

Item 7

Derby City Council
Planning Control Committee
25th February 2010



Development Control Report Of
The Assistant Director – Regeneration

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Planning Control Committee 25 February 2010

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Committee Report Item No: 1

Application No: DER/12/09/01484

Type: Full

1. **Address:** University of Derby, Kedleston Road

2. **Proposal:**

Erection of a vertical axis wind turbine on a 15m high mast.

3. **Description:**

This proposal relates to the installation of a vertical axis wind turbine located in the car park at the University campus on Kedleston Road. This is a relatively small scale turbine made of carbon composite blades in a white finish on a galvanised steel mast having the appearance of a dull grey colour. The mast is 15m, giving a total height of 20m, and is located on the northern side of the new car park near the access drive from the entrance at Kedleston Road to the main building entrance.

The turbine is expected to generate an estimated 3,047 kWh of electricity each year at an average prevailing wind speed of 5 metres per second, an equivalent CO2 saving of 1.73 Tonnes, helping regional renewable targets for 2010 and contributing towards the University's electricity requirements..

In addition to its renewable energy function, it is intended for educational use.

The nearest residential properties are to the south west and south at some 100m and 140m away on Kedleston Old Road and Maxwell Avenue, to the south east on Broadway Park Close at some 150m across the A38 cutting and to the north on Carsington Crescent at some 230m.

The site of the mast is at a higher ground level than the Kedleston Road and Kedleston Old Road properties.

4. **Relevant Planning History:**

DER/10/09/01228 Installation of 9 wind turbines on the South Tower, granted at the November 26 2009 Committee.

5. **Implications of Proposal:**

5.1. **Economic:**

This proposal will contribute to renewable energy provision and provide an educational resource.

5.2. **Design and Community Safety:**

No community safety implications. The small scale turbine has a vertical axis of a more attractive design than the more traditional rotor blade style.

5.3. **Highways**

No implications

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

No implications

5.5. **Other Environmental:**

Noise from the turbine blades and the generator equipment are anticipated as being low.

Committee Report Item No: 1**Application No:** DER/12/09/01484**Type:** Full**6. Publicity:**

Neighbour Notification Letter	49	Site Notice	Yes
Statutory Press Advert and Site Notice		Discretionary Press Advert and Site Notice	
Other			

Forty nine properties within 200m of the mast location were notified together with Carsington Road properties beyond that distance. Site notices were displayed near the main entrance on Kedleston Road, near a pedestrian route on Carsington Crescent and by the pedestrian link on Broadway. Properties notified included Kedleston Old Road, Maxwell Avenue, Broadway Park Close, and Carsington Crescent.

This publicity exceeds statutory requirements and the requirements of the Council's adopted Statement of Community Involvement.

7. Representations:

Four representations have been received which comprise two objections and two comments.

The representations raise:

- Visual impact and suggestions for tree planting around the recent car park
- Demerits of energy costs against benefits
- Creeping expansion of the university
- Existing issues relating to noise from site activities and the car park

These representations have been reproduced in this report.

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

The submitted information indicates that there should be insignificant or no impact from noise on local residents.

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

- GD2 - Protection of the Environment
- GD4 - Design and the Urban Environment
- GD5 - Amenity
- E4 - Nature Conservation
- E10 - Renewable Energy
- E16 - Development close to important open land
- E23 - Design
- LE4 - Derby University Main Campus

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

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Type: Full

Additionally, Policy 40 of the Regional Spatial Strategy supports the development of decentralised energy generation networks based on low carbon and renewable sources.

10. Officer Opinion:

Policy E10 permits renewable energy development subject to no adverse effects on the natural or built environment, not inhibiting development potential and with the benefits outweighing any adverse effects.

This proposal is located on the main University campus in a grass verge near the car park and is over 100m from the nearest residential property.

In this location it will not interfere with the University's use of the land, and will not have a material impact on residential amenity on noise or visual grounds.

It is on raised ground, near Markeaton Park, a Green Wedge and site recognised for its wildlife value. With larger rotating blade turbines, the impact on bats is a consideration but given the relatively narrow span of the vertical axis turbine, this is not an overriding consideration.

In visual terms, the turbine will be seen in the context of street lights, lighting columns to the car park, rugby goal posts, mature trees and against the taller University buildings. The visual impact of the proposal will be mitigated by these features and accordingly be insignificant.

11. Recommended decision and summary of reasons:

11.1. To grant planning permission unconditionally.

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. The proposal would contribute to renewable energy generation with minimal visual or other environmental impacts.

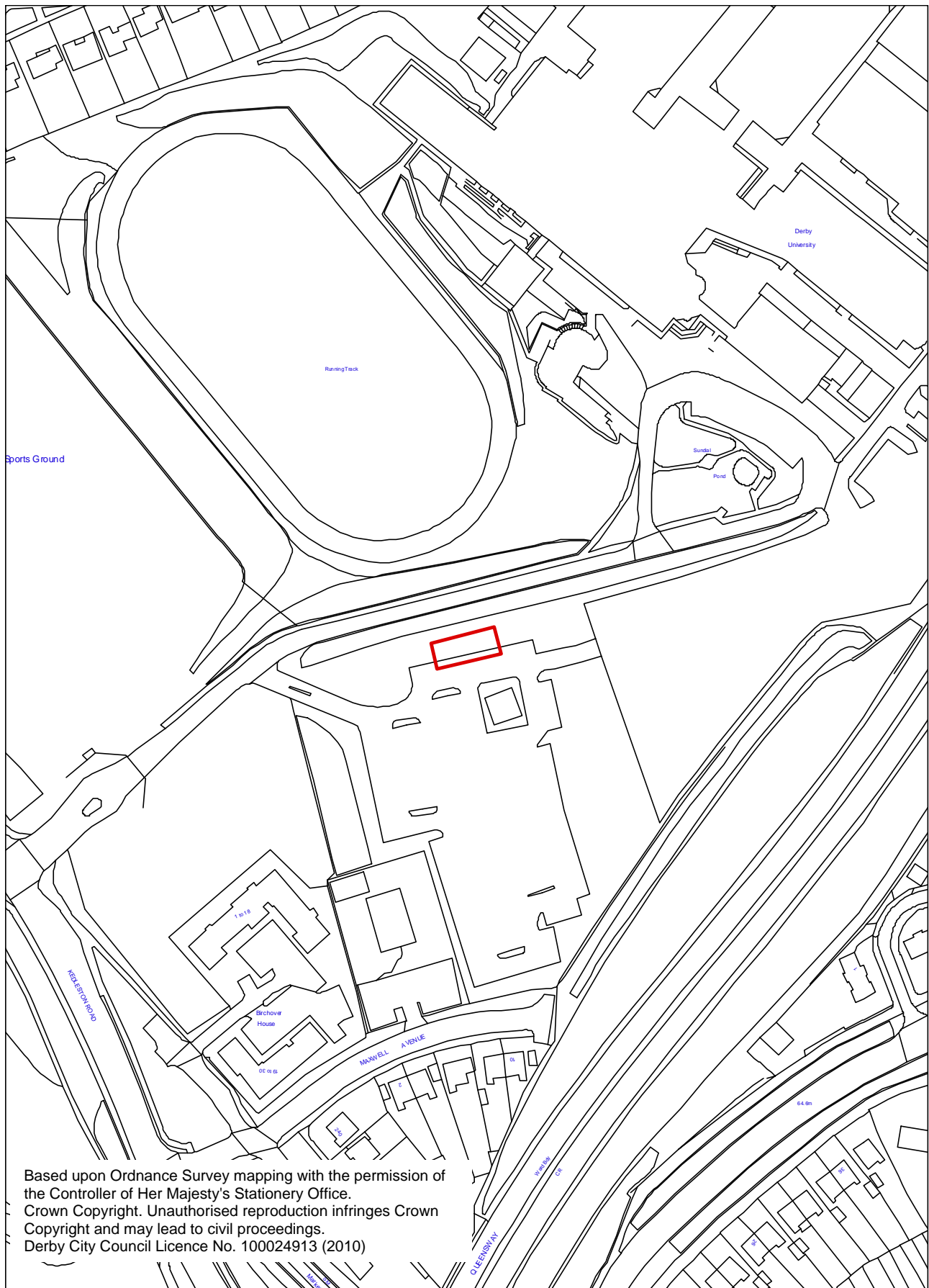
11.3. Application timescale:

This application expires on 18 February and is reported to this meeting for determination in view of the anticipated likely number of representations.

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Type: Full



Enclosure

Neighbour comments for Planning Application 12/09/01484

Site Address: University of Derby, Kedleston Road, Derby

Comments received from: mr perry, 26 carsington crescent

Type of Response: OBJE

Comments:

The cost of production, transport etc far outway the minute savings a single turbine will contribute to the environment. Therefore is this application for one turbine the first of many ?

If the University was serious about reducing their carbon emmisions, they would take a serious look at the traffic & parking congestion problems their campus & facilities create. Nearly all the cars entering the Kedleston rd site only have a single occupant.

Does not wish to speak at committee.

Date Comments Accepted: 25/01/2010



Enclosure

Consultee response for Planning Application 12/09/01484

Site Address: University of Derby, Kedleston Road, Derby

Comments received from: N/A, 6 MAXWELL AVE

Type of Response: Objector

Comments:

Dear Sir,

As a local resident for whom the University is in clear and prominent view from the front of my house I wish to record the following comments.

I do not in isolation object to the erection of the wind -turbine, rather I object to the creeping- development and expansion of the Derby University site unless it is managed in such a way as to minimise the effects on local residents. Recently the car park adjacent to Maxwell Avenue has been expanded right to the boundary and taken the place of the grassed fields without any apparent consideration of the effect on the surrounding area.

In light of the visual impact that this and further development has on the local community I think it would be appropriate to mitigate it with the planting of trees to form a visual boundary.

In the case of Maxwell Avenue a small matter of planting trees along the border of the Avenue and the car park would go a long way to reduce the visual impact of developments including the car park and the wind-turbine.

I state the above as someone who appreciates the need for alternative energy solutions.

I ask for this to be considered in the context of other effects the site has on the community- student parking problems, noise from Graduation Ball into the early hours, use of the car park by boy-racers and skate boarders etc.

A small effort to mitigate such impacts would go a long way and be more in line with the environmentally friendly aspirations of this application. Kind regards, Mr M Witney

Date Comments Accepted: 01/02/2010

Enclosure

Neighbour comments for Planning Application 12/09/01484

Site Address: University of Derby, Kedleston Road, Derby

Comments received from: Mr & Mrs Sinclair, 4 Maxwell Avenue

Type of Response: COMM

Comments:

we are concerned of the view and the over powering feeling that the building already has , without a huge wind turbine. this would be greatly improved for the residents in this road particularly if trees were planted as promised by the university 2 years ago around the boundary of the carpark, by the nursery. This would soften the outlook for us from this opposing buliding and turbine.

Wishes to speak at committee.

Date Comments Accepted: 01/02/2010



J.C. ASHTON
MAXWELL AVE
DERBY
Enclosure

DER 12/09/01484/PRI
1st Feb 2010

Dear Sirs,

Ref DER/12/09/01484/PRI

In connection with the application number above (re the University of Derby, Kedleston Rd, Derby) I confirm that I have no objections to the Development.

I would however like to remind the planning committee that ^{when} the planning permission was given for the University Car Park adjacent to Maxwell Ave. I recall that the University were required to plant suitable trees round the edge of the car park to make it less of an impact on the Avenue and the Nursery.

Perhaps you will take this opportunity to remind the University of their obligations.

Yours faithfully

CITY OF DERBY DEVELOPMENT & CULTURAL SERVICES DEPT.	
FILE REF	1209/1484
DATE REC'D	- 5 FEB 2010
REFERENCED	C ✓ PB 8-2-10
REPLIED	SO OFI

Committee Report Item No: 2

Application No: DER/10/09/01249 & DER/10/09/01250

Type: Full & Listed Building Consent

1. **Address:** 20 Strand, Derby (BSM)

2. **Proposal:**

Installation of shop front and alterations to access

3. **Description:**

20 Strand is a retail unit on the north side of the street, part of the Grade II Listed Building, which encompasses much of the frontage. The building is a three storey crescent of Neo-Classical design, dating from the 1880's, with a stone façade. The ground floor has shop units and the accommodation above is accessed by sets of double doors at regular intervals along the frontage. This application relates to one of the shop units, which is occupied by an A2 use, the BSM driving school. The Strand is within the City Centre Conservation Area, in the Cathedral Quarter area.

The current applications for planning permission and Listed Building Consent follow the refusal last year of a replacement shop front to this ground floor unit, due to inadequate provision being made to provide level or ramped access for disabled people. The proposed shop front design is similar to the previous proposal. It would involve replacement of the existing modern shop front and fascia with one which is based on historic and photographic evidence of the original shop front. The shop front would be of painted timber construction, with granite plinth and steps. The shop window would be increased in height up to the top of the original pilasters, with a timber fascia above, of original width. The doorway would be retained in its central position, although the depth of the recess would be reduced to 700mm from the footway. A new glazed and panel door would be fitted in the entrance. The existing step would be replaced with two low steps in granite.

An important factor with a bearing on the design and materials in this proposal is grant funding from the Building Repair Grant Scheme which is part funded by English Heritage and the City Council. The scheme provides grants for authentic restoration and repair of historic buildings and this includes reinstatement of original architectural features. The listed properties on Strand are some of the "target" buildings, which are eligible for grant aid. The funding of the proposed shop front reinstatement would be for 80% of the cost of the works. Historical investigation has shown that the row of shops along the listed Strand would originally have had shop fronts of a single type of design. The design includes a central doorway with recessed entrance door, about 700mm from the footway. The shop units would originally have had a stepped access comprising either one or two steps, depending on their height above the street frontage. The shop front at 20 Strand is a modern fitting with a deep recessed central doorway and access with one small step. One of the objectives of the grant scheme is to accurately reinstate the original shop front design, which in this case would have included a stepped access. English Heritage considered that a step should be retained as part of any grant aided proposal. However, further discussions with them has resulted in some more flexibility in the approach to the grant scheme on the basis that the City Council would administer the applications. As such there is now scope to consider incorporating reasonable alterations to the interior of the shop to achieve an appropriate ramped access, without unduly comprising the overall historic integrity of the building. Since then discussions have been undertaken with the

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Application No: DER/10/09/01249 & DER/10/09/01250

Type: Full & Listed Building Consent

applicant, the Access Officer and the Built Environment team in an attempt to resolve this issue.

The applicant has considered four separate options for provision of an internal ramped approach and alterations to the counter layout in the shop, with a ramp in the doorway of about 1 in 9. Two of the alternatives would involve a ramp approximately 2.6 metres in length from the footway, with 1.9 metres inside the shop unit. Both of these options would require setting the customer counter area back at least 3 metres from the entrance door. The other two ramped scenarios would involve two ramps with a sideways right angled turn inside the entrance and a further turn into the shop. This option would extend approximately 2 metres internally from the doorway and fill up to one display area at the side of the shop. All of these schemes would require the floor of the shop, around the entrance door, to be lowered to enable a ramp to be inserted. The area to be lowered would depend on the type of chosen ramped approach. The proposals would also need the existing counter area of BSM to be altered to accommodate the ramp and circulating area.

A structural survey of the shop floor has also been undertaken to assess the feasibility of lowering the floor level to form an internal ramp. A further inspection has also been carried out by the Council's Structures Engineer. There is a basement below the shop unit and evidence of supporting beams in the area towards the front of the shop, where a ramped access would need to be formed. This would mean that any of the four proposals described above would require major structural alteration to the interior of the shop, by removal of part or all of the original floor, in order to insert a ramped approach. Both engineer's reports indicate that there would be practical difficulties with the proposed formation of an internal ramp, inserted below the floor level of the shop. This is due to the position of the central cast iron beam, which is situated directly underneath the floor

4. Relevant Planning History:

DER/03/09/00224 & DER/03/09/00225 - Installation of shop front and alterations to listed building, Full planning & Listed Building - Refused - April 2009

DER/07/09/00858 & DER/07/09/00859 - Installation of shop front and alterations to listed building, Full planning & Listed Building, 10-14 Strand - Granted - September 2009

5. Implications of Proposal:

5.1. Economic:

None.

5.2. Design and Community Safety:

The proposed reinstatement of historic shop front design to the ground floor unit would be of a high quality, such that it would enhance the appearance and character of the building and the Conservation Area.

There would be no adverse community safety implications arising from this proposal.

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5.3. Highways – Development Control:

A portable access ramp should be placed within the site only and not encroach onto the highway. This would not be achievable since the steps abut the footway.

5.4. Disabled People's Access:

The objective is to reinstate the historic shop front design, although provision of an appropriate accessible approach in line with DDA requirements would require alterations to the shop unit which could not be satisfactorily achieved without detriment to the character of the building.

Formation of an internal ramp would require part of the shop floor being lowered to accommodate the gradient. Structural constraints under the floor mean that the reducing the floor level to the front of the doorway would be very impractical, as a large portion of the floor would need to be altered. If the floor cannot be lowered then a reasonable gradient of a minimum of 1:9 would not be achieved from the footway. The steepness of the external ramp cannot be increased to more than 1:9, since this is likely to result in access difficulties for disabled people.

5.5. Other Environmental:

None.

6. Publicity:

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

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

7. Representations:

None received to date.

8. Consultations:

8.1. Building Consultancy:

A ramped approach is considered to be constructionally practical and achievable and four possible options have been provided. Policy T10 should be adhered to in order to deliver improved accessibility.

Any further comments based on the submitted structural survey, will be reported to the meeting.

8.2. CAAC:

No objections subject to agreement of materials and finish.

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Consent

8.3 Cityscape:

No comments received.

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

GD4	Design and the urban environment
CC2	City Centre Shopping Area
E18	Conservation Areas
E19	Listed Buildings and Buildings of Local Importance
E21	Archaeology
E23	Design
T10	Access for disabled people

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

10. Officer Opinion:

The proposed reinstatement and restoration of the historic shop front design to this shop unit on the listed Strand, follows a number of similar refurbishments in the same row of shops. Nos. 10 to 28 Strand are at present in the same ownership and part of the listed late 19th Century building which would originally have had shop units with a uniform shop front design. The unit at 28 was restored in 2003, with funding from the Townscape Heritage Initiative scheme and since then 22 and 26 have had alterations to the shop front, rather than an overall replacement. The most recent works have been done at 10 and 14 Strand, which have been refurbished with traditional shop fronts, aided by grant funding under the current Building Repair Grant scheme. Both of the latter have similar shop front designs to the current proposal for 20 Strand.

An internal ramp has been installed to the unit at 16 Strand, which has been refurbished and a new shop front fitted, although not to the historic shop front design and without the benefit of grant aid. This unit has had an entirely different shop front inserted and whilst sympathetic to the proportions and character of the building, it is not to the same pattern or design as the others in the same row.

The main differences in the refurbished shop fronts as described have been in the level of accessibility afforded for disabled people. The topography of this side of the Strand is such that the floor levels of each shop unit relative to the footway rise considerably from east to west. The units at 10 and 14 had low stepped approaches, which have been replaced with ramped accesses, as part of the historic shop layout and design. Conversely, the shops at 22, 26 and 28 are elevated by a greater degree and as a result, retention of the steps to these units was accepted as part of the shop front alterations/ replacement schemes. The unit at 20 is in the middle of this group, and the shop floor is elevated approximately 190mm above the footway. At this point in the row of shops, where provision of an external ramped access would require a depth of approach, which is greater than the 700mm recess of the proposed shop entrance. A suitable ramp could not be provided to an appropriate gradient, within the proposed central doorway, which is part of the original shop front proportions. This is because it would be too steep to be accessible for disabled people. Instead a longer length of ramp would be needed in order to gain a sufficiently low gradient to the

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access. In this case a depth of access from the footway, combining an external ramp with an internal ramp would need be over 2.5 metres in length.

The three ramp proposals considered for the provision of appropriate and reasonable access to the shop have been discounted by the applicant on the following grounds:

- Small area and narrow width of the shop unit, would result in a significant loss of display space at the front of the unit
- The counter area would need to be set back at least 3 metres from the entrance. Staff would be seated at least 6 metres back. This is too far in a small shop.
- Railing would be required alongside ramp on safety grounds.

These are commercial and public safety arguments, which not material considerations on planning or listed building grounds. The design of the shop front would not be adversely affected by incorporating a ramp in the interior of the shop. In isolation these issues are not considered to outweigh the objectives of Policy T10, which seeks to balance the need to provide access for disabled people, with preserving the character of an important listed building.

The structural survey of the shop unit's floor, that has recently been undertaken to assess the feasibility of inserting a ramp in the front of the unit, is a material planning issue, in the provision of a ramped access to the entrance of the shop. The results of the survey show that any works to lower the floor level, to form a ramp, would impact on supporting beams underneath the floor. As such, all the ramp proposals would involve more than reasonable adjustments to the interior of the building and they would not be practical, in the context of the whole shop front reinstatement scheme. Significant alterations to the original floor of the shop would be detrimental to the historic integrity of the building and contrary to the objectives of Policy E19.

The proposed reinstatement of a shop front of original design and traditional materials would enhance the appearance and character of the listed Strand building and make a positive contribution to the restoration of the traditional shopping frontage in this part of the city centre. The overall effect of the restoration on the group of shops would be to improve the general character of the Strand, to the benefit of the Conservation Area. On balance, I consider that the proposed alterations would accord with the provisions of Policies E18 and E19 of the Local Plan.

11. Recommended decision and summary of reasons: **DER/10/09/01249**

11.1. To grant planning permission with conditions.

11.2. Summary of reasons:

The proposal has been considered in relation to the provisions of the City of Derby Local Plan Review and all other material considerations as indicated in 9 above. The proposal would be an appropriate form of development, which would preserve the character and appearance of the Conservation Area and the special character of the listed building.

