

Applications to be Considered

Purpose

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

Recommendation(s)

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

Reason(s)

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

Supporting information

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

Public/stakeholder engagement

- 5.1 None.

Other options

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

Financial and value for money issues

- 7.1 None.

Legal implications

- 8.1 None.

Climate implications

- 9.1 None.

Other significant implications

- 10.1 None.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal		
Finance		
Service Director(s)		
Report sponsor	Paul Clarke	22/03/2024
Other(s)	Ian Woodhead	22/03/2024

Background papers:	None
List of appendices:	Appendix 1 – Development Control Report

Planning Control Committee 04/04/2024
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7.1	1 - 12	24/00121/FUL	2 Hillside Road Spondon	Change of use from dwelling house (Use Class C3) to a children's care home for a maximum of two children (Use Class C2)	To grant planning permission with conditions.
7.2	13 -21	24/00108/FUL	12 Chatsworth Crescent Allestree	First floor extension to bungalow to form a dwelling house together with alterations and single storey side and rear extensions	To grant planning permission with conditions.
7.3	22 - 97	23/00817/OUT	Rolls Royce Plc Raynesway Derby	Outline planning permission with all matters reserved is sought for up to 104,430sqm of manufacturing (Use Class B2) and ancillary office (Use Class E) and storage (Use Class B8) floorspace, and a multi-storey car park, with associated infrastructure including internal vehicle routes, reconfigured car parking, cycle parking, drainage, hard and soft landscaping, utilities, earthworks and demolition of existing buildings.	A. To authorise the Director of Vibrancy & Growth to negotiate the terms of a Section 106 Agreement to achieve the objectives set out below and to authorise the Director of Legal, Procurement and Democratic Services and Monitoring Officer to enter into such an agreement. B. To authorise the Director of Vibrancy & Growth to grant permission upon conclusion of the above Section 106 Agreement.
7.4	98 - 158	23/01646/FUL	Land at St Modwen Park Andressey Way Derby	Erection of a multi-storey car park, formation of a surface car park and erection of a pedestrian footbridge across the railway line, together with associated infrastructure, landscaping and vehicular access	A. To authorise the Director of Vibrancy & Growth to negotiate the terms of a Section 106 Agreement to achieve the objectives set out below and to authorise the Director of Legal, Procurement and Democratic Services and Monitoring Officer to enter into such an agreement. B. To authorise the Director of Vibrancy & Growth to grant permission upon conclusion of the above Section 106 Agreement.

Committee Report Item No: 7.1

Application No: 24/00121/FUL

Type: Full Application

1. Application Details

1.1. Address: 2 Hillside Road, Spondon.

1.2. Ward: Spondon

1.3. Proposal:

1.4. Change of use from dwelling house (Use Class C3) to a children's care home for a maximum of two children (Use Class C2)

1.5. Further Details:

Web-link to application:

<https://docs.derby.gov.uk/padocumentserver/index.html?caseref=24/00121/FUL>

Brief description

The Site

The application site is extended detached dwelling house located in the heart of Spondon. The property has an open frontage, hard surfaced for vehicle parking together with an integral single garage. To the rear there is a fully enclosed garden area. Internally the property is entirely conventional with four bedrooms and two bathrooms at first floor level and two sitting rooms and a kitchen at ground floor level. A conservatory has also been added to the rear.

The locality is a mature residential suburb of a traditional character. Borrow Wood Primary School and Gravel Pit Recreation Ground are within walking distance.

The District Centre is well served by shops and other local facilities and Spondon also contains a large secondary school.

The Proposal

Full planning permission is sought for the change of use of the existing dwelling (Use Class C3a) into a residential care home (Use Class C2) for a maximum of two children.

The application is supported by a comprehensive planning statement which explains that the household will comprise of two children between the ages of 8-18 who will be resident at the property and appropriate adult carers who will be rotated on a shift basis to provide 24 hour care for the children. The appropriate adults will live at the property whilst they are on shift.

The organisation who will run the facility currently manage 36 homes across the country so have an additional support team who may visit the property when required.

2. Relevant Planning History:

Application No:	10/06/01614	Type:	Full Application
Decision:	Granted Conditionally	Date:	23.01.2007
Description:	Extension To Dwelling House (Sitting Room, Bedroom And En-Suite)		

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Application No: 24/00121/FUL

Type: Full Application

Application No:	07/79/01018	Type:	Full Application
Decision:	Granted Conditionally	Date:	09.10.1979
Description:	Alterations And Extension To Dwelling House (Lounge & Attached Garage)		

3. Publicity:

- Neighbour Notification Letter – 5 letters
- Site Notice

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

4. Representations:

In line with the Data Protection Act and associated legislation this appraisal should not include details, or seek to identify through repeating specific comments, the individuals who have objected, supported or made general comments about the application. Therefore, to maintain anonymity, the relevant planning grounds of objection, support or comment have only been included in broad terms. It is important to note that all comments received have been fully considered as part of the application process and included in the overall 'planning balance' exercise.

A total of 28 representations have been received from third parties, both in support and in opposition to the proposal. The main points are summarised below:

Comments in support include –

- The area is made up of families with different dynamics and this makes it a good place for children to live.
- It is positive that the Council is addressing the need to provide facilities for children who require care, allowing them to thrive and contribute to the local community.
- Other people in the vicinity work shifts so this is no different.
- Parking improvement being made by application will be sufficient.
- There are good local facilities such as scouts, schools, parks etc.

Comments in opposition include -

- The proposals will have in inadequate parking provision for staff and visitors.
- The road is too narrow to accommodate additional vehicles.
- Pedestrian access will be impeded by cars parking on the footway.
- Bus services in the area are inadequate.
- This type of facility will be to the detriment of surrounding neighbours who have worked hard to live in a quiet neighbourhood.

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- Parking in the vicinity is already a problem particularly at school times. This proposal will make that situation worse.
 - Possible disruptive behaviour of children is frightening for surrounding neighbours.
 - Prior to the planning submission the Council has not engaged with local people to see if this development will be welcomed.
 - Drug users in the park will be a bad influence on the children.
 - The proposal will lead to an increase in emergency vehicles on the road.
 - Concern that the application mentions 12 job roles who might visit the site.
 - The general level of noise and disruption will be detrimental to existing residents.
 - The proposal will lead to more anti-social behaviour.
 - Future residents of the home may damage the property of nearby residents.
 - This operation is a 'business' therefore not suitable to be located on a residential street.
 - Other similar facilities nearby have experienced problems with anti-social behaviour resulting in the need to call the police.
 - Concerns relating to the maintenance of trees on the site.
 - Loss of property value.

5. Consultations:

5.1. Highways Development Control:

<https://docs.derby.gov.uk/padocumentserver/DownloadDocument.aspx?docid=203182265>

Recommendation: The Local Highway Authority has no objections to the proposal

Observations: These observations are primarily made on the basis of the following submitted information:- Application Form Planning Statement Proposed Parking Arrangement Plan 1 & 2 Existing Parking Plan

A site visit to the location was conducted on 08.02.24 and 13.02.24 to further aid in a response. The property sits on the Northern side of Hillside Road, approximately 50m to the west of its junction with Stoney Lane. There are no parking restrictions in the general vicinity of the property and Hillside Road is an adopted road.

The access to the property is currently via a dropped vehicular crossing approximately 3m wide. The proposed parking arrangement shows this being extended to cover the entire frontage at approximately 12m wide. From the plan this appears to encompass all four proposed parking spots. The parking spots shown are of a standard width of 2.4m and an acceptable length of 4.8m. I note that the plan does not appear to show the access steps to the front door. These are approximately 1m wide and protrude out into the driveway.

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After scaling and overlaying these dimensions, the stairs do not interfere with the proposed parking spaces.

A vehicle swept path analysis of the parking spaces would have been a welcome addition to the application to prove beyond doubt that the vehicles can safely cross the footpath without risking damage to the kerbs or street lighting column. An application to alter the existing footpath will need to be completed. More details can be found in the notes to the applicant section.

Both pedestrian and vehicle visibility splays have been shown on the Proposed parking arrangement drawing. Pedestrian visibility splays are no longer required. Vehicle visibility splays are only required when a change of use in Highway terms is being sought. In this case, the change of class from C3 to C2 is viewed as producing the same Highway demand. In essence, there is no distinction between this use case and a resident with regular carers attending throughout the day. Therefore, although the vehicle visibility splay is shown to cross private land, they are not taken into consideration as the Highway usage is not changing and vehicles use the driveway for parking currently.

Parking arrangements show four standard sized parking spaces. The planning statement suggests there will be a maximum of four staff on site at any one time, except for a one-hour changeover period between 14:30 and 15:30 where the number rises to five. Assuming all staff have access to a vehicle and use it. That would mean for this one-hour period there would be an additional parking demand on the property that is not catered for. This would lead to parking on the public highway. Paragraph 111 of the National Planning Policy Framework states that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

To be clear, 'severe' does not relate to parking, but the consequences of congestion as a result of the traffic effects arising from the development. Whilst the scheme would potentially increase demand for parking spaces, it would not be possible to argue that the scheme would lead to 'unacceptable impacts' to highway safety.

Although not ideal, there are no parking restrictions of the road outside the property, and current on-street parking is low. As this is for a short length of time, not within the vicinity of a school or other parking demand driver, and outside of the peak traffic times, it is unlikely to have a severe impact on the Highway and its users.

The proposals show the removal of two areas of planting at either corner of the driveway. This is to be replaced with a hard bound material. The applicant should be conscious that any earthworks could create conditions such that mud or other debris enter the public highway. This is an offence and must be mitigated as much as possible. Further information is provided in the notes to the applicant section. These earthworks will take place close to a street lighting column so care should be taken not to disturb or compromise any existing wiring or foundations.

As the site has an existing driveway that slopes towards the highway it is unfair in this instance to request drainage to prevent private water entering public land.

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The proposal will include an electric vehicle charger and secure cycle storage for staff. Both additions are good for promoting alternative and active travel.

There is no bin storage location outlined in the plans however there is space to the side of the dwelling that has good access to the public highway to enable collection by the refuse team. A series of Notes to the Applicant are suggested.

6. Relevant Policies:

6.1. Relevant Policies:

The Derby City Local Plan Part 1 - Core Strategy was adopted by the Council on Wednesday 25 January 2017. The Local Plan Part 1 now forms the statutory development plan for the City, alongside the remaining 'saved' policies of the City of Derby Local Plan Review (2006). It provides both the development strategy for the City up to 2028 and the policies which will be used in determining planning applications.

Derby City Local Plan Part 1 - Core Strategy (2017)

CP3	Placemaking Principles
CP4	Character and Context
CP6	Housing delivery
CP21	Community Facilities
CP23	Delivering a Sustainable Transport Network

Saved CDLPR Policies

GD5	Amenity
H13	Residential Development – General Criteria
E24	Community safety.

The above is a list of the main policies that are relevant. The policies of the Derby City Local Plan Part 1 – Core Strategy can be viewed via the following web link:

https://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/environmantandplanning/planning/localplan/evidencebase/Core-Strategy_ADOPTED_DEC-2016_V3_WEB.pdf

Members should also refer to their copy of the CDLPR for the full version or access the web-link:

https://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/environmantandplanning/planning/localplan/part1/CDLPR_2017.pdf

An interactive Policies Map illustrating how the policies in the Local Plan Part 1 and the City of Derby Local Plan Review affect different parts of the City is also available at – <http://maps.derby.gov.uk/localplan>

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

6.2. Applications involving the provision of housing:

The Local Plan (consisting of the policies of the DCLP1 and the saved policies of the CDLPR) covers the period 2011 to 2028 and was adopted on 25 January 2017. The policies of the local plan have been reviewed in line with Regulation 10a of the Town and Country Planning (Local Planning) (England) Regulations 2017 and paragraph 33 of the NPPF, the provisions of which require Local Plan policies to be reviewed at least every 5 years. The officer led review was endorsed by the Council's Cabinet on 8 December 2021.

The review found that, apart from the housing target elements of policy CP6 (Housing Delivery), the policies of the Local Plan remain consistent with national policies, including the latest updates to the NPPF and can be given weight in decision making.

Policy CP6 sets a housing requirement of 11,000 new homes over the 17 year Plan period (647 dwellings annually). However, in December 2020, Government amended its 'Standard Method' for calculating Housing Need to include a 35% uplift in the top 20 largest urban areas in England which includes Derby. The standard method housing need calculation for Derby City now stands at 1,266 dwellings a year and this is significantly higher than the CP6 requirement. Therefore, the housing requirement in Policy CP6 is out of date.

A further consequence of the significant increase in housing requirement, brought about by the change to the standard method, is that the Council can no longer demonstrate a 5 year supply of housing land as required by the NPPF (NPPF paragraph 74 (footnote 39) refer). The current supply of deliverable sites is sufficient to provide 3.69 years of dwellings against the annual 1,266 requirement.

For the purposes of decision making, the lack of a demonstrable 5 year housing land supply means that the presumption in favour of development and the tilted balance set out in the NPPF is invoked (paragraph 11 footnote 8 of the NPPF).

Paragraph 11d of the NPPF requires that where there is no 5 year supply this means granting planning permission unless –

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole

As this proposal involves the provision of housing, the application is being considered in terms of its accordance with NPPF paragraph 11d and other material considerations. This does not mean that the policies of the Local Plan are ignored but that their requirements can be considered, and given weight, where they accord with the policies of the NPPF.

Other material considerations to weigh in the planning balance are that the Council's housing needs have increased significantly and as such the benefits of delivering housing carry greater weight. Also, the degree to which the Council is unable to demonstrate a 5 year supply is material. A housing land supply of 3.69 years is a

significant shortfall and therefore very significant weight should also be applied in favour of applications that can contribute to increasing this supply.

The implications of the tilted balance on the officer recommendations are discussed further in the officer appraisal section of this report below.

7. Officer Opinion:

Key Issues:

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

7.1. The Principle of Development

7.2. Residential Amenity

7.3. Highway issues

7.4. Conclusions

7.1. The Principle of Development

This proposal consists of a change of use to an alternative form of residential accommodation within an existing residential area.

The site is not allocated for any particular use in the Local Plan – Part 1 and in policy terms there is no ‘in principle’ concern with the proposed change of use to a different form of residential use which includes care.

There are no specific policies which determine the overall number of care homes which can or should be provided in the city.

Other legislation controls the management and operation of such facilities and would ensure the needs of future occupiers are met.

The site is within an established residential location with good access to local facilities, including schools, recreation spaces and retail.

Overall, the principle of the proposed care home for a maximum of two children (Use Class C2) in this location is considered to be acceptable.

7.2. Residential Amenity

Saved Policy GD5 (amenity) of the CDLPR states that ‘planning permission will only be granted for development where it provides a satisfactory level of amenity within the site or building itself and provided it would not cause unacceptable harm to the amenity of nearby areas. In considering harm the Council will consider the following:

“a. Loss of privacy; b. Overbearing (massing effect); c. Loss of sunlight and daylight; d. Noise, vibration, smells, fumes, smoke, soot, ash, dust or grit; e. Air, water, noise and light pollution; f. Hazardous substances and industrial processes; g. Traffic generation, access and car parking.”

The application has been accompanied by a detailed supporting statement which provides information on the number persons who will be present at the property. As

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well as the two children who will live at the dwelling there will four members of staff present during the daytime. These will be drawn from a pool of 12 employees who will work on a shift basis to provide 24-hour care. At times of shift change over there may be higher numbers, but only for brief periods. Staff will vary according to their rank and seniority and the day to day needs of the home. Typical of any residential property there will also be occasional visits from other professionals, and friends etc.

The bulk of the objections received relate to the level of activity which will be generated by the facility in relation to noise and disturbance which is uncharacteristic in this location.

The other main concern raised is the fear of anti-social behaviour and disruption caused by future residents as the application documents state the property will be used to house children with emotional and behavioural problems. Saved Policy E24 (community safety) seeks to ensure that "developments will provide a safe and secure environment" which in my opinion this would do.

This property is a substantial four-bedroom detached dwelling which could be occupied by a family with adult children still resident at home who might all own vehicles and lead busy social lives. As such it is not considered that the level of activity generated will be significantly different to that which might be generated at any such property. The highway officer has reviewed the proposal in depth and raises no objections.

Concerns regarding community safety are a material planning consideration however there is nothing in the supporting information to substantiate this concern. The facility will be managed by an experienced professional company and will be managed by trained and experienced staff.

The appearance of the dwelling will be unchanged, and the number of staff and occupants will not be significantly different to what might be expected at this type of property.

On balance it is considered that the general levels of noise and disturbance impacts would not be significantly different to a typical residential dwelling and therefore, it is not considered that the impact on the surrounding residential amenity would not be sufficient to warrant the refusal of planning permission on these grounds.

The submission includes a draft management plan with details of how the facility will be managed and how such matters can be addressed. A condition is suggested that a final version of this document with full contact details for local residents is submitted to the local planning authority to ensure that matters related to noise and disturbance and any issues with anti-social behaviour can be addressed promptly by staff members.

With the use of this condition it is considered that the proposal would comply with the amenity requirements of saved policies H13, GD5 and E24 of the CDLPR.

7.3. Highway Issues

The Highways officer has provided detailed comments as set out in section 5.1 of this report. This notes that with the minor alterations to the frontage proposed the site could accommodate four parking spaces. It is also noted that there will be an electric car charging point and adequate cycle storage facilities in the existing garage. Bins could be stored at the side of the property. The proposed parking provision is adequate

except for brief periods of time at shift change over where some on street parking may occur. It is noted that whilst this is not ideal this is not sufficiently unacceptable to warrant refusal of planning permission on these grounds. As this is only likely to be for short periods of time the impact on the highway network is not considered to be severe.

Concerns regarding parking and increase in traffic are a significant theme of third-party comments. However, these cannot be substantiated. The proposal level of on vehicular activity is not significantly different to that which might be expected at a four-bedroom detached dwelling and could not be controlled in other circumstances.

Again, the draft submitted management plan includes details of how staff are encouraged to car share, use other means of transport to travel to work and to be mindful of the impact on nearby residents. By use of the previously mentioned condition to ensure submission of the final version of this document and adherence to it by the future occupiers this proposal is considered to be compliant with the transport requirements of Policy CP23.

7.4. Conclusions

The principle of the proposed change of use to a different form of residential use (Use Class C2) is acceptable in this residential location. No external alterations to the dwelling house are required to achieve this, and only very minor changes to the frontage are proposed which do not require planning permission.

The proposal is considered to be acceptable in terms of highway safety and impact upon residential amenity.

It is noted that there were a significant number of third-party objections to the proposal, but the concerns raised can be addressed by the use of planning conditions.

On balance the proposed change of use is not considered to result in significantly detrimental impacts on neighbour amenity to justify refusal of planning permission. There are no other material planning considerations that indicate planning permission should not be granted. The proposal is deemed to comply with the relevant policies in the adopted Local Plan and the broader advice contained within the NPPF. It is therefore my opinion and judgment that the application be granted planning permission subject to the suggested conditions.

8. Recommended decision and summary of reasons:

8.1. Recommendation:

To grant planning permission with conditions.

8.2. Summary of reasons:

The principle of the use of the dwelling house as a children's care home is acceptable in this location. No external alterations are proposed to the dwelling house.

The proposal is considered to be acceptable in terms of highway safety and would not result in significantly detrimental impacts on residential amenity. There are no other relevant planning considerations that indicate planning permission should not be granted.

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8.3. Conditions:

1. Standard 3-year time limit condition

Reason: As required by Section 91 of the Town and County Planning Act 1990 as amended by Section 51 of the Town and Country Planning and Compulsory Purchase Act 2004

2. Standard approved plan condition

Reason: For the avoidance of doubt.

3. Condition restricting the use of the property as a residential children's care home (Use Class C2) for the occupation of no more than two children with staffing arrangements as specified in the supporting statement.

Reason: To enable the local planning authority to maintain control over the proposed use and to safeguard the amenities of the surrounding area.

4. The applicant shall notify the Local Planning Authority the date of this use being commenced. Within three months of the use being implemented, a final version of the draft detailed management strategy, shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include specific details of regular community engagement / parking management provisions / updated contact details for staff members together with an emergency out of hours contact and an action plan for addressing issues raised through the community engagement. Once agreed, the management strategy shall be adhered to at all times during the life of the development and reviewed annually.

Reason: To enable the local planning authority to maintain control over the proposed use, to safeguard the amenities of the surrounding area and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

8.4. Informative Notes:

Mud on the Road

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway. The applicant must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g., street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

Vehicular Footway Crossing

The development makes it necessary to alter a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact StreetPride at Derby City Council to

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apply for a vehicle access under Section 184 of the Highways Act 1980 (as amended) to arrange for these works to be carried out.

Visit: <https://www.derby.gov.uk/transport-and-streets/roadshighways-pavements/vehicle-access-kerbs/>

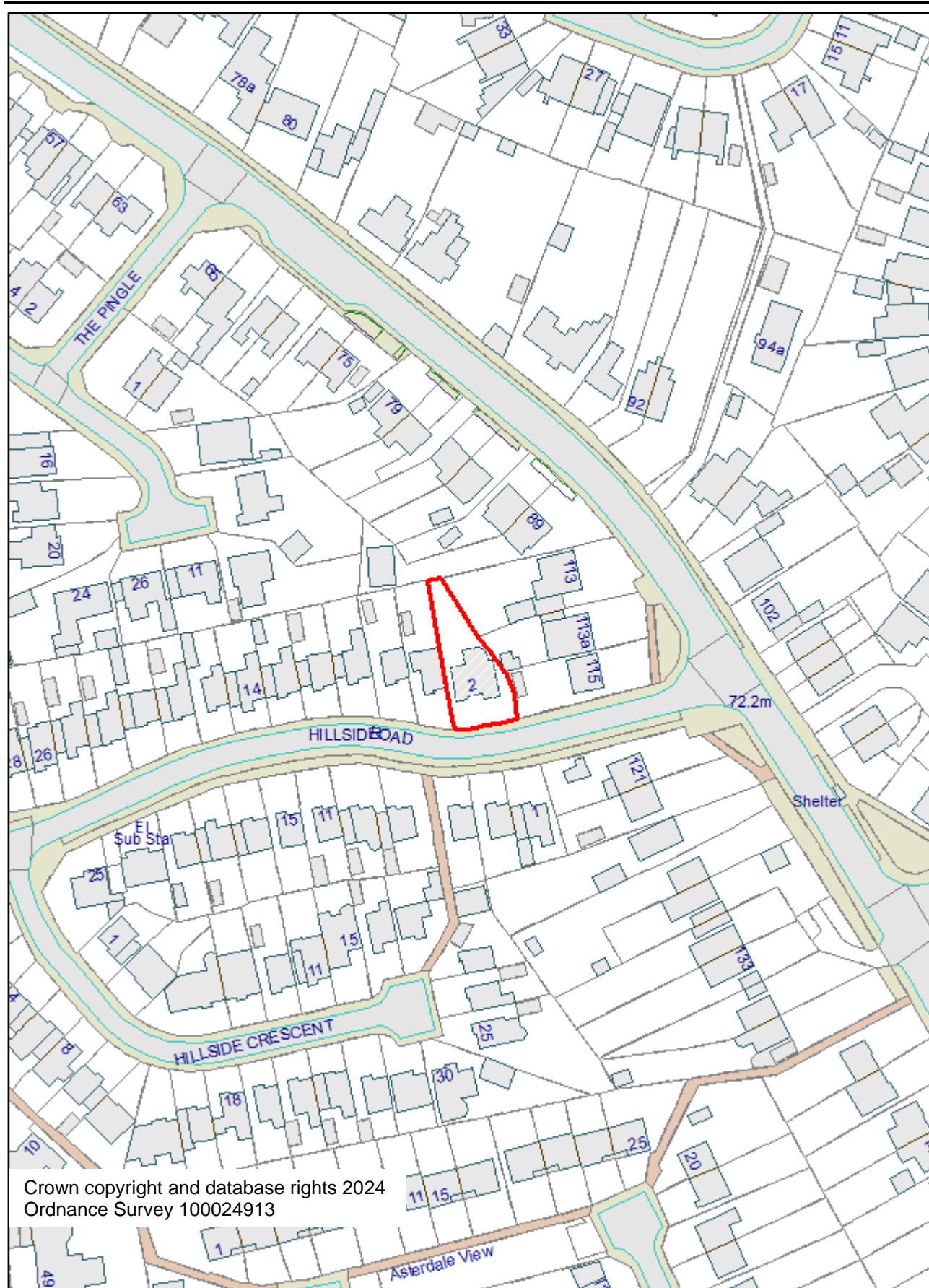
or contact customerservices@derby.gov.uk or Tel 0333 200 6981.

Street Lighting

The development may make it necessary to relocate a lamp column in the public highway. In these circumstances, it is the responsibility of the Developer to identify the asset number and exact location; all works shall be carried out at cost to the Developer, including design compliance, and shall be to the satisfaction of the Highway Authority. Therefore, you are required to contact our Street Lighting team, at Derby City Council, to make the necessary application for these works to be carried out. You can contact them via email at engineering@derby.gov.uk

8.5. Application timescale:

An extension of time has been agreed on the application until 12th April 2024 to allow the application to be considered by the Planning Committee.



1. Application Details

1.1. Address: 12 Chatsworth Crescent, Allestree.

1.2. Ward: Allestree Ward

1.3. Proposal:

First floor extension to bungalow to form a dwelling house together with alterations and single storey side and rear extensions.

1.4. Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/PLAN/24/00108/FUL>

Brief description

The property itself is located on the east side of Chatsworth Crescent, within a row of bungalows, several which have previously been extended to the rear, and include modest sized dormer extensions. Along the west side of Chatsworth Crescent are a mixture of bungalows and two storey semi-detached properties. All dwellings are positioned in a fairly uniform pattern along both the east and west of Chatsworth Crescent.

The existing, dual gable fronted, two-bedroom bungalow has the following approximate dimensions: width- 10m, length-8.3m, height (eaves)- 2.6m, (ridge)-5.5m. To the side, (south) stands an attached flat roof garage with the following approximate dimensions: width-2.4m, length- 5.8m, height-2m. To the rear stand two single storey extensions with the following approximate dimensions: (conservatory)-width- 2.7m, length-2.2m, height-2.2m and width-1.7m, length-1.2m, height-2.1m.

The proposed extensions and alterations to the existing bungalow would create a two storey, four-bedroom property, with single storey side and rear extensions. Although two storey, the dwelling would have a perceived visual appearance of a dormer bungalow from the front, and on approach from the north and south.

Proposed approximate dimensions of the dwelling, as extended, are as follows: width- 10m, length- 7.7m, height (eaves front)-2.6m, (eaves rear)-5.5m, (ridge)- 6.5m. This would therefore equate to a 1m increase in height from the original ridge height of the existing bungalow. Two dormer windows are proposed upon the front roof plane with the approximate dimensions: width- 2.5m, length-3.2m, height-(eaves)-1.2m, (ridge)-2.7m. The scheme would also include the erection of a lean to, single storey extension to the side elevation (north), in place of the existing flat roof garage, with the approximate dimensions: width- 2.4m, length-7m, height (eaves)-2.3m, (ridge)-3.2m. A single storey flat roof element is also proposed to the rear elevation (replacing the existing conservatory) with the approximate dimensions: width- 6.2m, length-4.1m, height-3m (atrium)-3.5m.

This application is submitted further to the refusal of application 23/00550/FUL - Alterations and first floor extension to bungalow to form a dwelling house and invalid application 23/01284/PNRHA -Construction of an additional storey to the existing

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dwelling house (maximum total height of 8.1 metres). These applications will be discussed in greater depth within the appraisal section of this report.

2. Relevant Planning History:

Application No:	23/00550/FUL	Type:	Full Application
Decision:	Refused	Date:	04.07.2023
Description:	Alterations and first floor extension to bungalow to form a dwelling house		

3. Publicity:

- Neighbour Notification Letter – 4 letters

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

4. Representations:

In line with the Data Protection Act and associated legislation this appraisal should not include details, or seek to identify through repeating specific comments, the individuals who have objected, supported or made general comments about the application. Therefore, to maintain anonymity, the relevant planning grounds of objection, support or comment have only been included in broad terms. It is important to note that all comments received have been fully considered as part of the application process and included in the overall 'planning balance' exercise.

Eight letters of objection have been received together with a call-in to Committee by Cllr. Potter.

Reasons for objection include:

- Loss of a bungalow which are in short supply.
- Design out of keeping with surrounding street scenes.
- Massing, overshadowing and overlooking.
- Setting an undesirable precedent.
- Sewerage and drainage in the area is not capable of increased demand.

5. Consultations:

5.1. Derbyshire Wildlife Trust:

Response We have reviewed the information provided and the Derbyshire Biological Records Database. The Bat Survey Report (Chase Ecological Consultancy, April 2023) concludes that the bungalow has features which provide low potential for roosting bats and recommended that in line with current guidance a nocturnal survey was required. This was undertaken in June 2023 (Bat Emergence Survey Report, Chase Ecological Consultancy).

