve modern dining facilities for the benefit of the estate's residents. The impact of these works on the special interest of the overall building would not be significant and I am satisfied that they would amount to a sensitive alteration in accordance with PPG 15 and Policies E19 and E20.

The proposed extension to the listed building would be on the site of the demolished service wing and its general form and scale would be subservient to the main building. In design terms it would be largely sympathetic to the 19th Century building, although the semi-circular feature on the north elevation would be more reflective of the 1950's architecture, rather than the Georgian style of Eborn House. This feature has raised concern because it would be somewhat out of keeping with the listed building and revisions to this aspect of the scheme have been sought. Any amendments received will be reported orally.

The development proposals would result in the removal of five of the protected trees on the site. These trees, with the exception of the Ash in the

B1 APPLICATIONS (cont'd)

4 Code No: DER/806/1340, DER/806/1341, DER/806/1342

communal garden are of limited merit or life expectancy. The Ash tree is a large mature specimen, which currently has public amenity value and its loss would be regrettable. However, in order to secure retention of this tree, the footprint of the new extra care building would need to be amended and the proposed regrading of land levels to enable landscaping of the communal garden would also be compromised. The proposed landscaping indicates replacement semi-mature tree planting on the site and is intended to increase use by residents by improving accessibility for wheelchair users and enhance physical and visual linkages from the residential accommodation. Despite the concerns of the Arboricultural Officer, I consider that the loss of the Ash is justified in this case to enable provision of modern, high quality residential care accommodation and community facilities. The proposed alterations to the communal garden would also be an integral part of the development scheme and subject to detailed proposals including an appropriate landscaping scheme, it should enhance the setting of the listed building and of the other buildings on the site.

The proposals have sought to improve accessibility and mobility around the site for all residents, by overcoming physical constraints of the site, related to the sloping nature of the land and inadequacies with the existing accommodation. They would achieve these objectives, whilst protecting the setting and special character of the buildings on the Leylands. In this respect, the scheme would accord with Policy T10, relating to access for disabled people.

Overall the proposals would enhance the living environment of the Leyland's residents and provide enhanced social and community facilities. The only residential properties outside the site, who would be affected by the proposals are on Penny Long Lane, to the east of the site. The proposed two storey extra care flats would impact on the nearby dwellings, more than the existing single storey nursing home, due to its increased scale and height. However the new building would still be a minimum of 25 metres from the front windows of the dwellings on Penny Long Lane, which meets the normal requirements in terms of overlooking and privacy. The massing impact on nearby properties would also not be excessive. In general the residential amenities of nearby properties would not be unduly affected.

In conclusion, this scheme for redevelopment of the central part of the estate, would bring significant community benefits to the residents and would be of a high quality in terms of design and form. The proposals involve retention of the historic institutional use and would be sensitive to the historic and architectural interest of the listed building and its setting and to the character and appearance of the Conservation Area. The scheme would accord with the objectives of the adopted Local Plan policies and it is therefore recommended that full permission is granted and that Conservation Area and Listed Building Consent are granted.

B1 APPLICATIONS (cont'd)

4 Code No: DER/806/1340, DER/806/1341, DER/806/1342

11. Recommended decision and summary of reasons:

11.1 Code No. DER/806/1340 – Subject to the receipt of acceptable amended plans **to grant** planning permission subject to 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 at 9. above. The proposed redevelopment scheme would be an appropriate development and would fulfil the objectives of PPG3 and PPG 15 and would preserve the appearance and character of the Leylands Conservation Area and would not detract from the setting of Eborn House, a Grade II listed building.

11.3 Conditions

1. Standard condition 09A (Amended plans – received)
2. Standard condition 27 (external materials)
3. Standard condition 20 (landscaping scheme)
4. Standard condition 22 (maintenance of landscaping)

5. The details to be submitted for approval under Condition 3, shall incorporate new planting of semi-mature trees, specifying species and size of specimen and they shall be implemented in accordance with the approved scheme.

6. Standard condition 24 (Protection of trees – arboricultural method statement)

7. Standard 38 (disposal of sewage and drainage)

8. Standard 30 (hard surfacing)

9. Notwithstanding the indicated positions of bin stores to the front of Dovedale and Trent Houses on the proposed ground floor plan, submitted with the application, precise details of their design and siting shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with such approved details.