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Application No: DER/10/09/01249 & DER/10/09/01250

Type: Full & Listed Building Consent

11.3. Conditions:

1. Before work commences, details of proposed paint colour for use on the shop front and fascia shall be submitted to and approved in writing by the Local Planning Authority.
2. Before works commence, precise joinery details at a scale of 1:2 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.

11.4. Reasons:

1. Standard reason E14 - Policies E19 & E23
2. To ensure proper control over the design of the shop front and to safeguard the character of the listed building – Policy E19

11.5. S106 requirements where appropriate: None

11.6. Application timescale:

The target date for determination expired on 21 December 2009 and is brought to committee at the request of the Chair.

DER/10/09/01250

11.1. To grant listed building consent with conditions.

11.2. Summary of reasons:

The proposal has been considered in relation to the provisions of the City of Derby Local Plan Review and all other material considerations as indicated in 9 above. The proposal would be in accordance with the provisions of Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and would preserve the special character of the Grade II listed building.

11.3. Conditions:

1. Before work commences, details of proposed paint colour for use on the shop front and fascia shall be submitted to and approved in writing by the Local Planning Authority.
2. Before works commence, precise joinery details at a scale of 1:2 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.

11.4. Reasons:

1. Standard reason E14 - Policy E19
2. To ensure proper control over the design of the shop front and to safeguard the character of the listed building – Policy E19

11.5. S106 requirements where appropriate: None

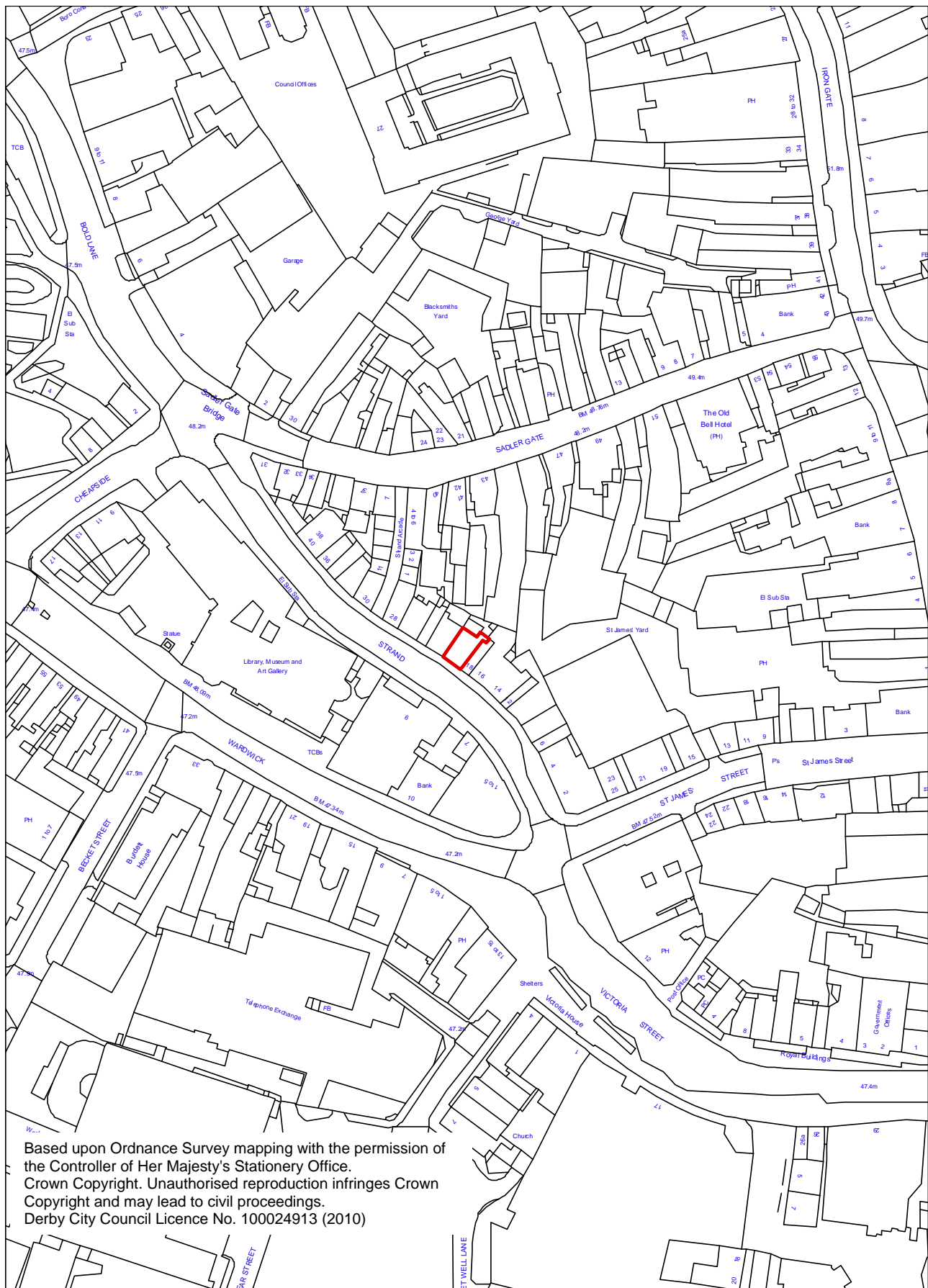
11.6. Application timescale:

The target date for determination expired on 21 December 2009 and is brought to committee at the request of the Chair.

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Application No: DER/10/09/01249 & DER/10/09/01250

Type: Full & Listed Building
Consent



Committee Report Item No: 3

Application No: DER/12/09/01478

Type: Full

1. **Address:** 12 Weirfield Road, Darley Abbey

2. **Proposal:**

Extension to dwelling (kitchen/family room and alterations to window)

3. **Description:**

The application property is a 1930s semi-detached dwelling with a hipped roof. It is constructed of traditional red facing bricks and plain clay roof tiles and is situated in a row of similar houses, along a quite residential cul-de-sac. The house is set within a fairly modest garden plot, to the rear of which, there is a small area of tree planting and a public footpath. The land levels within the site fall sharply from the west to the east and the property is situated in a slightly elevation position compared to the footpath to the rear.

At present the dwelling has a single storey flat roof outbuilding, which projects some 4.3m from the rear of the main house and is approximately 2.3m in width, by 2.9m in height. This structure would be demolished and replaced by a 5m (L) by 4m (w) single storey extension, forming a family room and kitchen. The extension would have a fairly contemporary design and would be constructed of a mixture of timber, reclaimed bricks and painted render panels. It would have a mono-pitched roof with a 10 degree roof slope, which would measure approximately 4m at its highest point. The roof of the extension would be finished with a dark grey coloured single membrane, with simulated standing seams and it would have deep overhanging eaves, with a projecting steel support column.

The River Derwent, which runs to the east of the application site, defines the limits of the Derwent Valley Mills World Heritage Site and the Darley Abbey Conservation Area and the application site is situated outside of both, but does fall within the World Heritage Site's Buffer Zone.

The application is brought before the Committee as the applicant works for the City Council and often gets involved in planning applications as a consultee.

4. **Relevant Planning History:**

No relevant planning history

5. **Implications of Proposal:**

5.1. **Economic:**

None

5.2. **Design and Community Safety:**

The design of the extension is considered to be acceptable in this location and there are no community safety issues arising as a result of the proposal.

5.3. **Highways – Development Control:**

None

Highways – Land Drainage:

None

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

None

Committee Report Item No: 3**Application No:** DER/12/09/01478**Type:** Full**5.5. Other Environmental:**
None**6. Publicity:**

Neighbour Notification Letter	4	Site Notice	
Statutory Press Advert and Site Notice		Discretionary Press Advert and Site Notice	
Other			

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

7. Representations:

No third party representations have been received.

8. Consultations:**8.1. Built Environment:**

No comments

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

GD4	Design and the Urban Environment
GD5	Amenity
E23	Design
E29	Protection of World Heritage Site and its surroundings
H16	Housing Extensions

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

10. Officer Opinion:

The proposed extension would be located to the rear of the application property and, therefore, would be well screened from Weirfield Road itself. Although the structure would be fairly visible from the public footpath to the rear of the site, its scale is modest and is not considered to be out of context with the surrounding built development. Overall, I am satisfied that the proposal would not harm the character of the application property, or the visual amenities of the surrounding area, including the wider setting of the Derwent Valley Mills World Heritage Site.

In view of the single storey nature of the proposal, I am satisfied that the conservatory will not adversely impact the occupiers of neighbouring properties by way of massing or overshadowing. The boundary treatments in place are adequate to prevent any significant overlooking and therefore, in my opinion, the proposal would not result in any significant loss of privacy.

Overall it is felt that the proposal is acceptable in both design and amenity terms and that the proposal reasonably satisfies the requirements of Local Plan Policies E23, E29, GD4, GD5 and H16 of the City of Derby Local Plan 2006.

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Application No: DER/12/09/01478

Type: Full

11. Recommended decision and summary of reasons:

11.1. To grant planning permission with conditions.

11.2. Summary of reasons:

The proposal has been considered in relation to the provisions of the City of Derby Local Plan Review and all other material considerations as indicated in 9 above. The proposed extension is acceptable in terms of its design and impact upon residential amenities. Furthermore, due its modest size, there would be no impact on the wider locality, or the setting of the Derwent Valley Mills World Heritage Site.

11.3. Conditions:

1. SC27 (materials)

11.4. Reasons:

1. E14 (ensure satisfactory external appearance)...policy H16

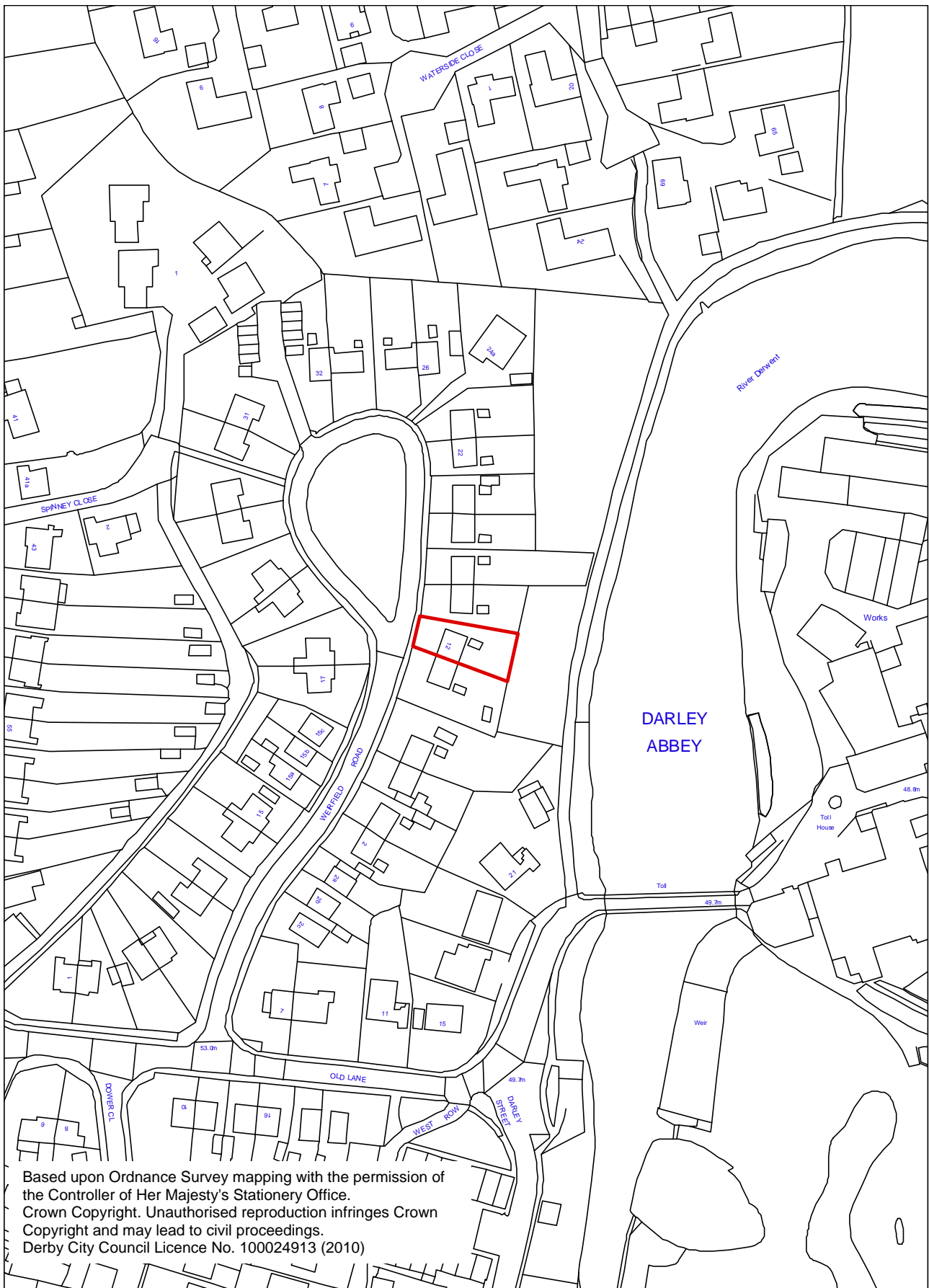
11.5. Application timescale:

The application deadline was the 9th of February 2010.

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Application No: DER/12/09/01478

Type: Full



Committee Report Item No: 4

Application No: DER/06/09/00670

Type: Full

1. **Address:** 91 – 93 Peet Street

2. **Proposal:**

Alterations to workshop to form residential accommodation and creation of car parking and amenity area.

3. **Description:**

The application site comprises the plots of two terraced dwellings located on the eastern side of Peet Street. A workshop sits at the bottom of the garden of no. 93 and it is accessed via a gated driveway that extends through the site under the first floor residential accommodation at no. 93. The workshop is a single storey building with a flat roof. It presently has no windows and only one door in its western elevation which is accessible via the garden of no. 93. The workshop extends directly up to the side and rear site boundaries shared with neighbouring dwellings on Lynton Street and Ward Street. The side walls of the workshop form part of the boundary treatment.

Planning permission is being sought for the change of the use of the workshop into residential accommodation. A 3.25m wide extension is proposed to be erected to the side of the existing workshop extending into land which currently forms a part of the rear garden of 89 Peet Street. The extension would extend up to the same height as the existing single storey workshop and would also accommodate a flat roof. The render is proposed to be removed from the workshop and replaced, and a sedum roof is proposed. Window openings and a door are proposed to be inserted into the western elevation and would face into the application site. The internal space within the extended workshop is proposed to be converted into a two bed roomed flat.

The remainder of the land to the rear of the two dwellings would be landscaped to provide amenity spaces and four off street parking spaces.

4. **Relevant Planning History:**

None relevant to this application.

5. **Implications of Proposal:**

5.1. **Economic:**

None

5.2. **Design and Community Safety:**

The development is considered acceptable in general design terms and there are no community safety concerns arising directly from this proposal.

5.3. **Highways – Development Control:**

No objections are raised to the proposals subject to conditions being imposed that ensure that the parking spaces and manoeuvring spaces behind them are of adequate dimensions to allow vehicles to enter and leave the site in a forward gear. Details of waste and recycling facilities within the site should also be secured by condition.

Committee Report Item No: 4**Application No:** DER/06/09/00670**Type:** Full**Highways – Land Drainage:**

It is considered unlikely that the surface water discharge solutions outlined in the application submission are achievable and measures will need to be put in place for the drainage system to be controlled if it is deemed impractical to use a soakaway or the type of surfacing materials that are proposed. It is therefore recommended that planning permission is only granted if conditions are imposed which ensure that further detailed plans and calculations are provided which outline a satisfactory means of surface water drainage for the site.

5.4. Disabled People's Access:

Building regulation accessibility guidance will not apply to the conversion of the workshop building into residential accommodation. However, it is considered that the applicant should try and maximise the accessibility of the proposal by changing the surface material on the approach to a firm seamless material and creating an accessible approach and accessible internal arrangements within the building.

5.5. Other Environmental:

The central area of the site would be cleared of some grass, shrubs, trees and a fish pond in order to allow for more formalised areas of amenity space and off street parking to be provided. There are no tree preservation orders present on the site and the trees that are proposed to be removed are not considered worthy of protection.

6. Publicity:

Neighbour Notification Letter	32	Site Notice	Yes
Statutory Press Advert and Site Notice		Discretionary Press Advert and Site Notice	
Other			

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

7. Representations:

Four local residents have written in objection to this application. All four letters are from residents of Lynton Street. The nature of the objections and issues raised relate to:

- Increased activity and noise levels resulting in a loss of amenity for neighbours.
- The new car park area providing direct access to boundaries of neighbouring properties thereby resulting in a loss of privacy and security for adjacent dwellings
- Loss of trees on site
- There being no need for new dwellings in the local area
- Concerns over proposed alterations to the workshop as it forms part of the boundary wall of neighbouring properties

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Type: Full

- Inability of emergency service vehicles to access the new residential accommodation
- An increase in light pollution towards the rear of the site

These representations have been reproduced in this report

8. Consultations:

8.1. Police Liaison Officer:

It is advised that any cars that can be removed from the street help to reduce opportunities for theft and the off street parking solution is supported. The applicant is advised to consider the physical security of the conversion as all doors and windows are accessible from the ground.

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

GD3	Flood Protection
GD5	Amenity
GD8	Infrastructure
H13	Residential Development – General Criteria
T4	Access, Parking and Servicing
E9	Trees
E23	Design

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

10. Officer Opinion:

93 Peet Street is rented as student accommodation with the occupiers sharing kitchen, bathroom and living space. This proposal would add to the intensification of that existing residential use. However, the workshop building has an established use as a workshop / business unit. This continues to be apparent on site as a vehicular access extends through the houses fronting Peet Street and into the rear garden of no. 93 to the workshop. The most recent use of the workshop has been for storage purposes by the owner of the two houses but it could be brought back into a separate business use with potential for a significant increase in the levels of activity at the site. In these circumstances it is considered that a residential use within the workshop is preferable on amenity grounds given that it is located in a primarily residential location. Careful consideration has been given to the concerns raised by neighbouring residents but the noise, activity and privacy implications of use of the workshop for residential purpose have the potential to be less significant than if the workshop was taken into use by an independent business.

It is clear that some residents are concerned about the works given that the walls of the workshop form part of the boundary that divides their rear gardens from the application site. As the existing workshop is to be retained, a boundary treatment of the same dimensions will remain along that boundary although the application indicates that the walls are to be improved with new render and a new flat roof is to be added. There should be no significant amenity issues arising from those works.

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Type: Full

The extension to the workshop is not excessive in its dimensions and it should not offer significant massing implications for any of the neighbouring properties or their gardens on Lynton Street. The windows that are proposed in the workshop would enjoy views back into the application site and no loss of privacy should result for those occupiers whose rear gardens extend up to the application site.

The submitted plans indicate a simple internal layout within the building but it is considered that a reasonable outlook would be achieved from the main living rooms into the landscaped amenity area. A reasonable living environment could be achieved within the building and given the 18m distance between those windows and those in the existing dwellings on Peet Street, future occupiers should be provided with an acceptable degree of privacy.

The changes proposed to the central part of the site would reduce the amount of private garden space available for occupiers of 89 Peet Street. The proposals provide smaller but more formalised areas of amenity space provision for use by the residents and formalised off street parking provision. The site is currently overgrown in areas and it is likely that the changes would provide more usable spaces for the occupiers. A number of trees would be removed from the rear gardens as part of those works but none of those trees are considered worthy of protection by a tree preservation order. It is considered that the landscaping of the site could be secured by condition of planning permission with some new trees being secured in locations where they are likely to be maintained in the long term. Objections could not be sustained to the removal of the fishpond which stands empty and appears to have been so for some time. However, the applicants should be aware of the need to ensure that no protected species are present on site and an informative note could be attached to any planning permission granted, to advise of this.

Access into the site would continue to be for residents only and the existing access off Peet Street is gated. This area will therefore continue to serve as private space for use by the occupiers of the site only. There are no objections raised to the proposals on highway safety grounds although it is considered appropriate that some cycle parking provision should be secured as part of the development.

Overall, it is considered that the removal of the workshop and its associated business use from this site would be beneficial in the long term. In residential amenity terms use of the building for residential purpose is preferable and this application demonstrates how that use could be integrated into the site. Subject to the imposition of conditions to secure an adequate layout within the parking areas, an appropriate landscaping scheme and satisfactory site drainage arrangements, it is considered that the development meets with the aims of the appropriate local plan policies.

11. Recommended decision and summary of reasons:

11.1. To grant planning permission with conditions.

11.2. Summary of reasons:

The proposal has been considered in relation to the provisions of the Development Plan and all other material considerations as indicated in 9. above and the proposals are considered acceptable in terms of their use and implications for residential amenity and highway safety.

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Type: Full

11.3. Conditions:

1. Standard condition 27 (external materials)
2. Standard condition 30 (Surfacing)
3. Standard condition 20 (landscaping scheme)
4. Standard condition 22 (Landscaping maintenance)
5. Standard condition 38 (Drainage)
6. The details submitted pursuant to condition 5 shall accord with Annex F7 - F12 of PPS25. The following criteria shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced on site:
 - a. runoff from a one in 100 year plus climate change rainfall event is to be maintained on the site and calculations to that end are to be approved by the Local Planning Authority;
 - b. calculations shall be included to show the run-off from the existing development to determine the discharge of surface water from the site is no greater than existing and that no habitable room is inundated;
 - c. a flood path shall be submitted to show where runoff in excess of the one in 100 year plus climate change rainfall event will flow.
7. The development shall not be taken into use until details of cycle parking provision has been submitted to and agreed in writing by the Local Planning Authority and until such provision has been implemented.
8. The development shall not be brought into use until details of waste and recycling storage provision within the site has been submitted to and agreed in writing by the Local Planning Authority and until such provision has been implemented.
9. The development shall not be taken into use until details of the proposed entrance gates, to replace the existing 'garage doors' adjacent to the public highway, have been submitted to and approved in writing by the Local Planning Authority and until such provision has been implemented.