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No bats were seen emerging from the property and no evidence of use by bats or nesting birds was noted within the property. As such we would recommend that only a condition for biodiversity enhancement be attached to any permission. Suitable wording has been included below. Bat Box Prior to the completion of the works, a single bat box (Beaumaris Woodstone Bat Box or Schwegler 1FR bat tube) shall be attached to the property on the south facing gable apex.

Within 14 days of the installation the applicant shall submit in writing to the Local Planning Authority confirmation of the bat box installed along with photographic evidence. It is hoped that the information provided is helpful to the Council. If you require any further information or wish to discuss any of the comments made, please do not hesitate to contact me.

6. Relevant Policies:

6.1. Relevant Policies:

The Derby City Local Plan Part 1 - Core Strategy was adopted by the Council on Wednesday 25 January 2017. The Local Plan Part 1 now forms the statutory development plan for the City, alongside the remaining 'saved' policies of the City of Derby Local Plan Review (2006). It provides both the development strategy for the City up to 2028 and the policies which will be used in determining planning applications.

Derby City Local Plan Part 1 - Core Strategy (2017)

CP1A	Presumption in Favour of Sustainable Development
CP2	Responding to Climate Change
CP3	Placemaking Principles
CP4	Character and Context
CP16	Green Infrastructure
CP19	Biodiversity
CP23	Delivering a Sustainable Transport Network

Saved CDLPR Policies

GD5	Amenity
H16	Housing Extensions

The above is a list of the main policies that are relevant. The policies of the Derby City Local Plan Part 1 – Core Strategy can be viewed via the following web link:

https://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/environmentandplanning/planning/localplan/evidencebase/Core-Strategy_ADOPTED_DEC-2016_V3_WEB.pdf

Members should also refer to their copy of the CDLPR for the full version or access the web-link:

https://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/environmentandplanning/planning/localplan/part1/CDLPR_2017.pdf

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An interactive Policies Map illustrating how the policies in the Local Plan Part 1 and the City of Derby Local Plan Review affect different parts of the City is also available at – <http://maps.derby.gov.uk/localplan>

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

6.2. Non-housing applications:

The Local Plan (consisting of the policies of the DCLP1 and the saved policies of CDLPR) covers the period 2011 to 2028 and was adopted on 25 January 2017. The policies of the local plan were reviewed in December 2021 in line with Regulation 10a of the Town and Country Planning (Local Planning) (England) Regulations 2017 and paragraph 33 of the NPPF, the provisions of which require Local Plan policies to be reviewed at least every 5 years. The officer led review, endorsed by the Council's Cabinet on 8 December 2021, indicated that all of the policies relevant to the consideration of this application are still up to date and carry weight in the decision making process as they remain consistent with the NPPF and there have been no changes in local circumstances that render any of the policies out of date. The application is therefore being considered in terms of its accordance with the policies of the Local Plan and any other material considerations, including the National Planning Policy Framework.

7. Officer Opinion:

Key Issues:

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

7.1. Policy Context

7.2. Site History

7.3. Design, layout and visual amenity

7.4. Residential amenity

7.5. Ecology and Biodiversity

7.6. Objections

7.7. Conclusion

7.1. Policy Context

Saved policy H16 Housing Extensions states that permission will be granted for extensions to residential properties provided that "there is no significant adverse effect on the character and appearance of the dwelling or the streetscene" taking into account design, massing, visual prominence and materials. The principle of good design is reinforced by adopted policies CP3 Placemaking Principles and CP4 Character and Context which seek to ensure high quality design and a good

relationship between proposed development and existing buildings and the local area, and by section 12 of the National Planning Policy Framework (NPPF).

Saved policy GD5 Amenity prohibits "unacceptable harm to the amenity of nearby areas" from the effects of loss of privacy or light, massing, emissions, pollution, parking and traffic generation. The policy is reinforced by the provisions of saved policy H16 Housing Extensions which also requires the creation of a "satisfactory living environment" which in turn is supported by the NPPF, which states that "planning policies and decisions should ensure that developments [create] a high standard of amenity for existing and future users" (paragraph 130).

Adopted policy CP19 Biodiversity sets out the Council's intention to achieve a net gain for biodiversity over the development plan period (up to 2028) and to ensure that development will protect, enhance and restore the biodiversity and geodiversity of land and buildings. This is supported by paragraph 170 of the National Planning Policy Framework which states that planning policies and decisions should minimise impacts on and provide net gains for biodiversity.

7.2. Site History

As indicated above, this latest application is submitted further to the refusal of application 23/00550/FUL - Alterations and first floor extension to bungalow to form a dwelling house and invalid application 23/01284/PNRHA -Construction of an additional storey to the existing dwelling house (maximum total height of 8.1 metres).

Application 23/0550/FUL had included alterations to the height of the existing bungalow resulting in an increase of the eaves height by 2.2m and overall increase of the ridge height by at least 2.4m, above the existing ridge line of the original bungalow. The proposed alterations subject to this previous scheme, by virtue of size, scale, height and design had therefore been considered to dominate the existing bungalow, to the detriment of the character and design of property, which in turn, would have resulted in the property being incongruous and wholly out of keeping with the visual character and the urban pattern of development within the vicinity.

Further to this refusal a prior notification application had been submitted. A prior notification application of this type can only be agreed if the property in question had been constructed between 1 July 1948 and 28 October 2018. Although the application details had initially identified the property as having met this criterion, after further inspection and history searches, it had been confirmed that the property had in fact been built in the 1930's. In light of this information the application was subsequently invalidated.

7.3. Design, layout and visual amenity

In relation to visual amenity although objections refer to this latest proposal being 'the same' as the previously refused scheme I can confirm that the proposed first floor extension and subsequent roof alterations would result in an increase to the existing ridge height of the bungalow by approximately 1m, which is a reduction of 1.4m from the previously refused scheme, and the eaves height would remain the same as the existing bungalow, therefore a reduction of 2.2m from the previously refused scheme.

Objections also reference significant concern relating to the size, design and overall appearance of the property however, I am satisfied that the proposed roof extensions, as reduced, would be more sympathetic to, and in proportion with the existing property and within the wider street scene context.

Although it is noted that the dwelling itself is positioned within a row of bungalows, the immediate street scene is made up of a variety of house types, including two storey dwellings, single storey dwellings and dormer bungalows. In particular it is noted that opposite the site, number 17, a bungalow sits between two pairs of two storey semi-detached properties therefore, refusal of the scheme based on the size and design of the property within the wider street scene context would be considered significantly difficult to uphold at any future appeal.

In conclusion the proposed property, with the front appearance of a dormer bungalow, would not be inappropriately placed within this specific location and refusal of the scheme, based on design grounds, and in particular in reference to the proposed 1m increase in ridge height, would be significantly difficult to argue at any future appeal. Overall I am satisfied that the size, scale and design of the proposal would not result in a detrimental or incongruous appearance within the immediate street scene of Chatsworth Crescent. In regard to the proposed single storey elements of the proposal I raise no objections in regard to their design and visual appearance. I am therefore satisfied that the proposal reasonably satisfies the requirements of policies CP3 and CP4 of the Derby City Local Plan: Part 1 and saved policy H16 of the City of Derby Local Plan Review.

7.4. Residential Amenity

In relation to residential amenity, although objections have been received, I am satisfied that the increased roof height and proposed extensions would pass the 45 degree rule in respect of all neighbouring dwellings therefore any massing or overshadowing implications would be duly avoided in this case. In regard to overlooking one first floor window is proposed to the side elevation however, this window would serve a bathroom therefore I raise no objections. First floor rear windows are to be positioned approximately 13m from the rear boundary therefore any overlooking of properties to the rear of the site, along Cavendish Avenue, would be duly avoided in this case. I raise no objections to the single storey side and rear elements of the scheme in regard to massing, overshadowing or overlooking due the single storey nature of these elements. I am therefore satisfied that the proposal meets criteria set out in saved policies GD5 and H16 of the City of Derby Local Plan Review.

7.5. Ecology and Biodiversity

The application is accompanied by a Preliminary Bat Roost Assessment (Chase Ecology, 28th April, 2023). My colleagues at Derbyshire Wildlife Trust (DWT) are satisfied that the assessment has been undertaken to an acceptable standard providing reasonable confidence that bats would not be adversely affected by the proposed development. A condition has been suggested in respect of biodiversity net gains which shall be included accordingly. Taking this into consideration I am

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satisfied that the proposal meets criteria set out in Policy CP19 of the Derby City Local Plan Part 1: (Core Strategy).

7.6. Objections

Eight letters of objection and One Cllr Objection have been received. As indicated above, objections include matters relating to the size, design and in particular the overall height of the property, massing, overshadowing and setting a precedent within the locality. I am satisfied that these matters have been adequately addressed within this report. In regard to the loss of a bungalow there are no policy reasons protecting bungalows/single storey properties therefore it would not be reasonable to refuse a scheme on this basis.

7.7. Conclusion

Overall it is felt that the proposal is acceptable by way of size, form, character and design, and residential amenity would not be unreasonably affected. Although objections have been received I am satisfied that all relevant planning matters have been adequately addressed within the appraisal section of this report. The proposal reasonably satisfies the requirements of policies of the Derby City Local Plan: Part 1 and saved policies of the City of Derby Local Plan Review therefore I recommend approval of the scheme subject to conditions..

8. Recommended decision and summary of reasons:

8.1. Recommendation:

To grant planning permission with conditions.

8.2. Summary of reasons:

Overall it is felt that the proposal is acceptable by way of size, form, character and design, and residential amenity would not be unreasonably affected. Although representations of objection have been received as a result of consultations, the local planning authority is satisfied that all relevant planning matters have been adequately addressed within the officer's report. The proposal reasonably satisfies the requirements of the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review.

8.3. Conditions:

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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2. The development shall conform in all aspects with the plans and details shown in the application as listed below.
- Bat Emergence Survey Report
 - Bat Preliminary Report
 - OS plan
 - SCGD 570 001- Existing site block plan
 - SCGD 570 002- Existing site plan (inc. roof)
 - SCGD 570 003- Existing ground floor plan
 - SCGD 570 004- Existing elevations
 - SCGD 570 101 B- Proposed site block plan
 - SCGD 570 102 B- Proposed site plan (inc.roof)
 - SCGD 570 103 B- Proposed ground floor plan
 - SCGD 570 104 B- proposed first floor plan
 - SCGD 570 105 B- Proposed elevations
- Received- 25/01/2024

Reason: For the avoidance of doubt.

3. Details of all external materials to be used in the development shall be submitted to and be approved in writing by the Local Planning Authority before the relevant works are begun. Any materials that may be agreed shall be used in the implementation of the development.

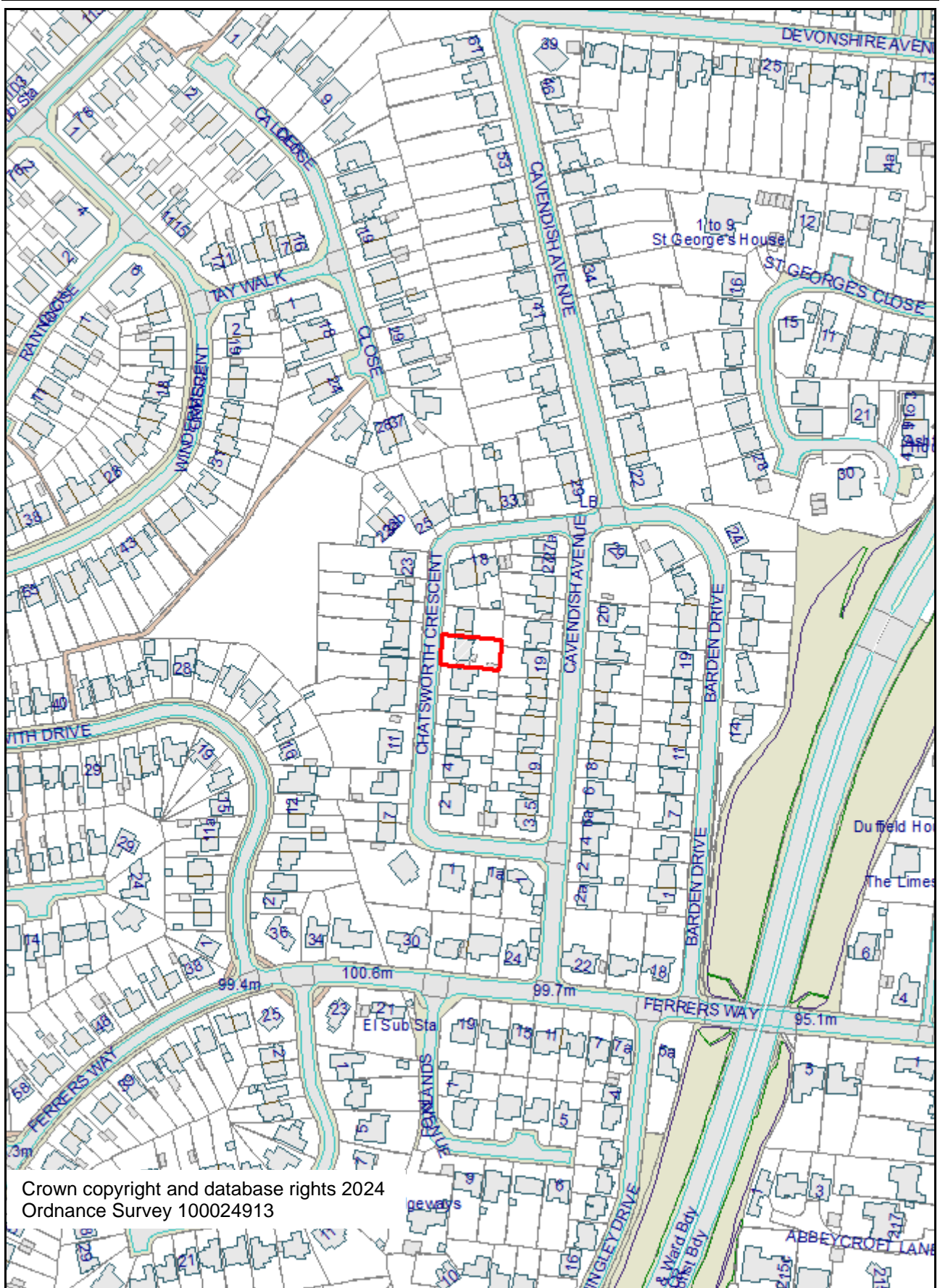
Reason: To ensure that the external appearance of the building is satisfactory and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

4. Prior to first occupation of the hereby approved extensions, a single bat box (Beaumaris Woodstone Bat Box or Schwegler 1FR bat tube) shall be attached to the property on the south facing gable apex. Within 14 days of the installation the applicant shall submit in writing to the Local Planning Authority confirmation of the bat box installed along with photographic evidence.

Reason: To preserve and safeguard wildlife upon and surrounding the site and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

8.4. Application timescale:

Application Expiry Date: 21/03/2024. Extension of time agreed until 11/04/2024 in order for the application to heard at Full Planning Committee.



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Application No: 23/00817/OUT

**Type: Outline Application -
Environmental Impact
Assessment**

1. Application Details

1.1. Address: Rolls Royce PLC, Raynesway, Derby

1.2. Ward: Spondon

1.3. Proposal:

Outline planning permission with all matters reserved is sought for up to 104,430sqm of manufacturing (Use Class B2) and ancillary office (Use Class E) and storage (Use Class B8) floorspace, and a multi-storey car park, with associated infrastructure including internal vehicle routes, reconfigured car parking, cycle parking, drainage, hard and soft landscaping, utilities, earthworks and demolition of existing buildings.

1.4. Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/PLAN/23/00817/OUT>

Brief description

This outline planning application seeks permission to re-develop the Rolls-Royce Campus, Raynesway. The proposed development would facilitate and support Rolls-Royces involvement in the UK's naval programme and assist in the delivery of the £235 million contract which the Defence Secretary awarded Rolls Royce in 2019. *"The contract provides the support, advice and material required to ensure the continued safety and availability of the systems on board three submarines (Trafalgar, Vanguard and Astute) until 2022. The contract will support approximately 500 UK jobs."* In 2022, further defence contracts were awarded to Rolls Royce and another worth more than £2 billion. The contract would enable four new submarines to be built in the UK and the overall programme would support about 30,000 jobs across the country, from design to build.

The application site encompasses the Rolls Royce Raynesway site, the BOC Gases site and the Star Micronics site, collectively known as the application site. The site is located on the eastern side of Derby and is bound by the railway line to the north; the River Derwent and Alvaston and Boulton Cricket Club to the south and south-west. Raynesway, A5111, is located to the east and provides access to the application site. Other commercial uses lie to the north including Severn Trent Water and Balfour Beatty. The application site covers an area of 23.26 hectares.

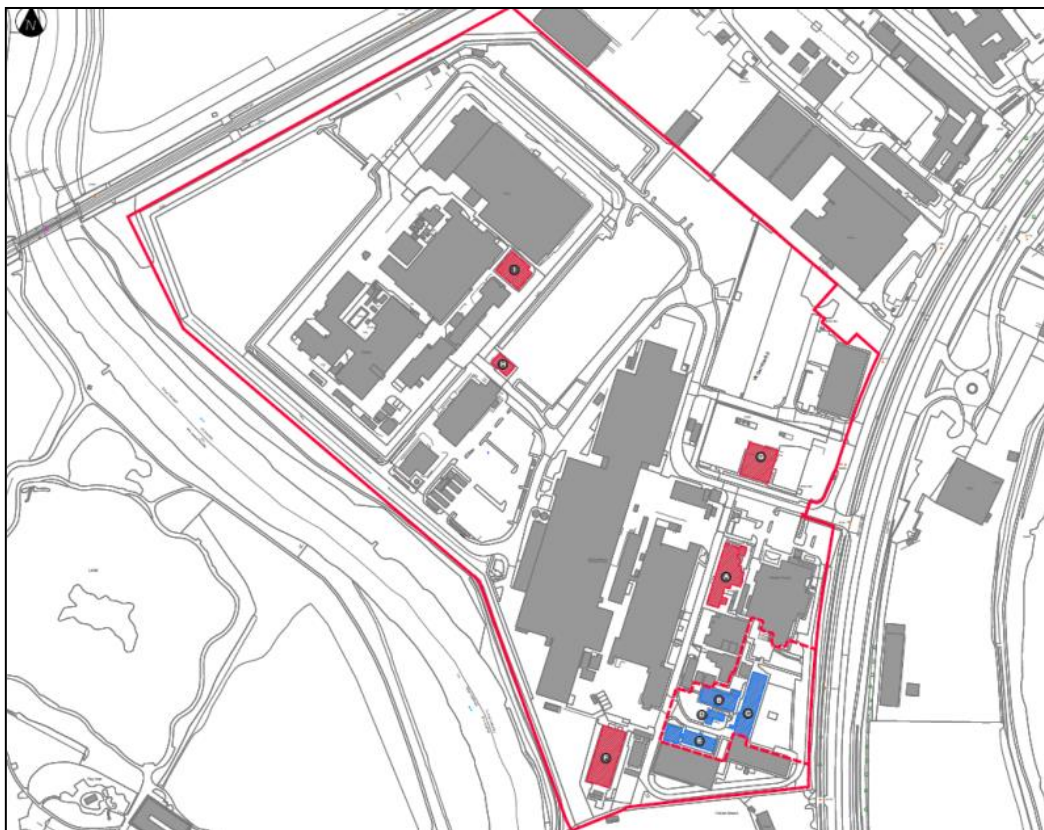
The site falls within an existing employment area and therefore policy CP10 is relevant. The site is currently accessed off the A5111 Raynesway and is dominated by buildings that are predominantly large manufacturing facilities. Other buildings are also present including offices, security huts etc. there are also areas of hardstanding for car parking, servicing, footpaths and landscaped areas. A number of trees are scattered across the site and small patch of wildflower meadow is present in the centre of the site. There is also a 10 metre wide border of grassland around the edge of the site which contains a swale. Due to the uses on site it is bound by wire fencing, similar fencing is also erected around the BOC Gases site and the Star site.

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The application seeks outline planning permission for the re-development of the Rolls Royce site which includes the demolition of 5 buildings identified as A, F, G, H and I on Drawing No. 60687165_0410. These are identified as red on the following plan:



The application has been submitted in an outline format with all matters reserved for up to 104,430 sqm (GIA) of additional manufacturing (Use Class B2) and ancillary office (Use Class E) and storage (Use Class B8) and a multi storey car park with associated infrastructure including internal vehicle routes, reconfiguration of car parking, cycle parking, drainage scheme, hard and soft landscaping, utilities, and earthworks.

The outline application is accompanied by a suite of illustrative plans including an illustrative masterplan which includes the construction of 10 buildings, with associated development such as roads and surface water attenuation within the site. Primarily the buildings will be constructed on the site of existing car parks and hardstanding some amenity grassland will also be used to facilitate the development. A copy of the illustrative masterplan is included in Section 1.5 of this report.

The development will be brought forward in phases, in accordance with the submitted parameter plan which identifies the development area, maximum floorspace up to 104,430sqm GIA and the maximum heights of any development which is 40 metres above the finished flood levels.

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Building No.	Use Class	Proposed Building Footprint	Proposed No. of Storeys	Proposed GIA Floorspace (sqm)
1	B2	15,034	1	16,537
2	Sui Generis	3,996	8	34,537
3	B2	1,460	1	1,606
4	B2	11,750	4	29,810
5	B2	1,000	2	2,508
6	E	1,148	6	7,577
7	E	1,066	6	5,863
8	Sui Generis	90	1	99
9	E	939	4	4,133
10	Sui Generis	1,600	1	1,760
Total		38,083		104,430

The application is accompanied by a suite of documents including an Environmental Statement, Transport Assessment (and addendum), Flood Risk Assessment, Sustainability and Energy Strategy, Biodiversity Net Gain Assessment, Economic Statement and a suite of drawings.

1.5. Environmental Statement:

The works that are the subject of this application involve a form of development identified in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). Schedule 1 developments include major chemical or petrochemical projects, industrial plans, and major infrastructure projects, such as new power stations, transport, water and wastewater infrastructure over a certain threshold. This includes new and refurbished facilities within the Nuclear Licensed Sites, such as this site. Therefore, the applicant stated *“Given that the Proposed Development meets the definition of “installations designed... for the production or enrichment of nuclear fuel” defined above, an EIA has been undertaken and an ES submitted in support of the outline planning application.”*

The EIA process involves the collection and assessment of information about the estimated environmental effects during construction and operation of the project (the project as a whole which in this case includes the multi-storey car park on the St Modwens Park [reported elsewhere on this agenda]) along with the mitigation measures proposed which aim to minimise any resulting environmental effects. The EIA Regulations require that the ES identifies *‘likely significant effects of the proposed development on the environment’*. The applicant did not scope the EIA and therefore the Transport discipline was not originally included despite forming part of the project as a whole. This matter was raised with the applicant formally on [29th June 2023](#).

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Therefore, under Regulation 25, further information has been submitted and duly consulted upon which considers the Transport Impacts and also provides further information in respect of Flood Risk.

In the majority of EIA technical disciplines' significance reflects the relationship between two factors and these are:

- The sensitivity, importance or value of the resource or receptor. These are normally derived from some or all of the following:
 - *Designated status within the land use planning system;*
 - *Reference to standards in environmental assessment guidance;*
 - *The number of individual receptors, such as residents;*
 - *An empirical assessment on the basis of characteristics such as rarity or condition; and*
 - *Its ability to absorb change.*
- The magnitude or severity of an effect (i.e., predicting the scale of any potential change in the baseline conditions). These are categorised as follows:
 - *High;*
 - *Medium;*
 - *Low; and*
 - *Very Low.*
- The assessment considers the magnitude of impacts and the sensitivity of resources/receptors that could be affected. Each ES discipline/topic has its own methodology for classifying effects, based on industry standards and accepted criteria and legislation, where available. The following provides a generic example of how the assessment is undertaken:

Table 2-1 Classification of Effect				
Magnitude of Potential Change / Impact	Importance of the Resource / Sensitivity of Receptors			
	High	Medium	Low	Very Low
High	Major	Major	Moderate	Minor
Medium	Major	Moderate	Minor	Negligible
Low	Moderate	Minor	Negligible	Negligible
Very Low	Minor	Negligible	Negligible	Negligible

Where adverse or beneficial effects are identified, these have been assessed against the following scale:

- Minor – Slight, very short or highly localised effect of no significant consequence; or

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- Moderate – Limited effect (by extent, duration, or magnitude), which may be considered significant; or
 - Major – Considerable effect (by extent, duration, or magnitude) that may be in breach of recognised acceptability, legislation, policy, or standards.

When addressing the duration of an effect, the following terminology has been used:

- Temporary – Short, medium, or long-term (e.g., a short-term temporary effect relates to an activity with a duration from several weeks to a few months, a medium-term temporary effect estimated to be several months to a year and long-term estimated to be several years); and
- Permanent – effects that are non-reversible, generally associated with the complete and operational Proposed Development.

The geographic scale of the effect has been referenced as follows, where applicable:

- Local level – effects affecting the Site and/ or the neighbourhood;
- District level – effects affecting the local ward or borough (Derby County Council);
- Regional level – effects influencing Derbyshire County; and
- National level – effects impacting different parts of the country or the UK.

Each ES chapter has been set out in a standard format for consistency each chapter comprising details the legislative and planning context, assessment methodology and significance criteria: baseline conditions, likely significant effects and proposed mitigation measures (where required). In addition, an assessment of potential cumulative effects of the Proposed Development in combination with cumulative schemes is provided.

The specific topic areas for consideration in the ES are included as follows:

- Chapter 1: Introduction;
- Chapter 2: EIA Methodology;
- Chapter 3: Alternatives and Design Evolution;
- Chapter 4: The Proposed Development;
- Chapter 5: Key Environmental Impacts;
- Chapter 6: Climate Change;
- Chapter 7: Land, Soil and Water;
- Chapter 8: Major Accidents and Disasters;
- Chapter 9: Cumulative Effects and Interaction with Environmental Effects; and
- Chapter 10: Mitigation and Residual Effects.

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The ES includes a non-technical summary, and it has been submitted along with suite of technical reports including the following: Design and Access Statement, Planning Statement, Sustainability Statement, Transport Assessment, Arboricultural Impact Assessment, Energy Strategy, Drainage Strategy and Flood Risk Assessment.

The ES has been updated during the life of the application in response to the comments of consultees. Revision to the ES include additional chapters in relation to Air Quality, Traffic and Transport and updates to the Climate Change Chapter and the Mitigation and Residual Effects Chapter. The revisions have been the subject of publicity and re-consultation in accordance with Regulation 25 of the EIA Regulations.

The information contained within the ES is comprehensive and therefore the following sections seek to provide a summary of each of the chapters. The aim of this section of the report is to provide members with an overview of the likely significant effects identified in the ES as arising from the scheme. Chapter 1 Introduction and Chapter 2 Methodology have been summarised above.

Chapter 3: Alternatives and Design Evolution

Under the EIA Regulations there is a requirement for the applicant to outline the reasonable alternatives relevant to the proposed development and its specific characteristics. The chapter identifies two alternative options (1) the No Development Scenario and (2) the Alternative design and design evolution scenario.

The No development scenarios would *“result in the Applicant not being able to meet the Government’s defence requirement to provide significant support in relation to the future submarine nuclear deterrent programme – Dreadnought. Furthermore the Applicant would not be able to provide support to the Government’s recently announced AUKUS, a trilateral agreement between Australia, the UK and US, where the Applicant is to provide reactors for use in Australia’s new nuclear submarines”*. This would result in lost economic growth opportunities.

No alternative sites have been considered as the Applicant considers it to be commercially and operationally sensible and appropriate to reuse the land already in use and in the Applicants ownership.

Three alternative design options have been considered on the site each with their own advantages and disadvantages as set out in Table 3.1 of the ES Volume II. The ES states that the discarded options and proposed development have broadly similar environmental effects, none of which are significant.