10. Before development commences, precise details of the replacement windows and entrance canopy for Dovedale and Trent Houses, to a scale of 1:10 or 1:20, to include details of joinery, cross-sections and depth of reveal, shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with such approved details.

B1 APPLICATIONS (cont'd)

4 Code No: DER/806/1340, DER/806/1341, DER/806/1342

11. Before development commences, precise details of the design and appearance of the projecting bay window features for the two storey residential development, to a scale of 1:10 or 1:20, shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with such approved details.

11.4 Reasons

1. Standard reason E04
2. Standard reason E14 ... policy E23
3. Standard reason E10 ... policy E17
4. Standard reason E10 ... policy E17
5. To compensate for the loss of trees due to the development to safeguard visual amenities of the surrounding area ... policy E17
6. Standard reason E11 ... policy E9
7. Standard reason E21
8. Standard reason E2 ... policy E23
9. The proposed siting of the bin stores would detract from the character and appearance of the conservation area and harm the setting of Dovedale and Trent Houses ... policy E18 and E23
10. To safeguard the character and integrity of the building and protect the character and appearance of the conservation area ... policy E18 and E23
11. To safeguard the character and appearance of the conservation area and ensure that the proposed development is sympathetic to the character and design of existing buildings on the site ... policy E18 and E23

Code No. DER/806/1341 – Subject to the receipt of amended plans for the extension to Eborn House, **to grant** listed building consent subject to conditions.

- 11.5 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 at 9. above. The proposed alterations and extensions would fulfil the objectives of PPG 15 and would not detract from the special character or setting of Eborn House, a Grade II listed building.

11.6 Conditions

1. Standard condition 09B (amended plans – received)
2. Standard condition 27 (external materials)

B1 APPLICATIONS (cont'd)

4 Code No: DER/806/1340, DER/806/1341, DER/806/1342

3. Before work commences precise details of new glazed door openings to be inserted in the rear elevation of the building, to a scale of 1:10 or 1:20 to include details of joinery, cross-sections and depth of reveal shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with such approved details.
4. Precise details of the appearance and resulting finish of openings to shall be formed through internal demolition to the kitchen and servery be submitted to and approved in writing by the Local Planning Authority and works shall be implemented in accordance with such approved details.

11.7 Reasons

1. Standard reason E04
2. Standard reason E14 ... policy E23 and E19
3. Standard reason E40 ... policy E19
4. Standard reason E40 ... policy E19

Code No. DER/806/1342 – **To grant** Conservation Area Consent subject to condition.

11.8 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 at 9. above. The proposed demolition of an unlisted building would fulfil the objectives of PPG 15 and would not detract from the special character or setting of the Leylands Conservation Area.