11.4. Reasons:

1. Standard reason E14 (policy E23)
2. Standard reason E09 (policies E23 and T4)
3. Standard reason E09 (policy E23)
4. Standard reason E09 (policy E23)
5. Standard reason E21 (policy GD3)
6. Standard reason E21 (policy GD3)
7. Standard reason E35 (policy T4)

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- 8. Standard reason E48 (policy T4)
- 9. Standard reason E26 (policy E23)

11.5. Informative Notes:

The applicants are reminded of the need to ensure that any wildlife species that are protected by the Wildlife and Countryside Act 1981 (as amended) are sufficiently accounted for whilst works are being undertaken on the application site.

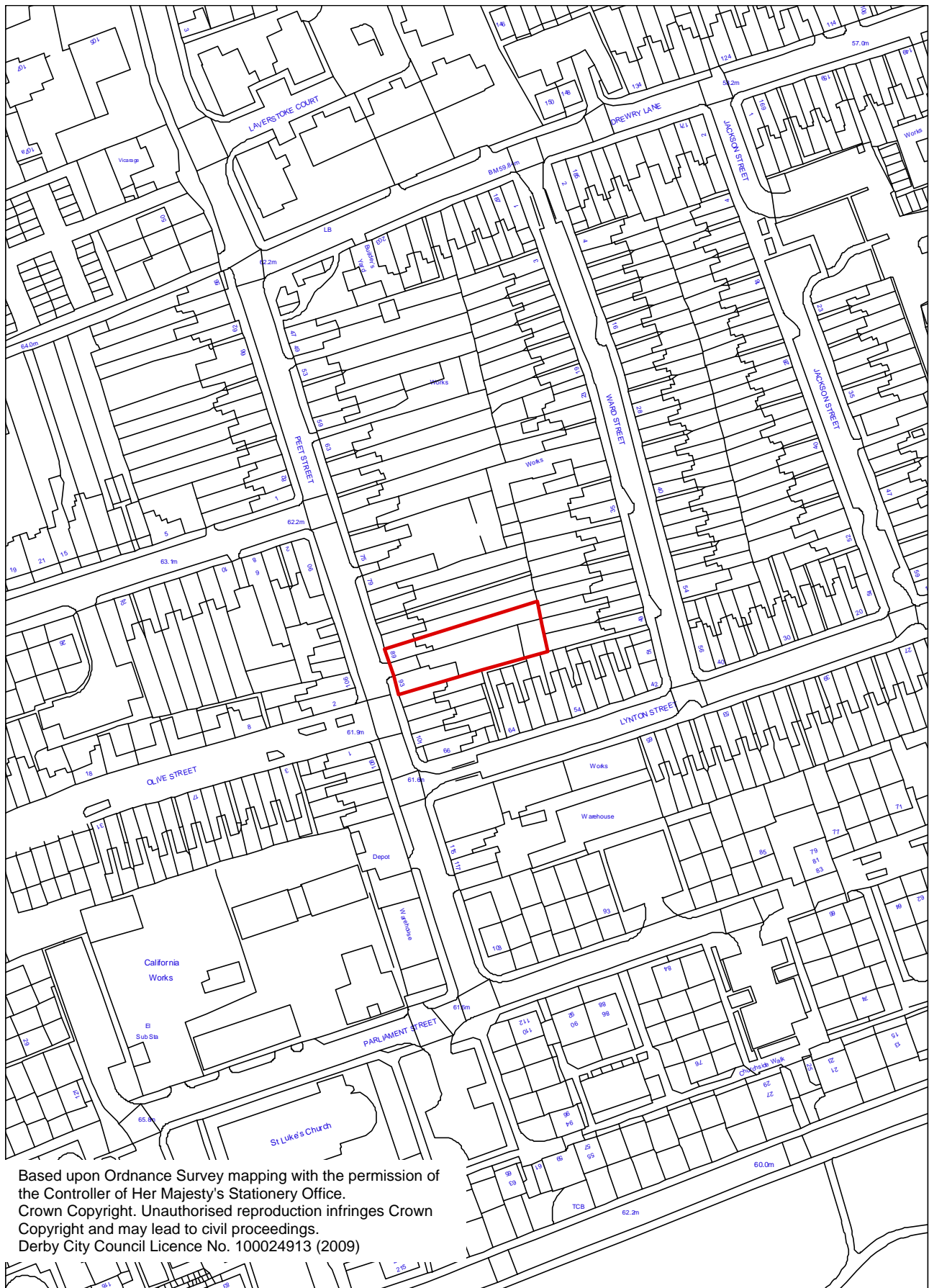
11.6. Application timescale:

The eight week determination period has expired.

Committee Report Item No: 4

Application No: DER/06/09/00670

Type: Full



Enclosure

Google maps Address



X My Garden at 56 Lynton Street

* building for which the proposal has been requested!

MY HOUSE IS 19 FT FROM THE PROPOSAL
 MY PART OF THE OUTER WALL IS GOOD
 I REPAIR IT MYSELF BY POINTING
 IT MYSELF - 3 YEARS AGO
 BESIDE THEY ARE TREES THERE

J. G. Gentry ON THE PROPOSAL
 PLANS

DATE	31 JUL 2009
FILE NO.	609/670
REPLY	<i>[Signature]</i>
REPLIED	

Enclosure

Mr John Gourley
56 Lynton Street
Derby DE22 3RU

362488

Mon 27th July 2009

REF: DER/06/09/00670/PRI

Dear Sara Coupe

I am writing to you to object to the above application as it has direct implications to my current living situation.

I have enclosed a print out from Google maps to highlight my objection and to show that I live in extremely close proximity to this planned alteration to 89 - 93 Peet Street.

It has come to my knowledge that the owner of 89 - 93 Peet Street intends to alter said workshop in order to house students as he has already done so in both his residential properties. I find this unacceptable as it will have a direct effect on my privacy and not to mention the noise levels.

The wall at the end of my small garden is an outer wall of the workshop and the alley that connects my garden to my neighbours and gives me access to Lynton Street is only separated from the proposed area by a wall that is in a state of disrepair.

I feel my safety and privacy are under threat by this application and I am growing increasingly worried about the situation. I am 80 yrs old and I suffer with my health. I have been in hospital on numerous occasions over the past 2 years as has my elderly neighbour at nr 58 who recently lost his wife and suffers with a heart condition. I depend on the safe and secure environment of my home and small but sufficient back garden for my own recuperation and relaxation. Since these plans have come to light I feel anxious and worried about the implications they are going to have on my life. I am worried about the noise levels and the type of people who will be residing in said property as the current inhabitants of 89 - 93 Peet Street are often noisy and anti- social. I am also concerned about the plans to create a car park as this means the area will be directly open to members of the public walking by on Peet Street and increases the risk of vandalism and criminal activity with a potential direct threat to my own and my neighbours homes.

I hope you will consider my objections carefully and seriously
Thank you for your time

Mr John Gourley

Enclosure

27-07-09.

Application No DER/06/09/00670/PRI

Location: 89-93 PEET STREET DERBY

DEVELOPMENT	DER/06/09/00670.
DATE	6 AUG 2009
REMARKS	NS - 1. Account acknowledged.
STATUS	SCC - objection NB

Dear Ms Coupe

I am writing to object to the application which the Council has received for: Alterations to Workshop to form Residential Accommodation and creation of car parking and amenity area.

The reasons for my objections are as follows;

- ① I would lose privacy and natural light to the rear of my property which is one of the main factors I took into consideration when I purchased my house as the rear of the garden is secure and very private, as living in the inner city. This can be extremely hard to find as the majority of properties overlook one another.

- ② An increase in the noise levels - at present

Enclosure

We have issues with noise levels and anti-social behaviour from the students who occupy property on Peet Street. With the intended proposal we on Lyton Street would be subjected to more noise either from vehicles or footfall and this would also encourage people to hang around the area thus causing more irreversible damage to the quality and standard of life to the residents of this area. I would also have to consider further home security measures to my property at my own cost.

- ③ An increase in light pollution to the rear of my property that would shine into my home.
- ④ I question the need for further residential buildings in an area already saturated with vacant residential buildings either for sale or to let.
- ⑤ I also question the nature of the proposal "ALTERATIONS TO WORKSHOP TO BECOME RESIDENTIAL ACCOMMODATION....." as it is my belief that any work carried out would in fact be a NEW BUILD and not ALTERATIONS to a pre-existing structure.

The points and questions I have made form my objection.

Yours faithfully

CLARE PEAT.

Enclosure

58 Lynton street
Derby

Dear sara coupe.

I am writing in correspondence to your letter application number 06/09/00670/pri location 89-93 Peet street, derby, proposal alterations to work shop to form residential accommodation and creation of a car park and amenity area.

Please let me take this opportunity to explain why I am so opposed to the planning permission going ahead.

Firstly the work shop mention in the proposal forms a 19foot wall at the bottom of my garden, it provides both privacy and protection to my self and my neighbors , as I have been recently widowed it also provides me with security and comfort in the knowledge the nobody would be able to clime over it to enter my garden.

When I first moved into my property in 1974 the wall was part of a double story property which was used as a builders work shop but do to the server condition of it the top part of the property have to be removed as it was so unsafe, The wall was part of my boundaries forming all the above for myself and my family, over the years there has been many owners of 93 Peet street, many of whom have been letting this property to students whom has caused maximum disruption to a quite area, if the panning permission was to go ahead it would increase the noise levels also the car par at the rear would increase the noise.

Access to the property is though a gap in the street which measurers 9foot wide it would not be possible for any emergence services to reach the property as the entrance is not wide another, plus there is double parking in Peet street and if the permeation was to go ahead there would be many bumps to cars turning into the entrance.

Please before dissections are made please take on board my reasons for opposing the panning permission from going ahead

Yours truly

Mr. L Marriott

6-9/670

11 AUG 2009

AB-210 VHS

JEC

REPLIED

Enclosure

Neighbour comments for Planning Application 06/09/00670

Site Address: 89 - 93 Peet Street, Derby

Comments received from: Miss Hearn, 60 Lynton Street

Type of Response: OBJE

Comments:

I have lived at the above address for nearly 5 years now. I am a female living alone in a high crime area and I am concerned about the impact this development will have on increasing the crime rate as well as decreasing my safety as it will expose the area to more chance of members of the public using the proposed car park as an area to convene.

Since living in this property, myself and my neighbours have experienced burglaries, vandalism to cars and property and a huge amount of antisocial behaviour, I am worried that this application will increase the risk of crime as well as the antisocial behaviour particularly as the occupants of Peet Street already make considerable noise throughout the year and adding another dwelling will just increase this. This is unpleasant and can sometimes be intimidating due to the nature of the behaviour and use of obscenities which is not nice to hear.

As I live alone I feel this application, should it go ahead, will leave me more vulnerable and decrease my safety. I have had to install a 6ft fence to ensure privacy as well as security and feel that this proposal will cause anxiety particularly around leaving my back door open when I am at home as there will be more people in the area behind my house.

I have seen the plans and am particularly concerned about the car park in relation to potential crimes being committed as this could increase the potential for offenders to have another area to escape to as well as being able to potentially access my property.

I cannot personally see the need for more residential property in an area that is surrounded by unoccupied houses, is there really a need for more? Adding an extra dwelling out the back of my house will increase noise pollution in the area and the risk to my property and my neighbours, should there be a fire as emergency services will not be able to access said dwelling.

I do hope you take my objections seriously and wish to be kept informed of any decision made.

Does not wish to speak at committee.

Date Comments Accepted: 17/08/2009

Committee Report Item No: 5

Application No: DER/12/09/01440/DCC

Type: Full (Reg 3)

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

2. **Proposal:**

Formation of footpath/ cycle route

3. **Description:**

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

The proposal is to construct a footpath and cycle route, 2.5 metres wide, through the park. It would run from the surfaced path adjacent to Derby and Derwent Rowing clubs, in a northerly direction to the car park at Deans Field, Darley Abbey. The alignment of the route would follow the river bank, to the balustrade at the bend in the river and up to the children's play ground. It would then link with the existing stone surfaced path to the car park. The path would be hard surfaced in tarmac covered by bonded gravel chippings, with some sections of no-dig construction, within the root protection areas of existing trees.

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

The route of the path follows evidence of distinct desire lines worn in the grass alongside the river. The proposal is one of two options considered by the applicant, to achieve the overall objectives. The alternative option would follow a more central route through the park. This was discounted due to the potential for greater visual intrusion and steep gradients on sloping sections of the park, which would be unsuitable for wheelchair users. The preferred option would run close to groups of trees along the riverside, which would provide screening. It would have direct links with the children's play area and the existing path around Darley Meadow.

4. **Relevant Planning History:**

None relevant.

Committee Report Item No: 5

Application No: DER/12/09/01440/DCC

Type: Full (Reg 3)

5. Implications of Proposal:

5.1. Economic:

None

5.2. Design and Community Safety:

The proposed path would have a visual impact on the parkland, which currently has a semi-rural appearance, comprising grassland and mature trees. The width of the path would be limited to 2.5 metres to reduce the visual intrusion. The normal requirement is at least 3 metres for shared use paths. The path would be hard surfaced with a tarmac material, covered by bonded gravel chippings. This would have a landscape impact, although the use of a gravel surface would give the path a more natural appearance, in keeping with the parkland setting. The visual effect would further be softened by existing and proposed tree planting and alignment of route close to the river bank.

The route is designed to be safe and accessible for all users and to encourage people to use the open space. There is a balance to be met to preserve the semi-rural character of the park, by maintaining and providing trees for screening and for their nature benefits. Reasonable efforts have been made to ensure that the path would be a safe route for the public and complement the character of the green corridor.

5.3. Highways – Development Control:

There are no adverse highway implications with the proposal.

Highways – Land Drainage:

No build up of surface water would result except from excessive river overflows. The development would have very minor impact on flood risk. No objections.

5.4. Disabled People's Access:

The footpath would be for shared use, to include wheelchair users and enable accessibility through the park for people with all levels of mobility. The path would be hard surfaced to provide a resilient and level surface for the benefit of disabled people.

5.5. Other Environmental:

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

There are significant groups of mature native trees within the park, which are part of an historic landscape and contribute to the open parkland setting. Certain tree groups along the riverside are self set and obscure once open views across the park. These trees have colonised the river bank and resulted in a loss of habitat as well as landscape value. As part of the proposals it is intended to remove some of the self set trees to open up views and improve the species mix on the river bank. Other trees, which are in poor health, due to disease or decay would also be removed. Compensatory tree planting is proposed at the southern end of the route, alongside the river. This would

Committee Report Item No: 5**Application No:** DER/12/09/01440/DCC**Type:** Full (Reg 3)

include the native Black Poplar species, which is now rare in this country and should enhance biodiversity in this site.

6. Publicity:

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

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

7. Representations:

Five letters objection have been received, to this proposal. The main issues raised are as follows:

- Limited public consultation
- The green space would be urbanised by the proposed footway
- Proposal would detract from the character of the park and World Heritage Site
- Unnecessary to introduce additional footpath/cycle route along the river.
- Use of tarmac would be unsuitable in this environment
- Provision of lighting along path would be inappropriate and affect setting
- Removal of trees because they are out of place is unacceptable

These representations have been reproduced in this report

Before the application was submitted the applicant undertook extensive pre-application publicity by sending approximately 1400 letters out to local residents. The following groups were consulted - Friends of Darley Open Spaces, Darley Abbey Society, Little Chester Residents Association, Struts Park Residents Association, Darley Abbey Historical Society on the consultation section "Your City Your Say" Derby City Council website. Displays and comment books were placed in the Terrace cafe, St Mary's parish centre, Darley Abbey village hall, Chester Green community centre and Posters were put up at various locations around the park. A press release was also issued. This consultation exercise resulted in the following:

- 3 groups indicated their support for the scheme– Struts Residents Association, Darley Abbey Society and Darley Abbey Historical Group together with 29 individuals/households
- 18 individuals/households indicated that they did not support the scheme as it stands, out of this a majority are against the scheme altogether.

The comments received can be summarised as follows:

Comment /theme

Positive – good to 'replace narrow, dangerous & congested path across river'

Cyclists & walkers do not mix

No need for cycle route as there is one across river

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Type: Full (Reg 3)

Bridge useful (acknowledge expense)

Concerns over path being used for concert and other events

Landscape – will spoil it

Do not need a path 2.5m wide

Requested link to nature reserve

Concerns relating to tarmac and flooding

Against section between rain water outfall & Darley Grove – feel it is unnecessary

Queries raised over materials to be used

8. Consultations:

8.1. Building Consultancy:

The path would deliver for the first time a circular wheelchair accessible route within the park. With further minor work in Darley Abbey Mills and Darley Abbey an extended circular route would be available.

8.2. CAAC:

The justification for a more permanent path with tarmac base and gravel surface was not outweighed by the impact on the character of the Conservation Area and World Heritage Site. Object to proposal on grounds that the width and surfacing of the path would have significant adverse effect on the appearance and character of the historic designed landscape, in the Conservation Area and World Heritage Site. Less damaging alternatives, such as loose gravel may be more appropriate.

8.3. Natural Environment:

Refer to Derbyshire Wildlife Trust for comment and include any protection/enhancement proposals as conditions.

8.4. Environmental Services (Trees):

To be reported.

8.5. DCC Archaeologist:

The route of the proposed path crosses two Archaeological Alert Areas and a number of historically recorded sites. The northern part of the site is affected by the site of the 12th Century Abbey at Darley Abbey and the route of a Roman road, known as “The Street”. The southern area is affected by the site of known Roman occupation and a Roman bridge.

The northern extent of the path would be laid on an existing surface and therefore involve no excavation of the ground. There would be minimal archaeological impact in this area. The remainder of the path would involve some excavation to average depth of 150mm. This is unlikely to impact on buried archaeological remains. Some sections would require more dig into ground contours, up to possible depth of 385mm. In these areas there is some possible impact on buried archaeology in sensitive parts of the route. Any impacts are likely to be minor and could be mitigated through an archaeological watching brief. The brief should aim to monitor groundworks in the area of Roman occupation and target areas of deeper excavation. This can be secured by a suitable condition.

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8.6. ENV Agency:

No objections to proposed development as submitted.

8.7. Derbyshire Wildlife Trust:

Agree that the area of close mown grassland affected by proposed path is of limited ecological value. Recommend precautionary approach be employed with respect to white clawed crayfish and the proposed repair works to the river bank. A working method statement should be prepared and agreed for these works. Any felling or pruning of trees identified as having bat roost potential should be preceded by a inspection for bats.

Support change in management regime with regard to grassland between path and bank of river to increase biodiversity.

No ecological justification for removal of sycamore trees in riverside and recommend retention, on the grounds that they provide potential foraging opportunities for wildlife. The trees also have potential to minimise disturbance for wildlife from public activity in park and to stabilise river banks from erosion.

An area allocated for storage of machinery and materials should be agreed, through a method statement to prevent pollution of watercourse and damage to trees.

8.8. Police Liaison Officer:

To reduce fear and facilitate a safe use, recommend that 3 metres is the minimum required width of path for pedestrians/ cyclists. A Secure by Design scheme would also require a 2 metre verge on either side. Areas screened by or in close proximity to trees could be exploited for criminal activity. The route should be kept away from canopies and root zones to reduce perceived fear of crime in all types of users. Taller areas of vegetation also compromise public safety giving concealment for attackers. The proposed route should incorporate design features to ensure the route is as safe as possible.

The placement of information panels along the route for education should also offer advice on how and where to report incidents.

8.9. Cityscape:

To be reported

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

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

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Type: Full (Reg 3)

- T7 Provision for cyclists
- T10 Access for disabled people

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

10. Officer Opinion:

Open Space and Green Wedge

This proposal would form a formal pedestrian and cycle route within Darley Park, which is an area of public open space and Green Wedge. The pathway would provide an accessible, shared use route through the open space, allowing access to the park for a wider group of people, than currently are able to use the space. Policies E2 and L1 allow for recreational uses of an open nature in both Green Wedge and public open space. The proposed route would improve opportunities for recreation in the park and as such, the scheme would be in line with the intention of these policies. The main provision is that the scale and materials of the path would not have an unacceptable impact on the undeveloped and open character of the local area.

Conservation and Archaeology

The park is located within the Conservation Area and the World Heritage Site, which extends along the River Derwent corridor to the Silk Mill Museum, to the south. The parkland is an historic landscape, previously associated with Darley Hall, now demolished. It has an open setting with groups of mature trees, which contribute significantly to the character of the park. It is a highly sensitive location, integral to the World Heritage Site. Policies E18 and E29 allow for developments, which would preserve and enhance the special character and appearance of the area and encourage its physical and economic revitalisation. Proposals should also, where possible conserve and enhance biodiversity. The main issues of concern, relating to this scheme are with the width and surfacing material for the path and the potential detrimental visual impact on the character of the area.

The path is required to have a degree of permanence, in order to provide for the needs of the various user groups, who would use it. A route of this length and design would inevitably result in some visual intrusion in the open parkland setting and historical context. Having said that, there is an accepted need for a more permanent, accessible link, through the park to connect the Silk Mill museum to Darley Abbey Mills and the green spaces along the World Heritage Site corridor. The proposed route is part of the Green Infrastructure plan to open up this section of the World Heritage Site to more visitors. It therefore is required to be appropriate for purpose. The width of the path would be 2.5 metres, which is a compromise solution, to achieve shared use with cyclists and pedestrians. The normal requirement for a shared path is a minimum of 3 metres, which clearly would have a greater level of intrusion into the landscape. The route of the path is designed to meander along the valley floor, following the course of the river and close to the canopies of trees, which are intended to ensure that it blends into the open setting.