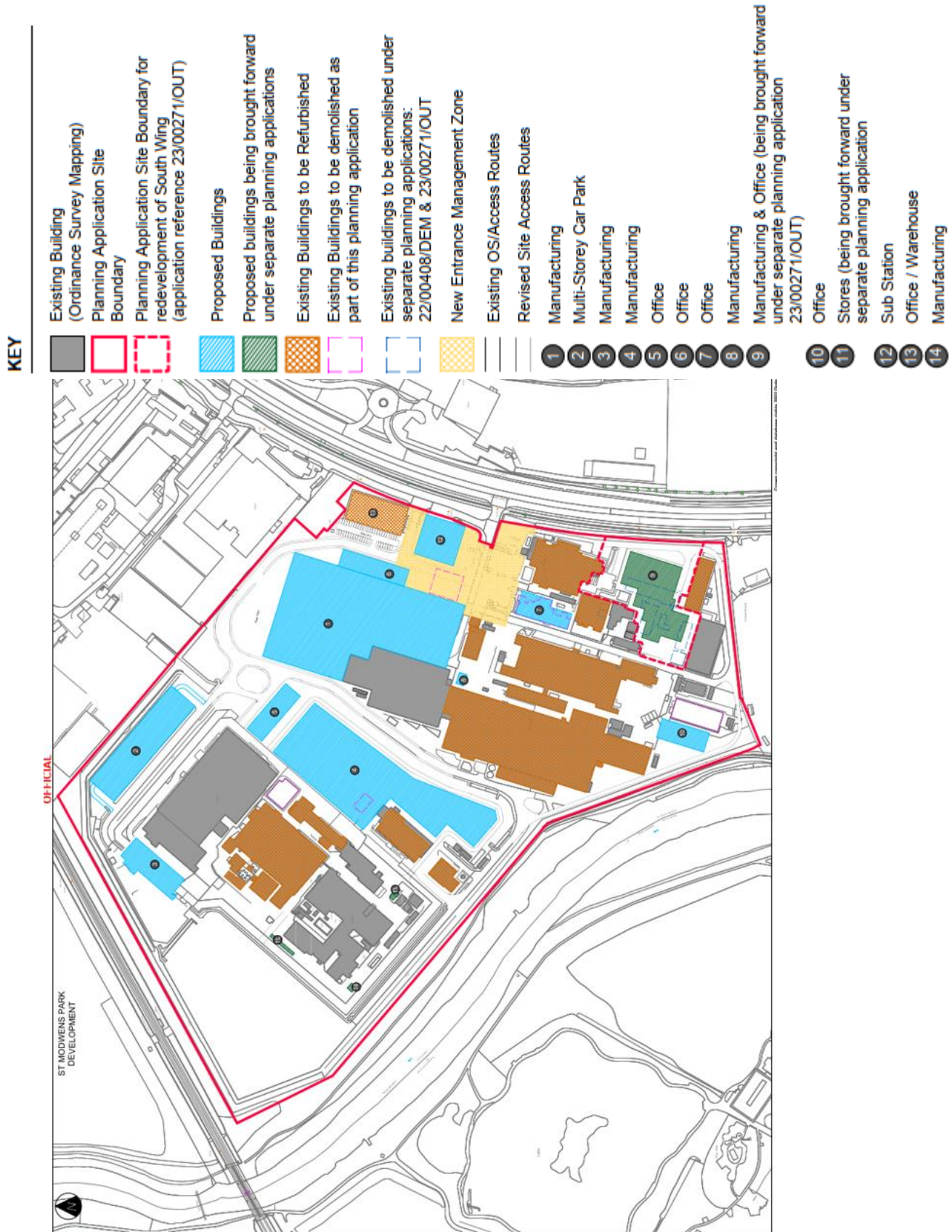
Chapter 4: The Proposed Development

This chapter provides an overview of the application site and a detailed description of the proposed development. The proposed development is shown on the illustrative Masterplan (Figure 4.1 ES Volume III)

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The proposed development is envisaged to take place over nine years with a completion date in 2032 and will make use of previously developed land and repurposing existing buildings. The ES Chapter considers the buildings on the site, which conform with the legend on the illustrative masterplan.

The construction phase of development will see hours of operation Monday – Friday 7.30am – 6pm with no working at weekends or bank holidays expected. Construction traffic will utilise existing access points and the public highway network. The environmental impacts of the construction phase would be controlled through the Construction Environmental Management Plan (CEMP).

The operational phase of development will result in an increase of employees at the site by some 25% (from 3,630 to 4,800 by 2032). Access to the site would remain and utilise the existing highway network. Operational waste will be managed within the site and certain waste will be subject to relevant permits. The use of natural resources and energy are considered in full and further information contained within the submitted reports. The development seeks to achieve BREEAM Excellent standards for all new buildings and energy efficiency will be considered in detail in subsequent applications.

Chapter 5: Key Environmental Impacts

Environmental Impact Assessment Regulations require that an Environmental Statement provide a description of the key factors “...likely to be significantly affected by the development: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape”

The EIA Regulations require an assessment to be undertaken only where significant environmental effects are likely. Therefore, topics can be ‘scoped in’ or ‘scoped out’ of an ES. Those topics ‘scoped in’ include and will be considered in following Sections:

- Climate Change
- Land, Soil and Water
- Major Accidents and Disasters

Those topics ‘scoped out’ include:

- Air Quality - despite there being two Air Quality Management Areas in close proximity to the site the applicant considered that as there would be no impact on these during the construction or operation phase of the development. Furthermore, it is considered that as the traffic generated during the operation phase would not substantially change this topic could be scoped out. *This topic has, under the Regulation 25 information, been included.*
- Biodiversity - Protected species enjoy the protection of the law and generally mitigation measures are well known for such species. It is anticipated that pre-

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construction surveys will be required in the appropriate season to determine the need for mitigation on a case-by-case basis. Full details of the required surveys are given in Table 5 of the Preliminary Ecological Appraisal (ES Volume III) (Ref 5-6). To cause harm to such species would be against the law and these surveys and related mitigation measures will prevent such harm from occurring. Thus, there will be no significant effects during demolition, construction or operation of the Proposed Development and this topic has been scoped out of the EIA.

- Built Heritage and Archaeology – There are no World Heritage Sites, ancient Scheduled Monuments, Registered parks and gardens or registered battlefield within 1km of the application site. Whilst there are 8 heritage assets within 1km of the proposed development there will be no significant effects during demolition, construction or operation therefore this topic has been scoped out.
- Noise and Vibration – A Noise and Vibration Assessment was undertaken in May 2023 and concluded that due to the current baseline sound levels, noise generated during construction will be temporary and not considered significant. The assessment also concludes that as the general use of the area is currently industrial noise generated from the proposed development is unlikely to significantly increase noise levels. Therefore, as there will be no significant effects during the demolition, construction or operation phase this topic has been scoped out.
- Material Assets – the development will not produce large quantities of waste and any waste created during demolition is intended to be reused wherever possible. There are also negligible risks to end users and no nuclear waste will be generated as part of the proposed development. Therefore, as there will be no significant effects during the demolition, construction or operation phase this topic has been scoped out.
- Population and Human Health – *“The Dusk Risk Assessment (Ref 5-5) and the Noise and Vibration Assessment (Ref 5-8) have both concluded that there will be no significant effects from the Proposed Development during construction and operation, it is considered that there will be no significant effects on human health and population. Therefore, this topic has been scoped out of the EIA”*
- Landscape and Visual Assessment – the application site is not located within 10km of an area of Outstanding Natural Beauty and there are no National Parks or designated townscapes within this context of this site. As such the proposal will not have a significant effect during construction or during operation of the Proposed Development, therefore this topic has been scoped out.

Chapter 6: Climate Change (including Regulation 25 update)

The Chapters relating to Climate Change, as set out in Volume II and within the Regulation 25 Submission should be read in conjunction with each other. The chapters consider Greenhouse Gases and Climate Change resilience, in accordance with the EIA Regulation. The applicant has established their own sustainability strategy, which is documented within the ES. Baseline conditions have been

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considered for both greenhouse gases and climate change resilience. The effects of the proposed development during construction and operation have been considered.

In summary, the proposed development is considered to have minor adverse impacts on the global climate, subject to the implementation of the mitigation measures which include the installation of PV's, Solar Thermal Hot Water, Ground Source Heat Pumps, reducing potable water usage, reducing embedded carbon through construction methods, encouraging green travel methods and providing electric charging points. Subject to these mitigation methods being implemented no further mitigation is required.

In respect, of climate change resilience design features are embedded within the design of the proposed development. There will be an element of residual risk which is presented within the ES, Appendix A. The residual risk identified as being low.

Chapter 7: Land, Soil and Water

This chapter addresses and identifies the potential impacts and effects of the proposed development on ground conditions, land quality, soil and water resources and is drafted in accordance with the relevant EIA and EU regulations. The baseline conditions have been considered both on site and off site within a radius of less than 250 metres from the site, with the potential for contaminated land identified, ground water flooding of the property and there could be below ground structures as a result of former development on the site. Potential sources of contamination have also been identified which include made ground, electrical substations, generators, the Nuclear licensed facility, and material stored on the site along with ground gases. Further assessments will need to be undertaken as the proposed development is brought forward. Moderate adverse impacts are identified before mitigation is proposed however implementation of the mitigation measures which include detailed construction environmental management plans, for each phase of development, which will consider the impact of the development on human receptors and environmental receptors these impacts can be managed. The ES identifies that the potential impacts would be short term and would be localised. Furthermore, the implementation of the mitigation measures would be negligible or minor adverse.

Chapter 8: Major Accidents and Disasters

This chapter assesses the major accidents and disasters. It is assumed that *“that the regulatory processes in place for the nuclear licenced site are robust and therefore, the risk of accidents involving the nuclear licenced site are not considered in this chapter.”*

The chapters consider natural disasters including flooding, storms, drought, heatwave, snow, storms, reduced visibility and humidity. Risks of flooding have already been identified within Chapter 7 and this is likely to increase as a result of Climate Change. Risks of storms, heatwaves, cold and snow along with reduced visibility, space weather. Risks of drought, major fires are identified as being medium. A total of 13 threats and hazards are identified. Mitigation is proposed in the form of the Construction Environmental Management Plan, Flood Risk Assessment

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and contaminated land report. The chapter identifies mitigation, and it is considered that the implementation of the mitigation measures will minimise these risks and there would be no significant residual effects. The implementation of the mitigation will minimise the vulnerability of the Proposed Development and there will be no significant residual effects.

Chapter 9: Cumulative Effects and Interaction with Environmental Effects

Chapter 9 considers the in-combination and cumulative effects of the Proposed Development. A total of 6 cumulative schemes have been identified, as identified in Section 9.5 and a comprehensive assessment of these schemes can be found in Table 9-2. The table concludes that no significant cumulative effects are likely, from any of the identified schemes.

The chapter summarises that no cumulative effects are predicted between the proposed development those schemes identified. Potential overlapping impacts have been identified within this chapter however the mitigation proposed may make any significant effects unlikely to occur in practice and as such have been ruled out.

Chapter 10: Mitigation and Residual Effects

This chapter presents a summary of the residual effects in the ES technical chapters and does not include any new information. Overall, Table 10-1 sets out the likely residual effects likely to be experienced during construction and operation. No significant effects have been identified in any of the technical chapters.

Chapter 11: Air Quality

This chapter is included within the Regulation 25 submission and is drafted in accordance with the ES Regulations and relevant EU Directives. The baseline conditions are considered along with pollutant concentrations, emission factors and receptors are identified. Those being sensitive receptors being residential sites within a radius of the named Air Quality Management Areas (AQMA's). The chapter has focused on the impacts of the proposed development during the operational phases, using a conservative approach. The chapter has examined the impact of the proposed development and the changes to the baseline conditions and conclude that the predicted effects would be negligible and therefore not significant.

Chapter 12: Traffic and Transport

This chapter has been submitted at the request of consultees, National Highways and Transport Planning, and the Council. The chapter is drafted in accordance with relevant legislation and is supported by a Transport Assessment and Addendum Transport Assessment. The study area for the assessment has been defined based on the area where there may be a transport impact, as a result of the proposed development:

- *Road Link 1: Along Derwent Parade between the Derwent Parade / Millennium Way / David Walker Way roundabout and the Derwent Parade / Riverside Road / Royal Way roundabout;*

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- *Road Link 2: Along Derwent Parade between the Derwent Parade / Millennium Way / David Walker Way roundabout and the Derwent Parade / Wyvernside / Wyvern Way roundabout;*
- *Road Link 3: Along Wyvern Way between the Derwent Parade / Wyvernside / Wyvern Way roundabout and Pullman Road signalised junction;*
- *Road Link 4: Along Wyvern Way between the Pullman Road signalised junction and The Sidings signalised junction;*
- *Road Link 5: Along Wyvern Way between The Sidings signalised junction and the Stanier Way roundabout;*
- *Road Link 6: Along the A5111 Raynesway slip road to A52 westbound;*
- *Road Link 7: Along the A5111 Raynesway north of the RRSL site access junction; and*
- *Road Link 8: Along the A5111 Raynesway south of the RRSL site access junction.*

The assessment considers the baseline of both the national highway network and the local highways network along with public transport and active travel such as walking and cycling. The chapter also considers future growth up to the completion of the development in 2032. The impacts of construction traffic as a result of the proposed development are considered to have a negligible impact on traffic and transport.

The operational phase of the proposed development extends to include an assessment of the multistorey car park, under code no. 23/01646/FUL as the two developments are intrinsically linked. The proposed car park is only required in order to provide parking for the proposed development as such the two are considered as one project. The assessment is considered to be robust and identifies that there would be no significant effects as all effects have been categorised as either minor adverse or negligible.

2. Relevant Planning History:

Application No:	23/00935/HZC	Type:	Hazardous Consent
Decision:	Approved	Date:	11/10/2023
Description:	Use of land for storage of hazardous substances		
Application No:	02/05/00252	Type:	Outline Application
Decision:	Granted Conditionally	Date:	20/06/2005
Description:	Erection of new production facility with associated roads and car parking		

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3. Publicity:

- Neighbour Notification Letter to 1 neighbouring property
- Site Notices erected 19th June 2023 and 14th November 2023
- Statutory Press Advert printed 13th June 2023 and 14th November 2023

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

4. Representations:

In line with the Data Protection Act and associated legislation this appraisal should not include details, or seek to identify through repeating specific comments, the individuals who have objected, supported or made general comments about the application. Therefore, to maintain anonymity, the relevant planning grounds of objection, support or comment have only been included in broad terms. It is important to note that all comments received have been fully considered as part of the application process and included in the overall 'planning balance' exercise.

The application has attracted one letter of representation from Pauline Latham OBE MP. The letter offers her full support to the expansion of the Raynesway site and confirms it will be funded by the Ministry of Defence and is crucial in meeting the demands of the Royal Navy and supporting Australia. The development will also showcase British Innovation and expertise on the world stage. The development will also create in excess of 1000 skilled roles and will be a huge benefit to the local and national economy.

5. Consultations:

5.1. National Highways:

Initial comments sent 29th June 3rd July 2023

<https://docs.derby.gov.uk/padocumentserver/DownloadDocument.aspx?docid=200762891>

Comments sent 3rd July 2023

<https://docs.derby.gov.uk/padocumentserver/DownloadDocument.aspx?docid=200820476>

Comments 30th November – Holding Objection

<https://docs.derby.gov.uk/padocumentserver/DownloadDocument.aspx?docid=202408191>

National Highways Ref: NH/23/01472 Referring to the consultation on a planning application dated 12 June 2023 referenced above, in the vicinity of the A5111 trunk road that form part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);

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Highways Act 1980 Section 175B is not relevant to this application.¹

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningM@nationalhighways.co.uk.

Annex A National Highway's assessment of the proposed development:

This response represents our formal recommendations and has been prepared by Catherine Townend, Spatial Planner for National Highways.

National Highways (formally Highways England) has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

National Highways considers planning applications for new developments under the requirements of the National Planning Policy Framework (NPPF) and DfT Circular 01/2022: The Strategic Road Network and The Delivery of Sustainable Development ("the Circular"). The latter document sets out our policy on sustainable development and our approach to proposals which may have an impact on our network.

The SRN in the vicinity of the proposed development is the A5111 trunk road.

Development Proposal

The proposed development consists of an expansion to the Rolls Royce Raynesway site providing of up to 104,430sqm (GIA) of manufacturing (Use Class B2); ancillary office (Use Class E); storage floorspace (Use Class B8), and a multi-storey car park.

The development site ('The Site') encompasses the existing Rolls-Royce Raynesway site, the BOC Gases site and the Star Micronics site. The Site is located approximately 3km southeast of Derby city centre and is bounded by the Derby Nottingham railway line and industrial estate to the north, River Derwent to the west, and the Alvaston & Boulton Cricket Club to the south. The A5111 Raynesway to the east of the Site constitutes part the SRN.

The Site is currently accessed via the Western Service Road (WSR) which links to the A5111 Raynesway (northbound) in the form of a "Left in-Left out" priority junction. No changes to the existing access are proposed.

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Whilst the current proposal includes a multi-storey car park, there is no planned increase in car parking numbers on site. Instead, the multi-storey car park will replace and rationalise existing surface level parking. In line with the 2017 planning consent, on-site parking provision is capped at 2,172 spaces.

National Highways Considerations

Vehicular Access

As no new accesses to the Site are proposed, we have no specific comments to make about the Site access.

Boundary Impacts

The red line boundary of the Site is separated from the A5111 trunk road by the Western Service Road. As such, aside from potential construction impacts, there is unlikely to be any boundary matters of concern to National Highways.

With regards construction, National Highways will be interested in the scope and contents of a Construction Environmental Management Plan. We are content however, that this can be covered at the Reserved Matters stage.

Traffic and Transport Impacts

Development Trip Assessment

An Addendum Transport Assessment (ATA) set out the traffic impacts of the development proposal including the off-site Multi Storey Car Park (MSCP) to be provided at St Modwen's Park to cater for this development. As per our previous response, we have accepted that the traffic generation impacts have been sufficiently tested. This concluded that highway mitigation will not be sought in respect of the SRN.

Parking Provision Strategy

Our previous response noted that the on-site car parking provision within the Rolls Royce Site will be decreased by 260 to 2,196 spaces, whilst an off-site MSCP at St Modwen's Park will provide an additional 887 parking spaces.

We advised that the parking provision proposed appears sufficient once both developments are completed. However, it was noted that the delivery of the masterplan for the Rolls Royce site will be phased through a number of Reserved Matters Applications (RMA) and that a strategy is necessary to ensure that there is a sufficient level of car parking both on and off-site, as the development progresses.

It was noted that each RMA will use a monitor and manage approach setting out the parking demand associated with each development and how this demand will be met. However, an indicative phasing and car parking strategy suggests that there would be a shortfall in parking throughout various stages of the masterplan implementation, particularly in 2025.

A number of potential mitigation measures were proposed to address this, including staff relocation and modal shift, however, we highlighted that some of these

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measures have potential implications for the SRN and would need to be addressed by the applicant at the RMA stage.

Further detail is still required to understand how the RMAs will be brought forward and linked together to ensure that displaced parking does not impact the safe operation of the SRN. In light of this, National Highway will be recommending a planning condition for the submission of a detailed Phasing and Car Parking strategy. This document should explicitly set out how each Reserved Matters application shall come forward, and how they shall be linked to ensure that a sufficient level of parking is retained. This will be necessary prior to the approval of any RMA pertaining to this development Site.

Access to the MSCP

To move between the Rolls Royce site and the MSCP, the MSCP planning application (ref 23/01646/FUL) includes a pedestrian footbridge over the railway line providing a direct link exclusively for Rolls Royce employees. However, it has been indicated that the footbridge may be delivered sometime after the MSCP comes into use. For the interim period, a shuttle bus service to provide connectivity between the two sites has been proposed.

The shuttle bus strategy, as described in the ATA, identifies three potential existing bus stops near to St Modwen's park for alighting the bus to access the MSCP. A bus drop off/pick up point within the MSCP itself would reduce the amount of walking required, and our previous response sought clarity on why this wasn't proposed. In addition, we noted no mention of this service being free which we considered would help to make it a more attractive offer. Clarity on this was also requested.

Frequency of the bus service is proposed to be every 10 minutes during the AM peak, with a capacity for 420 passengers. During the PM peak, bus frequency would be every 15 minutes with a capacity of 280 passengers. Frequency outside the peak hours would be lower.

National Highways considered that for employees previously with a parking space on site, the requirement to use a shuttle bus service would present a considerably less attractive option. In light of this, our previous response set out the need for some certainty that the footbridge connecting the Site to the MSCP will be delivered so that the bus shuttle service does not become the permanent access strategy, which we consider to be unsustainable. As requested, we have been given sight of a letter from Network Rail which offers an Agreement in Principle with respect of the bridge. Whilst this does not guarantee that the footbridge will be delivered when the MSCP first opens, it does at least give some reassurance that the bridge will be delivered.

Nonetheless, it will still be necessary to condition this development to the delivery of the off-site MSCP and footbridge. However, at present we are unable to determine an appropriate trigger point for when the MSCP needs to be open and when the associated footbridge needs to be delivered. We suggest therefore that this be included in the detailed Car Parking and Phasing Strategy to be submitted and approved prior to the approval of any Reserved Matters application. Subsequently

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one of more of the RMAs may need to be conditioned so that they cannot be occupied prior to the delivery of the MSCP and footbridge.

In light of the above considerations, we recommend the following conditions by attached to any planning consent for this Outline Planning application:

Condition 1

Prior to the approval of any Reserved Matters application pertaining to this development, a detailed Car Parking a Phasing Strategy must be submitted and approved in writing by the Local Planning Authority in consultation with the highway authority for the A5111 trunk road. This document shall set out a mechanism for linking the Reserved Matters applications, providing clarity on how they will come forward, how parking levels will be monitored, and what quantum of development pertaining to the RMAs can be occupied prior to the delivery of the off-site MultiStorey Car Park at St Modwen's Park.

Condition 2

Prior to the approval of any Reserved Matters application pertaining to this development, a detailed Shuttle Bus Strategy shall be submitted and approved in writing by the Local Planning Authority in consultation with the highway authority for the A5111 trunk road and the Local Highway Authority. This should clearly set out all bus stop pick up and alighting points, frequency of bus service, and any associated costs to passengers.

Standing advice to the local planning authority

The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 73 and 105 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 104 and 110 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

Moreover, the build clever and build efficiently criteria as set out in clause 6.1.4 of PAS2080 promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon

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5.2. Active Travel:

Initial comments sent 6th July 2023 and remain the most relevant.

Deferral: ATE is not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue as set out in this response.

1.0 Background

The application seeks outline planning permission with all matters reserved for up to 104,430sqm (GIA) of manufacturing (Use Class B2) and ancillary office (Use Class E) floorspace, a multi-storey car park and associated site works.

Located to the east of Derby, the site is mainly occupied by Rolls-Royce and comprises industrial operations including two Nuclear Licensed Sites (NLS) to support the development of nuclear reactors that power military submarines. A smaller parcel of the site includes land in third party ownership (BOC Gases and Star Micronics) which is in process of being acquired by Rolls-Royce to accommodate the required expansion.

The application form and travel plan identify that there are 3,630 full-time equivalent employees on site currently, and this would increase to 4,827 (+1,197) as a result of the proposed works.

2.0 Summary

The application is accompanied by a Transport Assessment and Framework Travel Plan. While the application seeks outline planning permission with all matters reserved, it is unclear why a Framework Travel Plan rather than a Full Travel Plan has been submitted for consideration, given that the end user of the site is known and the base survey has regard to the travel patterns of existing Rolls-Royce employees.

The central target within the Framework Travel Plan is to reduce the number of single occupancy car trips to 77.5%, representing a reduction from the 2023 travel survey (83.7%) and returning to 2020 levels. The Framework Travel Plan does not address why single-occupancy car trips have increased in the previous three years; clearly travel behaviour has changed since the outbreak of the COVID-19 pandemic, although an understanding of why, in this instance, car travel has increased would go some way to identify how a return to 2020 levels could be achieved rather than being an aspiration at this stage.

In general, a travel plan target that seeks a return to levels achieved three years previously does not appear ambitious. However, it is noted that this is a site-wide target such that this could achieve a similar quantum of reduced car trips than if the travel plan would seek a lower number of single-occupancy car trips but only address new employees – which would also be difficult for the local planning authority to monitor.

Noting that ATE's primary interest is to increase the number of walking, wheeling (e.g. wheelchairs and mobility scooters) and cycling trips, the 2023 survey found that only 6.98% of employees walked or cycled to work, which is

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nearly half of that recorded in the 2020 survey (13.07%). Furthermore, the 2020 survey was undertaken in the colder period of 27 th January to 5 th February, such that the overall take-up of walking, wheeling and cycling would be expected to be higher across the year if this was to be accepted as the active travel target share for which the site should achieve following the proposed expansion.

ATE would therefore seek the following amendments to the submitted Travel Plan:

(1) Further analysis is needed on why there has been a shift from more active travel modes in 2020 to single-use car journeys in 2023, and the potential measures that will help secure a return to pre-pandemic levels. Measures should include, but not be limited to, policy-compliant cycle spaces and shower/locker areas in the buildings where people work;

(2) Further analysis of where existing employees walk and cycle from, and how a financial contribution to route improvements and/or the creation of a pedestrian access point that would shorten journey length could be provided;

(3) The travel plan should include a target that is specific to site-wide walking, wheeling and cycling trips noting the comments above; and

(4) The travel plan should be progressed to 'final' form unless the local planning authority is satisfied that necessary measures, off-site infrastructure and travel plan contributions can be secured at reserved matters stage.

Upon receipt of an updated Travel Plan, ATE will assess this with a view to providing a further response and recommended conditions/obligations where the identified deficiencies are addressed.

5.3. Transport Planning:

Initial comments sent 28th June 2023

<https://docs.derby.gov.uk/padocumentserver/DownloadDocument.aspx?docid=200760882>

Comments:

1.0 Introduction and Background

This application is outline with all matters reserved. It sets out the principle of the development including the scale and land use profile. However, because Section 106 Agreements have to be agreed at the outline stage, a framework travel plan and assessment of the wider off-site impacts has been undertaken. As such, any mitigation required, to make the quantum of development contained in this application acceptable in transport terms, has been assessed and the schemes either conditioned or are set out in the Section 106 agreement.

It should be noted that this application specifically deals with the expansion of the Rolls Royce Submarines Raynesway site. However, as a consequence of the expansion, Rolls Royce are proposing to provide an 887 space car park on the St Modwen Park development located on Wyvern Way. The car park will be located

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directly opposite the Raynesway site on the other side of the Midland Main Line track, which separates the two areas. A pedestrian footbridge will be constructed to directly join the Raynesway site to the car park. As such, this report also covers the transport implications of the car park as both applications are intrinsically linked, and the expansion of the Rolls Royce facility relies on the construction of the car park and footbridge coming forward in a timely manner.

Figure 1 shows the location of the Rolls Royce site and the location of the proposed new multi storey car park on St Modwen Park.

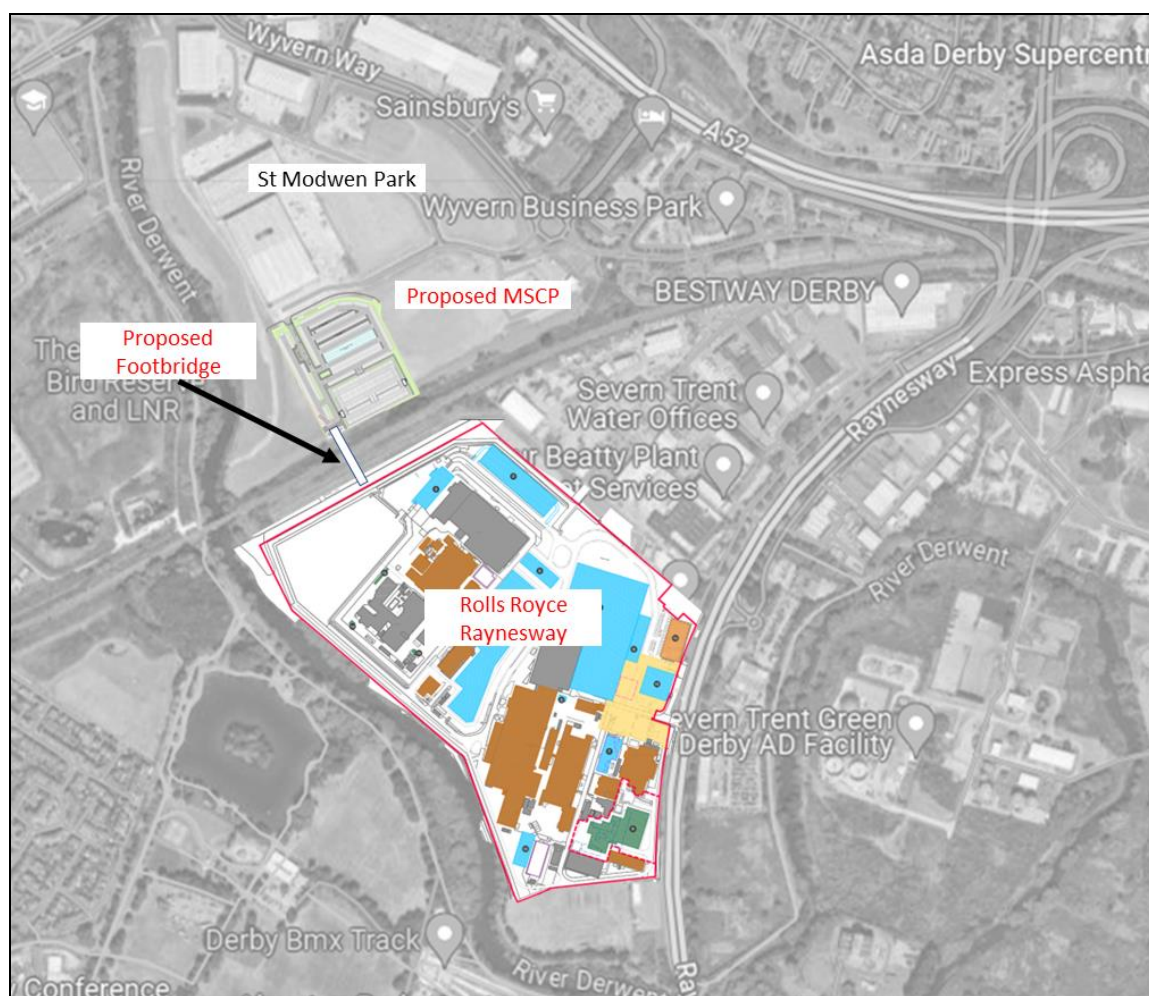


Figure 1: Location Plan

This application does not include permission for any new points of access and will be using the existing arrangement. As such, the primary issue for this application in transport terms is the justification for additional parking and the impact that this will have on the wider network.