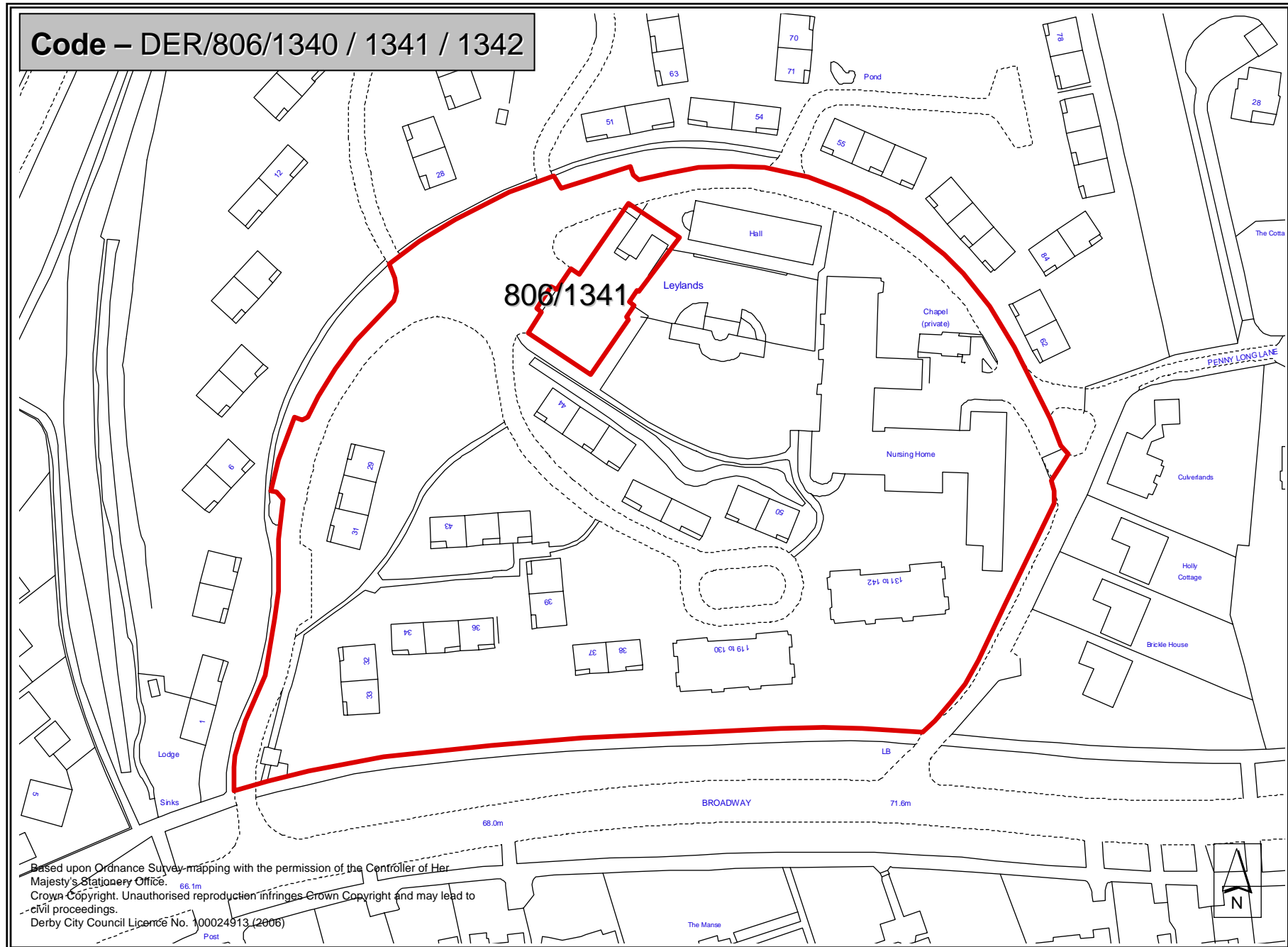
11.9 Conditions

None of the buildings shall be demolished until the Local Planning Authority has been provided with evidence of a contract for the redevelopment work granted permission under Code No. DER/806/1340.

11.10 Reasons

Demolition is justified only for the purposes of the implementation of that specific scheme which would result in an enhancement of the appearance of the Conservation Area. Should that scheme not proceed, the retention of the buildings would remain an option.

Code – DER/806/1340 / 1341 / 1342



Based upon Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office.
Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings.
Derby City Council Licence No. 100024913 (2006)

B1 APPLICATIONS (cont'd)

5 Code No: DER/906/1487

Type: Outline (means of access applied for)

1. **Address:** Site of TDG Novacold, Parcel Terrace
2. **Proposal:** Residential development
3. **Description:** Outline planning permission is sought, including means of access details, to redevelop this industrial site for residential purposes. The site currently accommodates a large industrial building which has been used by TDG as a cold store and distribution depot. The site covers an area of approximately 1.1 ha and is bounded by the existing Richard Hartley group of companies to the north and smaller scale commercial units to the west and south. Parcel Terrace turns through 90° and adjoins the east boundary and land levels on-site rise gently from the front boundary.

Planning permission is sought to develop the site for residential purposes. The proposed vehicle access into the site would be from a central position on the north boundary. A notional site layout has been submitted which illustrates the siting of buildings, car parking spaces, areas of on-site open space and footpath links. However, those details are not for Members consideration at this stage. The proposed development seeks to accommodate 130 dwellings on-site with complementary floorspace for A1, A3, A4 and A5 uses. The indicative layout shows a total of approximately 160 sqm of retail and food / drink uses spread over 2 locations. Those complementary facilities are aimed at serving the development.