The choice of surfacing material for the proposed path is an important element, in determining visual impact of the scheme on the parkland. There is recognised to be

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a potential conflict between conserving the historic interest of Darley Park and character of the wider area and improving access to the green corridor. Consideration has been given to different types of surfacing, ranging from loose natural materials to tarmacadam. The appraisal was based on various factors, including the needs of intended users, landscape impact, long term maintenance and capital costs. The path would link with the existing riverside footpath/cycle route from the city centre to Darley Abbey and beyond. It would be used by wheelchair users, pushchairs and cyclists, who generally require a hard and resilient surface. Due to the open and semi-rural character of the park, a natural material is considered more appropriate, to give a softer visual appearance. Maintenance and costs were also issues, which were considered. A material with lower maintenance requirements and which are harder wearing are sought, since the path is likely to be heavily used.

The use of loose gravel and rolled stone surfacing were discounted, on the grounds that it would not be suitable for wheelchair users, pushchairs or cyclists, in terms of accessibility. It would also require a high level of maintenance, needing regular replenishment and conflict with grass mowing machines. Rolled stone has been used on the riverside path in other locations in the city, although problems have been encountered with deterioration of the surface and difficulties experienced by disabled users. At the other extreme, a tarmacadam path was considered out of keeping with the character of the park. The proposed surfacing would have a tarmac base, to provide longevity and solid foundation, with a gravel dressing on top. This would give a more natural appearance and texture, with a bound rather than loose surface. It is considered that this construction would have a visual impact complementary to the open character and historic context of the parkland. Overall, the design and materials for the proposal would achieve a reasonable balance between improving public access to the green spaces and historic environment along the river and conservation of the park.

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

Ecology and Trees

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

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allowing sections of grass to grow taller and form meadow habitat, to increase wildlife interest along the riverside.

As part of the footpath scheme it is proposed to remove approximately 22 trees along the riverside. Some of the trees are self-set Sycamores, which have colonised the river bank and obscured historic views across and down the river. These trees have resulted in a loss of landscape value in the park. Other trees to be felled have been identified as being in poor health or condition. It is not intended to remove trees specifically to accommodate construction of the path. There would be sections of no-dig construction, in the root protection areas of existing trees to ensure minimum impact on the tree roots. The comments of the Arboricultural Officer will be reported to the meeting.

Access for pedestrians and cyclists

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

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

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

11. Recommended decision and summary of reasons:

11.1. To grant planning permission with conditions.

11.2. Summary of reasons: The proposal has been considered in relation to the provisions of the City of Derby Local Plan Review and all other material considerations as indicated in 9 above. The proposed footpath would preserve the character and appearance of the Conservation Area and preserve the special character of the World Heritage Site and would not be detrimental to the retention of trees in the park, which contribute to the character of the local area.

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11.3. Conditions:

1. This permission relates solely to the drawing Nos. , submitted in support of the application.
2. Notwithstanding the details of materials of construction that may have been submitted with the application, details of all surfacing materials shall be submitted to and be approved in writing by the Local Planning Authority before development is commenced. Any materials that may be agreed shall be used in the implementation of the development unless otherwise agreed in writing with the Local Planning Authority.
3. Standard condition 24 (tree protection measures)
4. No development shall take place within the site until the developer has secured the implementation of an archaeological watching brief to be carried out on all development groundworks, in accordance with a written scheme of investigation (WSI) submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work and off-site work such as the analysis, publication and archiving of the results. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.
5. Before development commences, a working method statement for the storage of machinery, equipment and materials, required for the construction of the path, shall be submitted to and approved in writing by the Local Planning Authority. All works shall be implemented in accordance with such approved details for the duration of the construction, unless otherwise agreed in writing by the Local Planning Authority.

11.3. Reasons:

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

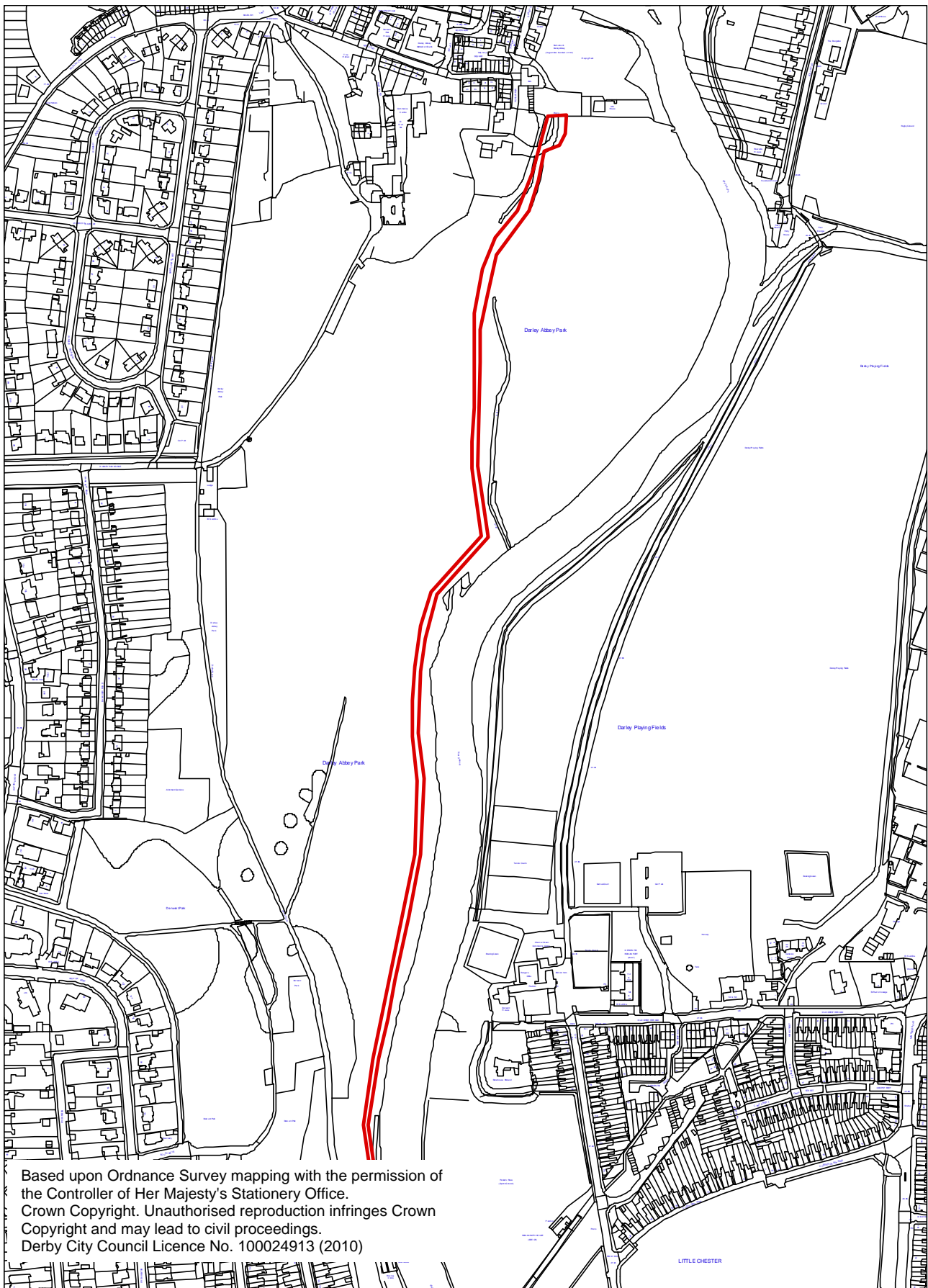
11.4 Application timescale:

The period for determination of the application expired on 1 February 2010 and is brought to committee due to an objection from CAAC.

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Enclosure

Mr A Dunn
31 Haig Street
Alvaston
Derby DE24 8RJ

For the attention of:-

Mr Jonathon Guest
Director of Regeneration & Community
Derby City Council
Roman House
Friargate
Derby

Dear Sir,

I formally wish to object to the planning proposal listed below:-

12/09/01440 Footpath Darley Park

My objections are set out below:-

- Again there has been little if any public consultation across the city
- Complete disregards the views of CAAC
- This is a beautiful green space, which certainly would not be enhanced by the addition of this proposed footway.
- The report doesn't even mention the type of materials to be used
- On a geotechnical basis the proposals mentioned to strengthen the river bank will only work if the river is always 2.0m or more below the level of the park
- There is no way this application can be described as "green"
- In no way will this add anything to the nature of the green space, if fact it will actually significantly detract from the charm of the park

I would therefore ask that members respectfully reject this application.

Yours sincerely

Tony Dunn

30th January 2010

Enclosure

Neighbour comments for Planning Application 12/09/01440

Site Address: Darley Park, Darley Abbey, Derby

Comments received from: Mr Moss, 2 Kingsley Road

Type of Response: OBJE

Comments:

Dear Sir or Madame,

I wish to object to the proposed planning application 12/09/01440.

The introduction of more urbanisation into another green area of Derby is unacceptable. Another tarmac ribbon through the park will leave a route looking like footpath / road through the city centre.

It is also unnecessary as there are 2 footpath / cycle routes, one on each side of the river, already.

I also object to the almost secret way the consultation process was carried out. The consultation only included the immediate area around the park, when the outcome affects all citizens of Derby.

Does not wish to speak at committee.

Date Comments Accepted: 02/02/2010

DERBY CITY COUNCIL

Enclosure

From:
Sent: 03 February 2010 15:51
To: DevelopmentControl
Subject: Carley Park Path 12/09/01440

Dear Sir

Attached are my comments and observations on this planning application. If and when it comes before the Planning Control Committee I would like to have the opportunity to address the Committee

Yours faithfully

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

Darley Park Path Comment on planning application 12/09/01440

1 Introduction

1.1 At the present time within Darley Park there are footpaths running from the car park at the north end of the Park southward to the swings, from the Rowing Club in a southerly direction and along the river bank from the outfall of the Markeaton culvert (the Balustrade) around the north east corner of the cricket ground to join up with the path from the car park to the swings - see dg no.P27/35/10. *NOTE there are significant omissions from this drawing with regard to the following: no designation of Dean's Field, the north car park and the Rowing Club all of which appear in the texts of supporting documents for this application; the existing footpath around the cricket ground should extend around the north east corner as described above; the outfall of the Markeaton culvert and the Balustrade are not shown; the designated cycle route from Darley Abbey to the City centre on the east bank of the river is shown but not annotated.*

1.2 Combined cycle and footpath routes exist from the City to the centre of the village along Darley Grove and to the Darley Abbey Mills along the east side of the river.

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NOTE the latter, the designated cycle route from Darley Abbey towards the City centre, is not referred to anywhere in this application.

2. Questions that have to be asked

Is there need for any additional footpath(s) in the Park?

Is there need for any additional cycleway(s) in the Park?

2.1 The answer to the first question is YES in that a pathway of some form between the Balustrade and the Rowing Club is needed to complete an all weather route through the Park from the Rowing Club to the northern car park; the path from the north east boundary of the cricket ground could be extended along the river bank to Dean's Field with a large amount of infilling to eliminate the present ground level variations.

2.2 The answer to the second question is definitely NO as two all weather routes are currently available from the Rowing Club to the north end of the Park and to the Mills.

3. Comments on the planning application documents

3.1 The Design & Access Statement presents the relevant issues for making decisions on the form of path, the line of the path and its construction without rationalising or arguing how decisions were finally reached. *It does appear that the decisions were made first and some facts paraded that might be relevant in reaching such decisions.*

3.2 Take the decision to construct a combined path and cycle way, the overall aim is stated to be the provision of an "accessible link" through the Park. There is no reasoning, such as presented in 2. above, on who the link should serve and why. If there are two existing cycle ways from the City centre to Darley village / mills, why unnecessarily construct a third that at 2.5m wide is admitted as being a compromise from the normally required 3.0m width? The Design & Access Statement considers the wider path to be "visually intrusive". As a third cycleway is not required then any path development can be confined to pedestrian and disabled use where 2.0m is an

Enclosure

acceptable width and this can be labelled "unobtrusive" following the logic for the 2.5m path width.

3.3 The alternative forms of path construction are described in the Design & Access Statement:

a) stone base with stone dust surfacing is accepted as visually "softer" but makes the comment that a very white surface can be intrusive. *This latter statement ignores the statement in the Planning Application where the surface colour is described as "buff". The stone from Breedon provides a good neutral buff surface colour.*

The Design & Access Statement goes on to say that this type of path is less costly and can function without maintenance for 10 years but then the wearing surface could need relaying. This might be interpreted as the reason why this form of path has not been adopted for this project! *If the concerns about surface maintenance are valid why have many hundreds of miles of this form of path been laid as towpaths alongside canals covering buried fibre optic cables and the National Trust use it as a standard form of path construction? Maintenance is relatively simple and the results do not reflect visual the patchwork effect you get with tarmacadam repairs. The existing stone path from the Balustrade around the cricket ground has been down for more than 10 years and is in good condition albeit narrow in places. All in all a stone path with the appropriate final stone dressing colour is the appropriate construction for parkland in a World Heritage Site.*

b) tarmacadam base course on a stone sub base finished with chippings in a bitumen binder.

As with all paving the durability and life span rely on the performance of the stone sub base. In certain lengths of the proposed path , e.g. chainages 625m to 850m on the detailed plans, there are shallow "swales" taking surface water from the Keuper Marl "escarpment " on the west side of the Park and the outflows from the water bearing skerry bands to the existing brook alongside the proposed path. There is the risk of elutriation of the sub base and poor natural ground bearing capacities. Although not too obvious from the ground contours on the detailed plans there is a noticeable rise and fall of ground level along the line of the proposed path as these "swales" are encountered. Using the existing stone path alongside the river avoids

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this problem. The risks associated with tarmacadam must also include future tree root action. Where roots disturb a tarmacadam surface the disruption is difficult to satisfactorily repair (see the suburban footpaths in your Ward). This form of construction is admitted in the Design & Access Statement as being more costly than a stone path.

3.4 *The Flood Risk Assessment for this site which is situated alongside a river is the first I have seen where no reference at all is made to possible river levels viv a vis land levels! It is known that the river does over top the banks and floods areas of the Park. Calculation of loss of flood plane volume is an irrelevance if it is not known what areas will or will not flood. In effect the submitted Flood Risk Assessment is of no value whatsoever with regard to this planning application.*

3.5 Details are given for the repair of the river bank at four locations based on a river level of 44.540m AOD. It is not stated whether this is a low, medium or high river level. The top bank level is shown as 47.000 and this may well be reached on occasions (see 3.4). There is no detail showing the length of bank that it is intended to repair. It is submitted that the proposed bank works are a waste of time and money.

The reason that the bank has eroded is because the relevant part of the bank lies on the outside of a bend and the river flow will naturally cut into the bank. The proposals for protecting the bank appear to be backfilling the eroded volume and creating a planted area at the foot of the bank with stone pitching beyond that. The slopes of the new bank profiles shown on P27/35/8 are above the angle of repose for normal soils (soil can be built up at an angle to a point where it becomes unstable and slips - this angle is usually taken as 30° above the horizontal) so natural slippage of the restored bank can be expected. The planting proposed is similar to that seen on canals and rivers with shallow banks. It will be over topped with a rise in river level as low as 0.500m. At that point the new bank will be exposed to same erosion effect by the river that it has experienced in the past. To prevent this form of erosion it is necessary to reduce the new bank slope to 30° and protect the inclined bank surface with fascines (brushwood panels or similar) until vegetation is established or stone pitching (permanent but costly). What is shown will not last a year.

4 Conclusions

4.1 No case has been submitted or justified for a third cycle route from the City to Darley Abbey.

4.2 A pedestrian / disabled path 2.000m wide is possible, constructed from rolled stone with an appropriate coloured surface which is cheaper and visually more acceptable than tarmacadam.

4.3 The length of such a path would run only from the wooden footbridge to the north of the Balustrade to the Rowing Club along the river bank, the reduced quantum being a further financial saving. As such the path line would not intrude on the view down the centre of the Park towards the south and the Rowing Club.

4.4 The Flood Risk Assessment provided says absolutely nothing about flood, possible flood levels and any risks associated thereto.

4.5 The proposals for bank repair are ill conceived and likely to fail within a year.

P.J.	Steer	BSc	CEng	MIStructE
478		Duffield		Road
Allestree				
Derby DE22 2DJ				February 2010

Enclosure

From:
Sent: 08 February 2010 14:27
To: DevelopmentControl
Subject: Planning Application 12/09/01440

CITY OF DERBY DEVELOPMENT & CULTURAL SERVICES DEPT.	
FILE REF	1209/1440
DATE REC'D	-9 FEB 2010
REFERRED TO	<input checked="" type="checkbox"/>
REPLIED	SS SB

Dear Sir,

RE: Formation of footpath/cycle route in Darley Park.

We object to the making of a hard path through Darley Park and argue the points made in the relevant 'Design Access Statement'.

Introduction; Paragraph 4:

In order to 'plug the gap' to the Darley Abbey Village, is the 'gap' from the Silk Mill Museum to Darley Abbey Mills to be made 'safe' and 'fully accessible' i.e. under the St Aulkmunds bridge and St. Mary's bridge?

Local Setting and Context :

No mention is made of the route to enter the Park at Darley Abbey Drive from Darley Grove; there is only mention of the Mile Ash Lane entrance. The Darley Abbey Drive entrance leads directly to the Cafe. Nature shows the trees across the Park in all their glory in the different seasons; something that one does not see from a Pathway near the river.

Path Width/Path Construction:

A minimum width of 3m, in order to enable cyclists to share paths with pedestrians and wheelchair users seems excessive especially in view of the fact that the leaflet, 'cycle Derby' clearly shows the cycle route 54/66 travels along the river from Darley Abbey through Darley Abbey Mills to Handyside Bridge. 'Derby Walks' has walk no.6; Darley Abbey.

The above, 'Local Setting Context' comment highlights another appropriate route; all adding variety to the Visitor's view of the Park.

A hard path will not only create a 'blot on the landscape' it will create retention of water, as it drains off the Park, which will cause puddling on the Park side of the path. This happened when a temporary path was laid for the works carried out by Severn Trent. That work also changed the way the main area, near the Balustrades, retains water due to poor drainage.

Goes against City of Derby Local Plan:

E29; Protection of World Heritage Sight and Its Surroundings

GD2; Protection of the Environment

E4; Nature Conservation

E5; Bio diversity

E9; Trees

Trees:

Darley Park's trees seem to have suffered from many years of neglect and we acknowledge that there

08/02/2010

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may be reasons to correct this error but why are the Limes(in need of attention in fig. 8) classed as incongruous!?

The dictionary definition of incongruous:

"Disagreeing, out of keeping, out of place, absurd"

Do any of these words really apply to trees, in a wooded Parkland?!

Trees in Parks are to run around, play 'hide and seek' with and give frames to views; not just to edge what would be, without the tree framed view interest, a Lawn!

Yours Sincerely

Colin & Anne Underhill

30 Mount Street

Derby

DE1 2HH

Enclosure

From:
Sent: 09 February 2010 15:36
To: Booty, Sara
Cc: Development.control@derby.gov.uk
Subject: 12/09/01440 Darley Park footpath/cyclepath

Dear Ms Booty,

I wish to object to planning application 12/09/01440, the construction of a footpath/cycleway in Darley Park.

I object on the grounds that the materials suggested for the construction, i.e black tarmac is totally unsuitable for such a prominent and fragile environment. I object to the provision of lighting alongside the proposed path, such lighting is inappropriate in a semi-rural setting and will adversely affect the setting of the Derwent Valley World Heritage Site. There is already a cyclepath/hard footpath on the Chester Green side of the River Derwent, that cyclepath is sufficient to meet cyclists and pedestrian needs.

There is no need for a hard surfaced path through Darley Park, and creation of one will only lead to increased anti-social behaviour such as people riding motorbikes etc through the park.

Please acknowledge receipt of this objection.

Richard Butler,
7 Kedleston Road, Derby, DE22 1FL.

09/02/2010

Committee Report Item No: 6

Application No: DER/11/09/01322

Type: Full Planning Application

1. **Address:** Chellaston School, Swarkestone Road, Chellaston, Derby

2. **Proposal:**

Extension to School (changing rooms) and creation of all weather sports pitch and floodlighting. The application is accompanied by an Environmental Statement.

3. **Description:**

The application to extend the existing caretakers bungalow to form additional changing room facilities and the creation of an all weather sports pitch and floodlighting at Chellaston School is a resubmission following the Planning Control Committee's decision to grant planning permission under code no. DER/12/08/01696 in March 2009

That application is subject to judicial review proceedings challenging the failure to provide an Environmental Impact Assessment, questioning the way the decision was reached and challenging the format of the decision letter.

The prospect of an early decision on the judicial review proceedings is highly unlikely and accordingly the School and its agents, HSSP Architects, have taken the pragmatic approach of resubmitting the application accompanied by an Environmental Impact Assessment (EIA).

The role of the Environmental Statement (ES) is to present relevant environmental information which has been gathered following the EIA process. The background to the EIA and ES along with its findings will be discussed in Section 4 of this report 'Environmental Statement'.

The scheme differs only slightly from the previously approved application, DER/12/08/01696, which was approved by Committee on 2nd March 2009. For clarity the report to that meeting is reproduced in full for Member's consideration. The main difference in the scheme, is a change in the proposed hours of use for the all weather pitch which in relation to this application are 08:00 to 21:00 hours Monday to Friday and 08:00 to 18:00 hours on weekends and Bank Holidays as compared to that proposed in the previous application DER/12/08/01696 of Monday to Friday 08:00 to 21:30 hours and weekends and Bank Holidays to 8:00 to 18:00. It should be noted that the ES includes slightly different hours of use which shouldn't be confused with the actual proposed hours of use.