The impact of the development has been assessed through the application for the multi storey car park on St Modwen's Park, Application 23/01646/FUL.

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1.2 Local Planning Policy

Derby City Local Plan Part 1 – Policy CP10 identifies the Rolls Royce Raynesway site as one of the key employment areas within Derby. Which is crucial for the City's economy. However, there is no specific policy within the Local Plan for the Rolls Royce Raynesway site as it is already existing employment.

General policies under CP23 in the local plan on transport support delivering a sustainable transport network. The Council will support proposals that:

1. promote greater travel choice and equality of opportunity for all through the delivery and promotion of high quality and accessible walking, cycling and public transport networks, while maintaining appropriate access for car users and the movement of goods;
2. include initiatives to manage down traffic impacts, promote sustainable transport and the development of accessible sites;
3. contribute to better safety, security and health for all by improving road and rail safety, improving security on transport networks and promoting active travel;
4. contribute to tackling climate change by developing low-carbon travel and lifestyle choices, including the provision of infrastructure to support the use of low carbon vehicles, active travel and reducing the need to travel through the provision of improved IT infrastructure;
5. support growth and economic competitiveness by delivering reliable and efficient transport networks that will enhance connectivity to, from and within the City;
6. ensure that investment in transport contributes to the enhancement of the urban and natural environment.

Further that the Council will actively manage the pattern of development to ensure that new development:

7. Is located in accessible locations that are well served by frequent high quality bus services and which help to facilitate walking and cycling;
10. contributes to improving public transport, cycle and pedestrian infrastructure and public transport service provision;
- 12 is not permitted where it would cause, or exacerbate, severe transport problems, including unacceptable impacts on congestion, road or rail safety, the rail network, access and air quality – including any cumulative impacts on Air Quality Management Areas (AQMA).

2.0 National Planning Policy Framework (NPPF)

The 2010 coalition government introduced the NPPF and set out below is the criteria against which the highway impact of the proposed development should be tested. It is important that this is the criteria used as the Secretary of State would use NPPF to consider the suitability of the above proposal should the application go to appeal.

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Paragraph 110 of the NPPF says: In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree, also:

Paragraph 111 of the NPPF says: Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 113 says: All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

Considering the above criteria, Highways Development Control has the following comments:

2.1 Opportunities for Sustainable Transport

The NPPF has a presumption in favour of sustainable development and consequently is seeking to influence the developer to put in place measures to provide opportunity and to encourage travel by non-car modes, wherever this is realistic and feasible i.e. measures to encourage walking, cycling and travel on public transport.

The planning proposal is basically for the redevelopment and expansion of the Rolls Royce Raynesway site. It should be noted that the location of Rolls Royce Submarines Limited (RRSL) on Raynesway is historical, and the company has been building engines here since the 1960s.

Raynesway is physically a difficult site to access by non-car modes, particularly public transport. The area is wedged between the A52, A5111(T), the Midland Mainline rail corridor and the River Derwent. That is not to say that there aren't good cycle and pedestrian links to the site, but where there are gaps there are no easy options to improve facilities because of the physical constraints.

Figure 2 below provides a summary of cycle routes and bus stops around Raynesway, taken from the applicant's transport assessment.

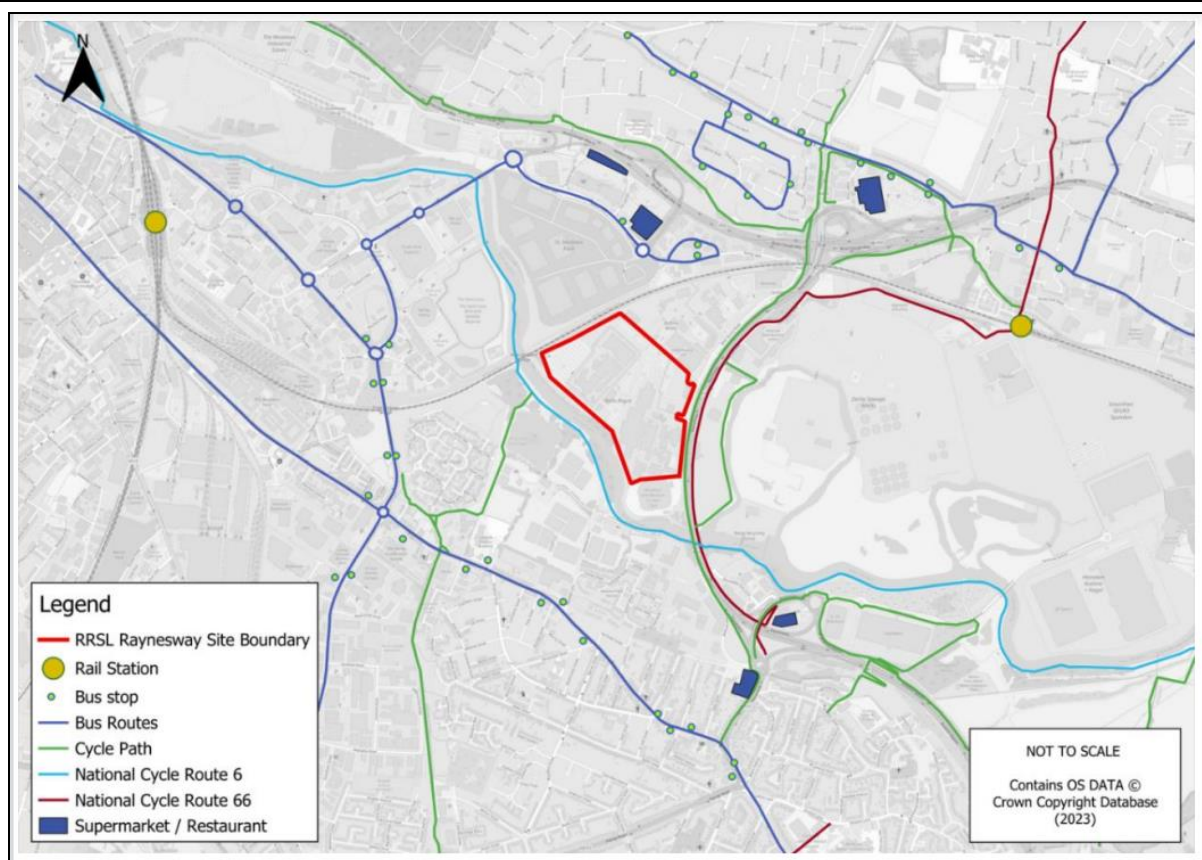


Figure 2: Cycle Route, Public Transport Network

Non-Motorised Users

On average a person walks around 1.4 metres per second. On this basis a 20 minute walk distance is around 1.7 kilometres or 1 mile. Presently, this means that the outskirts of south Chaddesden and Alvaston District Centre are approximately 2 kilometres from this development via existing footways.

There are clear barriers around the Raynesway area for walking and cycling, not least the Raynesway Junction itself, where controlled crossing facilities are limited and the character and scale of traffic makes it an unpleasant junction to navigate for non-motorised users.

Whilst there are relatively good links to Alvaston for pedestrians, and Route 6 and the Riverside Path for cyclists to the City Centre, the links to the north and areas like Spondon and Chellaston are less connected. Further, the elevated sections of Raynesway Junction mean that providing improvements is difficult without significant investment. This is demonstrated by some of the existing sub-standard facilities, such as the existing cycle rail from the East Service Road on the steps to the slip road that joins the A52/Nottingham Road Gyratory.

There are known issues around the safety of cyclists crossing the service road, particularly over the entrance into the Rolls Royce, and across the other service road access points. Further, the Addendum Transport Assessment (ATA), submitted with this application, does identify the forward visibility problem on the west bound A52

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slip road and poor crossing facilities between the shared footway/cycleway. Something does need to be done on the visibility and the trees on the embankment are a problem. **However, all these issues are partly on the A5111(T) and National Highways would have to agree to any improvement scheme.**

The ATA outlines a number of areas that could be improved. Such improvements would normally be conditioned and delivered through a Section 278. However, the ATA does not provide any details of potential scheme designs, and in order to condition the improvement there would have to be some certainty that they could be delivered.

Given the time constraints associated with this application, a contribution towards non-motorised user infrastructure will be taken through a S106 contribution. This leaves the Council to design and make the improvements to the network. As such, it is proposed that a catchment area is defined, within which the contribution can be spent. The area proposed includes the A52(T) Spondon Gyratory and surrounding area, the A5111(T) corridor and Alvaston District Centre.

The ATA identifies that Rolls Royce currently has 420 high quality secure cycle stands within its site. Further, that shower and changing facilities have also been provided. We know from work on the Raynesway Travel Plan, that there is a strong employee cycling group. Indeed, the ATA identifies a pre-Covid mode share for cycling of 10.84%, from a survey undertaken in 2020. However, that has since dropped to 5.47% in 2023 but still remains a relatively high mode share compared to average commuters in Derby. With the proposed additional 174 spaces this equates to 594 spaces or 12% of the future total number of employees. **A condition will be included, with the phasing of development, which accounts for the cumulative number of car, cycle, EV charging and disabled parking spaces to be included in each reserved matter application.**

The proposed bridge between the RRSL site and the new MSCP will be for pedestrians only and cyclists will not be able to use it. Therefore, provision of spaces on the MSCP car park will provide an opportunity for employees from the northwest of the city to cross the Meadow Lane Footbridge and use the cycle links through the Wyvern to access the St Modwen Car Park. This will provide a better route than trying to traverse the elevated junction layout of Raynesway.

The St Modwen Multi Storey Car Park proposes 48 secure cycle spaces and will also include a bike maintenance hub. The cycle parking is currently proposed in a location next to the bridge. The MSCP will be secured by a fence around the perimeter and only Rolls Royce employees will be allowed access.

Public Transport

There are no bus services that currently serve the businesses that operate on Raynesway. As such, the nearest stop is on London Road, approximately 1.4 kilometres from the RRSL site or a 20 minute walk. Frequent services also operate on Derby Road to the north of the site, and again these stops are approximately a 20 minute walk time. This is not an attractive distance to walk to a bus stop and

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generally as rule 400 metres is considered an acceptable distance, and 800 metres a maximum, according to industry guidance.

There have been previous attempts to provide bus services into Raynesway. However, the area sits between two major radial routes, and as such it does not naturally fit with existing service routings. The Arriva 4a route was created in 2015, which served Pride Park, Wyvern and the City Centre. The service basically ran along London Road and crossed Raynesway and terminated in the Derby Commercial Park. However, patronage to the Commercial Park was low and the service was withdrawn.

Rolls Royce do operate a shuttle service between Raynesway, Pride Park and Derby City Centre at a frequency of one every 40 minutes. The shuttle service was withdrawn during Covid and has recently been re-introduced. However, the service isn't really frequent enough for commuters and it is used to run employees between the park and ride on pride park, Jubilee House and those staying on business at hotels in the city centre.

With no easy solution to providing an economically sustainable public transport service to the site, it is better to focus on cycling and the travel plan to promote options that might work such as car sharing.

Travel Plan

At present, it is estimated that there are currently 3,630 employees on the RRSL site, which are composed of 88% office-based employees and 12% manufacturing employees. RRSL indicated that 100% of office employees work primarily between 08:00 to 16:00 with a degree of variance to allow for flexible working. Presently, employees are required to work three days in the office, which includes any external business meetings. Manufacturing employees work in three shifts of 06:00 to 14:00 (36%); 14:00 to 22:00 (36%); and 22:00 to 06:00 (28%).

Rolls Royce has an established travel plan for the Raynesway site, which it introduced in 2011. It's has implemented a Travel Plan intranet site, a car sharing scheme, 420 secure bike spaces, showers and changing facilities, Bike2Work Scheme and a programme of monitoring using an employee survey. **Table 1** below provides employee survey information from 2014, February 2020, and March 2023. The surveys normally achieve a high response rate of around 50% and show that between 2014 and 2020 that Rolls Royce has managed to reduce single car occupancy by 11.5%, but post pandemic this figure has increased again by 6.2%

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Primary Mode of Travel	2014	2020	2023	Derby Average 2011
Single Occupancy Vehicle	89%	77.5%	83.7%	67%
Car-share	4%	5.6%	5.8%	
Bus travel	0.30%	0.5%	0.8%	10%
Train travel	0%	1.9%	0.8%	
Cycling	5%	10.8%	5.5%	4%
Motorcycle	0.70%	0.5%	0.7%	
Taxi	0%	0.0%	0.4%	
Walk	0%	2.20%	1.5%	12%
Other	3%	0%		8%

Table 1: Rolls Royce Journey to Work Mode Share and Derby's Average Taken from 2011 Census

Compared to Derby's average mode share by workplace, the Rolls Royce single car occupancy is relatively high, 83.7% compared to an average of 67% across Derby's workforce. This perhaps reflects the location of the site and the lack of public transport. For example, Rolls Royce's mode share compared to the average across Derby is about 2.5% compared to 10%. Further, walking is also relatively low with around a 2% mode share compared to 12% for Derby. Postcode information on employee home addresses perhaps reveals why and that less than 1% live within 1 mile of the site, and 80% live over 3 miles away. However, cycling mode share is relatively high for Rolls Royce, although it has reduced since the pandemic. The 2020 Rolls Royce employee survey recorded a mode share for cycling of 10.8% compared to a Derby average of 4%. Further, there is also a relatively positive mode share for car sharing of around 6%, which compares to other large employees in Derby of around 3%. The survey information reveals that where Rolls Royce have invested in travel plan measures, such as cycle facilities on site and car sharing, that they have managed to reduce single occupancy car trips.

Further, since the pandemic Rolls Royce has introduced a hybrid working from home policy, which allows non-shift workers to work 2 days at home. This will reduce employee car trips across the week by approximately 20%. However, if all employees chose to take Mondays and Fridays to work at home then this will not have a positive impact on the other three working days in terms of network operation. A Framework Travel Plan (FTP) will be provided for the development based on the current travel plan for the existing site. The framework includes a number of initiatives to support sustainable travel. For example:

Co-ordination of Travel Plan:

- A Travel Plan Co-ordinator (TCP) from within Rolls Royce, (to be named).
- Travel Plan RRSL
- Promotion and dissemination of Travel Information Packs.
- Provision of a travel information notice board in prominent locations.

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Walking and cycling Initiatives:

- Retention of the 420 secure, covered high quality cycle shelters/pods and expansion for another 170 spaces.
- Cycle spaces to be incorporated into the design of the redeveloped site located as close to new workplaces as possible to be set out in the Reserved Matters Applications.
- Showers, changing facilities, locker areas to be incorporated into the new buildings and when existing buildings are refurbished.
- Investigate the potential to improve cycle parking and shower/changing signage.
- Creation of an interactive walking and cycling map showing all walking and cycling routes in proximity to the Site.
- Setting up a Bicycle User Group (BUG) to promote cycling events.
- Complete regular audits of cycle facilities and monitor cycle parking usage, with a view for additional provision if 90% take-up is reached regularly.
- Investigate purchasing a number of personal alarms for issue to staff; and
- Undertaking activities to promote the Cycle to Work scheme, such as cycle maintenance sessions and cycle challenges.

Public Transport:

- Display and update bus information on relevant notice boards. Information on rail stations, timetables, bus fares, ticket types, season tickets and bus company contact details will also be provided.
- TPC to liaise with local public transport operators to seek potential employee discounts.
- TPC will promote the use of modes other than the private car for employment trips by promoting personalised online travel planning services.
- TPC to work with public transport operators and DCC to investigate how the Site can be better served by bus and how a new bus service can be introduced.

Car Sharing:

- Provision of priority spaces for car sharers at the Site (linked to the development of a Car Park Management Plan.
- Locate car share 'priority parking' spaces nearest the main accesses entrance. Locations to be determined as part of the full TP.
- Set up a car sharing group.
- Review providing a Car Share mileage reimbursement rate to employees.

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- Raise awareness of the sharing scheme with marketing and communication materials including within employees' TIPs.
 - Introduction of measures to encourage car sharing including guaranteed lift home in the case of emergency.
 - Annual travel surveys including car park surveys to assess occupancy levels will seek to identify any problems with car parking arrangements and use.
 - Details of local taxi firms included on the sustainable travel section of the company intranet as well as in the TIPs and notice boards.

Car Park Management:

- Development of a parking policy which could prioritise parking for essential users and car sharing and consideration of demand management techniques, such as a charging policy.
- Parking permits that restrict parking on certain days and giving up a parking space in return for public transport or cycle vouchers.
- Introduction of a Car Park Management Plan in order to improve the management of car parking and the enforcement of poor parking behaviour.
- Funding of a car park management team, including an on-site car park attendant so that issues regarding car parking can be addressed pro-actively.
- Distribute 'eco driving' information through marketing channels, to help drivers save money and reduce emissions.
- Installation of further charging bays for Plug-in Electric Vehicles (PEVs).

Monitoring:

- A travel plan target of 6.2% reduction in single car occupancy.
- Annual monitoring including employee survey.

The Framework Travel Plan is very comprehensive, and it will be secured through condition based on the draft that has been submitted with this application. A single car occupancy (SOV) target of 6.2% has been set, which returns the mode share to the pre-pandemic levels recorded in the staff survey. The ambition should be 10% but the historical travel surveys provide a valuable measure of success that at least show Rolls Royce has moved away from a SOV of 89% in 2014. Further, homeworking, and the reduction in any travel demand, remains one of the most sustainable measures that can be introduced. However, homeworking is only effective if it is spread across the week. A more detailed analysis of homeworking has been requested to be included in the monitoring results. As such, the target maybe adjusted depending on the outcome of the first survey results.

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Conclusion

It is considered that the applicant has done as much as can reasonably be expected to make this site sustainable.

2.2 Safe and suitable access to the site can be achieved for all people

This application is outline only and access will be a reserved matter, although the ATA does not suggest any proposed changes to the current arrangement at the RRS� Raynesway site.

However, it is worth noting that there have been past problems with Rolls Royce traffic around Raynesway, particularly in the AM Peak as employees enter the site. It is identified in the TA that traffic still queues back onto the slip road from the A5111(T), although, this isn't as extensive as historically observed. In part the queuing has been relieved by the second entrance adjacent to the BOC Gas site, which provides access to some of the parking on site. However, any small amount of queuing is a potential safety problem, particularly on the A5111(T), which is a 50 mph Trunk Road Route.

As such, the access management strategy for the site is an important consideration for any future reserved matter. The ATA identifies the access area on the general layout plan but does not suggest any changes to this layout. **As such, a condition will be included that any changes to layout and control of the access will need to be agreed with the Highway Authority.**

2.3 Transport Impacts of the development.

NPPF suggests the impact of the residual trips (i.e. the remaining car trips after travel by other modes has been taken into account), should be mitigated as long as it is affordable in the context of the value of the development. The Government does not define 'severe impact'. DCC takes the view that in this context 'severe' can relate to congestion, but definitely relates to safety.

Development Proposals and Parking

The proposals include for the redevelopment and expansion of the RRS� site at Raynesway. This includes an additional 68,133 sqm of manufacturing (Use Class B2) and ancillary office (Use Class E), and 36,297 sui generis use that is mainly car parking. The development is proposed to be constructed over the next five years and when fully operational the number of employees will increase from 3630 to 4827, or 1197 additional employees.

The proposals include the consolidation of parking on-site and the construction of a new multi-storey car park. In addition, an 887 space multi-storey car park (MSCP) will be constructed off-site on St Modwen Park, Wyvern.

A detailed assessment of the parking requirements is contained in the Transport Assessment that accompanies the planning application. It identifies that currently there are 2398 spaces in use on the Raynesway site, and 3630 (3508 daytime) employees, which equates to 1.46 employees per space or parking for 68% of staff.

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The difference between the single occupancy mode share of 84% and car parking provision for staff is related to not all staff being on site at anyone given day because of annual leave, working from home, sickness and external business trips. As such the day-time employee population is likely to be less than 3508 per day.

The proposed redevelopment and expansion of the site will see employee numbers grow to 4827 (4665 daytime) employees. Based on the employee per space ratio, the equivalent number of spaces would equate to 3188 spaces or an increase of 790 additional spaces. However, the parking numbers at Raynesway will not remain the same and it is proposed that 2196 will be provided, or 202 less spaces. Therefore, this equates to an off-site demand of 992. As such, the MSCP on St Modwen Park provides for a slight shortfall in demand of 105 spaces, or 3.3%.

However, in order to understand whether the number of parking spaces are justified, the total land use for the RRSL Raynesway site, including the existing and proposed development plus existing, is set against the parking standards contained in Part 1 of the Derby Local Plan (2016).

Parking Based on Floor Space					
Land Use Classification	GIA		Parking Space per SQM GIA	Parking	
	Exisitng	Proposed +Existing		Exisitng	Proposed
B2	49953	98005	68	735	1441
Office (E)	26452	46533	24	1102	1939
B8	639	639	172	4	4
Total	77044	145177		1840	3384
Total Parking Existing/Proposed				2398	3038
As % of Maximum Parking Standard				130%	90%

Note: Proposed Sui Generis (36,297 sqm) not included because it relates to car parking, and Parking Space per SQM has been converted from GFA to GIA based on 20% Difference

Table 2: Parking Based on DCC Maximum Standards

Table 2 shows that based on DCC's parking standards that currently there is a 30% over provision of parking. With the proposed development expansion there is 10% less parking spaces than the maximum standard.

Cycle and Other Parking

Derby parking standards suggest that for developments of 1000m² and above, the provision of cycle spaces should follow the basic guideline of 5% of the maximum parking provision for cars. Based on this then the total cycle parking requirement for the expanded RRSL site would be cycle 152 spaces. However, Government guidance on cycle infrastructure design contained in LTN1/20 (2022), suggests 429 long stay spaces for the mix of office and manufacturing proposed.

In total the RRSL site will provide 594 long stay spaces, which is in excess of Derby City Council policy and guidance provided by government.

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The number of disabled spaces has not been specifically identified and will be set out in the reserved matters applications. However, the TA identifies that disabled parking will be provided in-line with Derby City Council's parking standards.

Derby City Council does not have any specific guidance on Electric Vehicle (EV) charging parking. The new MSCP will provide 56 EV charging spaces and 97 passive spaces with ducting for future connection. This equates 17% of the total parking for the MSCP.

A condition will be included, with the phasing of development, which accounts for the cumulative number of car, cycle, EV charging and disabled parking spaces to be included in each reserved matter application.

Transport Assessment

The impacts of the expansion of the Rolls Royce Submarines Limited (RRSL) Raynesway site will be as a consequence of the trip generation from the new 887 space Multi Storey Car Park on St Modwen Park. This will include some new trips but also the movement of 202 spaces from the RRSL site, which will have some benefit in terms of reducing trips in the Raynesway area.

Appendix B of the Addendum Transport Assessment, submitted with this planning application, sets out the traffic impact analysis, prepared by RLRE Consulting Engineers on behalf of St Modwen. This is the same assessment report submitted with the Multi Storey Car Park application 23/01646/FUL.

The main area of impact is going to be on the Wyvern Way area and the points of access in and out. The trip generation from the MSCP has been calculated using an observed trip profile taken from parking on the RRSL site. A survey of the car parks was undertaken in March 2023 over two 24 hour periods to produce a trip rate per space. It should be noted that staff do not all arrive at work in a single morning peak hour or depart in a single evening peak hour and that there is an arrival and departure profile across the whole day. Indeed, for Rolls Royce the main arrivals are between 0600 hrs and 1000 hrs, with around 41% of movements in this three hour period arriving between 0700 hrs and 0800 hrs. In the PM the departures are also spread with the main exodus between 1500 hrs and 1800 hrs. The Peak PM movement is between 1600 hrs to 1700 hrs when around 39% of the movements across the three hour period leave. **Table 3** summarises the total predicted movements during the peak hours.

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Time Period	MSCP		D100 Extant Permission (9,400 sqm GFA)		Net Trip Generation (MSCP-D100 Extant)	
	Arr	Dep	Arr	Dep	Arr	Dep
AM Peak 0700-0800	297	17	62	30	235	-13
AM Peak 0800-0900	199	19	62	30	137	-11
PM Peak 1600-1700	12	239	25	54	-13	185
PM Peak 1700-1800	10	173	25	54	-15	119
Daily 0000-2400	2089		923		1166	

Table 3: Predicted Trip Generation of MSCP and Trip generation of the Extant Permission for the Industrial Unit that the MSCP will Replace.

The largest predicted peak in trip generation is during the morning between 0700-0800 with 297 arrivals and 17 departures. In the PM it is between 1600 and 1700 hrs with 12 arrivals and 239 departures. However, the MSCP will be constructed on part of the St Modwen Park site that has an extant permission for a 9,400 sqm GFA manufacturing unit. As such, the net trip generation, and hence total impact, is the difference between the trip generation of the existing consented land use and the MSCP. **Table 3** also provides a summary of the predicted trip generation from the extant permission and shows the net trip generation.

The impact of the MSCP was tested using a signal junction network model, which was constructed in LINSIG and covered the Wyvern Way and A52 Junctions. In order to build the model, traffic turning flow surveys and queue length surveys were undertaken in March 2023. The predicted MSCP trips were assigned to the network using postcode information on the home location of existing Rolls Royce employees from the Raynesway Site. The modelling was tested using growthed background traffic flows and a 2028 forecast, which is the year that the MSCP is programmed to be completed and operational.

Table 4 provides a summary of the predicted change in operation at each of the junctions during the peak traffic periods.

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Junction	2028 Base (with St Modwen Extant Permission)		2028 + Proposed MSCP		2028 + Mitigation	
	PRC	Total Delay (pcu/hr)	PRC	Total Delay (pcu/hr)	PRC	Total Delay (pcu/hr)
0700-0800						
Derwent Parade Rdbt	22.1%	20.0	15.4%	22.2	15.4%	22.2
Pullman Road Signals	60.1%	8.8	43.8%	12.1	43.8%	12.0
The Sidings Signals	104.2%	3.4	104.2%	4.9	104.2%	5.6
Stanier Way Rdbt	138.4%	4.7	61.9%	5.0	61.9%	5.8
0800-0900						
Derwent Parade Rdbt	-7.0%	42.2	-8.1%	50.4	-8.1%	50.4
Pullman Road Signals	36.7%	15.5	22.4%	16.0	22.4%	15.9
The Sidings Signals	99.4%	4.3	91.7%	4.5	91.7%	4.7
Stanier Way Rdbt	59.3%	6.2	23.1%	7.2	23.1%	8.2
1600-1700						
Derwent Parade Rdbt	-5.6%	46.9	-5.6%	48.9	-5.6%	48.2
Pullman Road Signals	-3.0%	8.831.0	-4.5%	31.3	-4.5%	31.3
The Sidings Signals	22.3%	3.49.3	21.92%	9.6	21.9%	9.4
Stanier Way Rdbt	18.3%	4.714.0	-4.5%	15.4	3.8%	16.8
1700-1800						
Derwent Parade Rdbt	-4.8%	45.9	-3.5%	45.2	-3.5%	45.2
Pullman Road Signals	-3.8%	31.2	-3.8%	30.3	-3.8%	30.4
The Sidings Signals	24.5%	8.7	24.5%	8.9	24.5%	9.2
Stanier Way Rdbt	15.7%	9.7	4.3%	10.8	12.1%	13.7

Table 4: Summary of the Operational Capacity (Practical Reserve Capacity-PRC) of the Wyvern Junctions

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Although the greatest number of employees is predicted to arrive at the proposed MSCP during the peak hour 0700-0800, around 235 additional trips (see Table 3), the network is predicted to still operate within capacity in 2028. However, the development trips do have a significant impact the capacity of the Derwent Parade/Wyvern Way and the Stanier Way Signal Roundabouts. During the 0800-0900 Peak Hour the MSCP is predicted to generate around 137 additional trips. However, during this hour the network is more sensitive to change, because of background traffic conditions. Derwent Parade/Wyvern Way signalised roundabout is predicted to operate over capacity with a negative Practical Reserve Capacity (PRC) of -7.0%. Again, there is a significant impact on the Stanier Way Signalised Roundabout but it still operates within capacity. It is the Derwent Parade Signal Junction that sees a further negative reduction in capacity from -7.0% to -8.1% PRC.