Members may recall the recent grant of outline planning permission for residential development, with means of access details also granted, on the Richard Hartley site directly to the north. The planning permission, code no. DER/1005/1718, covers a slightly larger site (1.42 ha) and there is a conditional limit of 142 dwellings across that area. The developer's aim is to create a comprehensive form of residential development across both these sites to enable the complete relocation of the Richard Hartley group of companies from Parcel Terrace to a substantial part of the former QDF site on Victory Road. The local economic development implications of that move are included in section 5.1 of this report. Planning permission has been granted under delegated powers to facilitate the move onto the former QDF site. A 'planning statement' accompanies the application together with a design statement, transport assessment and contaminated land report.

4. **Relevant Planning History:** None of any relevance
5. **Implications of Proposal:**

B1 APPLICATIONS (cont'd)

5 Code No: DER/906/1487

- 5.1 Economic:** The redevelopment of the site is to enable the relocation and expansion of the locally based group of companies owned by Richard Hartley from his Parcel Terrace site. The planning statement that accompanies the application for the former QDF site provides information about the Richard Hartley companies which include 'Hartley Laminates', 'Motormania' and 'Midland Car Parts'. It is proposed to re-use and relocate 2 buildings from Parcel Terrace which would be sited centrally on the former QDF site. These buildings would provide approximately 2,830 sqm of floorspace. The 3 businesses would be relocated into existing buildings on the site which is currently undergoing refurbishment. Hartley Laminates is the boat building arm of the group and it would be relocated into the former castings building. The motor focused companies would be relocated into a separate existing building on the site and that building would be refurbished to create a mezzanine office suite and trade counter with supporting offices. I am advised that the overall relocation programme would create 64 new jobs, ranging from sales staff to senior management level staff. The Chair and Councillor Poulter inspected that site on 19 October.
- 5.2 Design and Community Safety:** Siting and design details are reserved for future approval, should outline planning permission be granted. Community safety issues would be considered as part of any detailed proposal. The indicative siting is broadly acceptable providing a central landscaped area.
- 5.3 Highways:** The application seeks approval only for the means of access to the site. Pre-application negotiations have taken place with the applicant to address the issue of traffic generation and the impact of the proposal on the existing highway network. The applicant has submitted a Traffic Assessment in support of the application. The TA which has been submitted indicates that the overall level of vehicular traffic to the site would fall with cars replacing lorries. The developer has offered to contribute towards potential improvements at the Parcel Terrace / Uttoxeter Road junction and this is incorporated in the Section 106 Agreement. The number of units proposed for the site is critical to the highway assessment. The suggested 130 dwellings indicated by the applicant is the scale for which their assessment has allowed. Any increase in development numbers, perhaps at a later stage, would need to be the subject of a fresh assessment.

B1 **APPLICATIONS** (cont'd)

5 **Code No:** DER/906/1487

Although the applicant has submitted an indicative layout for the development this does not form part of the application and has not been assessed. My colleagues have concerns about the highway design part of the indicative layout but those concerns can be used to assist with the preparation of any detailed application.

The provision of mobility units in the proposed development will be included in the S106 Agreement to accompany the outline permission.

5.4 **Disabled People's Access:**

5.5 **Other Environmental:**

Flood Risk

The agent hosted pre-application discussions with the EA following the work that was undertaken in relation to the adjoining site to the North. The EA has agreed that the Flood Risk Assessment that was provided for the adjoining site is sufficient to prove that this site is not liable to flood. The site was not, therefore, the subject of a separate FRA.

Land Contamination

The Noise & Pollution Team has no objections in principle to the proposed development. However, the site may be contaminated due to previous industrial uses. A Contaminated Land Report has been undertaken and the results are being assessed. Any comments received will be reported orally.

6. **Publicity:**

Neighbour Notification letter	15	Site Notice	*
Statutory press advert and site notice		Discretionary press advert and site notice	
Other			

7. **Representations:** None received

8. **Consultations:**

<u>Health</u>	- to be reported.
<u>EDU</u>	- no comments received within consultation period.
<u>Cityscape</u>	- no comments received within consultation period.
<u>Police</u>	- detailed comments have been supplied but are more relevant to guide a detailed submission.