In addition, the current application is accompanied by additional environmental information in the ES. The submitted application details are available via the following link:

<http://eplanning.derby.gov.uk/acolnet/planningpages02/acolnetcgi.gov?ACTION=UNWRAP&RIPNAME=Root.PgeResultDetail&TheSystemkey=88850>

The application site is located within the curtilage of Chellaston School, Swarkestone Road, which is an established school site; the present layout of the schools playing fields was agreed under planning permission code no. DER/09/77/01223. The school site is located to the west of A514, Swarkestone Road and is bounded by residential properties.

The existing school facilities, which would be affected by the proposal, consist of grass pitches and a caretaker's bungalow. According to the ES the existing changing

Committee Report Item No: 6**Application No:** DER/11/09/01322**Type:** Full Planning Application

room facilities at the school do not meet present Health and Safety Standards which is having a detrimental impact on students and the physical education curriculum. The existing grass pitches, which will be displaced as part of the proposed scheme, will be re-sited within the school curtilage.

Planning permission is being sought for the creation of an all weather pitch (AWP) to the south west of the existing school buildings and it measures approximately 104 metres x 70 metres (external measurements) and is to be surrounded by fencing for both ball retention and security; measuring approximately 3 metres in height on both sides and approximately 4.5 metres at both ends. There would be additional rebound panelling measuring approximately 1.2 metres from ground level around the perimeter of the pitch. The proposed floodlighting consists of 8 individual columns, 4 to be installed on the south-east side and 4 on the north-west side at regular intervals. The proposed columns would measure approximately 12 metres in height from ground level. The lighting elements would be constructed using flat glass which seeks to limit light spillage from the pitch. The hours of use of the lighting columns can be conditioned although in practice they would only likely to be in operation during the use of the AWP during hours of darkness. The proposed AWP provides a ground level spectator's viewing area on its north side which measures approximately 4.5 metres x 73.5 metres with a useable area of approximately 305.75 square metres. Access to the proposed spectator's area is located on the north corner of the AWP.

The proposed extensions to the caretaker's bungalow would provide four changing rooms, store rooms, changing rooms for officials and staff, office space, club room with kitchen facilities, two W.Cs with disabled access and foyer. The proposed extension is to be located on the south elevation of the existing building with a single storey construction measuring approximately 4 metres at its highest point and 3.6 metres at its lowest point.

To reduce the ambient noise levels from pitch activities, an acoustic barrier/bund is recommended as a mitigation measure in the ES. The proposed bund is located to the south of the AWP and extends close to the site boundary at the rear of the gardens of nos. 112 / 114 Swarkestone Road along the line of the pitch. The proposed bund would be formed using excavated top soil and it would include a landscaping screen.

Whilst the application proposes the creation of an AWP and the re-siting of existing grass pitches the overall number of sports pitches will not increase as a result of the proposed scheme. The proposals will be used predominantly by the School for curricular and extra-curricular use however the pitches will be used by other community organisations. Details of the proposed use of the AWP are outlined in the submitted Draft Programme of Use, in Appendix 1 of the ES.

Environmental Statement

The following is a summary of the content of the Environmental Statement. The Environmental Statement is accompanied by a Non-Technical Summary which is broken into sections which I have summarised as follows:

Consideration of Alternative Sites

Committee Report Item No: 6

Application No: DER/11/09/01322

Type: Full Planning Application

The main objectives in designing the pitch were to ensure that the pitch was accessible for out of school use and was located close to the changing facility. Also, the position of the pitch was at the greatest possible distance from the perimeters of the school. In light of these objectives the playing fields to the west and south of the school buildings is the only area large enough to accommodate the AWP. In addition the position of the pitch is constrained by the need to have an athletics track to meet curriculum requirements.

Alternative locations have been considered within the school's curtilage, plans of the alternative schemes can be viewed in Appendix 2 of the ES and summarised below.

Scheme 1 – pitch along the boundary; this had the benefits of only disrupting one existing pitch however the flood lights would have been closer to those residential properties on Swarkestone Road and therefore was discounted.

Scheme 2 – pushes the AWP deeper into the schools site but impacts on the flexibility of the existing pitches and stops the school from marking out an athletics track.

Scheme 3 – this is pretty much the chosen site however the proposed spectator viewing area has been moved to the other side of the pitch; further away from those residents on Swarkestone Road.

Scheme 4 – the pitch is turned at right angles and moved away from the boundary however the proximity of the fire access, to provide emergency access to the rear of the school buildings, would be compromised along with the need to accommodate the athletics track. In addition there would be a large expanse of 'waste ground' between the AWP and the changing rooms; which is not large enough for any curriculum usage.

The 'Do Nothing Option' – the AWP and changing rooms would not be constructed and the existing facilities remain in use, which would have an impact on the students of Chellaston School. The ES states that the consequences of this option are:

- Health and Safety Standards would be breached,
- Students bring mud into areas that should be kept clean,
- The changing facilities are inadequate and pupils cannot take showers as the area for showering is used for changing, this is the same for the girls and boys changing, with changing taking place in shifts,
- The main school buildings have to remain open when the pitches are in use; this requires staffing and has significant security issues.

Planning Policy

This section of the ES sets out National, Regional and Local Planning Policy which is considered to be relevant to the proposed development. The section is structured into National and Local Policy and provides a general overview of each policy document and local plan policy, in terms of its generic purpose and not how it relates specifically to this proposal. The policy implications of the proposal are discussed further in parts 10 and 11 of this report.

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Socio-Economic Impacts

The ES states that there are identified deficiencies in terms of sports pitches in Derby. This conclusion is drawn following consideration of the 'Playing Fields Needs Assessment Study' which was carried out by the then Regional Council for Sport and Recreation and local authorities. Private facilities, including those provided at a school, are recognised as playing an important role in sports provision and in raising amenity standards. Table 4.2, of the ES, "*Population and Age Distribution (from 2001 Census)*" provides details of the population of the Chellaston Ward and surrounding areas and highlights specifically the percentage of that population which is under 24 years old. Existing grass pitches at the school are unusable in times of bad weather or during the evenings. In addition the existing changing facilities do not meet current health and safety standards and furthermore are not accessible by disabled people. The Socio-Economic impacts, considered by the ES have been broken into four topic areas: Employment, Education, Healthcare and Open Space.

In terms of employment the proposed AWP is thought to create employment opportunities for the duration of its construction, which is predicted to be approximately 26 weeks and is therefore thought to be a minor beneficial impact with no mitigation measures proposed.

Education is considered to be improved, with PE being taught in a high quality environment; the facility would also allow sport to be available beyond curriculum time. "*A growing evidence base demonstrates that high quality PE and sport has in improving educational standards through helping young people become active and healthy and can play a central role in developing young people's confidence and self esteem, helping develop team working and wider personal skills*". This is considered to be a moderate beneficial impact, with no specific mitigation measures proposed.

The impact of the proposal on Healthcare is considered to be a minor beneficial impact with participation in PE and sports contributing to the Chief Medical Officers recommendation of an hour's exercise a day for young people.

The ES considers the impact of the proposal on open space and considers that to be a minor beneficial impact with no mitigation measures proposed.

Transportation

Transportation is considered under three specific transport modes: Vehicular, Public Transport and Walking and Cycling. The site is considered to be in a strong location on the A514 (Swarkestone Road), approximately 700 metres from junction 3 of the A50. The school provides 126 car parking spaces within its curtilage, 4 of which are designated for disabled usage with "on- street" space for approximately 30 vehicles around the access/egress driveway which is also within the curtilage of the school.

In terms of public transport there are numerous bus stops on Swarkestone Road along with a pedestrian crossing which provides a link to the bus stops on the opposite side of the public highway. A summary of the bus services is provided within the ES, page 29, with the full bus routes illustrated in Figure 2 in Appendix 3. There is a regular bus route between Chellaston and Derby, which also serves the Shelton Lock and Allenton areas of the City, which runs every 20 minutes on weekdays including Saturdays, with an hourly service after 19:00 until midnight. Services run

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every hour on Sundays. There are services to Melbourne and Swadlincote however these are considered to be limited.

There are large residential areas within walking and cycling distance to the school, which form the majority of the school's catchment area. These two modes of transport tend to account for a high percentage of travel by secondary school pupils. There are a number of footpaths, footways and crossing facilities within the vicinity of the school including the pedestrian crossing outside the school and the signalised junction of High Street, Station Road and the A514. There are also national and local cycle routes in the vicinity of the site.

This section also highlights the current extra curriculum programme which includes sports (netball, hockey, fitness, etc) and non sports clubs (music, drama, languages, etc) and roughly involves 100+ children, in addition to those taking part in football and rugby. The school day has been changed with lessons finishing at 15:00 with most non sport clubs finishing by 16.15 – 16.30 and those who are participating in sports clubs generally leaving between 17.00 and 17.30.

The pitch would be used by the school for curricular and extra-curricular activities between 08:00 and 17:30 each day with facilities available for hire from 17:30 until 21:00 on weekdays and from 08:00 until 18:00 at weekends and Bank Holidays. The curricular activities are not considered to generate any additional trips as children are already at the school. In terms of extra-curricular activities, the maximum number of children using the pitch is anticipated during the school's football training; with two squads of 30 training three nights a week. There are also school football matches, approximately 10 per winter term and would include 15 pupils from the opposition school who generally arrive by mini bus. Rugby training at the school occurs twice a week, on evenings when there is no football and would involve between 30-40 pupils and therefore be less intensive than the football training.

The extra curricular activities are not anticipated to generate additional trips as these activities already take place on the site, using the existing facilities. The activities listed within the ES are restricted between November and February due to the lack of lighting and are therefore carried out indoors; the AWP would enable these activities to continue outdoors during the winter period.

In terms of pitch hiring; it is considered that when a third of the pitch is hired, it will accommodate a maximum of 15-20 juniors therefore a maximum of 60 at any one time .

For adult usage, if the individual thirds of the pitch are booked then the maximum combined number of people is likely to be 35-40 and less again if the whole pitch is booked. Interest has been expressed from local sports clubs, in terms of pitch hiring with training commencing at 17:30 with a total of 12-15 people per third of the pitch and a maximum of 36-45 participants per session; these include Castle Donnington FC (Monday and Friday), Melbourne RFC (Wednesday) and Chellaston Juniors FC (Tuesday and Thursday).

The construction of the AWP would take approximately 26 weeks with the number of people travelling to and from the site increasing during this period. Traffic would also be generated by the delivery of materials. The increase of traffic is not considered to

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be significant compared to the current levels of trips to and from the school each day. The car parking area for the construction site will be separate to that of the school.

It is anticipated that a significant percentage of pupils and people using the facility would live locally and therefore are likely to walk, cycle or use buses which stop at the main entrance of the school. It is not uncommon for 80-85% of pupils to walk, cycle or travel to school by bus due to the school catchment area being supported by the large residential areas of Chellaston. Due to safety issues it is anticipated that there will be a higher percentage of car journeys in the winter however it is not uncommon for parents to share the responsibility of picking up children from after school clubs.

In conclusion, the proposals, according to the content of the ES, are not anticipated to have a significant impact on the local highway network in terms of traffic generation. The curricular and extracurricular activities are not anticipated to increase and the facility would permit greater frequency of activities taking place outdoors which currently take place indoors in bad weather and in the winter. The increase in traffic in and out of the school is not considered to be significant in comparison to the two way traffic on Swarkestone Road (A514) and is therefore judged as being a 'negligible impact'. The level of car parking on the site is considered to be more than adequate. The construction traffic is not considered to be significant when compared to the traffic travelling to and from the school each day. In addition this increased traffic would be for a temporary period of approximately 28 weeks. The development is therefore considered to be acceptable in highway terms.

Air Quality and Carbon Emissions (Climate Change)

This section of the ES seeks to consider emissions to air and changes to air quality that could potentially occur during the construction and operation phases of the proposed scheme, together with the potential impact of those changes on sensitive receptors in the study area. Air quality data for NO₂ has indicated that it is unlikely that any of the monitoring locations within South Derbyshire are at risk of exceeding the Air Quality Objectives as set out in the *Air Quality Strategy for England, Scotland, Wales and Northern Ireland (2000)*, the *Air Quality Regulations 2000*, the *Air Quality (England) Amendment Regulations 2002* and the *Air Quality (Scotland) Amendment Regulations 2002*.

The construction phase of the development will lead to the generation of dust and PM10; the majority of this dust is likely to be kept within the boundaries of the site although some may be transported in the air to sites outside of the construction area. The proposed construction activities are considered to be of a moderate scale and duration with the effects of the development possibly being felt 200 metres from the construction site. The main impact is likely to be the nuisance caused by the deposit of dust on the school, properties, vehicles and outdoor furniture. Exhaust emissions from construction vehicles may also impact on air quality for the construction phase however it is considered that these would be small compared with the normal traffic flows on the A514. In terms of mitigation measures the ES does provide details of measures to lessen the nuisance and human-health impacts of the dust and PM10 during the construction period; the selection of haulage routes into the site, location of stockpiles, frequent spraying of stockpiles and haulage roads with water, regular

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sweeping of access roads, covering of vehicles carrying materials and early planting of landscaping features.

Exhaust fumes, from vehicles using the facility, may have an impact however the number of vehicle movements is very small when compared with the normal traffic flows on local roads; therefore no mitigation measures are proposed.

When considering carbon emissions and embodied energy associated with the artificial pitch, changing rooms, fencing (including paint) and lighting is considered small when assessed by dividing the number of people using the facility. Therefore no specific mitigation measures are proposed.

In terms of carbon emissions when the facility is operational; the ES derives conclusions based on proposed usage from September to October, when lighting is in use, by 60 users who all take a shower. The impact is described as being a 'minor adverse impact' with mitigation measures proposed. These include the use of sustainable energy sources and the replacement of the lighting when the technology becomes available, the use of these mitigation measures would result in a 'negligible residual impact'.

The ES states that the implementation of the proposed mitigation measure would cause the residual impacts in relation to the air quality from construction and the Carbon emissions from the operation of the AWP to be negligible.

Noise

In order to assess the potential noise impact, evening ambient and background noise levels have been measured at the site boundary close to the noise sensitive premises. Noise from a typical football activity has been assessed at the Lees Brook School, where a similar facility is now in full operational use. Assuming all three sections of the proposed artificial grass pitch are used simultaneously, the number of individuals playing would be up to 45 players plus coaches/teaching staff, which would represent a worst-case scenario. This has formed the basis of the calculations of the ES. Noise levels were measured at the application site on Wednesday 12 November 2008, between the hours of approximately 14:00 and 21:45, and is considered to represent the general daytime and evening noise in the area. Measurements were not taken from Station Road due to the greater distances involved between the proposal and the residential properties.

There is no specific guidance on noise from football pitches although PPG 24 (Planning & Noise) provides advice and also reference to PPG 17 (Sport & Recreation) where general advice is given for considering the location of noisy sports activities. The World Health Organisation (WHO) provides guidance for noise both inside and outside of dwellings; these values aim to achieve acceptable internal noise levels to avoid annoyance. The ES also refers to British Standard guidelines and Building Bulletin 93 which could reasonably be used for noise comparisons. The measured noise data at the school and at sports facilities similar to that proposed (Lees Brook School) has been used to calculate the effect of the proposed AWP operating during the daytime and evenings in terms of average and maximum noise levels. It is highlighted that the existing ambient noise is dominated by road traffic noise from the A50 trunk road. The report states that the ambient noise levels of the gardens of the nearest properties around the pitch will be similar to those currently

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experienced during the daytime and will be significantly lower than that currently existing during the evening. The ES states that, in terms of average noise levels, the predicted ambient noise from the pitches, at the nearest residential gardens would be similar to the existing ambient levels; this is judged as a negligible impact.

The ES includes predicted maximum noise levels from the proposal in relation to residential dwellings surrounding the site on Swarkestone Road, Glen Park Close and Station Close. Based on the assessment of predicted noise levels at the building elevations it is considered prudent by the Noise Consultants to include a noise barrier to the south of the proposed pitch, in order to ensure that existing ambient noise levels are not exceeded and that maximum noise levels are minimised in the interest of reducing the likelihood of annoyance in gardens and particularly in bedrooms during the evening.

It is concluded in the ES that noise from the pitch activities can be controlled to acceptable levels at the nearest existing residences on Swarkestone Road, by the provision of an acoustic barrier, or bund, approximately 5 metres from, and adjacent to, the pitch at its southern perimeter. The barrier, or bund, should be at the minimum height of 1m to control noise to below the proposed noise target level in a garden. The properties to the north of this position on Swarkestone Road will benefit from some screening from the existing changing rooms and the proposed extensions, therefore no additional mitigation measures are proposed.

The properties on Glen Park Close and Station Close are significantly further away from the AWP and are deemed to be subject to noise levels that do not require mitigation measures.

A member of the Council's Noise & Pollution Team will be present at the meeting should Member's require any clarification about noise related issues.

Surface Water

The existing surface water discharge from the site is uncontrolled with the proposed development connecting into the existing drainage system, with measures, where appropriate, to control surface water flows prior to discharge from the site to the Cuttle Brook, a tributary to the River Trent. The Cuttle Brook is located approximately 350 metres from the site. A site specific Flood Risk Assessment has been carried out, the comments of the Environment Agency (EA) and my colleagues in Land Drainage are included in Section 9 of this report. The site, as indicated by the Flood Maps of the EA, is not located within a Flood Zone; therefore the emphasis is placed on assessing whether or not the runoff from the site exacerbates flooding lower down the catchment area. The topography of the site would indicate that any runoff would flow in a westerly direction and into any field drains.

The change in runoff characteristics from the development following the replacement of the grass pitch with the permeable synthetic grass with a drainage under-layer is considered unlikely to exacerbate flooding lower down the catchment. The permeable surface of the pitch and under drainage layer is considered to attenuate runoff and store rainfall similar to that of a grass pitch.

There is a risk of muddy water runoff entering the Cuttle Brook during construction following the exposure of bare soil. However the soil excavation for the pitch and foundations for the changing rooms is unlikely to exacerbate sediment runoff. The ES

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does recommend that field drains and other water courses are protected during the critical periods of construction, namely during times of soil exposure.

Ground Conditions and Contamination

The previous uses of the site were agricultural land and school playing fields and neither of these uses are listed as being contaminative uses. The excavation of soil is unlikely to release any contamination and is considered to be beneficial for the purposes of landscaping.

Ecology

The proposal seeks to construct an AWP on the site of an existing grass pitch; along with the replacement of the existing grass pitch. The replacement grass pitch is to be constructed on part of the "wild area"; however most of the "wild area" will remain. Several large Crack Willows will be removed as part of the proposal. There are a number of mature trees within the site the majority of which will remain with the exception of the removal of the Crack Willows and a section of the hedgerow.

The existing habitat types on site are considered to be of "Limited Wildlife Interest" however the proposed works to remove the vegetation are scheduled to occur outside of the bird nesting season.

The proposed lighting could have the potential to affect the movement and ability of bats. In order to mitigate this, the proposed lights will be configured so as not to spill onto the field boundaries of the site.

Visual Assessment

This section relates to the effects of the proposal on the landscape character and the amenity value of the surrounding environs. The proposed changing room's extension is not considered to be visually out of place due to its single storey construction and proximity to existing school buildings. Any impact is therefore considered to be negligible.

The intrusion of the lighting columns (12 metres) and fencing (3 metres and 4.5 metres) is inescapable and would be viewed by the surrounding residential properties. The mesh design of the fencing is considered to be transparent in appearance and would reduce the bulky form of the AWP boundaries. The existing school site has changed previously over the recent years through the introduction of new school buildings and through the construction of housing to the west of the playing fields. The impact is therefore considered to be a 'minor adverse impact'.

The design of the individual lighting columns is such to shield light from the surrounding area and alleviate "sky glow" and the trespassing of light past the point at which it is needed. It is stated that the proposed lighting elements benefit from less glare due to the use of "flat glass" which means that there is no direct upward light that would illuminate the sky. In addition the topography of the land, degree of enclosure and landscaping framework would reduce the impact of lighting on sensitive receptors and is therefore judged as being a 'minor adverse impact'.

It is not practical to reduce the impact of the proposal during the daytime although the bund will provide a degree of screening. The lighting has been designed to reduce light spillage. The 2 metre high bund would also reduce light spillage at the nearest

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school boundary (along the footpath). It is thought this will help to reduce the visual intrusion of the proposed and also be of benefit to any commuting bats, (section 10.5 of the ES).

Archaeology

The “wild area”, which is currently unused by the school, contains earthwork ridge and furrows as listed in the Derbyshire Historic Environment Record (HER 32046). In order to satisfy a condition of the previous approval a topographical survey has been carried out and accompanies the ES. The ridge and furrows are partly eroded and it is stated that such denudation is probably a result of cross ploughing in the 20th Century which has led to the partial flattening of the ridge into the furrows. There are four other ridge and furrow earthworks within a 2km radius of the school site. When considering the nature of the earthworks and the existence of similar works in this locality, the loss of the ridge and furrow earthworks at the school is considered to be a minor adverse impact.

Conclusions and Summary

The proposal would allow the teaching of physical education and provide access to sporting activities beyond the curriculum. The proposal also supports the Government’s plan for Sport “A Sporting Future for All”. The benefits are therefore considered to be a moderate beneficial impact.

The environmental impacts of the development have been assessed along with the impacts of the proposal following the implementation of any mitigation measures:

Transport	}	Negligible Impact
Noise		
Air Quality and Carbon Emissions		
Surface Water		
Ground Conditions		
Ecology		
Visual Impact	}	Minor Adverse Impact
Archaeology		

There are expected to be no cumulative impacts from the development.