The Junction Modelling results in the Table 4 above predict that by 2028 the background network is operating over capacity in both PM Peak hours, but that the 1600-1700 is slightly worse, with Derwent Parade Roundabout operating with a -4.8% PRC and the Pullman Road signals operating with a -3.5% PRC. This peak hour is also predicted to be when the proposed MSCP will generate the most trips as Roll Royce employees leave work. Indeed, the proposed development is predicted to add 185 trips to the network and have a significant impact on the Stanier Way Roundabout reducing its PRC from 18.3% to -4.5%.

To put the impact into context, a negative PRC is the point at which queues start to form. **Figure 3 and 4** provides a summary of the AM 0800-0900 and PM Peak 1600-1700 queues, including the observed queues from the 2023 March survey, the predicted 2028 queues with the full St Modwen Park extant planning permission, and the proposed MSCP minus the extant 9,400 sqm industrial unit that the car park replaces.

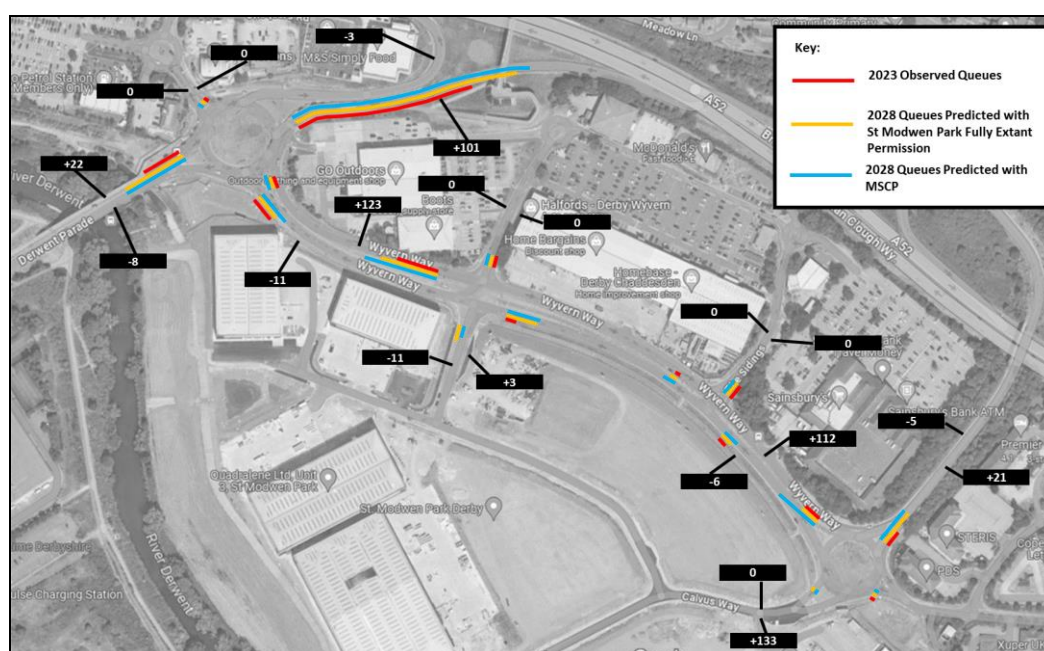


Figure 3: AM Peak 0800-0900 Observed & Predicted Queues, and Net Change in Traffic Flows as a Result of the Proposed MSCP

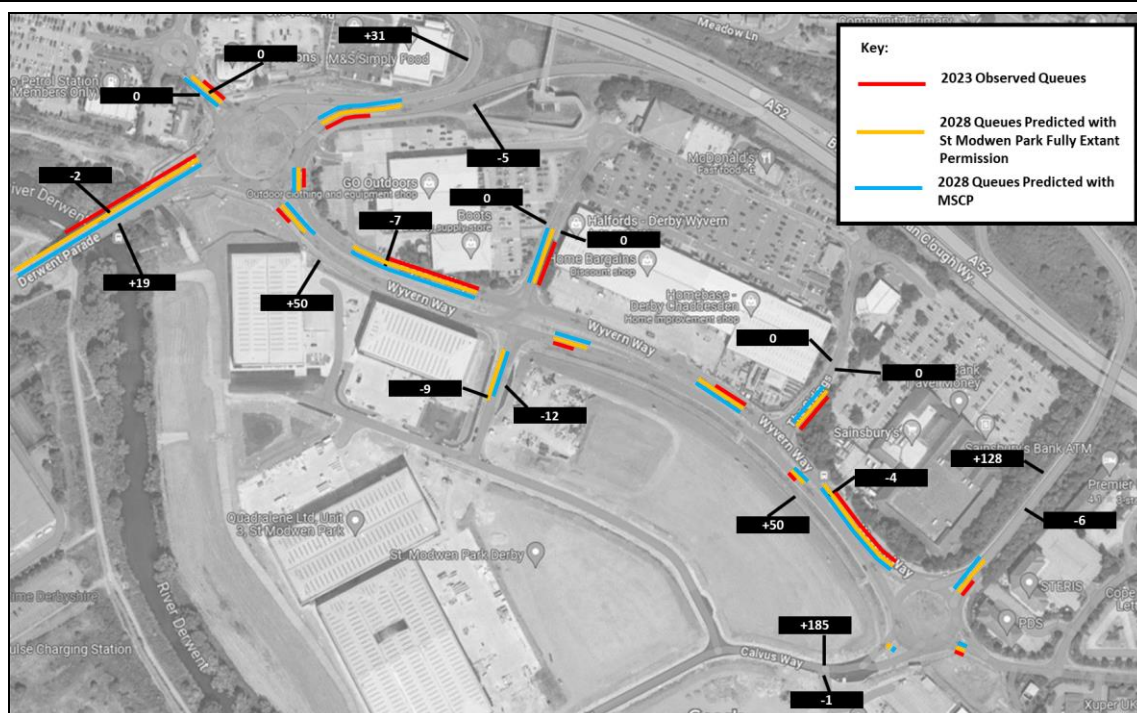


Figure 4: PM Peak 1600-1700 Observed & Predicted Queues, and Net Change in Traffic Flows as a Result of the Proposed MSCP

The queue lengths shown in Figures 3 and 4 are a consequence of stacking at the junctions. Overall, the impacts of the MSCP will be on the Derwent Parade/A52 Junction in the AM Peak and the Stanier Way Junction in the PM Peak. This is caused by the largest movement in development trips, which is predicted to be to and from the A52 east. The signal Junction modelling results show that the MSCP will take capacity from the network in the Wyvern area, however, the queue lengths indicate that the impacts are not predicted to be manageable.

There are wider queues that the proposed development is likely to have an impact on, particularly on the A52. Queues on the westbound carriageway of the A52 particularly during the AM Peak occur on the Wyvern off-slip lane and Raynesway Junction. These queues are not caused by the operation of the Derwent Parade/Wyvern Way Junction but are a consequence of traffic merging from Raynesway and traffic on the A52 changing lanes in order to get into the lane for the Wyvern. It is difficult to predict how the development will impact on the A52 queues because the queuing does not occur everyday, although frequently it is observed on a Tuesday and Wednesday. However, the A52 westbound lanes carries around 1900 vehicles between 0800 and 0900 and the MSCP will generate around 101 additional vehicle trips during this peak hour from this direction. To put the change into context this is an increase of around 5.3%.

Proposed Mitigation

The Wyvern Junctions scheme was completed in July 2021. The scheme was never designed to provide significant future capacity to the Wyvern Way area. The improvement scheme was physically constrained by the Derwent Parade bridge and

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eastbound over bridge to the A52. However, the scheme was designed to provide some capacity to allow for the St Modwens Park development and improve the control and operation through the network by signalising the junctions on Wyvern Way and widening the carriageway. Further, the scheme also provides significant safety benefits for pedestrians and cyclists by providing cycle lanes and signal control crossings. As such, there is little more that can be done to improve the junctions.

The applicant is proposing a scheme to signalise the Calvas Way arm of the Stanier Way junction. Calvas Way provides the access from St Modwen Park and the proposed MSCP. Further, Calvas Way will also be widened to provide two lanes to the approach to the Stanier Way junction, See **Figure 5**. This provides some benefit, particularly in the PM Peak as shown in **Table 4**, where the PRC is improved from -4.5% to 3.8%. However, the scheme does not mitigate the impacts at the Derwent Parade/Wyvern Way Signalised Junction. As such, the applicant has agreed to provide a contribution to provide a fibre optic connection to the signal junctions on the Wyvern so that they can be connected by SCOOT. This will allow the signals to be co-ordinated to match traffic conditions. The system will not provide additional capacity at really congested times, but it will automatically adjust signal timings to give the best performance across the network when capacity allows.

The PM Peak will be sensitive to the amount of traffic that will exit the proposed MSCP in the PM Peak. Indeed, the mitigation put forward is constrained by the amount of land available to provide two lanes on Calvas Way, and the signal capacity at the Stanier Way Junction. As such, the applicant is proposing to limit the amount of employees leaving the MSCP to a maximum of 300. This is the point where the network begins to be significantly affected by the additional traffic. Currently, it is predicted that the peak departures in the PM Peak (1600-1700) will be 239 employees. **A condition will be proposed that seeks to manage and monitor the MSCP and provide a mechanism for DCC to discuss with Rolls Royce and St Modwen.**

However, members should be aware that whilst the proposed development has been assessed, and that the impacts are predicted to be manageable, there is a limit to any further capacity improvements. As such, if the St Modwen Park site or the proposed MSCP do not operate as predicted then there is the potential for increased delays and congestion in the area.

In view of the above and the proposed condition, Highways Development Control consider the development proposals to be acceptable.

2.4 Construction Management

Parking Management

A significant amount of construction and demolition will take place, which means that large parts of the site will not be in operation during the build programme, including car parking. Indeed, according to the profile provided in the Addendum Transport Assessment, there is predicted to be a shortfall in quarter 3 of 2025 of -1244 spaces.

The Construction Phasing and Car Park Strategy identifies potential measures to mitigate the on-site parking deficiency during construction. This includes:

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- Transfer of some warehousing functions to the St Modwen Park Site and use of 70 car parking spaces by 2024 (Q4).
 - Temporary relocation of approximately 440 staff from RRSL to Sinfin site and Jubilee House on Pride Park.
 - Implementation of Travel Plan.
 - Construction of the 871 space MSCP on St Modwen Park by 2025 (Q1).

If implemented the strategy would not see a shortfall in parking across the construction period to 2028. However, without the proposed MSCP then there would be a shortfall in parking of -760 spaces.

As such, the construction and timing of the MSCP on St Modwen Park is critical to the whole build programme on the RRSL site. If construction continues without sufficient parking supply, and the development begins to be occupied with existing and additional staff, then this could push employees to look for parking in the surrounding area or to park inappropriately. **As such, a condition will be included for a trigger point for the completion of the MSCP on St Modwen Park.**

Phasing of Pedestrian Bridge

The construction of the pedestrian bridge is clearly a major risk to redevelopment of the Raynesway Site. Without the pedestrian bridge then there is a major question over the location of additional parking and relationship to the RRSL site. As such, it is unlikely that the St Modwen Park MSCP would be seen as a viable option and DCC would be asking for other options. **As such, the construction of the pedestrian bridge and its phasing should be conditioned as part of the planning consent.** This will ensure that there is dialog between Rolls Royce and the LPA on its construction, but it will also raise the profile of the bridge construction within the build programme ensuring that it is on a critical path.

The expansion of the RRSL site is programmed to start construction in 2024 (Q2), with the completion of the MSCP in 2025 (Q1). The footbridge is expected to take 18 months from design to construction, however, it has to pass Network Rail's design gateways and track possession will be required during construction. Track possession, where the rail line is temporarily closed over night, has to be booked in advanced and is subject to other works on the rail network. Further, the bridge will require a possession over an 8 hour night-time period and as such would require a longer possession, which are only available over Christmas Day or Easter. Therefore, depending on the track procession, the programme for the bridge construction could be beyond the completion and opening of the MSCP.

As a contingency measure, the applicant has put forward a proposal to provide a shuttle bus service between the new MSCP and Raynesway. The initial proposal is to provide up to a 10 minute frequency service using 3 single decker buses. This seems a reasonable approach, however, the 15 minute journey time in peak traffic conditions will not be popular with employees. As such, it should not be considered as a long-term proposal. **The bus strategy will be conditioned based on the draft**

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information submitted, with a finalised version conditioned to be submit at trigger point related to the build programme of the MSCP and bridge.

3.0 Conclusion and Conditions

3.1 Conclusion

This application specifically deals with the expansion of the Rolls Royce Submarines Limited Raynesway (RRSL) site. However, as a consequence of the expansion, Rolls Royce are proposing to provide a 887 space multi-storey car park on St Modwen Park located on Wyvern Way. The car park will be located directly opposite the Raynesway site on the other side of the Midland Main Line track, which separates the two areas. A pedestrian footbridge will be constructed to directly join the Raynesway site to the car park. As such, the Multi Storey Car Park (MSCP) application is intrinsically linked and the expansion of the Rolls Royce facility relies on the construction of the car park and footbridge coming forward in a timely manner.

The impacts of the expansion of the RRSL Raynesway site will be as a consequence of the trip generation from the new 887 space MSCP on St Modwen Park, which is provided under a separate planning application (23/01646/FUL). This will include some new trips but also the movement of 202 spaces from the RRSL site, which will have some benefit in terms of reducing trips in the Raynesway area.

Overall, the impacts of the MSCP will be on the Derwent Parade/A52 Junction in the AM Peak and the Stanier Way Junction in the PM Peak. This is caused by the largest movement in development trips, which is predicted to be to and from the A52 east. The signal Junction modelling results show that the MSCP will take capacity from the network in the Wyvern area, however, the queue lengths indicate that the impacts are predicted to be manageable.

The application has identified mitigation to reduce its impact where physically possible, and includes schemes or funding to support off-site cycle improvements, and a framework travel plan. However, members should be aware that whilst the proposed development has been assessed, and that the impacts are predicted to be manageable, there is a limit to any further capacity improvements on the Wyvern Way. As such, if the St Modwen Park site or the proposed MSCP do not operate as predicted then there is the potential for increased delays and congestion in the area.

Overall, there are no highway objections to the principle of the development subject to the following conditions and notes.

3.2 Suggested Conditions and Notes

The following provides a suggested list of conditions, which are set out against this application and the MSCP application and broadly includes the following:

RRSL Raynesway Application 23/00817/OUT

- Condition linking the RRSL development consent to the St Modwen Park Car Park consent.

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- A condition that identifies any changes to layout and control of the access will be agreed with the Highway Authority.
 - Travel Plan condition based on the submitted framework travel plan.
 - Minimum number and standard of cycle parking provision.
 - A phasing condition that includes the cumulative number of car, cycle, EV charging and disabled parking spaces to be included in each reserved matter application.
 - A condition to limit the number of vehicles exiting the MSCP during the PM Peak, and a manage and monitor mechanism.
 - Parking management plan to support the construction phasing.
 - Trigger point for the completion of the pedestrian footbridge.
 - Details of the bus strategy based on the draft information submitted, with a finalised version conditioned to be submit at trigger point related to the build programme of the MSCP and bridge, if the bridge is not constructed at the same time as the MSCP.
 - Construction Management Plan

Proposed MSCP, St Modwen Park 23/01646/FUL

The mitigation for the Roger Leak's transport assessment has been agreed and this includes a scheme on Calvus Way and contribution towards fibre optics to support the implementation of SCOOT at the Wyvern Junctions. As such, the following conditions are suggested:

- The improvement scheme to the Stanier Way/Calvus Way Junction
- A condition to limit the number of vehicles exiting the MSCP during the PM Peak, and a manage and monitor mechanism.
- Control of the MSCP for Rolls Royce use only.
- Minimum number and standard of cycle parking provision.
- Construction Management Plan

Notes to Applicant

- a) Works are potentially required to be undertaken where the development accesses join the public highway, which is land subject to the provisions of the Highways Act 1980 (as amended) and over which you have no control. For these works to proceed, you are required to enter into an agreement under S278 of the Act. Please contact Keren Jones Tel 01332 641767 for details. Please note that under the provisions of S278 Highways Act 1980 (as amended) commuted sums will be payable in respect of all S278 works.
- b) For details of the Delivering Streets and Places Design Guide and general construction advice please contact Keren Jones Tel 01332 641767.

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5.4. Highways Development Control:

Initial comments sent 19th July 2023

<https://docs.derby.gov.uk/padocumentserver/DownloadDocument.aspx?docid=200971122>

Please refer to the comments of Transport Planning, Section 5.3 of this report.

5.5. Environment Agency:

Initial comments sent 20th July and 10th August 2023

<https://docs.derby.gov.uk/padocumentserver/DownloadDocument.aspx?docid=200956521>

<https://docs.derby.gov.uk/padocumentserver/DownloadDocument.aspx?docid=201136186>

Environment Agency position – Flood risk

We have reviewed a revised flood risk assessment (FRA) (ref 60687165-ACM-XX-XX-RP-DR-000001, revision P04, dated 6th November 2023 and compiled by AECOM). The FRA focuses on the wider outline planning application for the expansion and refurbishment of the Raynesway site (23/00817/OUT), but also includes an assessment of the risk to and from the proposed Swarf Stores application (23/00782/FUL).

The FRA has undertaken further assessment of the different future flood scenarios associated with the 'Our City Our River' (OCOR)) project in Derby. The worst-case scenario is now better understood and has informed the design of the proposed flood risk mitigation measures.

The FRA provides the vulnerability classification of each building within the site. This allows us to assess the building use against the appropriate climate change allowance, as informed by planning practice guidance (PPG). We are satisfied with the flood mitigation measures proposed.

The application site is only partially defended during the design flood event (DFE) during the present day / Post OCOR Package 1 scenario and will therefore displace floodplain volumes during the DFE. Floodplain compensation is not proposed as part of the application. Hydraulic modelling has been undertaken to assess the impact of this floodplain volume loss on third parties. The results indicate that increases in third-party flood heights during the DFE are less than 10mm.

Paragraph 159 of the National Planning Policy Framework states that development should be made safe for its lifetime without increasing flood risk elsewhere. Whilst the flood risk increases elsewhere are small, the Environment Agency is concerned by the cumulative effect of such proposals.

It is likely that the receptors affected by the minor flood risk increases have a flood risk vulnerability classification of 'less vulnerable' and 'essential infrastructure' (Raynesway). Additionally, there is a possibility of further OCOR Packages being delivered in the near future, which would make the site fully defended during the DFE. Having considered the wider flood risk impacts and strategic flood risk vision for Derby, the Environment Agency **withdraws** its earlier objection.

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The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

Condition 1

The development shall be carried out in accordance with the submitted flood risk assessment (ref 60687165-ACM-XX-XX-RP-DR-000001, revision P04, dated 6th November 2023 and compiled by AECOM) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than the levels detailed within Appendix D of the report.
- Raising all sensitive electrical equipment, wiring and sockets to a minimum of 600mm above the 1 in 100 year 29% climate change flood level in the event of breach for 'less vulnerable' and 'highly vulnerable' buildings and the 1 in 100% 39% climate change flood level in the event of breach for 'Essential Infrastructure' buildings, as detailed in Section 4.1.1 of the report.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

Environment Agency position – Groundwater & Contaminated land

We have been consulted on this planning application with respect to potential risks to controlled waters from land contamination:

- Rolls-Royce Raynesway Masterplan Outline Planning Application Phase 1 Geo-environmental Report Client: Rolls-Royce Submarines Limited Project number: 60687165 Version 2 dated 15/05/23.

Overall the majority of the report appears satisfactory, however we disagree with the risk assessments in Section 9.3 Preliminary Risk Assessment and Table 9.5 "Risk Evaluation of Potential Contamination Linkages for the site" and in particular the risk assessments relating to controlled waters (surface waters and groundwaters) where a potential contaminant linkage has been identified as being present, the severity classed as medium and the overall risk is confirmed as Moderate and where the Potential Risk LC:RM is concluded as Acceptable.

Where there is a confirmed pollutant linkage, severity is medium and the risk is moderate, this should not lead to a potential risk rating of "acceptable" as there are pollutant linkages and an S-P-R present which needs to be subjected to further action specifically a Phase 2 GQRA site investigation and risk assessment is recommended to be undertaken. The report relies on remediation undertaken circa 7 years ago in 2016 and as site conditions may have changed since this remediation, the site now needs to undergo re-assessment in the form of the recommended Phase 2 GQRA site investigation and risk assessment.

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However, we note that the report conclusions recommend that Phase 2 GQRA site investigation and risk assessment is to be undertaken across the whole of the proposed development site and that there will be a particular focus on the borehole locations where soil leachate and groundwater exceedances were recorded in previous site investigations. The investigation needs to include all areas of the proposed development site to give an up to-date risk assessment in relation to the contaminants of concern historically and currently associated with the site use.

Additionally in Section 10.1.4 Soakaways – soakaways, infiltration drainage or infiltration SUDS should not be used on land affected by contamination such as this site and therefore we disagree with the assertion that the land may be suitable for the use of soakaways.

We consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are included as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment.

Condition 2

Prior to each phase of development approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: To ensure that the development does not contribute to, and is not put at

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unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework (NPPF).

Note: Part 1 of this condition has been satisfied by the submission of the Preliminary Risk Assessment mentioned above.

Condition 3

Prior to each phase of development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the NPPF.

Condition 4

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the NPPF.

Condition 5

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the NPPF.

Note: It is anticipated that significant areas of the site will contain infilled materials, and it would not be appropriate for infiltration drainage (such as soakaways) to discharge into infilled materials, waste, or made ground.

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Condition 6

Piling or any other foundation designs using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that any proposed penetrative foundation solutions do not harm groundwater resources in line with paragraph 174 of the National Planning Policy.

If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".

Environment Agency position – Land & Water

The proposed development will be acceptable if the following measure(s) are implemented and secured by way of a planning condition on any planning permission.

Condition 7

The development hereby permitted shall not be commenced until such time as a scheme to has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

- dispose of foul and surface water
- install oil and petrol separators.
- install trapped gullies

Reason(s): To protect the adjacent River Derwent.

Environment Agency comments – Environmental Permitting

There are quite a few implications of this outline planning application that will affect various permits, including:

- Several of the proposed new manufacturing buildings will have an impact on the nuclear Radioactive Substances Activity permits for Neptune and NFPP, and the Installations permit for NFPP. It is likely variations to some/all these permits will be required.
- PCO is having (another) large extension added to it – which means potential security implications for the permit you regulate.
- Some new manufacturing capability is located outside of the two licensed/permitted sites and may also need new permits (for example, potential non-nuclear RSA).
- There will be an impact on the COMAH arrangements – particularly as there could be the potential for an increased inventory stored on site associated with new manufacturing facilities, and COMAH emergency plans will need updating.

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Additionally, RRSLL are extending the size of the Raynesway estate (at the east end) as they have bought the land where BOC Gases and STAR Labs are currently located. Both BOC and STAR labs are going to relocate elsewhere as a result, and so the permit for BOC Gases will need to be surrendered.

In relation to BOC permit ref. BU6204IE:

The applicant should be aware that portions of the land within the development area are still subject to an IPPC permit with the Operator being BOC. This relates to a historic site operation where above background levels of contamination were observed that required remediation for the permit to be formally surrendered. The EA are in discussion with BOC regarding them supplying a demonstration of the removal of this historic contamination which will enable them to surrender of the permit. At this point it is unclear whether further remediation works will be required of BOC which may have impact on the planned development.

5.6. Highways – Land Drainage:

Initial comments sent 28 July 2023

The site floods extensively under present conditions. However it will be protected by the OCOR Phase 2 and then (after 2026) the only flood risk will be due to overtopping or breach of the flood defences. It will not be necessary to provide flood plain compensation.

The surface water discharge from the site is reduced and treated in line with the LLFA's requirements and the constraints of the site. There will however be the need to up-date the preliminary calculations to ensure the flow reduction is achieved.

5.7. Our City Our River:

I note that some additional modelling of the Wyvern Brook has been undertaken, which does indicate some flooding at the north of the site.

The impact of the proposed development has been reviewed for different scenarios according to how much of the OCOR scheme has been completed.

In the existing situation (OCOR package1 complete) the existing site is at risk from flooding in the design flood. The proposed development shows that 2 locations within the site will have a moderate or significant increase in flood depth, but that outside of the site the development will have an insignificant effect on flood depths.

The finished floor levels of the proposed buildings have been raised above the predicted flood levels on the site.

I note that in the existing scenario the current flood defence to the west of the site will be overtopped during a 1:100yr +20%CC event (Appendix G EA Product 4 information). Any work by the OCOR project on this reach will be in Phase 3 which is currently unfunded.

OCOR does not object to the development, but the applicant should note the residual flooding risks to the site and the surrounding highway network until OCOR has

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delivered the package 2 works. This may affect the ability of staff and emergency services to access the site during a large flood event.

5.8. Derbyshire Emergency Planning Manager:

Initial comments sent 19th July 2023

<https://docs.derby.gov.uk/padocumentserver/DownloadDocument.aspx?docid=200938177>

Nothing further, we are working closely with the site in relation to their future development. This should not affect our area that we focus on for the Detailed Emergency Planning Zone (DEPZ) within the Off-site Emergency Plan.

5.9. Health and Safety Executive:

This application does not fall within the Consultation Distance Zones of either a Major Hazard Site, Major Accident Hazard Pipeline or Explosive Site. Please see attachments for site location.

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the consultation distance of Major Hazard Sites and Major Accident Hazard Pipelines.

When potential development sites are identified, if any of them lie within the Consultation Distances for either a Major Hazard Site or Major Accident Hazard Pipeline Council can use Web App which is HSE's on-line decision support software tool, to see how HSE would advise on any proposed development –

Should you or your colleagues need any additional help in using the new WebApp to obtain HSE's advice on a proposed development, a central support service is available at lupenquiries@hse.gov.uk

5.10. Planning Gateway One - Health and Safety Executive:

HSE is the statutory consultee for planning applications that involve or may involve a relevant building.

Relevant building is defined as:

- contains two or more dwellings or educational accommodation and
- meets the height condition of 18m or more in height, or 7 or more storeys

“Dwellings” includes flats, and “educational accommodation” means residential accommodation for the use of students boarding at a boarding school or in later stages of education (for definitions see article 9A (9) of the Town and Country Planning Development Management (England) Procedure Order 2015 as amended by article 4 of the 2021 Order.

However, from the information you have provided for this planning application, it does not appear to fall under the remit of planning gateway one because it does not appear to meet the residential requirements.

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5.11. Office for Nuclear Regulations:

Office for Nuclear Regulation does not advise against this development.

5.12. Network Rail:

In relation to the above application, I can confirm that Network Rail has no observations to make.

5.13. Environmental Health and Licensing – Pollution (Air Quality)

Initial comments sent 8th August 2023

<https://docs.derby.gov.uk/padocumentserver/DownloadDocument.aspx?docid=201131744>

Second Comments sent 8th December 2023

1. Further to our earlier comments on air quality in respect of this application (dated 8th August 2023), I note the submission of an Air Quality Assessment, contained within Appendix 1 of the submitted “*Environmental Statement: Further Information*” document and described as a new ES Chapter 11 (November 2023).
2. I have reviewed the assessment and can comment as follows.

APPENDIX 1: Air Quality (New ES Chapter 11)

3. The appendix highlights the previous work completed in connection with potential construction-related dust emissions (ES Volume IV, Appendix 5A) and does not provide additional details on this. In this regard, I would refer you to our comments of 8th August 2023 whereby we recommended a condition to be attached to the consent, to ensure that construction-related emissions are appropriately mitigated via phased management plans.
4. In addition to this earlier work on construction-related emissions, the new Appendix includes an assessment of potential operational impacts arising from the development, with a focus on nitrogen dioxide (NO₂) and particulate matter (PM₁₀ and PM_{2.5}) associated with traffic-related emissions.
5. As the document rightly points out, there are no relevant receptors (i.e. residential dwellings, schools or care/residential homes) for traffic-related pollutants in the immediate area around the Proposed Development.
6. On this basis and accompanied by the limited vehicle trips generated by the development within the city centre ring road network (according to the transport assessment data), the assessment only considers traffic emissions along the A52.
7. Subsequently, detailed dispersion modelling has been carried out in relation to relevant receptors using ADMS-Roads modelling software.
8. The modelling assumes that all operational traffic from the proposed development will be cars/small vans (LDVs). Given the nature of the

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development, including substantial manufacturing buildings, this appears to be an overly optimistic assumption when considering vehicle emissions.