B1 APPLICATIONS (cont'd)

5 Code No: DER/906/1487

9. Summary of policies most relevant: Adopted CDLPR:

- *R3 - Land to the south of Slack Lane
- GD5 - Amenity
- GD6 - Safeguarding development potential
- GD8 - Infrastructure
- GD9 - Implementation
- S1 - Shopping Hierarchy
- S5 - Small shops
- S12 - Financial and professional services and food and drink uses
- E13 - Contaminated land
- E17 - Landscaping schemes
- H11 - Affordable housing
- H12 - Lifetime homes
- H13 - Residential development general criteria
- E11 - Recycling facilities
- E10 - Renewable energy
- L2 - Public open space standards
- L3 - Public open space requirements in new development
- T1 - Transport implications of new development
- T4 - Access, parking and servicing
- T6 - Provision for pedestrians
- T7 - Provision for cyclists
- T10 - Access for disabled people

*Policy R3 – Land to the south of Slack Lane. 12.9 hectares of land are identified as a major mixed use regeneration opportunity to the south of Slack Lane. To the south of the line of the former railway line permission will be granted for business and industrial uses (B1 and B2) and for residential development (C3) and supporting uses provided that a satisfactory living environment can be provided.

10. Officer Opinion: The issues associated with the proposed development are:

Policy

There are no over-riding objections to this proposal on quantitative business/industry land supply grounds. The site is central to the R3 area so there is, arguably, the potential for residential use to restrict future or existing commercial activity across part of the land allocation. The location of the proposal raises the question over whether a satisfactory living environment can be created – in accordance with policy H13 of the CDLPR. Policy R3 allows for residential development south of the former railway provided that a satisfactory living

B1 APPLICATIONS (cont'd)

5 Code No: DER/906/1487

environment can be provided. The policy acknowledges that the regeneration area offers substantial opportunities for mixed uses but the land north of the former railway is the preferred location for housing. The issue of whether or not a satisfactory living environment can be created within this mixed business/industry/residential context would, in my opinion, be largely down to the detailed components of any future scheme. Although the indicative layout does give me some comfort for the future development.

I would, however, stress that the application has not been submitted in isolation of any thought into the locational context. The proposed notional layout, which requires attention in highway design terms, includes details to secure the creation of a satisfactory living environment. These include:

- A centralised means of access to co-ordinate development of this site with the site to the North that benefits from an extant permission. It is intended that the means of access would be through the other site and linked to the safeguarded Mick-Mack transport route
- A central area of public open space and pedestrian/cycle route that would connect with the Southern leg of Parcel Terrace into the Rowditch Recreation ground
- A predominance of green space which would be landscaped and guarded through natural surveillance. The existing site is dominated by hard surface
- The siting of apartment blocks adjacent to the Southern boundary which would be single aspect (facing into the site) to assist in the creation of a buffer zone between the site and the small commercial units to the South
- Undercroft car parking beneath buildings to ensure that there is not an abundance of separate hard surfaced areas devoted to car parking. I am advised that the high water table in this area prevents the potential use of underground parking
- The provision of facilities on-site (shop and food and drink unit) to provide basic support services in accordance with policy R3

Through the City Council's Development Team Approach there is a will to ensure that any detailed scheme is to a high standard of layout and design in this location to address the needs of future residents and existing businesses alike.

B1 APPLICATIONS (cont'd)

5 Code No: DER/906/1487

Policy S5 allows for small shops in locations more than 400m from a defined centre provided that the proposal would not, either individually or cumulatively with similar development, undermine the vitality and viability of the centres of the defined hierarchy. The agent states that the site is about 600m from the Rowditch Local Centre by road. From the aerial photographs, the distance appears to be about 430m, just outside the 400m in policy. The Neighbourhood Centre does not contain a convenience store although there are vacant units which could be brought back into use. A convenience store of the size proposed, 80 m², would be unlikely to have any particular effect on the vitality and viability of the centre and so may be acceptable.