The mitigation measures in the ES can be tied to any planning permission by condition.

4. Relevant Planning History:

DER/12/08/01696 Granted Planning Permission – Extension to School (changing rooms) and creation of all weather sports pitch and floodlighting

DER/09/08/01350 Withdrawn – Extension to School (changing rooms) and creation of all weather sports pitch and floodlighting

DER/09/077/01223 Granted Planning Permission – Layout of playing fields, tennis courts and erection of fencing

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The comments of the Police ALO are set out in Section 9.7 of this report. Amenity considerations, design considerations and the perceived impact of the proposal in the street-scene are discussed in Section 11 of this report.

5.2. Highways – Development Control:

The application is very similar to a previous application, DER/09/08/01350 which was withdrawn and also a subsequent application, DER/12/08/01696 which was granted conditionally. This application does not differ significantly from the previous in highway terms; therefore the previous comments are reiterated. The main change is that the applicant has reduced the proposed hours of operation. The accompanying Transport Statement together with Personal Injury Accident information for the vicinity of the access into the school indicates that the proposal does not create any significant highway implications. There are no highways objections to this application.

Highways – Land Drainage:

Further details are awaited with respect to verifying the materials of the sub base; the application currently shows a type 3 sub base which is a close graded material with very few voids in which to store surface water and will not therefore work as storage medium as the calculations assume. As such the calculations and drainage philosophy do not demonstrate a sustainable drainage solution and may increase flood risk to other 3rd party properties. No additional correspondents have been provided to support the calculations and therefore suitable conditions should be attached to any planning permission that requires the full details of the drainage system to be submitted prior to the commencement of any development on site.

5.3. Disabled People's Access:

Sports England guidance "Access for Disabled People" recommends that one unisex changing room and toilet be provided and no such facilities are incorporated. The proposal would be expected to comply with the above recommendation. The proposed changing rooms extension would also need to comply with Building Regulation accessibility guidance.

5.4. Other Environmental:

Refer to sections 4, 9 and 10 of this report.

6. Publicity:

Neighbour Notification Letter	436	Site Notice	
Statutory Press Advert and Site Notice	Y	Discretionary Press Advert and Site Notice	
Other			

The publicity for this application accords with statutory requirements for applications accompanied by EIA. The application has been publicised in the Press on two occasions, site notices have been displayed and individual neighbour notification

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letters have been sent. Copies of the ES and the Non-Technical Summary have been made available at the School and Council offices for public scrutiny.

7. Representations:

436 initial letters of neighbour notification were sent on 30th November 2009 along with the display of a site notice on 1st December 2009. Following the receipt of the Flood Risk Assessment the Council re-notified 550 members of the public of the additional information along with the erection of an additional site notice on 19th January 2010. The application and additional information has also been advertised in the press.

At the time of drafting the report, the application had attracted 212 letters of representation, 160 of which are letters of objection and 52 are letters of support. In terms of the initial neighbour notification letters, 436 letters were sent to properties that either surround the application site and/or made representations to the previous application. In addition to the above, copies of the application have been made available at the School for public consultation along with copies of the Environmental Statement, Non-Technical Summary and Flood Risk Assessment. A summary of the letters of objection and support are provided below:

Objections

- Concerns remain the same as those submitted as part of the first and second application. I would refer Members to the previous report which is reproduced in full.
- The application should not have been registered by the LPA due to the pending Judicial Review,
- Impacts of noise and general disturbance to residential properties due to the siting of the proposed close to the residential properties,
- The hours of operation are unacceptable in a residential location,
- Loss of trees and natural habitats,
- There is an existing under-used facility at Snelsmoor Lane that should be redeveloped rather than a new one built,
- Impact of the Clubhouse, in terms of noise, potential for drinking licence, and parties,
- The school is being running as a business and not a school facility,
- Increased traffic and congestion,
- Light pollution due to floodlighting,
- The school, at present, is over subscribed and this facility will only worsen this,
- The topography of the land will worsen impacts on those residential properties on Swarkestone Road which are elevated above the application site,
- Loss of view and tranquillity,
- The accompanying information is biased and limited,
- Hours of operation are not acceptable,
- Location is unacceptable,
- Reference has been made to other facilities both within the City boundaries and outside the City boundaries where all weather pitches have created problems relating to noise and light pollution,
- Potential for anti-social behaviour,

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- The school site is too small to accommodate such a pitch,
- Impact on bats living in the area,
- There is nothing within the application to suggest that the school will provide management of the facility or that it will reduce anti-social behaviour.

Support

- The proposed would benefit the School, pupils, sports clubs and the wider community,
- Disappointment over the length of the process to build such a beneficial facility,
- Sporting events, training sessions, and curricular activities, in the past, have been cancelled due to poor pitch condition
- Increased physical activity of children, and will be away forward to reducing childhood obesity,
- The pitch has been designed to ensure a minimal impact on surrounding properties and has less environmental impact than other pitches in the area,
- Raising the value of properties in the schools catchment area, as a multiplier effect, as the school facilities will improve,
- Lead to a reduction in anti-social behaviour and the congregation of youths as they will have a facility to use,
- Improve school facilities,
- Increase interest in sports,
- Will help to regenerate Chellaston as previous developments have been centred around housing estates,
- The benefits of the scheme far outweigh any negatives of the scheme,

Representations have been received which question the Authorities acceptance of letters from none local residents; that does not prevent them from being taken into consideration, although the relevance and weight will depend on what issues they raise.

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

8. Consultations:

8.1. Natural Environment:

The tree proposals are considered to be acceptable. The management plan for the "Wild Area" will be sought separately. Derbyshire Wildlife Trust should provide comment on biodiversity elements.

8.2. Environmental Services (Trees):

States that the application can be mitigated in terms of impact on the trees and tree loss through the use of planning conditions. If the incursion into the root protection areas of the 3 Pines cannot be avoided and a non dig solution is impractical in this area, then an additional 3 Pine trees should be included within the re-planting scheme to mitigate this loss and the inclusion of a replacement hawthorn hedgerow in the area detailed below. There are no over-riding objections to this proposal.

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8.3. Environmental Services (Health – Pollution):

Notes that an Environmental Impact Assessment has been submitted with the application. Also, notes that the applicant still proposes to operate in the evenings, at weekends and on bank holidays. Would like to refer to the previous comments of the Environmental Services Officer and would reiterate her concerns regarding noise from the proposed facility. Should permission be given, it is strongly recommended that consideration be made to limiting the hours of operation.

In respect of lighting, attention should be drawn to the previous comments of the Environmental Health Officer, namely that there is likely to be a detrimental effect on the amenity of some residents from light and therefore, floodlighting must be located, installed and maintained in a manner so as not to cause a nuisance to neighbouring residents.

Comments are also provided on the “Synopsis of Assessment of Noise and Light Impact from All Weather Pitch. St Asaph Leisure Centre”; submitted by the Residents Adjacent to Chellaston School.

My colleague has reviewed the submitted acoustics assessment relating to an all weather sports pitch at St Asaph Leisure Centre in November 2006 (Ref: O'Hare 61204) and offers the following comments:

- The assessment relates to a site outside Derby City, the address of which is not noted in the assessment.
- The report does not include a site plan or associated monitoring locations. It also does not specify the distance of monitoring locations from the noise source.
- No background monitoring data is included in the report.
- No calculations are provided as evidence for the majority of the statements made in the report.
- BS4142 is referred to, but is not incorporated into the assessment and no numerical comparison is made with background noise levels. Nevertheless, the conclusions of the assessment are that the noise impact is severe.
- The report relates to a site in a rural location. As such, it is not relevant to compare the assessment to a site within an urban location such as Derby City.
- The report appears to be a subjective and biased assessment of noise, with the writer exhibiting an emotional connection to it. Examples of comments that display this include, *“I could not tolerate or live with this noise”*, *“at times this seems relentless”* and *“...I fail to see how the Council could have doubts over this”*.
- I would consider this assessment wholly irrelevant to potential noise at Chellaston School. I have no other comments to make on the report

8.4. DCC Archaeologist:

The proposal site contains extant poor quality ridge and furrow in scrubland, which was the subject of an archaeological condition for topographic survey, which was attached to and carried out in accordance with the previous

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application, DER/12/08/01696. An area of the ridge and furrows remains to be surveyed due to dense vegetation. In light of the previous works a specific condition should be attached to any consent.

8.5. ENV Agency:

We have no objection to the proposed development subject to imposition of the following planning condition:

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.

SuDS involve a range of techniques including methods appropriate to contaminated sites that hold water in storage areas e.g. ponds, basins, green roofs etc rather than use infiltration techniques. Support for the SuDS approach is set out in paragraph 22 of Planning Policy Statement 1 and in more detail in Appendix F of Planning Policy Statement 25.

8.6. Derbyshire Wildlife Trust:

The “wild area” of rough grass and scrub has been identified to contain earthwork ridge and furrow; the remains of medieval strip cultivation. The formation of a new grass pitch within the “wild area” would result in the loss of the ridge and furrow earthworks and we therefore advise that this needs to be assessed against Local Planning Policy E12 (Archaeology).

The proposed formation of a new grass pitch will result in the loss of a hedgerow, scrub, rough grassland and mature Crack willow trees. Hedgerows, regardless of their species-richness, are a UK BAP priority habitat and a Habitat of Principle Importance within Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. It is recommended that the loss of these habitats should be compensated for through the planting of native trees, the creation of new hedgerows and the retention and planting of native scrub.

The Environmental Statement has included an assessment of protected species which may potentially be present on the site. No evidence of bats was found in the existing pavilion building although potential access points were noted. A bat activity survey undertaken in September 2009 observed common pipistrelle bats foraging along the hedgerows.

Mature Crack Willow trees are to be removed in order to facilitate the formation of the new grass pitch and these have potential to possess features suitable for use by roosting bats. We are aware that although an assessment was made of the potential of the trees on the site to support bat roost opportunities we recommend that prior to the removal of any trees an up to date inspection for bat roost features should be carried out. Similarly, because of the transient nature of bats and the time-lapse since the building inspection was carried out we would recommend that a further survey of the building

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should be undertaken prior to the works commencing as per the recommendation in section 9 of the Ecological Assessment.

The floodlighting associated with the proposed all-weather pitch has potential to impact upon foraging/commuting routes used by bats.

We advise that the floodlighting associated with the all-weather pitch should be designed to minimize light pollution along the site boundaries and hedgerows in order to avoid impact upon the bat foraging/commuting routes identified on the site. Evidence of badger was found in the “wild area” but no setts were recorded. It was concluded that badgers use the area for foraging and commuting.

It was concluded from the assessment that the “wild area”, trees and hedgerows provide suitable habitat for nesting birds. Whilst we acknowledge that no UK BAP priority bird species were recorded on the site during the survey visits we are aware that no specific breeding bird survey was undertaken and the site visit was made in July which is towards the end of the breeding season for some bird species. We therefore maintain the view that the creation of the new grass pitch has the potential to result in the loss of nesting opportunities for a range of bird species.

The Trust would advise the Authority that any vegetation removal, including tree felling, should be scheduled to avoid the bird breeding season which can extend from March to late August. If this is not possible any vegetation should be surveyed for nesting birds immediately prior to removal by a suitably experienced ecologist. Should an active nest be found, the nest should be left undisturbed until all young have fledged. This should be attached as a condition to any permission.

We note and support the production of a Habitat Management Plan for the “wild area” to demonstrate how the remaining area will be managed and enhanced for biodiversity. The Plan should aim to promote the use of the site as a valuable resource within the school curriculum. Biodiversity enhancement should include the restoration of existing hedgerows on the site. This could include, where appropriate, coppicing, laying and gapping-up using appropriate native species of local provenance together with the implementation of a future management regime. The Plan should state how the management of the “wild area” will be funded and implemented and should be agreed in writing by the Authority following consultation with Natural England and the Derbyshire Wildlife Trust. The provision of the Plan should be attached as a condition to any permission.

8.7. Police Liaison Officer:

Is sympathetic to the application as these facilities are greatly needed in this area. The extension is well designed for its use with high level fenestration and minimal recesses.

There are always issues with noise and light spill from these types of facilities especially with late hours of use.

On safety grounds the bunds actually reduce beneficial preventative views into and from the site to offer natural surveillance protection to the pavilion

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and make the adjacent public footpath slightly less safe by removing the open nature of the path, in a short 50m section.

On balance supports these proposals with secure boundary treatments and well designed extension with a controllable single point of access.

It is recommended in terms of mitigation that the hours of use should be restricted to reduce noise nuisance and anti social behaviour emanating from the school enclosure.

Many calls for service are received by the Police and Council regarding excessive noise and nuisance from recreational facilities especially later in the evenings.

The consultee wishes to clear up any confusion that appears to have been created regarding the two sets of comments relating to the applications for Chellaston School and the extension for changing rooms and the creation of an all weather pitch and flood lighting. His comments are as follows:

The set of comments for application code no. DER/11/09/01332 relating to this proposal were a briefer edited version of the comments I made for the first application under code no. DER/12/08/01696. It was this original information that a member of the public asked me to send in again.

My comments for the current application DER/11/09/01332, in my opinion, still cover the issues of noise nuisance, light spill and anti social behaviour and suggest restricting hours of use due to the potential of increased calls to the Police due to noise and nuisance late in to the evening that can emanate from such land use.

I edited these to remove comments that were part formulated using my own personal experiences of noise and nuisance from similar permitted land uses and to clarify and make the comments more concise and for no other reason.

I now see that the personal experience comments could be seen as a possible conflict of interest as well as unprofessional when, it is my duty to reflect professionally on the potential adverse effects of a development on a site specific basis.

It is also stated that he wrongly presumed that the application was one and the same and not a totally separate application hence the mistake in the reference numbers and date.

In conclusion, the consultee is happy for the City Council to take forward the more concise comments as submitted for the current application which still cover all the relevant issues.

8.8. Natural England

Notes the inclusion of the Environmental Statement with this application and that the surveys were undertaken in July 1008, which is considered to be on the outside of what is likely to be acceptable in terms of time-lag. Have no objections to the proposal subject to the attachment of conditions to any consent.

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8.9. Sport England

The comments remain the same as per the previous application, DER/12/08/01696. Whilst the current application includes additional information in response to specific issues Sport England understands that the siting and extent of the proposed extension to the pavilion and the proposed all weather pitch are the same as the previous application. As such the comments of Sport England remain consistent with their previous comments. The development will have an impact on the playing fields; however as a replacement pitch is proposed this outweighs the potential loss. The proposal therefore conforms to exception E5 "An alternative sports use is proposed, outweighing loss". The new facilities are welcomed by Sport England. However concern is expressed that the value of the facility to the whole community will be reduced by the shorter evening opening hours.

8.10. GOEM

In accordance with statutory requirements the government office was sent full details of the planning application, ES and Appendices. No comments have been received in relation to the application.

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

GD1	Social Inclusion
GD3	Flood Protection
GD4	Design and the Urban Environment
GD5	Amenity
E5	Biodiversity
E7	Protection of Habitats
E9	Trees
E10	Renewable Energy
E12	Archaeology
E17	Landscaping Schemes
E23	Design
E24	Community Safety
L2	Public Open Space Standards
L6	Sports Pitches and Playing Fields
LE1	Education Uses
T4	Access, Car Parking and Servicing
T6	Provision for Pedestrians
T7	Provision for Cyclists
T8	Provision for Public Transport
T10	Access for Disabled People

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

10. Officer Opinion:

The main issues at the centre of the assessment of this application are considered to be the impact of the proposal on residential amenity in terms of noise and visual impact and pollution in terms of noise and light.

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Alternative Sites

The application is accompanied by details of the site selection process along with the potential implications if the School were not to implement such a facility; details of which are set out in Section 4 of this report. Site selection and site location is a holistic approach with the consideration of, amongst others, pitch flexibility, need, impact on residential properties and security of the school. Given the issues for consideration I am of the opinion that the siting of the proposed pitch and changing room extensions does seek to reduce impact on residential amenity whilst ensuring the security, safety and usability of the school and its site. Whilst this siting may not be considered to be appropriate by surrounding residents other potential locations would have resulted in detrimental impact on the schools facilities in terms of loss of useable pitch area and impact on school safety when used by others. In addition the facility is needed to improve curriculum activity for pupils at Chellaston School.

Planning Policy

The City of Derby Local Plan Review provides both generic and specific policies which will be considered throughout the Officer Opinion section of the Report and therefore this section is not exhaustive of planning policy and the proposals acceptance or conformation to local plan policies and their criteria.

Policy L6 *“Sports Pitches and Playing Fields”* of the adopted CDLPR states that planning permission will not be granted for development which involves the loss of land currently used for sports or recreational purposes, including playing fields associated with educational establishments, such as Chellaston School, unless one or more of the three specific criterion are met. These include that the facilities currently provided can be either be fully retained or enhanced through the development of only a small part of the site; or the alternative provision of another site of the same or better facilities in terms of community benefit is implemented before the commencement of development; or it is demonstrated to the satisfaction of the City Council that the site is not required to be retained for sports or recreational purposes

In terms of the proposed scheme the application seeks to replace an existing grass pitch with an AWP whilst relocating the displaced pitch within the school’s curtilage. In addition the AWP will be available to hire by the community and thus is seen as a community benefit along with the extension to provide the proposed changing rooms which will enhance the existing changing facilities at the school. As such the proposal adheres to policy L6 of the adopted CDLPR as the proposed scheme will not result in the loss of any playing fields and therefore conforms to the policy.

Policy LE1 *“Education Uses”* seeks, amongst others, to ensure proposals are in keeping with the general scale, character and levels of activity of the surrounding area and to ensure the site and/or building is sufficiently large and self contained to prevent unacceptable levels of disturbance to nearby residents. It also states that keeping educational facilities close to local communities helps to foster good community relations and reduces social exclusion. In addition the policy aims to ensure that education facilities are located in ways that enable people to choose to reach them on foot, by bicycle or by bus. In this instance the proposal at Chellaston School is considered to be in line with the criteria of policy LE1.

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Socio-Economics

“A Sporting Future for All” encompasses the Government’s aspirations which are clear on increasing sporting opportunities; ensuring “*more people of all ages and all social groups*” take part in sport and sporting activities, such facilities as that proposed, which will increase both curricular, extra curricular and be available for hire by social groups, in my opinion is a way of reaching this Government goal. A further aspiration is to extend opportunities beyond the close of the school day; such a facility as that proposed will, as stated with the ES, provide extra-curricular activities in varied sports at the end of every school day each week and in addition is available for hire for community groups. Therefore, the proposal will help to broaden skills of both pupils at the school and communities groups increasing social inclusion, in line with policy GD1 of the adopted CDLPR as non-school pupils are not excluded from benefiting from such a facility.

Facilities, such as the proposed AWP, seek to ensure Physical Education can take place in times of bad weather when the water tables of the playing pitches are high and pitches deemed unusable. In terms of general health young people are advised to participate in an hours exercise a day; accessibility to such a facility that can be used throughout the year will help to ensure participation in exercise on a regular basis.

The objectives of the school, as set out within the ES, are clear as to trying to achieve the aspirations of the Government and increase participation in sport and involve the wider community.

Transport

The existing school site fronts the A514 which links directly to the city centre and the A50 which provides access to the M1. The site is accessible, due to its location, by foot, cycle and bus as well as by car. Details of the bus timetable are detailed within the ES including frequencies and those residential areas served. The comments of my colleagues in the Highways Development Control Section indicate that the proposal will not create any significant highway implications and therefore no highway objections have been raised.

The school has an existing access, egress, turning facility and car parking provision within its curtilage and the application seeks to use these existing facilities. The existing car park provides 126 spaces, 4 disabled spaces, and has the ability to accommodate a further 30 vehicles on and around the driveway, although these are not delineated spaces. The level of car parking is considered to be satisfactory. There are a number of footways around the school; the A514 also has a standard pedestrian footpath. The facility is to be used both during the school day and outside of the school day.

In terms of usage of the AWP and changing facilities during the standard school day there is considered to be no or limited change to the highway. The standard school day already encompasses physical education; with pupils and teaching staff currently participating in such curricular activities. Therefore the proposal will not generate any additional trips when considering the development of such a facility for curricular usage.

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It is evident from the details submitted that the school intend to use the facility for extra-curricular purposes after the close of the standard school day. However, as these clubs will be run by the school and for the purposes of the pupils no additional trips will be generated and the leaving times of the pupils will be staggered. Sporting after school clubs are likely to be only a relatively small percentage of extracurricular activities provided at the school and therefore in my opinion would not have a detrimental impact on the surrounding highway network.

The existing playing pitches, as approved in 1977, are already used by local sports clubs and by the community at weekends and in the evenings therefore I would question whether or not the development of the AWP would have an impact on the highway to a detrimental level, and whether or not it would generate more trips than already occur. It would be my conclusion that the development is likely to generate an increased number of trips as the facility will be available for use during hours of darkness and during times when the grass pitches may be waterlogged. However, the increase of usage of the playing fields as a whole in my opinion is likely to generate an influx of trips but not to a level that it would have a detrimental impact on the highway network.

Secure cycle parking and cycle hoops are already provided at the school site and therefore, I am of the opinion that it would be unreasonable to request additional cycle storage/parking through the attachment of a condition.

The level of car parking provided at the site is considered to be satisfactory and is in accordance with the parking standards as set out in the adopted CDLPR. Therefore I feel there would not be any reasonable justification to request additional car parking spaces for the proposed AWP and extensions to provide the proposed changing rooms. The site is considered to be in a sustainable location where the majority of users are considered to be within walking distance of the school and proposed facility. In addition the site is well served by public transport and cycle links. I am therefore of the opinion that the proposed scheme will not have a detrimental impact on or worsen the existing traffic situation and/or the level of movement in this location.