9. A total of 15 receptor locations have been used within the model, all representing residential dwellings close to the A52. No receptors have been modelled in locations within the local road network beyond the A52, for example Nottingham Road in Chaddesden or residential dwellings in Alvaston close to the A6 and A5111 which would be expected to see increased traffic numbers as a result of the development.
10. The assessment does not seem to acknowledge the latest air quality targets for PM_{2.5} as set under the Environment Act 2021, even though the targets have been in force for several months.
11. The predicted total concentrations of NO₂ and PM₁₀ with the development in place are expected to remain well below the national objective levels. In addition, the increase in concentrations expected to be caused by development-generated traffic, are predicted to be very small (maximum of 0.1µgm⁻³ for all modelled pollutants).
12. The assessment concludes that *“changes in traffic flows as a result of the Proposed Development would cause a negligible effect on traffic pollutant concentrations at all receptors”*.
13. Notwithstanding the above-mentioned issues with the modelling methodology (see points 8 and 9), the conclusions appear reasonable given the predicted reductions in air pollution in general over the coming years which would be even more pronounced by the predicted opening year of the development in 2032.

Conclusions and Recommendations on Air Quality

14. Based on the information provided in the report, we would accept the conclusions that air pollution from traffic-related emissions associated with the development are expected to be negligible.
15. In any case, I note ongoing discussions with Active Travel England and our own Transport colleagues with respect to measures being put forward by the applicant in order to try and increase sustainable transport modes associated with the development.
16. Although not discussed within the application, the manufacturing processes themselves have the potential to impact upon local air quality. It is noted however that such emissions would be controlled through the Environmental Permit issued to the site and regulated by the Environment Agency. We do not therefore intend to comment further on this aspect of the development.
17. **In conclusion, we are satisfied that air quality concerns need not be a material factor within the determination of the application, based on the information provided.**
18. Subsequently, this concludes our comments on the application regarding air quality matters.

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5.14. Environmental Health and Licensing – Pollution (Noise)

1. I have reviewed the application information and I would offer the following comments on noise.
2. The application seeks to expand the existing Rolls Royce manufacturing site at Raynesway through a combination of refurbishment of existing buildings, extensions and new buildings. In addition, a new 8 storey multi-storey car park
3. Whilst it is inevitable that the development will cause an increase in noise from the site, it is noted that the nearest ‘sensitive receptors’ (i.e. residential dwellings, care/residential homes or schools) are located some distance from the site boundary. I further note that the site has a long-standing history of industrial use, having been used as a manufacturing facility for Rolls Royce since the 1950s.
4. Subsequently, neither national nor local planning policy would inhibit the proposals coming forward based solely on noise amenity grounds.
5. Notwithstanding the above, appropriate management of noise will be necessary in respect of the equipment and operations intended to take place under the proposed scheme and in this regard, a phased approach to noise assessment and mitigation is recommended.
6. Whilst limited details are understood at this early outline stage with respect to the plant and equipment likely to be installed under the development, however I do note a scoping assessment has been provided in order to consider traffic-related noise impacts. This is contained within Appendix 3 of the submitted “*Environmental Statement: Further Information*” document (of November 2023).
7. I can comment on Appendix 3 as follows.

APPENDIX 3: Traffic Noise (New Technical Note)

8. This section of the ES has been provided following a requirement to produce a Transport Assessment, presumably as a result of the production of traffic data which allows for an accurate acoustic assessment.
9. Changes in road traffic noise have been assessed using the *Calculation of Road Traffic Noise* (CRTN) methodology and *Highways England’s* document LA 111 (formerly DMRB).
10. Although according to the transport data, the development could add up to 1803 additional daily trips to the local road network (in terms of Annual Average Weekday Trips (AAWT)), the existing roads around the site already have relatively high vehicle numbers and therefore this constitutes a maximum of a 7% increase in AAWT (along Wyvern Way).
11. In noise impact terms, this is deemed to be a relatively small increase (bearing in mind a doubling of road traffic volumes would still only cause a 3dB increase in noise levels).

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12. **Consequently, the assessment concludes that this equates to a 'negligible' impact and therefore no further assessment is required. Based on the information provided, this is a reasonable conclusion.**

Noise from Plant/Equipment

13. The ES does not provide any consideration of noise associated with plant, equipment or manufacturing operations proposed in connection with the application.
14. Although considerable new office space is being developed, I note at least 5 new buildings are proposed under the scheme to provide new manufacturing facilities. It would therefore be reasonable to assume that the processes involved in the manufacturing of nuclear reactors for submarine propulsion could generate significant levels of noise and this is therefore something that will need to be considered in detail as the scheme design develops.
15. **In this regard, suitably-worded conditions are recommended in order to ensure that noise impacts are assessed and relevant mitigation put forward for each phase of development.**

Conclusions and Recommendations on Noise

16. The application now provides consideration of potential traffic noise impacts associated with the development. These are expected to be 'negligible' and this conclusion is accepted by the Environmental Protection Team.
17. We note however that no detailed consideration of plant, equipment or operational noise, associated in particular with manufacturing and testing processes, has been provided at this stage.
18. It is accepted that much of the detail in this regard will not be known at this early 'outline' stage and whilst it is accepted that many aspects of the development can be scoped out of further assessment (for example offices and car parking), we would recommend the attachment of a condition with the following suggested wording:
1. *A noise impact assessment shall be completed for each phase of the development in order to consider the potential for noise arising from plant, equipment and operations associated with that phase, which have the potential to significantly impact upon local sensitive receptors. The assessment and any associated mitigation measures as deemed necessary, shall be agreed in writing prior to the construction of that phase. All agreed mitigation measures shall then be implemented in full prior to that phase's first operation.*

We have no other comments to make on the application regarding noise at this time.

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5.15. Environmental Health and Licensing – Pollution (Contaminated Land)

Initial comments sent 18th July 2023

I have reviewed the application information and I would offer the following comments in relation to contaminated land implications for the development as follows.

Contaminated Land

1. Please note that the following comments do not seek to interpret or discuss the suitability, or otherwise, of any of the geotechnical aspects of the development, other than within a land contamination context.
2. In addition, all comments relate to human health risks and therefore I would refer you to the Environment Agency for their comments on any conclusions made in the report surrounding risks that may exist to controlled waters, since the Local Authority cannot comment on these aspects.
3. The applicant has submitted the following report as part of the Environmental Statement required for the above application: • Rolls Royce Raynesway Masterplan, Phase 1 Geo-Environmental Report. Rolls-Royce Submarines Ltd (AECOM Ltd ref: 60687165, dated April 2023)
4. The proposal is for demolition of existing buildings and an expansion of the manufacturing facility including a multi-storey carpark, associated infrastructure as well as hard and soft landscaping. The submitted Phase 1 report has summarised previous investigations carried out at this location and has produced an initial conceptual site model for the proposed development based on historical records, geology and site walkover.
5. The report follows relevant LCRM guidance on the management of contaminated land.
6. The report states that there are a large number of sources and potential contaminants identified for the site. Historic activities have resulted in contamination previously identified on site and some in-situ remediation relating to chlorinated hydrocarbons has been carried out. The report has identified some additional contaminants that appear not to have been considered within earlier investigations, namely PFAS and PFOS, which we would concur with and would expect to be included within any future investigation. Please note, we would anticipate that the methodology of any such investigation should be agreed with us and the Environment Agency in advance of works being carried out.
7. Section 12 of the report details the main recommendations and identifies that further ground investigation works should be carried out in the redevelopment locations targeting areas where new building are proposed. We would comment that areas to be demolished should also be targeted, unless already identified for investigation due to proposed building works.

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Discussion and Recommendations

8. The report has concluded that the potential risk to sensitive receptors is likely to be moderate-low depending on the receptors. The potential risk to future users of the site is stated to be low as the site will likely be covered in hardstanding and any buildings are likely to be built with appropriate gas protection measures, if required. Whilst this is not an unreasonable assumption, further information will be required, both to quantify the levels of risk and potential for any additional pathways to be present, such as vapour intrusion, particularly in the event that the risk posed by ground gases is found not to require gas mitigation measures to be installed. In addition, the potential for off-site migration of any residual ground contamination should also be considered.
9. At this stage, it is considered that further details and information are required before DCC would be in a position to agree that the resulting human health risk is low. I note also that there are areas of soft landscaping proposed including the retention of existing habitats currently present at the site. These should be considered within the human health risk assessment as these will not have a hard landscaped cover.
10. The report states that the risk posed to controlled waters is considered to be moderate. The Environment Agency should be consulted on the preliminary controlled waters risk assessment outlined in the report.
11. Where previous site investigations are relied upon as supporting evidence for the current risk assessment, copies of the reports should be submitted to the Authority as additional appendices.
12. We would concur with the recommendations for further intrusive ground investigations and would comment that the timing of investigations should be agreed with the Local Planning Authority to ensure that they are carried out when suitable access is available, particularly where demolition to slab level would be required in advance of the intrusive investigations. A phased approach may also be appropriate depending on the proposed masterplan.

Conclusion

13. Therefore, in the event that planning permission is granted for the site, we would recommend that the following conditions be attached:
 - i) Where the submitted Phase I Land Contamination Assessment has identified potential contamination, a Phase II Site Investigation shall be carried out following demolition to slab level only and prior to the commencement of other development including site infrastructure works, to determine the levels of contaminants on site that could pose a risk to the health of future site users, in accordance with LCRM Guidance. A risk assessment will then be required to determine the level of potential risk to site end users, including that posed by ground gases. A detailed report of the investigation will be required for submission to the Local Planning Authority for written approval prior to commencement of any above-ground construction works.

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- ii) In those cases where the agreed Phase II Investigation Report has detailed significant contamination risks to human health exist on site, a Remediation Strategy will be required in order to identify measures needed to mitigate the identified risks. The Remediation Strategy shall be completed in accordance with LCRM Guidance and submitted for written approval by the Local Planning Authority prior to commencement of any above-ground construction works.
- iii) If, during the construction and/or demolition works associated with the development hereby approved, any suspected areas of contamination are discovered which have not previously been identified, then all works shall be suspended until the nature and extent of the contamination is assessed and a report submitted and approved in writing by the Local Planning Authority. The Local Planning Authority shall be notified as soon as reasonably practicable following the discovery of any additional suspected areas of contamination. Following investigation, if required, remediation shall be agreed with the Local Planning Authority in accordance with ii) above.
- iii) The risk reduction measures detailed within the agreed Remediation Strategy shall be implemented in full. A Validation Report shall subsequently be produced which adequately demonstrates that the measures have been implemented in full, that all significant risks to human health have been removed and that the remediation targets have all been met. The Validation Report shall be submitted to and approved in writing by the Local Planning Authority prior to the development being occupied. I have no other comments to make on the application regarding contaminated land at this time.

5.16. Derbyshire County Council Archaeologist:

There are no archaeological concerns regarding these proposals.

5.17. Derbyshire Constabulary – Designing Out Crime Officer:

Initial comments sent 21st June 2023

Thank you for sending notification of the outline Rolls Royce Submarines application and masterplan.

There are no objections to the various proposed demolitions and new buildings on site, and with no detail to review, no further comments required at this stage.

For this site there would be parallel consultations in process with both the East Midlands Special Operations Police Unit and Ministry of Defence Police, but as a belt and braces approach I would ask that future matters of detail are referred for comment, or more ideally subject to pre-application discussion across the spectrum of policing, to ensure that a cross cutting approach to future security is addressed at an early stage.

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Secondary comments sent 15th November 2023

Thank you for sending notification of amended details for this application.

The additional information relates to traffic volume and the associated EIA as well as flood risk.

We've no comments to make on these issues.

5.18. Derbyshire Wildlife Trust:

Initial comments sent 7th August 2023

<https://docs.derby.gov.uk/padocumentserver/DownloadDocument.aspx?docid=201083000>

Response

I have reviewed the additional information submitted in support of this application as well as the original Environmental Statement and Biodiversity Net Gain Assessment (AECOM, April 2023). The additional information does not appear to alter the ecological assessment of the site.

Further to our previous comments (7th August 2023) it will be important to ensure that mitigation for protected species is implemented throughout the construction of the development. Mitigation measures have been identified in the Preliminary Ecological Appraisal and these need to be worked up into a Construction and Environmental Management Plan for Biodiversity. Wording for the condition is set out below.

With regard to Biodiversity Net Gain the BNG assessment identified a small net loss as a result of the development. A number of options are proposed by the BNG Assessment to address this and overall, it should be possible to achieve a > 10% net gain. This requires the enhancement of 1.38 ha of modified grassland. In addition, the report identifies the potential to create 0.6 ha of biodiverse green roof. It is unclear whether this has been agreed to as part of the development, but it should be given full consideration as an additional biodiversity enhancement.

Recommended conditions

Construction Environmental Management Plan (CEMP: Biodiversity)

No development shall take place (including demolition, ground works, vegetation clearance and movement of plant, machinery and materials) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.

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- e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Landscape and Biodiversity Enhancement and Management Plan (LBEMP)

A Landscape and Biodiversity Enhancement and Management Plan (LBEMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. The aim of the LBEMP is to provide details for the creation, enhancement and management of habitats and species on the site post development, in accordance with the proposals set out in the submitted Biodiversity Net Gain Assessment (AECOM, April 2023). The LBEMP should combine both the ecology and landscape disciplines and shall be suitable to provide to the management body responsible for the site. It shall include the following:-

- a) Description and location of features to be retained, created, enhanced and managed including enhancement of 1.38 ha of modified grassland, to deliver a 10% net gain.
- b) Creation of biodiverse green roofs.
- c) Detailed habitat enhancements for wildlife including bird and bat boxes.
- d) Aims and objectives of management.
- e) Appropriate management methods and practices to achieve aims and objectives.
- f) Prescriptions for management actions.
- g) Preparation of a work schedule (including a 30-year work plan capable of being rolled forward in perpetuity).
- h) Details of the body or organization responsible for implementation of the plan.
- i) A monitoring schedule to assess the success of the habitat creation and enhancement measures at intervals of 1, 3, 5, 10, 15, 20, 25 and 30 years.
- j) Monitoring reports to be sent to the Council at each of the intervals above.
- k) A set of remedial measures to be applied if conservation aims and objectives of the plan are not being met.
- l) Requirement for a statement of compliance upon completion of planting and enhancement works.

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The LBEMP shall also include details of the legal and funding mechanism(s) by which the longterm implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Lighting

Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). Such approved measures will be implemented in full.

5.19. Natural Environment - Trees:

Arboricultural/Landscape documents supplied to support application:

- AIA part 1
- AIA part 2

Observations:

The submission of the AIA (parts 1 & 2) is welcomed.

The AIA correctly states that the trees within the site are not protected by Tree Preservation Orders and are not located within a Conservation Area.

The AIA has identified 53 individual trees, 7 groups and 1 hedge.

Trees within the security fence are either Betula or Prunus species.

The AIA states that final tree removals would be confirmed at the reserved matters stage (if this outline application is approved) however the indicative masterplan and AIA has identified 2 'C' category groups of trees that need to be removed in order to facilitate the development (G24 and G48).

The AIA also identifies 2 'B' category trees (T44 and T59) and 3 'C' category trees that will require RPA incursion to allow development.

2 category 'B' trees (T11 and T59) and 3 category 'C' trees (T50, T51 and T52) are shown to require pruning to facilitate the proposed development.

The AIA states that vegetation removal can be mitigated with a high-quality scheme of new tree planting and associated landscaping works which is an opportunity to enhance the quality, benefits and resilience of trees on the Site. I am in agreement with this, and it certainly is an opportunity to provide greater species diversity within the site.

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I have no objection to the proposed development subject to conditions to include:

Submission and approval of BS5837 2012 compliant AMS and TPP before any demolition and ground works.

Submission and approval of a landscape scheme and its maintenance

The **AMS** must be appropriate to the proposals and address some or all of the following :

- Removal of existing structures and hard surfaces.
- Installation of temporary ground protection.
- Excavations and the requirement for specialized trenchless techniques.
- Installation of new hard surfacing – materials, design constraints and implications for levels.
- Specialist foundations – installation techniques and effect on finished floor levels and overall height.
- Installation of non-dig paths and surfacing including edging and treatment to original ground levels.
- Retaining structures to facilitate changes in ground levels.
- Preparatory works for new landscaping.
- Auditable system of Arboricultural site monitoring, including a specific site events requiring input or supervision
- A list of contact details for the relevant parties.

The **TPP** must be superimposed on a layout plan based on the topographical survey and show all hard surfacing and other structures within the RPA.

The TPP must clearly indicate the precise location of protective barriers to be erected to form a Construction Exclusion Zone (CEZ) around retained trees.

The CEZ must be aligned at the extent of the RPA (it may need to be extended to protect the canopy of the tree where it extends beyond the RPA). The RPA may also need to be modified to take into account existing site constraints and subsequent likely rooting area. Modifications to the shape of the RPA should reflect a soundly based arboricultural assessment of likely root distribution.

Where construction cannot be fully or permanently excluded within the RPA the TPP must also show the extent and type of ground protection and any other physical measures that will need to be installed.

Where the CEZ needs to be modified to accommodate permitted temporary access the set back of the protective fencing must be clearly identified along with temporary ground protection measures to be adopted for the duration of works within the RPA.

The type of protective fencing and its method of securing must be supplied.

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The position of protective measures (both fencing and ground protection) must be shown on the TPP as a polygon representing the actual alignment of the protection. Distances from fencing to fixed reference points must be annotated on the TPP to inform those installing the protection of the correct fencing alignment.

The TPP must be incorporated into relevant subsequent plans, method statements used for design purposes and construction drawings.

The TPP and subsequent drawings must identify and where necessary supply mitigation and or method statements for:

- Site construction Access.
- The intensity and nature of the construction activity.
- Contractors' car parking.
- Phasing of construction works.
- The space required for foundation excavations and construction works.
- The location and space required for all temporary and permanent apparatus and service runs.
- Working space for cranes, plant, scaffolding and access during works
- Space for construction site huts such as welfare huts/toilets. Provision should be made for their drainage/service runs.
- The type and extent of landscape works which will be needed within the protected areas and the effects these will have on root systems.
- Space for storing materials, spoil and fuel and the mixing of cement and concrete.
- The effects of slope on the movement of potentially harmful liquid spillages towards or into protected trees.

Landscaping/tree planting

With regards to supplying a suitable Landscape/tree planting scheme the following must be provided:

- Scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted.
- A schedule detailing species, sizes and numbers/densities of all proposed trees/plants.
- Soil assessment.
- Stock type: container grown/bare root/root balled
- Design of tree pit to include:
 1. Provision of access to adequate soil volumes to support the tree through to independence in the landscape and beyond (may include soil cells).

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2. Target soil volumes for each tree must be supplied and actual soil volume must be shown on the landscape plan. Where soil volume is available adjacent to a tree pit this must be conducive for tree root function.
 3. Provision of root deflectors and or root barriers if appropriate.
 4. Irrigation pipe (if used).
 5. Method of securing.
 6. Whether tree protection is being used (cage/guard).
 7. Method of tree pit finish must be supplied: i.e. mulch (including depth) or tree grille/grids.

The appropriate checks/methods should be made as per the recommendations in BS8545 Table 1 and 10.5.4 through to 10.5.18 (Appendix 1).

Post-planting management and maintenance

Post-planting management and maintenance is important if longevity in the landscape is to be achieved. A full young tree management programme with budgetary provision should be in place for all planting schemes. This management programme should be in place for at least 5 years.'

A post planting management regime must be supplied and complied with to include as appropriate:

- An irrigation plan relevant to the tree species, tree size and moisture holding capacity of the soil must be supplied to detail:
 1. Irrigation frequency. Note: the period for which irrigation is required is usually two full growing seasons.
 2. Amount of irrigation (in L)
 3. It is advisable to record irrigation events so that compliance can be demonstrated.
- Mulch must be topped up as necessary (specify mulch depth).
- Stakes must be adjusted as necessary and removed when no longer required.
- Removal of tree grilles/grids when required (not envisioned within 5 years of planting).
- Formative pruning as required.
- Failed tree planting must be replaced (must be recorded and made available to the LPA). Reasons for failure if known should also be recorded.
- If high incidences of vandalism are recorded alternative methods of staking/protection should be explored. Any deviation from the Landscape Plan/Strategy must be made in writing and agreed with the LPA.
- Removal and disposal of tree protection (rabbit guards etc).

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Glossary:

- AIA: Arboricultural Impact Assessment
- AMS: Arboricultural Method Statement
- CEZ: Construction Exclusion Zone
- RPA: Root Protection Area
- TCP: Tree Constraints Plan
- TPP: Tree Protection Plan

5.20. DCC Biodiversity Net Gain:

Initial comments sent

<https://docs.derby.gov.uk/padocumentserver/DownloadDocument.aspx?docid=200671847>

Second comments Sent 20th November 2023

The Environment Act seeks to ensure that, from November 2023, all development delivers Biodiversity Net Gain (BNG) and this aspiration is reflected within Policy CP19, specifically criterion (a). At the present time, the requirement to deliver Biodiversity Net Gain is voluntary and the 10% target will be required only when BNG becomes mandatory in November 2023. However, the Providing Biodiversity Net Gain Supplementary Planning Guidance clearly states that the Council aspires to delivering a 10% gain. In addition, the NPPF, paragraph 174 states that planning decisions should provide net gains for biodiversity. Consequently, a percentage increase, however small, arising from the development would be welcomed.

The following comments are based on the applicant's Biodiversity Net Gain Assessment and the completed BNG Metric.

The baseline habitat plan indicates that there are no linear features (hedgerows) or water features on-site. However, the plan does indicate several habitats such as modified grassland, urban trees and neutral grassland throughout the site. Modified grassland, which is the primary habitat on-site covers an area of 2.62 hectares and is considered to have a low distinctiveness and poor quality while the smaller area of neutral grassland, located in the centre of the site, is considered to be of medium distinctiveness and medium quality. The Post-Development Habitat Plan indicates that the majority of the existing habitats are retained but there is some loss of modified grassland.

There are two issues which need to be considered; whether the Trading Rules have been met and if Biodiversity Net Gain has been delivered.

An element of delivering Biodiversity Net Gain is to ensure that the distinctiveness of existing habitats isn't degraded or replaced with poorer quality habitats following development. Under the trading rules, losses of habitat are to be compensated for on a "like for like" or "like for better" basis. The results are derived from the data provided by the applicant in the Metric. The Trading Summary indicates that the

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rules have been met for the medium distinctiveness habitat however, the rules have not been met for the low distinctiveness habitat.

The Metric also indicates that, development of the site will result in a net loss of 2.04 habitat units on-site which equates to a loss -23.24%.

Consequently, it is strongly suggested that the recommendations made in the Biodiversity Net Gain Assessment are employed to satisfy both issues. The enhancement of 1.38 hectares of modified grassland in poor condition would satisfy the trading rule for the low distinctiveness habitat and the creation of a green roof covering an area of 0.6ha would result in a net gain of 0.92 habitat units or an uplift of +10.45%.

6. Relevant Policies:

6.1. Relevant Policies:

The Derby City Local Plan Part 1 - Core Strategy was adopted by the Council on Wednesday 25 January 2017. The Local Plan Part 1 now forms the statutory development plan for the City, alongside the remaining 'saved' policies of the City of Derby Local Plan Review (2006). It provides both the development strategy for the City up to 2028 and the policies which will be used in determining planning applications.

Derby City Local Plan Part 1 - Core Strategy (2017)

CP1A	Presumption in Favour of Sustainable Development
CP2	Responding to Climate Change
CP3	Placemaking Principles
CP4	Character and Context
CP9	Delivering a Sustainable Economy
CP10	Employment Locations
CP11	Office Development
CP16	Green Infrastructure
CP19	Biodiversity
CP23	Delivering a Sustainable Transport Network

Saved CDLPR Policies

GD5	Amenity
E12	Pollution
E13	Contaminated Land
E17	Landscaping Schemes
T10	Access for Disabled People

The above is a list of the main policies that are relevant. The policies of the Derby City Local Plan Part 1 – Core Strategy can be viewed via the following web link:

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https://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/environmentandplanning/planning/localplan/evidencebase/Core-Strategy_ADOPTED_DEC-2016_V3_WEB.pdf

Members should also refer to their copy of the CDLPR for the full version or access the web-link:

https://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/environmentandplanning/planning/localplan/part1/CDLPR_2017.pdf

An interactive Policies Map illustrating how the policies in the Local Plan Part 1 and the City of Derby Local Plan Review affect different parts of the City is also available at – <http://maps.derby.gov.uk/localplan>

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

6.2. Non-housing applications:

The Local Plan (consisting of the policies of the DCLP1 and the saved policies of CDLPR) covers the period 2011 to 2028 and was adopted on 25 January 2017. The policies of the local plan were reviewed in December 2021 in line with Regulation 10a of the Town and Country Planning (Local Planning) (England) Regulations 2017 and paragraph 33 of the NPPF, the provisions of which require Local Plan policies to be reviewed at least every 5 years. The officer led review, endorsed by the Council's Cabinet on 8 December 2021, indicated that all of the policies relevant to the consideration of this application are still up to date and carry weight in the decision making process as they remain consistent with the NPPF and there have been no changes in local circumstances that render any of the policies out of date. The application is therefore being considered in terms of its accordance with the policies of the Local Plan and any other material considerations, including the National Planning Policy Framework.

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7. Officer Opinion:

Key Issues:

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

7.1. Principle of Development

7.2. Transport Impacts

7.3. Flood Risk and Drainage

7.4. Environmental Matters

7.5. Planning Balance and Conclusions

7.1. Principle of Development

This outline planning application has been submitted with all matters reserved; therefore it is considered to be a pure outline and all matters of detail will be dealt with by subsequent reserved matters applications. The application, as detailed in the Environmental Statement (ES), considers that the development will be brought forward over a period of nine years with a completion programmed for 2032. The illustrative masterplan, included on **page 28** of this report identifies the areas of development. However, to ensure ease of review for reserved matters application and the discharge of condition process a phasing plan will be secured, which will detail the phases and the extent of each development plot.

Outline planning permission, with all matters reserved, is sought for:

- Upto 104,430 sqm of manufacturing (Use Class B2) and ancillary office (Use Class E)
- Storage floor space (Use Class B)
- Multi-storey car park
- Internal routes, reconfiguration of car parking,
- Cycle parking
- Drainage scheme/strategy
- Hard and soft landscaping
- Utilities
- Associated earth works
- Demolition of existing building.

The Local Plan consists of the policies of the Derby City Local Plan - Part 1 (DCLP1) and the saved policies of City of Derby Local Plan Review (CDLPR). Section 6 of this report identifies the specific local plan policies relevant to this application.

The DCLP1, which sets out the growth strategy for the city, covers the period from 2011 to 2028 and was adopted on 25 January 2017. The policies of the local plan

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were reviewed in December 2021 in line with Regulation 10a of the Town and Country Planning (Local Planning) (England) Regulations 2017 and paragraph 33 of the NPPF, the provisions of which require Local Plan policies to be reviewed at least every 5 years. There was an officer led review, endorsed by the Council's Cabinet on 8 December 2021, which indicated that all of the policies relevant to the consideration of this application are still up to date and carry weight in the decision-making process as they remain consistent with the overarching National Planning Policy Framework (NPPF) and there have been no changes in local circumstances that render any of the policies out of date. The application is therefore to be considered in terms of its accordance with the policies of the Local Plan and any other material considerations, including the National Planning Policy Framework.

The site of the proposal is in an existing employment location where CP10 supports the retention, intensification and consolidation of land currently identified for employment uses. It is particularly important that existing employment areas that are fundamental to the operation of the local economy are protected and are retained, intensified and recycled primarily for the development of employment uses. Raynesway, including Rolls Royce Marine Power (since renamed Rolls Royce Submarines) is included in these areas. Therefore, the proposed development would align with the provisions of policy CP10.

With regards to the office development, the Central Business District (CBD) is the preferred location for such uses but CP11 allows for offices in other areas of the city provided that the proposals have demonstrated a sequential approach to site selection with first preference being the CBD and secondly to allocated employment areas. The description of the proposed development indicates that the proposed office accommodation would be ancillary to the main uses. Furthermore, given the nature of the site, its use which is associated with sensitive works and the military any associated office accommodation would need to be located on this location. Therefore, the proposed ancillary office accommodation would be considered as sequentially preferable, in this instance and would be ancillary to the main industrial use of the site and thus in line with the intentions of policy CP11.