Outside centres in the defined shopping centre hierarchy, S12 only allows for food and drink uses where:

- a. A need for additional local facilities has been established which cannot be met within, or on the edge of, a nearby existing centre
- b. The site is on a main road location with good access to the site by the full range of transport modes and where the proposal would not compromise the safe movement and free flow of traffic
- c. There would be no unacceptable loss of land allocated for other uses.
- d. The case put forward in justification for the unit for food and drink use is limited and in some ways contradictory. The statement refers to the area only being served by mobile caterers and that the nearest pub is in Junction Street. In the City Council's opinion there is no clear policy justification for an A3, A4 or A5 unit in this location.

Affordable Housing

The application has been the subject of a thorough financial appraisal of the proposed relocation of the Richard Hartley group of companies from Parcel Terrace and this enabling residential development. The proposed affordable housing level on the site, which has been agreed by the Council's Implementation Officer and colleagues in Resources & Housing, equates to 25% of units to be provided. This provision would be split as 37.5% rented accommodation and 62.5% shared ownership. This level is the best available solution in this case to meet the following objectives:

- specific housing need in the area

B1 APPLICATIONS (cont'd)

5 Code No: DER/906/1487

- the economic retention and traffic benefits of relocating the group of companies from Parcel Terrace to Victory Road
- achieving a financially viable residential scheme

Highway Details

The agent has satisfied the concerns of the City Council with regard to traffic capacity and highway queuing and delay issues. There are no overriding objections to the application on highway grounds.

Accordingly I welcome this outline proposal and recommend approval.

11. Recommended decision and summary of reasons:

- 11.1 A. To authorise** the Assistant Director – Regeneration to negotiate the terms of a Section 106 Agreement to achieve the objectives set out in 11.5 below and **to authorise** the Director of Corporate Services to enter into such an agreement.
- B. To authorise** the Assistant Director – Regeneration **to grant** outline planning permission on the conclusion of the above agreement, with conditions.
- C. If the applicant fails to sign the Section 106 Agreement by the expiry of the 13 week target period (22 December 2006), consideration be given, in consultation with the Chair, to **refusing** the application.**

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 and it is in accordance with policy R3 and is an acceptable form of development in principle and highways terms in this location.

11.3 Conditions

1. Standard condition 01 (reserved matters – excluding (b) details of access arrangements)
2. Standard condition 02 (approval of reserved matters)
3. Standard condition 21 (landscaping within 12 months (condition 1b))
4. Standard condition 19 (means of enclosure)

B1 APPLICATIONS (cont'd)

5 Code No: DER/906/1487

5. Standard condition 99 (recycling)
6. Standard condition 39 (disposal of sewage)
7. Standard condition 100 (contamination)

8. Any shop unit (Use Class A1) as part of any detailed scheme shall be limited to a maximum floorspace of 160 sqm and it not be used for the sale of the following goods or services: clothes, footwear or fibres and textiles for clothing, toys, sports goods and sportswear, ornaments, silverware, china, glassware and giftware, musical instruments, books and recorded material, photographic and optical goods, stationary, artwork supplies and greetings cards, jewellery, watches and clocks, post office services, pharmacy, travel agency, travel goods, DIY goods, electrical or telecommunications goods, carpets, furniture and soft furnishings, unless otherwise agreed in writing by the Local Planning Authority.

9. This approval is restricted to no more than 130 dwellings being accommodated on the site.

10. The details required under condition 1(a) shall not extend to include any floorspace in Use Classes A3, A4 or A5 as defined in the Town & Country Planning Use Classes (Amendment) Order 2005, unless otherwise agreed in writing by the Local Planning Authority.

11.4 Reasons

1. Standard reason E01
2. Standard reason E02
3. Standard reason E09 (CDLPR H13)
4. Standard reason E09 (CDLPR H13)
5. Standard reason E48 (CDLPR E11)
6. Standard reason E21 (CDLPR GD8)
7. Standard reason E49 (CDLPRE13)

8. To ensure that the provision of supporting facilities on-site is complimentary to the residential accommodation and to safeguard the Council's shopping hierarchy in accordance with policy R3, S1 and S4 of the CDLPR