Air Quality

Following consideration of the application and supporting information I am of the opinion that there is likely to only be changes, in terms of air quality, during construction of the changing rooms and AWP with mitigation measures proposed to ensure the effects of any impact are kept to a minimum. I therefore do not have any additional comments to make as any effect will be seen in the short term and are not considered to be detrimental in the long term.

Noise

A number of objection letters received as part of the statutory consultation process have expressed concern with regards to increased noise levels from the pitch, spectators and increased comings and going of vehicles including the opening and closing of car doors late into the evening. Comments of the Council's Environmental Health Officer are provided in Section 8 'Consultation' of this report and express some concern with regards to the potential for increased noise. It is recommended by the Officer that hours of operation should be limited, to those recommended for

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building sites namely 07:30 to 18:30 hours Monday to Friday and 07:30 to 13:00 hours Saturday. In my opinion imposing standards that relate to building sites would be inappropriate and that reducing the hours of operation to that extent would limit the usability of the facilities and would therefore be contrary to the aspirations of the Government set out within “A Sporting Future for All” and the comments of Sport England, who state that value of the facility for the whole community would be reduced if the opening hours were shortened.

The existing layout of the school pitches was agreed in 1977 and therefore is an established existing use at this site. The use of the existing school grass pitches at evenings and weekends for curricular, extra-curricular and community based sports facilities is not governed by any restrictive planning conditions relating to the control of hours of use. The application therefore is not considering a new use in this location but is considering the erection of fencing, lighting columns, new changing facilities and a change in the surfacing material and not the principle of use of this location for the purposes of sport. There will most likely be an increase in use in that the AWP will enable use of the site at times when otherwise ground conditions may have limited such, particularly during the winter months, but in my opinion not significantly so. The lighting will also enable use previously restricted due to hours of darkness to take place but this can be satisfactorily dealt with by conditioning hours of operation of the flood lights. Subject to such conditioning it is my opinion that the erection of the new facilities would not unduly worsen any existing levels of noise currently experienced by neighbouring residents, particularly on Swarkestone Road.

Residents of the Swarkestone Road area have provided details of the current noise levels experienced when the existing pitches are in use, where the Local Planning Authority has no current control. Therefore would the proposal increase noise levels to such a detrimental level to warrant refusal of the scheme? In addition Environmental Health records show that only one complaint has been lodged in terms of noise at the school, in October 2008 and this was unsubstantiated due to a lack of completed information.

The applicants have shown details and proposed the erection of a 2 metre high bund which is proposed to mitigate any potential effects of noise on those nearby properties on Swarkestone Road. The proposed bund is a welcomed component of the scheme in order to reduce any potential effect on nearby residential properties.

The previously approved scheme restricted the use of the floodlights to 08.00 – 21.00 Monday to Friday and 08.00-18.00 Saturday, Sunday and Bank Holidays and I have no reason to suggest varying from the previously considered restriction.

Surface Water and Land Drainage

The scheme considers the potential for increased surface water runoff, which is generally a result of the installation of an AWP due to its need to be quickly drained of any surface water. However the calculations within the Flood Risk Assessment (FRA) do not support the use of the proposed materials in the construction of the AWP; therefore a condition is proposed to ensure full drainage details are submitted to the City Council prior to the commencement of works on site to ensure there is no increase in terms of potential flooding onto other 3rd parties. No objections have been obtained from the consultees, whose comments are set out in Section 5 and 9 of this

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report, and suitable conditions have been recommended in Section 12.3 in order to address their concerns.

Ground Conditions

The previous land uses of the application site relate to agricultural uses and school playing fields therefore the development is unlikely to result in the release of any contaminants. No concerns have been raised with regards to the potential of land contamination in this location following either the neighbour notification responses and/or the response of colleagues in our Environmental Health Team.

Ecology

The proposal will result in the loss of a section of the “wild area” to the south of the school curtilage. The application also seeks approval for the removal of numerous Crack willow trees, a section of hedgerow and Pine trees which are in close proximity to the AWP and are therefore likely to be damaged during construction; a no dig construction is not viable given the proposals. There have been no objections from my colleagues in Environmental Services providing a suitable re-planting scheme is secured by condition. In addition there have been no objections from Natural England and/or Derbyshire Wildlife Trust providing the removal of any vegetation is undertaken outside of the bird breeding season.

The accompanying information states that there were no badger setts within the application area and no bats were found to be roosting in the pavilion however should the contractors disturb or find traces of a protected species they are bound by the Wildlife and Countryside Act 1981 and EC Directive to cease any operational works and seek guidance.

The loss of trees as a result of the development is considered to be acceptable and will be mitigated by the attachment of a tree planting and landscaping condition, which is welcomed by the Arboricultural Officer.

In light of the mitigation measures proposed to carry out re-planting within the site to replace any felled trees I am of the opinion there is no ecological reason to deem this scheme unacceptable in accordance with planning policy.

Visual Impact

In terms of visual impact the application encompasses two very different proposals; the extensions to the pavilion and the erection of the AWP and associated lighting columns.

The extension to the existing pavilion to provide changing rooms is considered to be acceptable and will not have a visual impact on the setting of the school due to its siting, location and design.

The erection of 8 x 12 metre lighting columns and perimeter fencing of the AWP is inescapable in visual impact terms; however they are structures that are characteristic within the curtilage of an established education facility such as Chellaston School. The lighting elements have also been designed in order to mitigate light spillage.

The proposal will be visible from the surrounding residential properties particularly those on Swarkestone Road. However, the design of the fencing is such as to

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reduce its impact in terms of its bulk and appearance and therefore is considered to be acceptable.

Following consideration of the site, existing school buildings and proposed mitigation measures I am of the opinion that there will be some inescapable impact on the surrounding residential properties. However, where possible, mitigation measures have been proposed to reduce any potential impact. In addition the school is an existing established facility and the proposal is, in my opinion, characteristic of a school setting within an urban area.

Archaeology

The impact of the proposal on the “wild area” and ridge and furrows will be monitored by the completion of archaeological survey in accordance with the approved written scheme of investigation (WSI); the WSI accompanies the ES and was submitted in accordance with Condition 6 of planning permission DER/12/08/01696.

The proposal will result in the erosion of part of the ridge and furrows; however there are four other ridge and furrows earthworks within a 2km radius of the school site. No objections have been received from the County Archaeologist in respect of the erosion of the earthworks in this case.

Amenity, Design and Street Scene

The proposal, in my opinion, would not have a detrimental impact on the setting of the school nor the setting of residential properties in terms of design, amenity and impact on the street scene of Swarkestone Road, due to the siting and orientation of the proposal along with its external appearance.

In terms of the extensions to provide the changing rooms, the proposal due to its single storey form, siting and design would not in my opinion have a detrimental impact on the nearby residents. It is considered that the proposal will not result in the development of an incongruous feature within the curtilage of an established school site as it is acceptable in terms of visual amenity, the setting of the school and its siting close to the existing school buildings. Consideration has been paid to the proposed materials and design to ensure the impact of the extensions is lessened as they are similar in form and design to those used in the construction of the original pavilion. The bulk of the extension is reduced when considering the external appearance by the change in texture of the building through the use of rendering along with the installation of windows.

The AWP is considered to be acceptable in terms of design, amenity and impact on the street scene; the proposed fencing due to its mesh formation is considered to appear more transparent and has a reduced impact when considering its visual impact and is a fairly common form of school boundary treatment. The proposed changing room extension will provide a degree of screening when viewing the AWP from certain properties on Swarkestone Road.

Floodlighting

The application seeks to install 8 x 12 metre high lighting columns; four on either side of the AWP. There are three main potential effects when considering the installation of flood lights in the proximity of residential properties; these are as follows:

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- Visual intrusion from the columns during daytime
- Visual intrusion from lighting whilst in use
- Noise and other disturbance during the times they are in use.

Daytime visual intrusion from the columns is inescapable and will be in the view from nearby residential properties. However given that this is an existing school site future development within its curtilage must be expected and in my opinion should not stunt the development of an all weather sports pitch. The height of the proposed columns is not excessive and has been reduced by 3 metres from the previously withdrawn planning application code no. DER/09/08/01350. Furthermore I do not consider that the degree of intrusion for the houses on Swarkestone Road is significant enough to warrant a recommendation for refusal of this application. The distance between the nearest floodlight and the nearest dwelling is some 75 metres.

Intrusion from the floodlights is inevitable in that the sports pitch will have a glow over it. However the design of the lighting elements is such to shield the surrounding area and decrease light spillage beyond the confines of the playing surface. The lighting proposed in this application, Challenger 1 AL5760, benefits from less glare given off into the surrounding locality and the use of 'flat glass' means that there is no direct upward light that would illuminate the sky resulting in less "sky glow". Therefore the light provided will be directed towards the pitch rather than the surrounding areas.

The issue of noise is largely covered by my earlier comments under the respective heading. Whilst acknowledging that a certain level of disturbance will be created as a consequence of the functioning of the floodlights, this in addition to the bund can be adequately restricted by restricting the hours of use of the lighting to the hours suggested in condition 1.

The application, additional accompanying information, consultation responses and neighbour notification letters have been considered and with those in mind I remain of the opinion that the proposed AWP and changing room extensions are acceptable in policy and land use terms. And therefore my recommendation remains the same as that of the previously approved application, DER/12/08/01696. Any potential impacts of the proposal will be both mitigated and restricted by the use of planning conditions to ensure the development is satisfactory in terms of the impact on the setting of the school and the impact on nearby residents.

11. Recommended decision and summary of reasons:

11.1. To grant planning permission with conditions.

11.2. Summary of reasons:

The proposal has been considered against the saved adopted City of Derby Local Plan Review policies; specifically these policies are as follows:

GD1 Social Inclusion – *seeks to ensure any development proposal helps to meet the objectives of promoting social inclusion.*

GD3 Flood Protection – *ensure the off-set of any potential adverse effects of developments on the water environment and associated lands.*

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GD4 Design and the Urban Environment – *preserve local distinctiveness, respecting urban grain and making a positive contribution to good urban design.*

GD5 Amenity – *not to cause unacceptable harm to the amenity of nearby areas in terms of a development proposal.*

E5 Biodiversity - *retention of nature conservation or ensure suitable mitigation to compensate for any loss.*

E7 Protection of Habitats – *minimise disturbance to protected species.*

E9 Trees – *protection of mature trees for their biodiversity value.*

E10 Renewable Energy – *has full regard to the need to reduce energy consumption and supports developments that incorporate the generation of renewable energy*

E17 Landscaping Schemes – *seeks to ensure high quality landscaping schemes.*

E21 Archaeology – *seeks to protect nationally important archaeology remains whether scheduled or unscheduled, or their setting.*

E23 Design – *high standards of design to enhance the physical appearance of the City.*

E24 Community Safety – *providing a safe and secure environment.*

L2 Public Open Space Standards – *seeks to provide a minimum area of public open space.*

L6 Sports Pitches and Playing Fields – *ensures the retention of playing fields, sports pitches or recreational areas including those associated with educational establishments.*

LE1 Education Uses – *seeks to ensure proposals are in scale, character and levels of activity with the surrounding area.*

T4 Access, Car Parking and Servicing – *safe and appropriate provision for parking servicing and access.*

T6 Provision for Pedestrians – *provision of safe and attractive environments for pedestrians*

T7 Provision for Cyclists – *provision of safe and attractive environments and facilities for cyclists.*

T8 Provision for Public Transport – *promote the use of bus, rail and other public transport services*

T10 Access for Disabled People – *provision to meet the reasonable need for disabled people.*

The proposed extension to school (changing rooms) and creation of an all weather sports pitch and floodlighting has been considered against the saved adopted City of Derby Local Plan Review policies as set out above and all planning material considerations and is considered acceptable in terms of

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socio-economics (GD1, E24), transport (T4, T6, T7, T8), noise (GD5), land drainage (GD3), ecology (E5, E7, E9, E17), visual impact (GD4, GD5, E23), archaeology (E21), amenity, design and street-scene considerations (GD4, GD5, E23) and, in the opinion of the Local Planning Authority, the proposal would not have an undue impact on the amenities of surrounding residents in terms of the external design components of the development, additional noise generation, lighting, general disturbance and pedestrian and vehicular movements to the site associated with the proposed development.

11.3. Conditions:

1. The hereby approved floodlights, that form part of this permission shall not be used outside of the following hours:

Monday to Friday	0800 - 2100
Saturday, Sunday and Bank Holidays	0800 - 1800
2. Standard Condition 27 (details of external materials)
3. No development shall be commenced until a landscaping scheme indicating the types and position of trees and shrubs and treatment of paved and other areas has been submitted to and approved in writing by the Local Planning Authority.
4. The landscaping scheme submitted pursuant to Condition 3 above shall be carried out within 12 months of the completion of the development or the first planting season whichever is the sooner and any trees or plants which, within a period of five years from the date of such landscaping works, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. No vehicles shall be driven or parked on landscaping areas except for those vehicles necessary for the maintenance of those areas, unless otherwise agreed in writing by the Local Planning Authority.
5. During the period of construction works all trees, hedgerows and other vegetation to be retained shall be protected in accordance with BS: 5837:2005 ("Trees in relation to construction"). Details of such protection shall be submitted to and approved by the Local Planning Authority prior to its erection. The protection shall be provided before other site works commence and shall be retained in position at all times until completion of construction works, unless otherwise agreed in writing by the Local Planning Authority.
6. No development shall take place within the site until the developer has secured the completion of archaeological survey in accordance with the approved written scheme of investigation which accompanies this application and which was submitted pursuant to condition 6 of planning permission code no. DER/12/08/01696. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.

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7. Prior to the commencement of the development:
 - i. A detailed assessment of ground conditions of the land proposed for the sports facility shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
 - ii. Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the playing fields are provided to an acceptable quality shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.

The approved scheme shall be complied with in full prior to commencement of the development.

8. The design, layout, and materials of the proposed extension to the proposed changing rooms shall have full regard to the need to reduce energy consumption.
9. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:
 - the utilisation of holding sustainable drainage techniques;
 - the limitation of surface water run-off to equivalent greenfield rates;
 - the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and
 - responsibility for the future maintenance of drainage features.
10. The proposed development shall be implemented in accordance with the submitted Environmental Statement and the recommended mitigation measures included in that statement unless otherwise agreed in writing by the Local Planning Authority.

11.4. Reasons and associated policies

1. To restrict the visual impact of the lighting and the impact of noise associated with use of the all weather sports pitch so that it does cause unacceptable harm to the amenities of nearby residents, in accordance with the objectives of policy GD5 of the adopted City of Derby Local Plan Review.
2. To ensure a satisfactory external appearance of the development in the interest of visual amenity...policy E23.
3. To safeguard and enhance the visual amenities of the area...policy E17.
4. To safeguard and enhance the visual amenities of the area...policy E17.

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5. To protect trees and other vegetation during the course of construction works in order to preserve the character and amenity of the area...policy E9.
6. In order to record the historical value of the site...policy E21
7. To ensure that site surveys are undertaken for the new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure the provision of an adequate quality of playing field and to accord with policy L6 of the adopted City of Derby Local Plan Review.
8. To help reduce energy consumption, pollution and waste in accordance with policy E10 of the adopted City of Derby Local Plan Review.
9. To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures in accordance with policies GD3 and GD5 of the adopted City of Derby Local Plan Review.
10. For the avoidance of doubt and to ensure that the development is regulated in accordance with the mitigation measures outlined in the Environmental Statement and to ensure that the development is not unduly detrimental to the residential and environmental amenities enjoyed by surrounding residents, in accordance with policies GD3, GD4, GD5, E5, E7, E9, E10, E17, E21, E23, E24, L2, L6, LE1, T4, T6, T7, T8 and T10 of the adopted City of Derby Local Plan Review.

11.5. Informative notes to be included on decision notice

Groundwater & Contaminated Land

Any groundwater in the Glacial Deposits is likely to be high and therefore it should be ensured that the infiltration rates calculated are completely satisfactory.

Although the results are shown in the report, the original calculations are not. If the applicant would like approval from the Environment Agency we would advise that the SoilTechnics report which contains the infiltration and geology information which the calculations were based on is sent in to the Groundwater and Contaminated Land team at Trentside, Scarrington Road, West Bridgford, Nottingham, NG2 5FA.

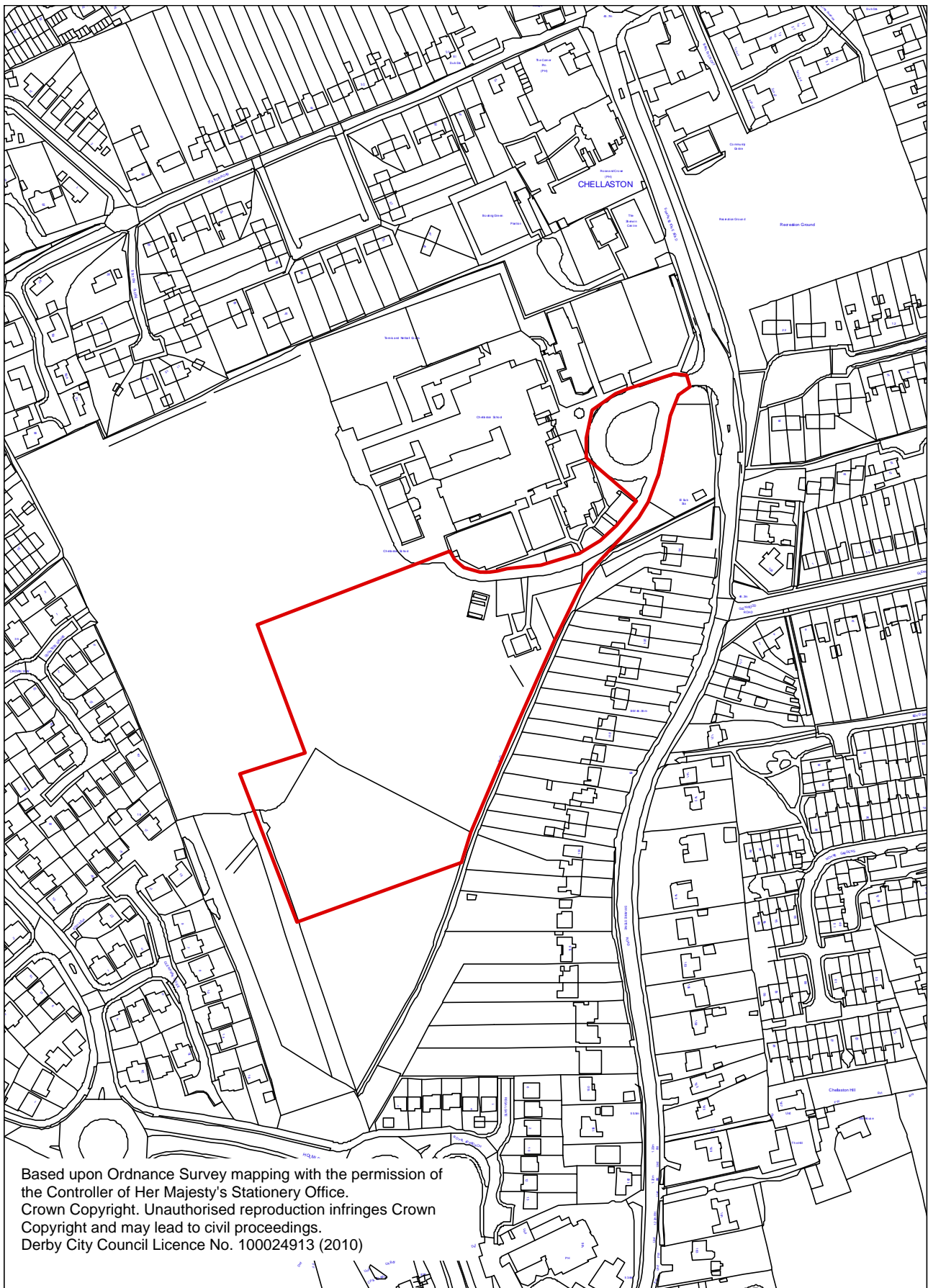
11.6 Application timescale:

The application has a 16 week statutory determination date and expires on 15th March 2010.