The principle of the erection of a manufacturing facility and ancillary office in this location is generally in accordance with CP9, CP10 and CP11 and, as such, there are no policy objections. The proposed development is therefore acceptable in principle.

Notwithstanding the above, due consideration will need to be given to a number of material considerations including, transport and traffic impacts, biodiversity and flood risk. These will be considered within the following section of this report.

7.2. Transport Impacts

The application does not seek to necessarily create a new access or change the existing access arrangements off West Service Road. However, the proposal would seek to intensify the use of the site through the expansion of their facilities. The number of car parking spaces on the site would largely remain the same and the increased employee numbers would be accommodated in an off-site car park. The

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off-site car park would be located on the St Modwen Park on the opposite side of the Network Rail railway line and access by a new pedestrian footbridge – this proposal can be viewed under application [23/01646/FUL](#) which is recommended for approval subject to the recommended conditions and Section 106 obligations.

The application, as submitted and amended, is accompanied by an Environmental Statement which considers number of disciplines including Traffic and Transport. The ES chapter and appended Transport Assessments consider the impacts of the proposal and those of the off-site multi storey car park as they are considered to form one project, whilst being considered as two separate applications.

The full comments of National Highways are included within this report. National Highways initially issued a holding objection (1) as the application failed to consider Traffic and Transport in the Environmental Statement and (2) as neither application gave comfort that the principle of delivering a pedestrian footbridge over the railway line was acceptable to Network Rail. Both the application for this application and the associated car park application indicated that negotiations were being held; confirmation from Network Rail was received 7th February 2024 that the principle of installing a bridge is acceptable, subject to Network Rail approvals. This enabled National Highways to withdraw their objection, as their fundamental concern being that without the off-site car park the proposal would have significant deficit of parking which could lead to impact on the strategic road network. National Highways have no fundamental concerns with the content or conclusions contained within the Transport Assessment or Environmental Statement subject to satisfying their recommended conditions.

The application has been considered by Active Travel who defer their comments until a full Travel Plan has been submitted for their review. However we (National Highways/HDC) can adequately deal with a travel plan under condition particularly as this is outline with all matters reserved. The application is accompanied by a framework Travel Plan. Whilst I can appreciate the concerns of Active Travel, in that a framework Travel Plan has been submitted rather than a full Travel Plan, I am content that the comprehensive and robust assessment of the scheme by both National Highways and DCC Highway along with their recommended conditions will ensure that a Travel Plan is submitted along with ensuring that the Travel Plan is updated to reflect the delivery of the masterplan over the 9 year construction period.

Colleagues in Highways have provided comprehensive comments which are included within this report. They consider the impacts of the proposed masterplan and multi-storey car park holistically. Noting that there will be an increase of trips on the assessed road network around the Wyvern, as such they have sought improvements to the Stanier Way and Calvus Way junction and restrictive conditions on the associated multi storey car park application. In respect of this application, given the intensification of the site a Section 106 contribution has been sought, as detailed in Section 8.5 of this report. Standard conditions relating to Travel Planning, Construction Management. Similarly, to National Highways, colleagues in Traffic and Transportation want to ensure the pedestrian bridge is installed in a timely manner as the shuttle bus connection is not sustainable in the longer term.

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The application is in an outline format, the submitted drawings show that there will be no change the access off Raynesway however they have indicated that there would be “New Entrance management Zone” on the submitted Illustrative Masterplan and to ensure that this does not affect the safety and operation of the public highway further details will be secured by condition.

Given the comprehensive comments of both National Highways and DCC Highways Colleagues I consider that the provisions of the National Planning Policy Framework and local plan Policy CP23 have been met subject to compliance with the recommended conditions.

7.3. Flood Risk and Drainage

The application is accompanied by a suite of flood modelling and matters of flood risk are considered within the submitted Flood Risk Assessment (FRA) and Environmental Statement (ES) as amended/updated. The assessments have been duly considered by colleagues at the Environment Agency and with the DCC Land Drainage and Our City Our River Teams.

The submitted Flood Risk Assessment focuses on the outline planning application and also includes an assessment of the Swarf Stores which has been considered under code no. [23/00782/FUL](#); planning permission being granted 5th December 2023. The submitted assessment also considers various future flood scenarios associated with the Our City Our River project. Those flood scenarios associated with the OCOR flood defences is now better understood, particularly around the flood defences not being in situ. The flood defences associated with the protection of the RR site are within OCOR Packages 2 and 3; and whilst now benefit from planning permission remain unfunded and therefore there are no definitive timescales for their installation.

The application site is only partially defended during a design flood event at present day and post Package 1 (OCOR) completion. Therefore, the displacement of flood water no flood floodplain compensation is proposed as part of this application. A suite of hydraulic modelling has been undertaken to assess the impact of the floodplain loss on third party land. This modelling does show an increase on third party land however it would be less than 10mm (millimetres).

The full comments of consultees are set out within Section 5 of this report for your ease of reference. The applicant has overcome the initial objection from the Environment Agency following the provision of further information and modelling within the FRA. The FRA has indicated that there is likely to be an impact on third parties albeit small (10mm), and the EA have raised a concern about this cumulative impact. However, as consideration has also been given to the implementation of the OCOR flood defences and the wider flood risk impact and overarching flood vision for Derby, the Environment Agency do not object to the proposal and have withdrawn their earlier objection. Concluding that subject to compliance with a series of conditions the development would be acceptable in flood risk terms. The conditions are included within Section 8 of this report and relate to finished floor levels and flood resilience.

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The Council's Land Drainage Section have reviewed the application and offer no objection to the scheme but acknowledge the existing flood risk to the site. It is also acknowledged that the site will be protected by the future flood defence phases of OCOR. The only risk, thereafter, being overtopping of the flood defences and/or breach of the defences. As the application is in outline, with all matters reserved, the drainage scheme will be finalised at a later stage and secured by condition.

The Our City Our River (OCOR) Team who are responsible for the implementation and delivery of the flood defence scheme have provided comments, which are set out above. They also acknowledged the flood risk to the site, particularly the risk from the Wyvern Brook. Overall, they offer no objection to the proposed development but acknowledge that with only package 1 works being completed that the site remains at a risk of flooding. The submitted FRA confirms that the finished floor levels of the proposed buildings will be raised above predicted flood levels on the site. OCOR do not object to the proposed development but recommends that the applicant should note the residual flood risks to the application site and the surrounding highway network which will remain until the completion of the OCOR flood defences. This residual flood risk may affect access to the site for staff and, more importantly, emergency services should a large flood event take place.

The application, as amended has addressed the initial objections from the EA and subject to compliance with conditions would address points raised by Land Drainage and OCOR colleagues. Furthermore, the proposed development would align with the requirements of the National Planning Policy Framework and Policy CP2 which seeks to ensure new developments are of a sustainable construction and design and respond to flood risk and water management.

7.4. Environmental Matters

Contaminated Land

Given the use of the site there are likely to be contaminated land risks which could impact upon human health and water quality. The full comments of Environmental Health and the Environment Agency are set out in Section 6 of this report and comprehensively consider contaminated land risks. They have considered the submitted technical reports which includes the *"Rolls Royce Raynesway Masterplan, Phase 1 Geo-Environmental Report. Rolls-Royce Submarines Ltd (AECOM Ltd ref: 60687165, dated April 2023)"*.

Given the nature of the proposed development and the need for demolition works to take place, further assessment work will be necessary on site and the methodology of any further reports will need to be scoped out with Environmental Protection colleagues, who are considering human health risks and the Environment Agency, who are considering the protection of the nearby watercourses.

Matters relating to contaminated land can be satisfactorily addressed by suitably worded conditions as such the proposal would broadly comply with relevant policies including the National Planning Policy Framework and policies CP2, E12 and E13.

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Air Quality

Air Quality formed part of the original Environmental Statement and Environmental Protection colleagues provided initial comments in August, and these were updated in December 2023 to take into consideration the Regulation 25 update to the Environmental Statement and the new Air Quality Chapter.

The construction phase of development remains unchanged in the ES, and Environmental Protection colleagues suggest that construction related emissions such as dust etc. can be appropriately mitigated for through suitably worded conditions. The updated ES, and appended technical reports now also consider the impact is traffic related emissions because of the construction phase however as there are no sensitive receptors in the immediate locality of the application site no mitigation is recommended or required.

The operational phase of development would see the increase of employees at the site and thus there would be an increase traffic associated with the development (although the increase is likely to be as a result of the multi-storey car park on the St Modwen's Industrial Park). As such the impacts would be along with A52 corridor and a number of receptors have been identified, 15 in total including residential areas in Chaddesden and Alvaston. The submitted Air Quality Assessment predicts that NO₂ and PM₁₀ concentrations would remain below national objective levels. Overall, Environmental Protection colleagues offer no objection to the proposed development and consider that the conclusions in the submitted technical assessments to be reasonable and impacts arising would be negligible. Although, it is noted that the submitted reports do not consider emissions from the manufacturing proposes but these are likely to be monitored and assessed under the necessary permits which are covered under separate legislation.

As such the proposed development is considered to be acceptable in terms of its impacts on Air Quality and the provision of relevant local and national planning policies have been met.

Noise

Matters relating to noise are considered within the ES and supporting technical assessments, they consider the construction and operational phases along traffic related noise and noise associated with plant and machinery in the manufacturing processes.

Whilst an increase in noise levels is likely, there are no sensitive receptors in close proximity of the application site. Furthermore, the site has a long and continued industrial use since the 1950's. Therefore, national and local planning policy is unlikely to inhibit the proposed development being brought forward.

Given the outline nature of this application details around noise are unlikely to be known, particularly in respect of noise from plant and machinery therefore a noise assessment will be required for each phase of development to consider the impacts of noise on local sensitive receptors and where mitigation is required this should be implemented in full. The proposed development would, regarding noise, be acceptable in planning policy terms.

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Biodiversity and Ecology

The application is accompanied by a Biodiversity Net Gain Assessment and Biodiversity Metric along with technical assessments. As discussed above the topics of biodiversity and ecology were scoped out of the Environmental Statement. Biodiversity Net Gain is not yet set in policy, but the inclusion of the metric and assessment are welcomed and would align with the requirements of policy CP19.

The proposed development would have an impact on a number of habitats including modified grassland, urban trees and neutral grassland. The Post-Development Habitat Plan indicates that the majority of the existing habitats are retained with the exception of a loss of some modified grassland. The metric indicates that there would be a net loss of 2.04 habitat units equating to a loss of 23.24%. Therefore, the recommendation made in the Biodiversity Net Gain Assessment should be adhered to; compliance to these recommendations would result in an uplift of +10.45%. this would comprise of 1.38 hectares of modified grassland and the create of 0.6 hectares of a biodiverse green roof.

The application has therefore not attracted any objections from Derbyshire Wildlife Trust subject to compliance with the recommended conditions and BNG enhancements are set out above. The proposal is therefore broadly compliant with the NPPF and policy CP19, amongst others.

7.5. Planning Balance and Conclusions

The proposed development is considered to comply, broadly, with the relevant policies of the local plan and relevant material considerations. The proposed would facilitate an employment development and increase employment opportunities in the city, region and the associated contracts would also increase employment opportunities across the UK, therefore aligning with the provision of CP9, CP10 and the National Planning Policy Framework. As such the proposed development would have the potential to increase economic investment into Derby and the region. The potential economic benefits of this proposed development are significant and welcomed and should be given significant weight in the determination of this application.

The proposed development would see the rationalisation and optimisation of previously development brownfield land and whilst there are some concerns relating to the loss of biodiversity these can be adequately mitigated for by suitably worded conditions.

Matters relating to the flood risk are complex and the site would remain at the risk of flooding until Package 2 of the OCOR scheme and Package 3 have been completed. These packages of work are currently unfunded and as such there is currently no certainty around the delivery programme. That being said, any impacts of flooding would impact on business continuity for Rolls Royce rather than immediate risk to life. Therefore, the proposal is considered to broadly comply with relevant planning policies at a local and national level, in this regard.

Highways matters have been considered to be rather complex in this instance, given the cross over of impacts between this application and the multi-storey car park that

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will facilitate this proposal. However, following the submission of further information and adherence to the recommended conditions the proposal will broadly comply with relevant planning policy. The timescales associated with the installation of the pedestrian bridge remain a concern as its implementation is wholly reliable on agreement with a third party, Network Rail, however the recommended conditions will provide some assurance and Network Rail have confirmed their broad acceptance to the installation of the structure. Therefore, it is felt that the application(s) through compliance with conditions would make reasonable steps to provide a long-term sustainable solution.

This application is in a pure outline format and therefore there are matters that require further consideration such as contaminated land, noise, ecology/biodiversity and construction impacts. It is felt that these matters can be dealt with by condition and detailed design would be considered during the determination of any reserved matters application(s).

Therefore, in my opinion and judgement, the proposed development accords with the Development Plan when read as a whole and the overarching provision of the National Planning Policy Framework.

8. Recommended decision and summary of reasons:

8.1. Recommendation:

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

8.2. Summary of reasons:

The proposed development has the potential to generate significant economic benefits, including increasing employment opportunities at the site which will be welcomed and given significant weight in the planning balance. Along with optimising the use of a previously developed brownfield site. The proposal would therefore align with the provisions of Policy CP10 of the Derby City Local Plan Review – Part 1.

Technical matters have been duly considered and recommended conditions relating to flood risk, ecology/biodiversity and transport will address the impacts of the development, as it is brought forward in a phased manner. Therefore, on this basis, the proposed development broadly accords with the Development Plan when read as a whole.

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8.3. Conditions:

General Conditions

1. Condition relating to time limits – Reserved Matters
2. Condition relating to the submission of Reserved Matters
3. Condition requiring the implementation of the pedestrian footbridge
4. Condition relating to a development phase plan and development phase boundaries.

Pre-Commencement Conditions

5. Condition requiring an updated phasing plan and development boundaries plan
6. Condition requiring the submission of a construction management plan (Highways Development Control)
7. Condition requiring the submission of an construction environmental management plan (Environmental Protection)
8. Condition requiring the submission of a construction environmental management plan – biodiversity (Derbyshire Wildlife Trust)
9. Condition requiring details of the internal access arrangement (Transport Planning)
10. Condition requiring details of the sustainable drainage strategy (DCC Land Drainage)
11. Condition requiring the submission of a remediation strategy (Environmental Health)
12. Condition requiring the submission of surface water, and water treatment (Environment Agency)
13. Condition requiring the submission of a noise impact assessment (Environmental Protection)
14. Condition requiring the submission of a Phase II Site Investigation report (Environmental Report)
15. Condition requiring the submission of a remediation strategy (Environmental Health)
16. Condition requiring the submission of a landscape and biodiversity enhancement and management plan (Derbyshire Wildlife Trust)
17. Condition requiring the submission of an Arboricultural Method Statement (DCC Trees)

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18. Condition confirming BREEAM categorisation

Pre-Occupation Conditions

19. Condition requiring the submission of a Travel Plan (Transport Planning)
20. Condition securing cycle parking, electric vehicle charging points and motorcycle parking (Transport Planning)
21. Condition requiring the submission of a verification report (Environmental Protection)
22. Condition requiring the submission of a validation report (Environmental Protection)
23. Condition requiring the submission of a landscaping scheme (Derbyshire Wildlife Trust)
24. Condition requiring the submission of a post-planting management and maintenance plan (Tree Officer)
25. Condition requiring the submission of a lighting strategy (Derbyshire Wildlife Trust)

Management Conditions

26. Condition ensuring compliance with the Flood Risk Assessment
27. Condition considering any previously unidentified contaminated land.
28. Condition ensuring infiltration measures for surface water are implemented.
29. Condition restricting piling or other penetrative foundation methods.
30. Condition ensuring the measures within the air quality chapter of the ES are implemented.

8.4. Informative Notes:

Derbyshire Wildlife Trust – External Lighting

All reserved matters applications shall be accompanied by an external lighting strategy to safeguard and protect bats and other nocturnal wildlife. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023).

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Environment Agency – Permitting

There are quite a few implications of this outline planning application that will affect various permits including:

- Several of the proposed new manufacturing buildings will have an impact on the nuclear Radioactive Substance Activity permits for Nepture and NFPP, and the installations permit for NFPP. It is likely variations to some/all of these permits will be required.
- PCO is having (another) large extension added to it – which means poential security implications for the permit you regulate.
- Some new manufacturing capability is located outside of the two licensed/permitted sites and may also need new permits (For example, potential non-nuclear RSA).
- There will be an impact on the COMAH arrangements – particularly as there could be the potential for an increased inventory stored on site associated with new manufacturing facilities, and COMAH emergency plans will need updating.

Additionally, RRSL are extending the size of the Raynesway estate (at the east end) as they have brought the land where BOC Gases and STAR Labs are currently located. Both BOC and STAR labs are going to relocate elsewehre as a result, and so the permit for BOC Gases will need to be surrendered.

In relation to BOC permit ref BU6204IE:

The applicant should be aware that portions of the land within the development area are still subject to an IPPC permit with the Operator being BOC. This relates to a historic site operation where above background levels of contamination were observed that required remediation for the permit to be formally surrendered. The EA are in discussion with BOC regarding them supplying a demonstrating of the removal of this historic contamination which will enable them to surrender the permit. At this point it is unclear whether further remediation works will be required of BOC which may have impact on the planned development.

DCC Highways

- a) Works are potentially required to be undertaken where the development accesses join the public highway, which is land subject to the provisions of the Highways Act 1980 (as amended) and over which you have no control. For these works to proceed, you are required to enter into an agreement under S278 of the Act. Please contact Keren Jones Tel 01332 641767 for details. Please note that under the provisions of S278 Highways Act 1980 (as amended) commuted sums will be payable in respect of all S278 works.
- b) For details of the Delivering Streets and Places Design Guide and general construction advice please contact Keren Jones Tel 01332 641767.

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Environment Agency comments – Environmental Permitting

There are quite a few implications of this outline planning application that will affect various permits, including:

- Several of the proposed new manufacturing buildings will have an impact on the nuclear Radioactive Substances Activity permits for Neptune and NFPP, and the Installations permit for NFPP. It is likely variations to some/all these permits will be required.
- PCO is having (another) large extension added to it – which means potential security implications for the permit you regulate.
- Some new manufacturing capability is located outside of the two licensed/permitted sites and may also need new permits (for example, potential non-nuclear RSA).
- There will be an impact on the COMAH arrangements – particularly as there could be the potential for an increased inventory stored on site associated with new manufacturing facilities, and COMAH emergency plans will need updating.

Additionally, RRSL are extending the size of the Raynesway estate (at the east end) as they have bought the land where BOC Gases and STAR Labs are currently located. Both BOC and STAR labs are going to relocate elsewhere as a result, and so the permit for BOC Gases will need to be surrendered.

In relation to BOC permit ref. BU6204IE:

The applicant should be aware that portions of the land within the development area are still subject to an IPPC permit with the Operator being BOC. This relates to a historic site operation where above background levels of contamination were observed that required remediation for the permit to be formally surrendered. The EA are in discussion with BOC regarding them supplying a demonstration of the removal of this historic contamination which will enable them to surrender of the permit. At this point it is unclear whether further remediation works will be required of BOC which may have impact on the planned development.

8.5. S106 requirements where appropriate:

Heads of Terms have been agreed for a single S106 agreement covering this application and the St Modwen's Multi Storey Car Park application (code no. 23/01646/FUL). They secure policy compliant financial contributions towards improvements to public transport, cycling and pedestrian facilities, as well as towards a SCOOT scheme on the Wyvern junctions in connection with the MSCP application. A Travel Plan, associated monitoring contribution and potential penalty payments have also been agreed. In addition to these standard Heads of Terms for applications of this nature, the S106 will also secure the fundamental tying of this application to the St Modwen's Multi Storey Car Park application through the submission of a Car Park Phasing Strategy, Car Park Management Strategy and a Shuttle Bus Strategy. These will require the Council's approval and ensure that the applicant adheres to the details within them in the future.

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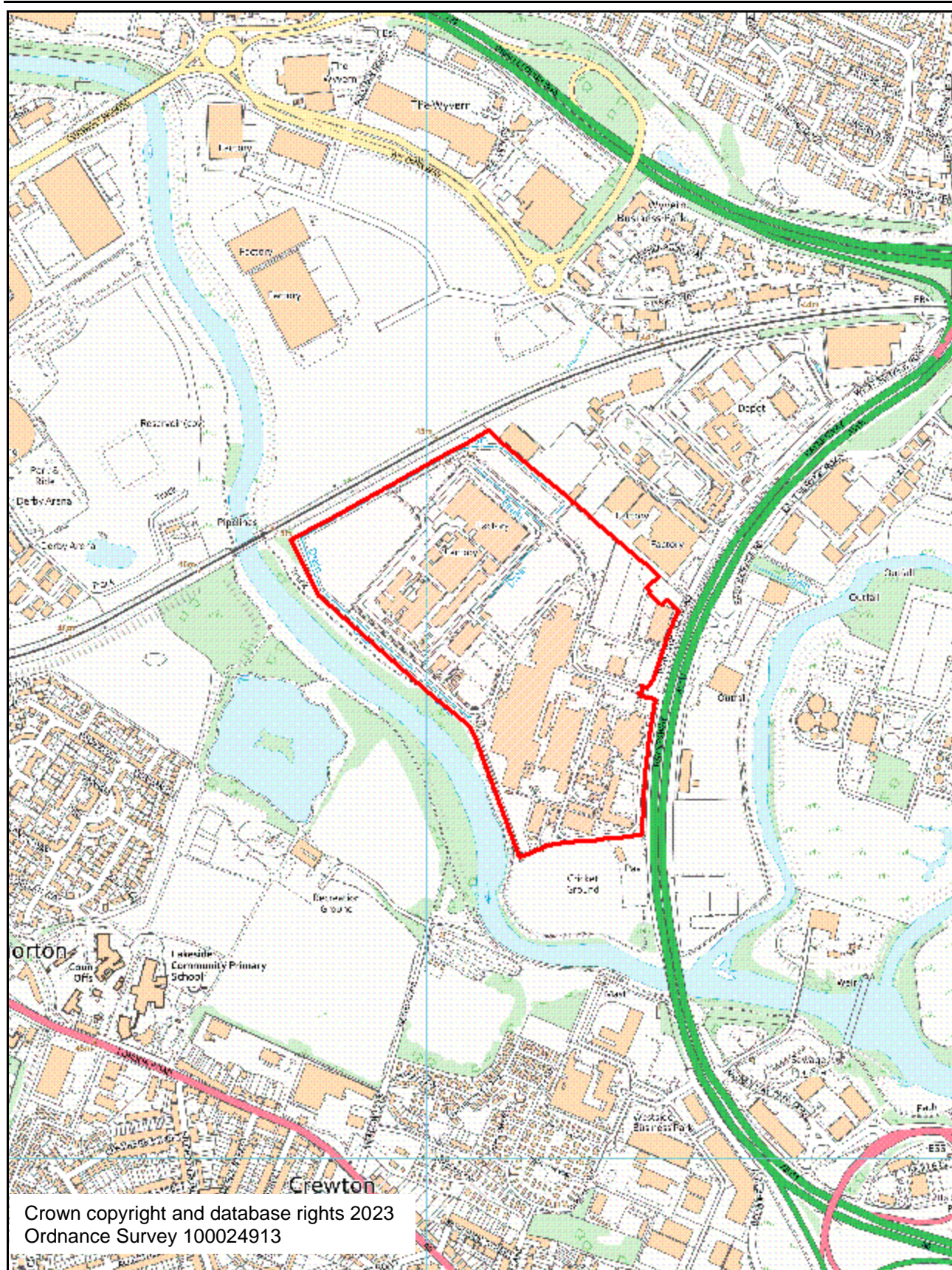
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8.6. Application timescale:

An extension of time has been agreed until 30.06.2024 due to presentation at Planning Control and completion of the Section 106 Agreement.

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Type: Outline Application - Environmental Impact Assessment



Committee Report Item No: 7.4

Application No: 23/01646/FUL

**Type: Full Application –
Environmental Impact
Assessment**

1. Application Details

1.1. Address: Land at St Modwen Park, Andressey Way, Derby

1.2. Ward: Chaddesden East Ward

1.3. Proposal:

Erection of a multi-storey car park, formation of a surface car park and erection of a pedestrian footbridge across the railway line, together with associated infrastructure, landscaping and vehicular access

1.4. Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/PLAN/23/01646/FUL>

Brief description

This full planning application, accompanied by an Environmental Statement, seeks planning permission for the erection of a multi-storey car park with associated surface car parking, cycle parking and pedestrian footbridge linking the application site and Rolls Royce.

The proposed multi-storey car park will provide car parking for the Rolls Royce campus to the south which is needed to support the redevelopment of the RR campus, as sought under code no. 23/00817/OUT, further details of this application are located within Section 2 of this report. This proposal would support the redevelopment and provide the additional off-site car parking required for the projected increase in employees at the Rolls Royce campus.

The application is accompanied by an Environmental Statement following formal screening with the Local Planning Authority. It is deemed that an Environmental Statement was required as: *“...the Proposed Development cannot be considered in isolation. There are cumulative effects arising that it is determined may have a significant effect on the environment in respect of impacts on Traffic and Transportation and possibly Air Quality, as a result. Accordingly, it is deemed that the formation of the car park and associated development described in your screening request are EIA development within the meaning of the Regulations and therefore an Environmental Impact Assessment is considered to be necessary for this proposal.”*

The application is accompanied by a suite of documents including associated drawings, Planning Statement, Design and Access Statement, Ecological Survey, Flood Risk and Drainage Assessment, Noise Impact, Transport Assessment and Landscape Statement amongst others.

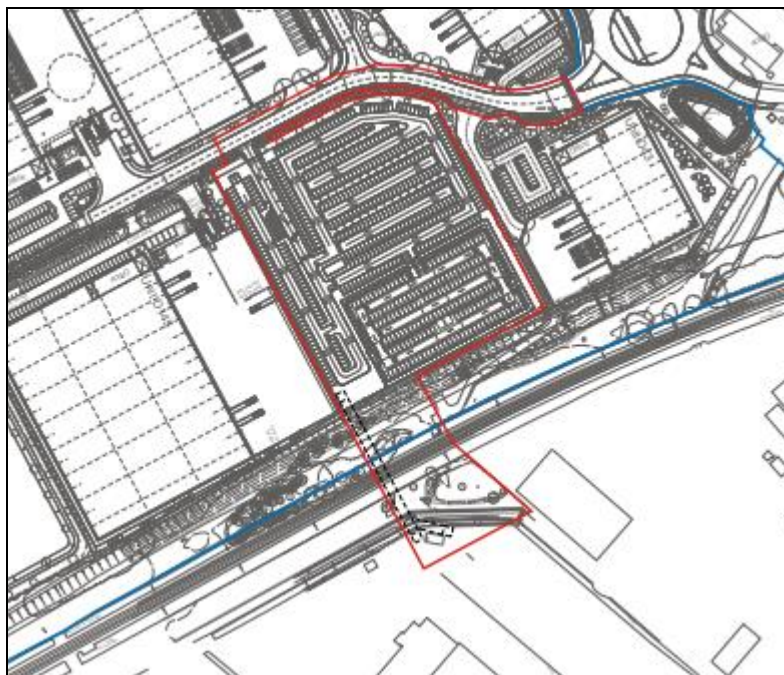
The St Modwen Park overall comprises 12 commercial units providing a total of 73,80 square metres of B2 (General Industrial) and B8 (Storage and Distribution) floorspace. Phases 0, 1 and 2 are nearing completion and the remainder of the site benefitting from outline planning permission and reserved matters consents to allow the completion of this allocated employment site. The outline planning permission and Phase 0 reserved matters application securing the reprofiling of the site and

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implementation of the Our City Our River (OCOR) Flood Defences thus reducing the sites overall flood risk and enhancing flood resilience for the city and Wyvern area.



The application site, which is considered in two parts, is partially located within the St Modwen's Park which is located 2.5 km east of the City Centre and partially within the Rolls Royce site which is located on the southern side of the railway line. This railway line and Rolls Royce site have been included in this application area to allow the siting of a pedestrian footbridge from the car park to the Rolls Royce site.

The applicant has confirmed that they have served notice on both Network Rail and Rolls Royce due to inclusion of that land within their application area. Neither landowner has provided comments on this matter. But it is noted that the Rolls Royce application considers, favourably the erection of the car park and pedestrian bridge as part of their redevelopment proposals. It should be noted, for avoidance of doubt, that matters relating to land ownership are not for the Local Planning Authority to consider, providing the correct land ownership certificates have been completed.

The application site is allocated within a commercial area which include Wyvern Retail Park, Wyvern Business Park and Pride Park which are a mix of commercial, employment and leisure uses. The area being served by the A52, London Road (A6) and Inner Ring Road which allow connections to the local and national highway network. The site is also reasonably well connected to the Railway Station and Bus Station.