9. In accordance with the terms of the Traffic Assessment and in the interests of traffic safety (CDLPR H13 and T1)

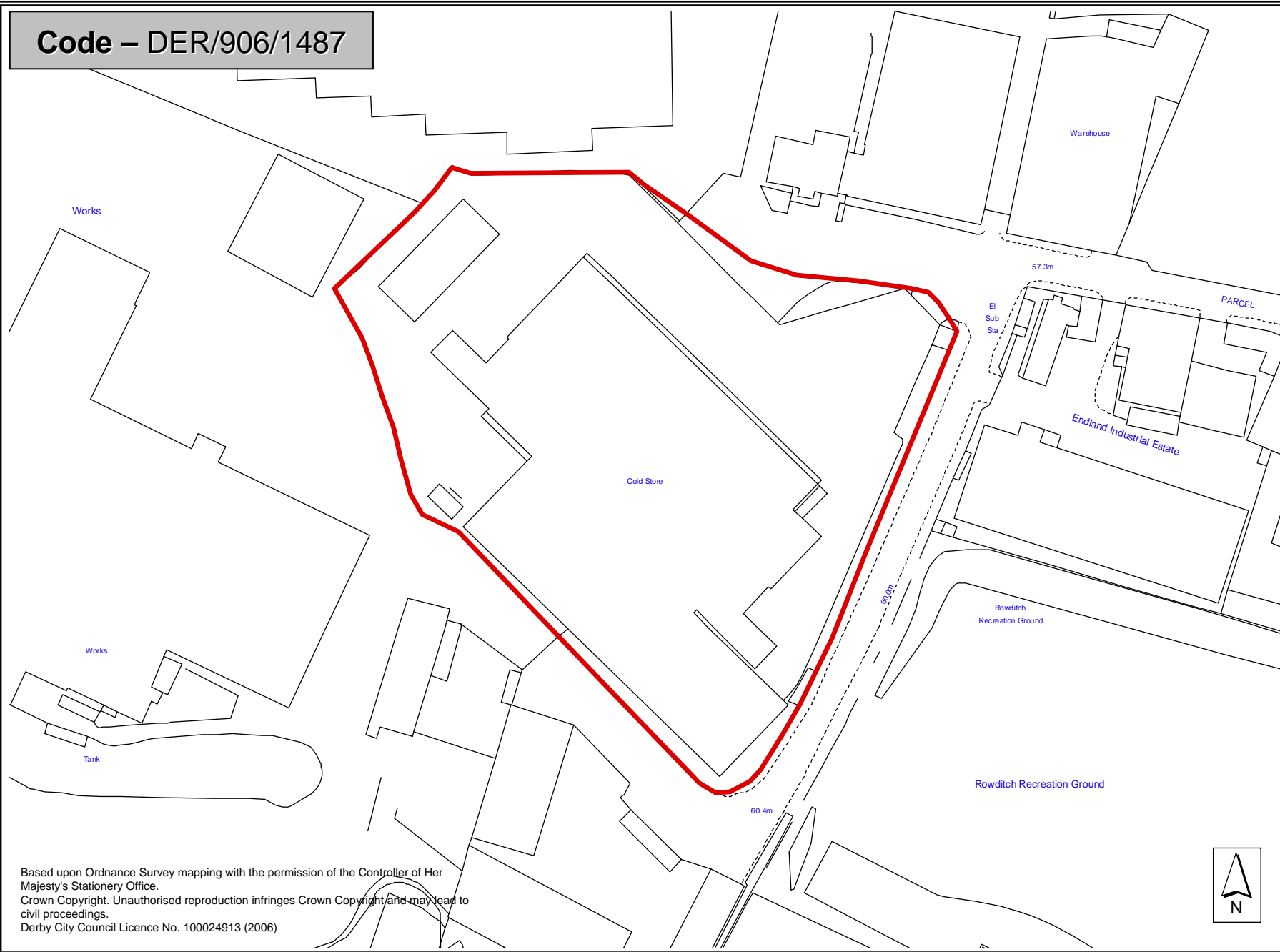
10. There is no clear justification in the establishment of floorspace in either the A3, A4 or A5 Use Classes in this location contrary to policy S1 of the adopted CDLPR.

B1 APPLICATIONS (cont'd)

5 Code No: DER/906/1487

11.5 S106 requirements where appropriate: Affordable housing, lifetime homes, highways and public open space provision.

Code – DER/906/1487



Based upon Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office.
Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings.
Derby City Council Licence No. 100024913 (2006)