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DERBY CITY COUNCIL

Derby City Council

Delegated Decisions Made Between 24/12/09 and 10/02/10

Application No	Application Type	Location	Proposal	Decision	Decision Date
12/08/01682/PRI	Listed Building Consent -alterations	15 Wardwick, Derby (Wardwick Tavern P H)	Insertion of 2 doors/openings on first floor, formation of new toilet area on second floor and removal of partitions on second and third floors to provide additional trading areas	Granted Conditionally	06/01/2010
12/08/01802/PRI	Listed Building Consent -alterations	Land and buildings at Derby Conference Centre, London Road, Derby	Demolition of buildings to rear of Derby Conference Centre including Astel House, Burdsall House and The Pergoda and removal of section from large wall to London Road	Refuse Planning Permission	27/01/2010
05/09/00505/PRI	Full Planning Permission	135 Duffield Road, Derby (Kingfisher Day Nursery)	Alterations to Day Nursery (retention of 2 windows and door)	Refuse Planning Permission	21/01/2010
07/09/00852/PRI	Outline Planning Permission	Land at side of 1 Malcolm Street, Derby (former Grange P H)	Residential development (2 dwellings)	Granted Conditionally	14/01/2010
07/09/00895/PRI	Outline Planning Permission	Land at side of 10 Waldene Drive, Alvaston, Derby	Residential development (bungalow)	Granted Conditionally	01/02/2010
07/09/00899/PRI	Full Planning Permission	Centenary House, Mount Street, Derby	Extension to flats (enlargement of kitchen to form dining area)	Granted Conditionally	28/01/2010
08/09/00906/PRI	Full Planning Permission	Site of Windy Ridge, Leamington Close, Derby	Demolition of existing care home bungalow and construction of new care home bungalow	Granted Conditionally	21/01/2010
08/09/00908/PRI	Full Planning Permission	Fire Station, Kingsway, Derby	Erection of accommodation block and formation of car parking area	Granted Conditionally	29/01/2010
08/09/00910/PRI	Full Planning Permission	Land at Cowsley Road, Derby	Erection of 8 dwelling houses, associated parking and landscaping	Granted Conditionally	04/01/2010
08/09/00917/PRI	Full Planning Permission	72 Cornwall Road, Derby	Change of Use from Residential (Use Class C3) to partial use of property in connection with Childminding business (Sui Generis Use)	Refuse Planning Permission	08/02/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
08/09/00966/PRI	Full Planning Permission	10 Eastwood Drive, Littleover, Derby	Extensions and alterations to dwelling house (utility room and sitting area), formation of rooms in roof space (bedroom, dressing room, bathroom and dormer) and erection of raised decking at rear	Granted Conditionally	10/02/2010
08/09/01002/PRI	Full Planning Permission	1 Ocean Court, Derby	Extension to dwelling house (garden room and enlargement of kitchen and dining room)	Granted Conditionally	07/01/2010
09/09/01049/PRI	Certificate of Lawfulness Proposed Use	52 Highfield Road, Derby	Alterations to dwelling house (windows)	Granted	08/01/2010
09/09/01075/PRI	Full Planning Permission	Land rear of 47 Willowcroft Road and between 23 and 27 Drury Avenue, Spondon, Derby	Erection of dwelling house and detached garage	Granted Conditionally	08/02/2010
09/09/01079/PRI	Full Planning Permission	139 Whitaker Road, Derby	Formation of pitched roof on garage	Granted Conditionally	28/01/2010
09/09/01128/DCC	Demolition of dwelling house	1 Uttoxeter New Road, Derby (Former Bosnia-Herzegovina Club)	Demolition of property	Granted	03/02/2010
09/09/01136/PRI	Full Planning Permission	5 Friar Gate, Derby	Change of Use from Nightclub (Sui Generis Use) to Restaurant (Use Class A3) and alterations including installation of shop front, windows, door, erection of railings, formation of access for disabled people, seating area and installation of extract flue	Granted Conditionally	29/01/2010
09/09/01137/PRI	Listed Building Consent -alterations	5 Friar Gate, Derby	Alterations to Listed Building including installation of shop front, windows and door, removal of canopy, fittings and signage, internal alterations including formation of toilets and servicing area and alterations to ceiling, erection of railings, formation of access for disabled people, erection of seating area and installation of extract flue	Granted Conditionally	29/01/2010
09/09/01148/PRI	Full Planning Permission	14 Arlington Road, Derby (Twelve Trees)	Extensions to dwelling house (breakfast room, conservatory, kitchen, lounge, 2 bedrooms and 2 en-suite bathrooms) and formation of room in roof space (playroom)	Granted Conditionally	14/01/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
10/09/01158/DCC	Local Council own development Reg 3	Cherry Tree Hill Infant School, Lime Grove, Chaddesden, Derby	Extension to school (canopy)	Granted	07/01/2010
10/09/01174/PRI	Full Planning Permission	Land to the west of Spondon Station and south of old Canal route off Station Road, Spondon, Derby	Substitution of house types (plots 1-13,64-71,74-79 & 81-89)-amendment to previously approved application DER/05/07/01010	Refuse Planning Permission	12/01/2010
10/09/01232/PRI	Advertisement consent	3-5 Southview, Burton Road, Littleover, Derby (Co-operative Funeral Care)	Display of externally illuminated fascia sign and various non illuminated signage	Granted Conditionally	20/01/2010
11/09/01259/PRI	Full Application - disabled People	31 Drage Street, Derby	Extension to dwelling house (lobby and shower room)	Granted Conditionally	06/01/2010
10/09/01266/PRI	Full Planning Permission	14 Field Rise, Littleover, Derby	Extension to dwelling (conservatory)	Granted Conditionally	04/01/2010
11/09/01269/PRI	Full Planning Permission	5 Morledge, Derby (Harry's Amusements)	Extension to Amusement Arcade (staircase)	Granted Conditionally	20/01/2010
10/09/01270/PRI	Full Planning Permission	228 Sinfin Avenue, Shelton Lock, Derby	Change of use of ground floor from residential (use class C3) to salon (sui generis use)	Granted Conditionally	28/01/2010
11/09/01273/PRI	Full Planning Permission	140 Ashbourne Road, Derby (Swan and Salmon PH)	Alterations to elevations including installation of external staircase to access first floor residential accommdation	Granted Conditionally	12/01/2010
11/09/01274/PRI	Advertisement consent	140 Ashbourne Road, Derby (Swan and Salmon PH)	Display of externally illuminated fascia sign, hanging sign and board sign and non illuminated board sign	Refuse Planning Permission	12/01/2010
11/09/01283/PRI	Full Planning Permission	Site of 19 - 21 & 21a St. Thomas Road, Derby	Erection of 2 dwellings and formation of parking area (variation to previously approved application DER/04/07/00746/PRI)	Granted Conditionally	06/01/2010
11/09/01291/PRI	Full Planning Permission	Midland Mainline Customer Service Academy, Hudson Way, Pride Park, Derby	Change of use from offices and training centre to offices (Use Class B1)	Granted	03/02/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
11/09/01296/PRI	Full Planning Permission	Land to the west of 72 Station Road, Chellaston, Derby	Retention of garages	Granted Conditionally	08/01/2010
11/09/01301/PRI	Full Planning Permission	Unit 1, Exchange Point, Peak Drive, Derby	Change of use to Carpet Merchants (sui generis use) and/or offices/light industry/warehousing (Use Classes B1, B2 and B8)	Granted Conditionally	18/01/2010
11/09/01305/PRI	Full Planning Permission	85 Pear Tree Crescent, Derby	Extension to dwelling house (enlargement of kitchen-amendment to previously approved application DER/05/09/00489)	Granted	04/01/2010
11/09/01306/PRI	Full Planning Permission	2 Milton Street, Derby (The Lord Napier)	Change of use of ground floor of public house (Use Class A4) to residential (Use Class C3) and alterations to elevations to accommodate the general floor use	Granted Conditionally	28/01/2010
11/09/01309/PRI	Works to Trees under TPO	22 Harvest Way, Oakwood, Derby	Crown reduce by 25% and crown thinning by 10% of Ash Tree protected by Tree Preservation Order 2000 No.247 (Trees at Oakwood)	Granted Conditionally	08/02/2010
11/09/01311/PRI	Advertisement consent	Unit 4-5, Wyvern Centre, Wyvern Way, Chaddesden, Derby (Currys)	Display of non-illuminated fascia sign	Granted Conditionally	11/01/2010
11/09/01314/PRI	Full Planning Permission	145 Normanton Lane, Littleover, Derby	Extension to dwelling house (playroom, 2 bedrooms and enlargement of dining room and hall)	Refuse Planning Permission	06/01/2010
11/09/01324/PRI	Full Planning Permission	Unit 8b, Sir Francis Ley Industrial Park, Shaftesbury Street, Derby	Installation of 2 extraction flues	Granted	07/01/2010
11/09/01325/PRI	Full Planning Permission	147 Ladybank Road, Mickleover, Derby	Extension to dwelling (bedroom and en-suite)	Granted Conditionally	04/01/2010
11/09/01329/PRI	Full Planning Permission	65 Chaddesden Park Road, Derby	Extension to dwelling house (porch, garage and enlargement of kitchen)	Granted Conditionally	08/02/2010
11/09/01332/PRI	Full Planning Permission	124-126 Ashbourne Road, Derby (Markeaton Fish Bar)	Alterations to shop front and installation of shutters	Refuse Planning Permission	08/02/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
11/09/01335/PRI	Full Planning Permission	48-50 Queen Street, Derby	Installation of shop front	Granted Conditionally	11/01/2010
11/09/01338/PRI	Full Planning Permission	13 St. Wystans Road, Derby	Extension to dwelling house (hall, bedroom, en-suite and enlargement of kitchen, dining room and bedroom)and installation of solar panels and photovoltaic solar panels on side roof planes	Granted Conditionally	07/01/2010
11/09/01340/PRI	Certificate of Lawfulness Existing Use	72 Enfield Road, Derby	Retention of extension to dwelling house (conservatory)	Granted	08/01/2010
11/09/01341/PRI	Full Planning Permission	70 Elms Avenue, Littleover, Derby	Extension to dwelling house (study, w.c., bedroom and en-suite and enlargement of kitchen and bedroom)	Granted Conditionally	11/01/2010
11/09/01342/PRI	Full Planning Permission	609 Burton Road, Derby	Extension to dwelling house (enlargement of dining room, entrance hall, sitting room, garden room, bedrooms, landing and balcony) including formation of rooms in roof space (bedroom and en-suite) and erection of detached garage, boundary wall and gates	Refuse Planning Permission	11/01/2010
11/09/01343/PRI	Full Application - disabled People	3 Church Street, Spondon, Derby	Extension to flat (formation of access for disabled people)	Granted	14/01/2010
11/09/01346/PRI	Full Planning Permission	114 Village Street, Derby	Extension to dwelling house (lounge, dining/kitchenette, two bedrooms and shower room)	Granted Conditionally	12/01/2010
11/09/01347/PRI	Full Planning Permission	3 West Bank Close, Derby,	Extension to dwelling house (utility room, enlargement of kitchen and alterations to roof)	Granted Conditionally	22/01/2010
11/09/01348/PRI	Full Planning Permission	32-34 Ashbourne Road, Derby (Georgian House Hotel)	Change of use of ground floor room of Public House to Microbrewery	Granted Conditionally	13/01/2010
11/09/01349/PRI	Listed Building Consent -alterations	32-34 Ashbourne Road, Derby (Georgian House Hotel)	Alterations to ground floor room of Public House to form Microbrewery	Granted	20/01/2010
11/09/01350/PRI	Full Planning Permission	162 Porter Road, Derby	Extension to dwelling house (lounge)	Granted Conditionally	18/01/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
11/09/01351/DCC	Full Planning Permission	Rycote Centre, Parker Street, Derby	Installation of windows	Granted Conditionally	01/02/2010
11/09/01352/PRI	Advertisement consent	Highway verge at junction of Derwent Parade and Wyvern Way, Chaddesden, Derby	Display of non illuminated free standing sign	Granted Conditionally	13/01/2010
11/09/01354/PRI	Full Planning Permission	Land at Bishop Lonsdale CE Primary School, accessed from Bramfield Avenue, Derby	Erection of two kiosks and formation of access	Granted	27/01/2010
11/09/01357/PRI	Full Planning Permission	25 Horwood Avenue, Derby	Extension of garage to form living area and formation of pitched roof	Granted Conditionally	18/01/2010
11/09/01358/PRI	Full Planning Permission	31 Kings Croft, Allestree, Derby	Extension to dwelling house (enlargement of living room and kitchen and alterations to garage roof)	Granted Conditionally	14/01/2010
11/09/01359/PRI	Works to Trees in a Conservation Area	5 Porter Place, Spondon, Derby	Felling of three trees within Spondon Conservation Area	Raise No Objection	18/01/2010
11/09/01362/PRI	Full Planning Permission	538 Duffield Road, Derby	Extension to dwelling house (conservatory)	Granted	20/01/2010
11/09/01364/PRI	Advertisement consent	The Holiday Inn, Roundhouse Road, Pride Park, Derby	Display of 3 internally illuminated fascia signs, 4 floodlights, 2 spotlights and 2 internally illuminated freestanding signs	Granted Conditionally	07/01/2010
11/09/01365/PRI	Full Planning Permission	Royal Derby Hospital, Uttoxeter New Road, Derby	Erection of 3 metre high fence	Granted	21/01/2010
12/09/01366/PRI	Certificate of Lawfulness Proposed Use	8 Moorway Lane, Littleover, Derby	External alterations to dwelling house (windows)	Granted	28/01/2010
11/09/01367/PRI	Full Planning Permission	15 Pendlebury Drive, Mickleover, Derby	Extension to dwelling house (toy room, family room, garage, utility room, bedroom and en-suite)	Refuse Planning Permission	18/01/2010
11/09/01368/PRI	Full Planning Permission	5 Lichfield Drive, Alvaston, Derby	Extension to dwelling house (enlargement of kitchen)	Granted	18/01/2010
11/09/01369/PRI	Full Planning Permission	38 Charingworth Road, Oakwood, Derby	Extension to dwelling house (enlargement of hall, garage and side/rear extension)	Refuse Planning Permission	08/02/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
11/09/01370/PRI	Full Planning Permission	Moor Edge, 243 Morley Road, Oakwood, Derby	Extension to dwelling house (living room, bedroom, dressing room, en-suite, balcony, garage, study, utility room, lobby, shower room, and enlargement of porch and dining room) and hard surfacing of driveway	Refuse Planning Permission	28/01/2010
11/09/01372/PRI	Full Planning Permission	24 Greenwich Drive North, Derby	Extension to dwelling house (garage, lounge, kitchen, 2 bedrooms and bathroom)	Granted Conditionally	18/01/2010
11/09/01373/PRI	Full Planning Permission	77 Highfield Lane, Chaddesden, Derby	Extension to dwelling house (bedroom, en-suite and wardrobe)	Refuse Planning Permission	18/01/2010
11/09/01375/PRI	Full Planning Permission	39 Glendevon Way, Chellaston, Derby,	Extension to dwelling (conservatory)	Granted	07/01/2010
11/09/01376/PRI	Full Planning Permission	2 Cheapside, Derby	Change of use from Retail (use class A1) to Financial and Professional Services (use class A2)	Granted	27/01/2010
11/09/01377/PRI	Local Council own development Reg 3	2 Park Farm Centre, Allestree, Derby (Allestree Library)	Extension to library	Granted Conditionally	19/01/2010
11/09/01378/PRI	Local Council own development Reg 3	250 Chellaston Road, Derby	Extension to dwelling house (enlargement of kitchen)	Granted	19/01/2010
11/09/01383/PRI	Full Planning Permission	62 Birchover Way, Allestree, Derby	Erection of garage	Granted	20/01/2010
11/09/01384/PRI	Full Planning Permission	14 Glenwood Road, Chellaston, Derby	Extension to dwelling (covered way and enlargement of kitchen and bedroom)	Granted Conditionally	20/01/2010
11/09/01385/PRI	Full Planning Permission	172 Sancroft Road, Spondon, Derby	Erection of garage	Granted Conditionally	22/01/2010
11/09/01386/PRI	Full Planning Permission	36 Longford Street, Derby	Retention of extension to dwelling house (enlargement of kitchen)	Granted	21/01/2010
11/09/01390/PRI	Full Planning Permission	21 Amber Road, Allestree, Derby	Extension to dwelling house (dining room, kitchen and enlargement of two bathrooms)	Granted	09/02/2010
11/09/01391/PRI	Full Application - Article 4	82 Otter Street, Derby	Installation of 3 windows	Granted Conditionally	09/02/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
11/09/01392/PRI	Full Planning Permission	33 Church Street, Littleover, Derby	Extension to dwelling (dining/living area and store)	Granted	20/01/2010
11/09/01393/DCC	Local Council own development Reg 3	Harrington Nursery School, Harrington Street, Pear Tree, Derby	Extension to school (secure lobby) and erection of covered play area	Granted Conditionally	27/01/2010
11/09/01394/PRI	Full Planning Permission	22 Osmaston Road, Derby	Retention of security shutters	Granted Conditionally	26/01/2010
11/09/01397/PRI	Full Planning Permission	40 Derby Lane, Derby	Extension to dwelling (utility room, shower room and toilet)	Granted	27/01/2010
11/09/01399/PRI	Full Planning Permission	1 Leafenden Close, Darley Abbey, Derby	Extensions to dwelling (enlargement of dining room, lounge and bedroom)	Granted Conditionally	25/01/2010
11/09/01400/PRI	Full Planning Permission	15 Lewiston Road, Chaddesden, Derby	Extension to dwelling house (porch)	Granted Conditionally	21/01/2010
11/09/01404/PRI	Full Planning Permission	3 West Bank Road, Allestree, Derby	Extension to dwelling house (kitchen, dining room, play room and motor bike store)	Granted Conditionally	27/01/2010
11/09/01408/PRI	Full Planning Permission	26 Green Avenue, Chellaston, Derby	Extension to dwelling house (conservatory)	Granted	25/01/2010
11/09/01412/PRI	Full Planning Permission	35 Harpur Avenue, Littleover, Derby,	Extensions to dwelling (sitting room, conservatory, porch, w.c, 2 bedrooms and en-suite bathroom)	Granted Conditionally	25/01/2010
12/09/01415/PRI	Full Planning Permission	104 Allestree Lane, Derby	Extension to dwelling house (computer room and store room)	Granted Conditionally	26/01/2010
12/09/01424/PRI	Full Planning Permission	178 Normanton Road, Derby	Change of use from Motor Vehicle workshop (Sui Generis Use) to Retail (Use Class A1) including installation of shop fronts and security shutters	Granted Conditionally	02/02/2010
12/09/01426/PRI	Full Planning Permission	6 Gregory Walk, Littleover, Derby,	Extension to dwelling (formation of bay window)	Granted	07/01/2010
12/09/01427/PRI	Full Planning Permission	20 New Zealand Square, Derby,	Extension to dwelling house (kitchen)	Granted Conditionally	27/01/2010
12/09/01428/PRI	Full Planning Permission	Unit 17 Sinfin District Centre, Sinfin, Derby	Change of use from Bookmakers (Use Class A2) to Hair and Beauty Salon (Sui Generis Use)	Granted	07/01/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
12/09/01431/PRI	Full Planning Permission	11 Gilbert Street, Alvaston, Derby	Extension to dwelling house (conservatory)	Granted	27/01/2010
12/09/01433/PRI	Advertisement consent	471-473 Burton Road, Littleover, Derby (Co-op Store)	Display of externally illuminated fascia sign	Granted Conditionally	21/01/2010
12/09/01436/PRI	Full Planning Permission	30 Stoney Lane, Spondon, Derby	Extension to dwelling (dormer and formation of bedroom and en-suite in roof space)	Granted Conditionally	29/01/2010
12/09/01437/PRI	Full Planning Permission	23 Parkway, Chellaston, Derby,	Extension to dwelling (porch and hallway)	Granted Conditionally	29/01/2010
12/09/01438/PRI	Works to Trees in a Conservation Area	Bath Street Mills, Bath Street, Derby,	Felling of oak and removal of overhanging branches of sycamore and ash tree within Strutts Park Conservation Area	Raise No Objection	19/01/2010
12/09/01446/PRI	Full Planning Permission	132 Carsington Crescent, Allestree, Derby	Extension to dwelling house (dining room, study, utility room, w.c., bedroom, en-suite and enlargement of kitchen)	Granted	08/02/2010
12/09/01449/PRI	Full Planning Permission	2 Upper Dale Road, Derby	Change of use from retail (use class A1) to residential (use class C3)	Granted	03/02/2010
12/09/01456/PRI	Full Planning Permission	113 St. Albans Road, Derby,	Extensions and alterations to dwelling house (porch, garden room and bedroom/study and enlargement of kitchen/dining room, bedroom and bathroom)	Granted Conditionally	09/02/2010
12/09/01458/	Full Planning Permission	14 Park View Close, Allestree, Derby	Extension to dwelling house (porch, w.c., en-suite and enlargement of garage, kitchen and bedroom)	Refuse Planning Permission	09/02/2010
12/09/01459/PRI	Full Planning Permission	Aldi Supermarket, Nottingham Road, Chaddesden, Derby	Alterations to elevations	Granted Conditionally	10/02/2010
12/09/01460/PRI	Non-material amendment	9 Downing Road, West Meadows Industrial Estate, Derby (Magferns Waste)	Erection of waste transfer station (amendment to roller shutter doors and to position of weighbridges and gates of previously approved planning permission Code No. DER/04/09/00427)	Granted Conditionally	01/02/2010
12/09/01470/PRI	Full Planning Permission	4 Newton Green, Mickleover, Derby	Extension to dwelling house (games room)	Granted Conditionally	09/02/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
12/09/01472/PRI	Full Planning Permission	4 Chilson Drive, Mickleover, Derby	Extensions to dwelling (living room, w.c. and enlargement of bedroom and garage)	Refuse Planning Permission	09/02/2010
12/09/01476/PRI	Works to Trees in a Conservation Area	26 Etruria Gardens, Derby	Felling of Cherry Tree within Little Chester Conservation Area	Raise No Objection	08/02/2010
12/09/01480/PRI	Full Planning Permission	1 Manor Avenue, Derby	Extension to dwelling (kitchen, bedroom and en-suite bathroom)	Granted Conditionally	09/02/2010
12/09/01483/PRI	Full Planning Permission	191 Derby Road, Chellaston, Derby	Extension to dwelling house (enlargement of bedroom)	Granted Conditionally	29/01/2010
12/09/01487/PRI	Certificate of Lawfulness Proposed Use	36 Maypole Lane, Littleover, Derby	Extension to dwelling house (lounge)	Granted	10/02/2010
12/09/01500/PRI	Full Planning Permission	5 Berry Park Close, Allestree, Derby	Extension to dwelling (sun lounge)	Granted	08/02/2010
01/10/00038/PRI	Non-material amendment	Jacksons Mill, 37 Bridge Street, Derby	Erection of sub-station (non-material amendment to previously approved planning permission Code No. DER/06/09/00750 to re-site substation and erect gate in boundary wall)	Granted Conditionally	09/02/2010

Total Number of Delegated Decisions made during this period: 111