As indicated the works proposed as part of this application would support Rolls Royce in the re-development of their Campus. Rolls Royce are required to expand and refurbish their Raynesway site following the award of a £235 million contract from the Defence Secretary to support nuclear propulsion systems and the more recent £2 billion nuclear deterrent programme – Dreadnought, which was awarded to BAE and Rolls Royce. Along with the AUKUS trilateral agreement between Australia

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the UK and US which was announced in 2023 which will see the delivery to support the programme.

This application, which is accompanied by an Environmental Statement, seeks permission for the creation of a multi-storey and surface car park comprising of 887 spaces along with the erection of a pedestrian footbridge across the Network Rail railway line and providing access to the Rolls Royce site to the south along with



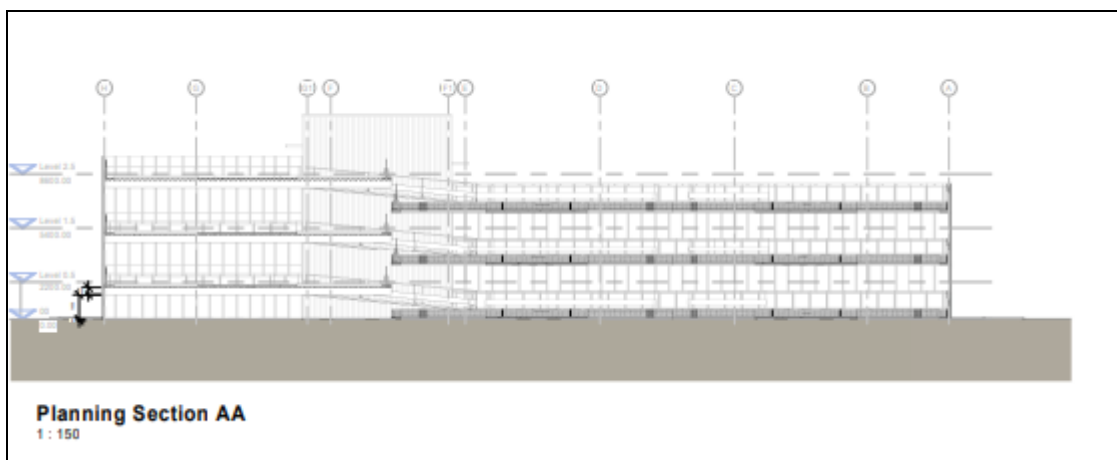
safeguarding the route of the canal. The car park and associated pedestrian footbridge would only be used by Rolls Royce employees and there would be no public access to the footbridge. The proposal is designed to offset the loss of car parking on the Rolls Royce site and provide sufficient car parking for the projected increase in employment as the Rolls Royce expansion is realised.

The application site would be accessed by the internal loop road within the St Modwen's Park. The access to the site is located from the north and provides a small turning area in front of the security barriers should the site be assessed accidentally. The barriers being set within the site to allow car to wait off the internal road network. A small number of surface spaces are located to the west, along with the landing point of the pedestrian footbridge and cycle parking for circa 45 cycles. There is an area of surface car parking to the front of the site some allocated for EV charge points and future EV charge points are identified along with motorcycle parking. The multi-storey car park is located to the rear of the site and comprises of 3 levels of car parking, over half levels as indicated on the cross section.

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In summary, the proposal would provide:

- 480 standard car parking spaces (within the multi-storey)
- 407 standard car parking spaces (surface car park)
- 56 electric charging spaces (could be increased by a further 97 spaces totalling 153, if required)
- 45 cycle parking spaces with associated infrastructure
- 6 motorcycle parking spaces
- The application also seeks to secure the implementation of PV canopies over the EV parking spaces. This would facilitate the PV to generate electricity to power the charging stations. This matter would need to be dealt with by condition, as no precise details have been submitted at this stage.

Externally, the car parking would be clad in order to integrate with the overall appearance of the St Modwen Park, the cladding changing from dark grey at the base to a lighter cream at roof level, it will be perforated in appearance to allow ventilation. There would be a stair well at each end of the car park that would project slightly higher than the main car park. The stairwells would be clad in dark grey with a canopy feature at ground floor and windows up the elevation to break the mass and also provide natural light. Overall, the multi-storey car park would have an external length of 89.5 metres and width of 50.5 metres and a height of 10.1 metres rising to 12.1 metres at the top of the stairwells. Each floor would accommodate 160 car parking spaces.

The submitted concept images show how the mesh panels would add interest to the elevations:

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The application also seeks to secure planning permission for a pedestrian footbridge that would link the car park to the Rolls Royce site. The pedestrian bridge would straddle the safeguarded canal route and the railway line, located to the south of the application site. The span would be some 100 metres. The application identifies the location of the bridge and associated landing points but does not provide details of the bridge design and form. This is a direct result of meeting the requirements of Network Rail who will need to provide technical approval for the bridge – the granting of any planning permission does not prejudice other formal procedures that will need to be complied with. The applicant has confirmed that they are in negotiations with Network Rail having signed a Basic Assets Protect Agreement (BAPA) and secured Stage 2 Technical Approval there is, therefore, a degree of comfort that the bridge can be erected.

Given the nature of activity at the Rolls Royce site there will be a need for security at both the car park site and bridge, as they are only accessible by Rolls Royce employees and other authorised visitors. There will be security perimeter fence, access controls and CCTV in operation at the site. The fence will be some 2.4 metres high and of a meshed finish painted in black. The pedestrian access gates will be of a similar height and finish. The car park barriers are to be ANPR again finished in black. The proposal also includes an element of landscaping around the perimeter of the site and around the base of the multi-storey to ground the built form and blur the line between the landscaping and the built form.

The application is accompanied by a suite of documents that comprehensively assess the proposal and its impacts which has been reviewed by consultees whose responses are set out in Section 5 of this report.

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Environmental Statement

The works that are the subject of this application do not constitute Schedule 1 development. The proposal is considered to be Schedule 2 development being an Urban Development for the purposes of Category 10(b) of the regulations, exceeding the thresholds within column 2.

Key issues to have regard to in this category are the potential increase in traffic emissions and congestion and the cumulative impact of this development and the consented/approved/existing developments within the immediate context of the site. Of particular importance is the relationship of this application to the proposed development at Rolls Royce, an outline planning application under code no. 23/00871/OUT.

The proposed development, surface and multi storey car park and pedestrian bridge is to facilitate the re-development of the Rolls Royce site by providing the required additional car parking for this scheme and the physical link between the two sites.

Schedule 4 Part 1 of the EIA Regulations refers to the need to describe and assess “*the whole development*”. Paragraph 25 of Planning Practice Guidance advises that an application should not be considered in isolation, if, in reality it is an integral part of a more substantial development. The Guidance states that the need for EIA must be considered in the context of the whole development.

Therefore, it is appropriate to assess the proposed development with the proposed development at Rolls Royce, as a whole project. The proposed car park is considered to be an integral part of a more substantial development (Judgment in the case of *R v Swale BC ex parte RSPB* [1991] 1PLR 6). The Environmental Impact Assessment accordingly should have regard to the cumulative impacts of the proposed developments.

The EIA process involves the collection and assessment of information about the estimated environmental effects during construction and operation of the project (the project as a whole which in this case includes the redevelopment of the Rolls Royce Nuclear Campus under code no. 23/00817/OUT [reported elsewhere on this agenda]) along with the mitigation measures proposed which aim to minimise any resulting environmental effects. The EIA Regulations require that the ES identifies ‘*likely significant effects of the proposed development on the environment*’. Whilst the applicant sought a formal screening opinion the scoping of the EIA was informally scoped. The disciplines to be considered were agreed to be Air Quality, Traffic and Transportation and Inter-Relationships and Cumulative Effects. Clarification on the Air Quality chapter has been submitted during the life of the application.

Each ES chapter has been set out in a standard format for consistency of the chapter; the format being the assessment methodology, planning context, baseline methodology, assessment of criteria and assignment of significance, construction effects, operation effects, mitigation measures and assessment of cumulative effects and a summary.

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The specific topic areas for consideration in the ES are included as follows:

- Chapter 1: Introduction
- Chapter 2: Project Description
- Chapter 3: EIA Methodology and Approach
- Chapter 4: Planning Policy
- Chapter 5: Traffic and Transport
- Chapter 6: Air Quality
- Chapter 7: Assessment of Cumulative Effects
- Chapter 8: Conclusions

The ES includes a non-technical summary, and it has been submitted along with suite of technical reports including the following: Design and Access Statement, Planning Statement, Transport Assessment, Drainage Strategy and Flood Risk Assessment along with a suite of plans.

The information contained within the ES is comprehensive and therefore the following sections seek to provide a summary of each of the chapters. The aim of this section of the report is to provide members with an overview of the likely significant effects identified in the ES, as arising from the construction phase and operational phase of the scheme. Chapter 1 Introduction, Chapter 2 Project Description and Chapter 3 EIA Methodology and Approach have been summarised above.

Chapter 4: Planning Policy

This chapter sets out the National and Local Planning Policy Position, considering the National Planning Policy Framework and associated guidance along with identifying the relevant planning policies of the City of Derby Local Plan and Derby City Local Plan – Part 1. This chapter also considers alternative location for the proposed development confirming that no other options are available due to the interconnections with the re-development of the Rolls Royce Campus. The consideration of alternatives is considered further in the accompanying Design and Access Statement.

Chapter 5: Traffic and Transport

This ES chapter considers the traffic and transport impacts resulting from the proposed development. The chapter is supported by the submission of a Transport Assessment for both the Rolls Royce Campus and the proposed multi storey car park.

The area of study had been agreed as the Wyvern Way corridor including the signalised junctions along Wyvern Way, along with a small area of the A52 corridor along the westbound carriageway. Cycling and pedestrian connectivity is also considered within this chapter. The chapter concludes that the impacts of the construction phase will be relatively low and over a short period time. Mitigation can

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and will be secured to reduce this impact through the adherence to a suitable Construction Environmental Management Plan. As such the ES concludes that the construction phase would have a minor adverse impact.

Operational impacts would range from minor adverse to negligible as there would be an increase in travel as a result of the proposed development. However, it is concluded that with the implementation of mitigation measures the increase transport and traffic demands can be accommodated without having any significant environmental effects.

Chapter 6: Air Quality

This chapter considers the air quality impacts associated with the proposed development. The chapter is accompanied by an Air Quality Assessment. There will be a change in vehicular flows on local roads, but the associated assessment confirms that there will be no significant effects at any sensitive receptors. The development will also incorporate 56 electric vehicle charges spaces with the potential to provide a further 97 if/when demand requires.

During the construction works the proposed development, subject to implementation of recommended mitigation to reduce dust and emissions the overall effect will be not significant. The chapter concludes that the construction and operational air quality effects of the proposed car park are felt to be not significant.

Chapter 7: Assessment of Cumulative Effects

This chapter considers the cumulative effects of the proposed development and other committed development in the nearby area with a particular focus on the redevelopment of the Rolls Royce Campus. The approach taken to considering the cumulative effects aligns with the Planning Inspectorates Advice Note 17; which recommend a zone of influence is considered for each discipline within the ES (Air Quality, Traffic and Transport).

Overall, it is concluded that no significant adverse effects are anticipated for any of the disciplines within the ES when considering the proposed car park in combination with other proposed development.

Chapter 8: Conclusions

The ES has been prepared under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 following a screening and scoping process, confirm that the proposed development constitutes EIA development when considered in association with the proposed development at the Rolls Royce Campus. This chapter reconsiders the findings of the previous chapters and concludes that the ES demonstrates that there are no significant adverse effects resulting from the proposed development.

The ES has taken a 'front loading' approach which has led to the inclusion of a number of mitigation measures which have accounted for the likely impacts

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associated with the new development and lessened their effect to within acceptable levels.

2. Relevant Planning History:

Application No:	23/00817/OUT	Type:	Outline Planning Application – Environmental Statement
Decision:	Pending	Date:	
Description:	Outline planning permission with all matters reserved is sought for up to 104,430sqm of manufacturing (Use Class B2) and ancillary office (Use Class E) and storage (Use Class B8) floorspace, and a multi-storey car park, with associated infrastructure including internal vehicle routes, reconfigured car parking, cycle parking, drainage, hard and soft landscaping, utilities, earthworks and demolition of existing buildings.		

Application No:	23/00680/RES	Type:	Reserved Matters
Decision:	Granted Conditionally	Date:	08.08.2023
Description:	Reserved Matters application pursuant to outline planning permission Code ref. 22/01899/VAR providing details of scale, layout, appearance and landscaping in respect of Phase 5 - Erection of one commercial unit within B2/B8 use class, including associated loading, servicing and parking areas and associated infrastructure		

Application No:	19/00491/OUT	Type:	Outline Planning Application
Decision:	Granted Conditionally	Date:	18/09/2020
Description:	Mixed use development, comprising use class B2 (general industry) and use class B8 (storage and distribution.) Associated development including site re-grading, flood alleviation works, provision of access from and alterations to Wyvern Way and safeguarding of land for the Derby and Sandiacre Canal restoration project. Approval is sought for two vehicular accesses from Wyvern Way, with all other matters to be reserved.		

Application No:	03/07/00495	Type:	Outline Application
Decision:	Granted Conditionally	Date:	19.07.2011
Description:	Complete restoration of former Derby Canal being 20km in length from Sandiacre via Derby city to Swarkestone		

The submitted [Planning Statement](#) provides a comprehensive overview of the St Modwen Park planning history, in section 3, including the outline, reserved matters and subsequent material and non-material amendment applications.

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3. Publicity:

- Neighbour Notification Letters sent to 3 properties
- Site Notice
- Statutory Press Advert

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

4. Representations:

In line with the Data Protection Act and associated legislation this appraisal should not include details, or seek to identify through repeating specific comments, the individuals who have objected, supported or made general comments about the application. Therefore, to maintain anonymity, the relevant planning grounds of objection, support or comment have only been included in broad terms. It is important to note that all comments received have been fully considered as part of the application process and included in the overall 'planning balance' exercise.

The application has attracted 1 letter of representation which is neutral in its comments and is summarised as follows:

Not a Derby resident but commutes into the City. Overall, no objection to the proposal in principle. Does have some concerns about the dark cladding colour. Whilst there is an acceptance to the RR site and the St Modwen's site and colour palette they are concerned about the change in fashion and the dark colour that will have a "grim and forbidding air". A fashion change to grey could leave "...a legacy of buildings that look as dated and out of their time as 1960 Brutalist buildings..."

As climate changes advance the dark grey colours coupled with the dark tarmac will absorb and radiate heat create a less than pleasant pedestrian environments.

Would recommend that the applicant considers a paler colour scheme. These work as well on a number of building including Derby Station and the Pride Park Stadium.

5. Consultations:

5.1. National Highways:

Initial Comments 5th December 2023

National Highways Ref: NH/23/03983

Referring to the consultation on a planning application dated 4 December 2023 referenced above, in the vicinity of the A5111 and A52 trunk roads that form part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- a) offer no objection (see reasons at Annex A):

National Highways Planning Response (NHPR 22-12) December 2022 Highways Act 1980 Section 175B is not relevant to this application.¹ This represents National

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Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Annex A National Highway's assessment of the proposed development

This response represents our formal recommendations and has been prepared by Catherine Townend, Spatial Planner for National Highways.

National Highways (formally Highways England) has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

National Highways considers planning applications for new developments under the requirements of the National Planning Policy Framework (NPPF) and DfT Circular 01/2022: The Strategic Road Network and The Delivery of Sustainable Development ("the Circular"). The latter document sets out our policy on sustainable development and our approach to proposals which may have an impact on our network.

The SRN in the vicinity of the proposed development is the A5111 and A52 trunk roads.

Development Proposal

The application seeks permission for the erection of a multi-storey car park on land at St Modwen Park and the erection of a pedestrian footbridge across the adjacent railway line to provide a connection to the Rolls Royce Raynesway Plant.

The proposed development is required in connection with the redevelopment of the Rolls Royce Raynesway site to provide additional manufacturing, office, and storage floor space, the subject of a separate outline planning application (Ref: 23/00817/OUT).

This application seeks to provide additional parking to cater for the increase in Rolls Royce employees and combined loss of parking within the Raynesway site.

National Highways Considerations

As the development site does not share a common boundary with the SRN and no new accesses onto the SRN are proposed, we have assessed this proposal solely with regards to the traffic impacts arising from the development.

National Highways Planning Response (NHPR 22-12) December 2022

Please note, we could not locate the Transport Assessment for this application on your planning portal. Notwithstanding the above, the Addendum Transport Assessment submitted in support of the Outline planning application for the Raynesway site contained the TA for this application within the Appendices.

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As such, we have previously reviewed the TA for this application and the Addendum TA which considers the cumulative impacts of both developments. This concluded that the development proposals once complete, would not equate to a severe impact on the SRN and as a result no highways mitigation with respect of the SRN will be sought.

Nonetheless, we do have concerns about the phasing of the two developments as it will be necessary that sufficient parking is in place to avoid unsafe parking or congestion around the Raynesway site entrance accessed directly from the A5111 trunk road.

As our result, we have placed the Raynesway Outline planning application under a holding recommendation as we require certainty that the off-site multi-storey car park (including the associated footbridge) would be delivered in a timely manner.

With respect of this multi-storey car park application however, we are content that the highways impact in connection with the SRN has been appropriately assessed and there would not be a material impact on the SRN.

For the avoidance of doubt, our remaining concerns are not related to the provision of the multi-storey car park, but the absence of it. As such, we have no objections to this planning application and consider that it is necessary to allow the Masterplan for the Raynesway site to be delivered without detriment to the safe and efficient operation of our network

Supplementary Comments dated 21st December 2023

<https://docs.derby.gov.uk/padocumentserver/DownloadDocument.aspx?docid=202641127>

5.2. Active Travel:

In relation to the above planning consultation, Active Travel England (ATE) has no comment to make as it does not meet the statutory thresholds for its consideration.

5.3. Transport Planning:

Initial comments – Technical Note:

<https://docs.derby.gov.uk/padocumentserver/DownloadDocument.aspx?docid=202907952>

There are no formal highways comments for this application. The application is not seeking permission for access, as the access will be served off a private drive within the St Modwen's Industrial Estate. The layout of the car park and spaces would also be a private matter along with the management of the car park. That being said there are matters that it is felt necessary to control, such as the car park being used only by Rolls Royce staff/contractors, cycle parking provision and the barrier control on the car park to ensure there is not a detrimental impact on the public highway.

The junction improvements to the Stanier Way/Calvus Way junction are also set out within the application but their implementation will be controlled by condition. These wider issues have been considered with the Rolls Royce application (23/00817/OUT)

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and therefore the comments made on that application remain relevant to the determination of this application.

Comments reproduced from 23/00817/OUT:

1.2 Local Planning Policy

Derby City Local Plan Part 1 – Policy CP10 identifies the Rolls Royce Raynesway site as one of the key employment areas within Derby. Which is crucial for the City's economy. However, there is no specific policy within the Local Plan for the Rolls Royce Raynesway site as it is already existing employment.

General policies under CP23 in the local plan on transport support delivering a sustainable transport network. The Council will support proposals that:

1. promote greater travel choice and equality of opportunity for all through the delivery and promotion of high quality and accessible walking, cycling and public transport networks, while maintaining appropriate access for car users and the movement of goods;
2. include initiatives to manage down traffic impacts, promote sustainable transport and the development of accessible sites;
3. contribute to better safety, security and health for all by improving road and rail safety, improving security on transport networks and promoting active travel;
4. contribute to tackling climate change by developing low-carbon travel and lifestyle choices, including the provision of infrastructure to support the use of low carbon vehicles, active travel and reducing the need to travel through the provision of improved IT infrastructure;
5. support growth and economic competitiveness by delivering reliable and efficient transport networks that will enhance connectivity to, from and within the City;
6. ensure that investment in transport contributes to the enhancement of the urban and natural environment.

Further that the Council will actively manage the pattern of development to ensure that new development:

7. Is located in accessible locations that are well served by frequent high quality bus services and which help to facilitate walking and cycling;
10. contributes to improving public transport, cycle and pedestrian infrastructure and public transport service provision;
12. is not permitted where it would cause, or exacerbate, severe transport problems, including unacceptable impacts on congestion, road or rail safety, the rail network, access and air quality – including any cumulative impacts on Air Quality Management Areas (AQMA).

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2.0 National Planning Policy Framework (NPPF)

The 2010 coalition government introduced the NPPF and set out below is the criteria against which the highway impact of the proposed development should be tested. It is important that this is the criteria used as the Secretary of State would use NPPF to consider the suitability of the above proposal should the application go to appeal.

Paragraph 110 of the NPPF says: In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree, also:

Paragraph 111 of the NPPF says: Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 113 says: All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

Considering the above criteria, Highways Development Control has the following comments:

2.1 Opportunities for Sustainable Transport

The NPPF has a presumption in favour of sustainable development and consequently is seeking to influence the developer to put in place measures to provide opportunity and to encourage travel by non-car modes, wherever this is realistic and feasible i.e. measures to encourage walking, cycling and travel on public transport.

The planning proposal is basically for the redevelopment and expansion of the Rolls Royce Raynesway site. It should be noted that the location of Rolls Royce Submarines Limited (RRSL) on Raynesway is historical, and the company has been building engines here since the 1960s.

Raynesway is physically a difficult site to access by non-car modes, particularly public transport. The area is wedged between the A52, A5111(T), the Midland Mainline rail corridor and the River Derwent. That is not to say that there aren't good cycle and pedestrian links to the site, but where there are gaps there are no easy options to improve facilities because of the physical constraints.

Figure 2 below provides a summary of cycle routes and bus stops around Raynesway, taken from the applicant's transport assessment.

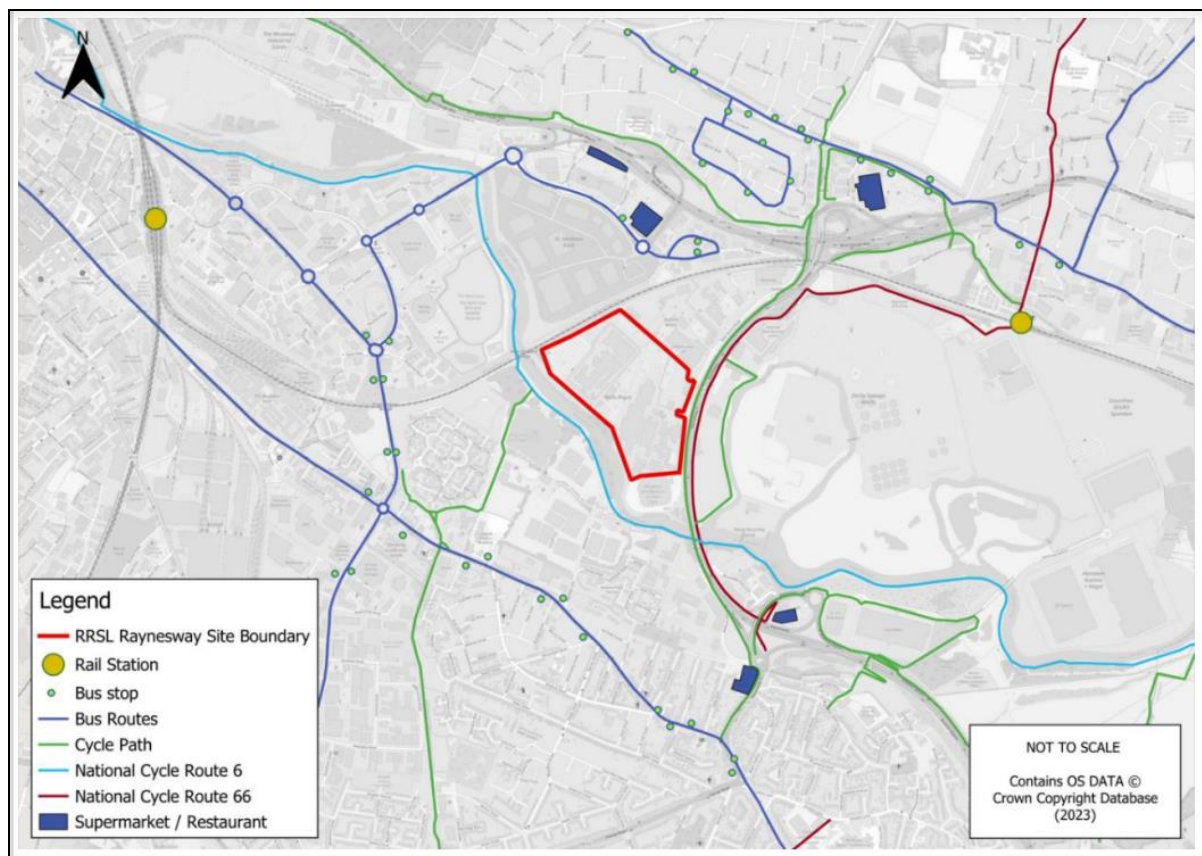


Figure 2: Cycle Route, Public Transport Network

Non-Motorised Users

On average a person walks around 1.4 metres per second. On this basis a 20 minute walk distance is around 1.7 kilometres or 1 mile. Presently, this means that the outskirts of south Chaddesden and Alvaston District Centre are approximately 2 kilometres from this development via existing footways.

There are clear barriers around the Raynesway area for walking and cycling, not least the Raynesway Junction itself, where controlled crossing facilities are limited and the character and scale of traffic makes it an unpleasant junction to navigate for non-motorised users.

Whilst there are relatively good links to Alvaston for pedestrians, and Route 6 and the Riverside Path for cyclists to the City Centre, the links to the north and areas like Spondon and Chellaston are less connected. Further, the elevated sections of Raynesway Junction mean that providing improvements is difficult without significant investment. This is demonstrated by some of the existing sub-standard facilities, such as the existing cycle rail from the East Service Road on the steps to the slip road that joins the A52/Nottingham Road Gyratory.

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There are known issues around the safety of cyclists crossing the service road, particularly over the entrance into the Rolls Royce, and across the other service road access points. Further, the Addendum Transport Assessment (ATA), submitted with this application, does identify the forward visibility problem on the west bound A52 slip road and poor crossing facilities between the shared footway/cycleway. Something does need to be done on the visibility and the trees on the embankment are a problem. **However, all these issues are partly on the A5111(T) and National Highways would have to agree to any improvement scheme.**

The ATA outlines a number of areas that could be improved. Such improvements would normally be conditioned and delivered through a Section 278. However, the ATA does not provide any details of potential scheme designs, and in order to condition the improvement there would have to be some certainty that they could be delivered.

Given the time constraints associated with this application, a contribution towards non-motorised user infrastructure will be taken through a S106 contribution. This leaves the Council to design and make the improvements to the network. As such, it is proposed that a catchment area is defined, within which the contribution can be spent. The area proposed includes the A52(T) Spondon Gyratory and surrounding area, the A5111(T) corridor and Alvaston District Centre.

The ATA identifies that Rolls Royce currently has 420 high quality secure cycle stands within its site. Further, that shower and changing facilities have also been provided. We know from work on the Raynesway Travel Plan, that there is a strong employee cycling group. Indeed, the ATA identifies a pre-Covid mode share for cycling of 10.84%, from a survey undertaken in 2020. However, that has since dropped to 5.47% in 2023 but still remains a relatively high mode share compared to average commuters in Derby. With the proposed additional 174 spaces this equates to 594 spaces or 12% of the future total number of employees. **A condition will be included, with the phasing of development, which accounts for the cumulative number of car, cycle, EV charging and disabled parking spaces to be included in each reserved matter application.**

The proposed bridge between the RRSL site and the new MSCP will be for pedestrians only and cyclists will not be able to use it. Therefore, provision of spaces on the MSCP car park will provide an opportunity for employees from the northwest of the city to cross the Meadow Lane Footbridge and use the cycle links through the Wyvern to access the St Modwen Car Park. This will provide a better route than trying to traverse the elevated junction layout of Raynesway.

The St Modwen Multi Storey Car Park proposes 48 secure cycle spaces and will also include a bike maintenance hub. The cycle parking is currently proposed in a location next to the bridge. The MSCP will be secured by a fence around the perimeter and only Rolls Royce employees will be allowed access.

Public Transport

There are no bus services that currently serve the businesses that operate on Raynesway. As such, the nearest stop is on London Road, approximately 1.4

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kilometres from the RRSL site or a 20 minute walk. Frequent services also operate on Derby Road to the north of the site, and again these stops are approximately a 20 minute walk time. This is not an attractive distance to walk to a bus stop and generally as rule 400 metres is considered an acceptable distance, and 800 metres a maximum, according to industry guidance.

There have been previous attempts to provide bus services into Raynesway. However, the area sits between two major radial routes, and as such it does not naturally fit with existing service routings. The Arriva 4a route was created in 2015, which served Pride Park, Wyvern and the City Centre. The service basically ran along London Road and crossed Raynesway and terminated in the Derby Commercial Park. However, patronage to the Commercial Park was low and the service was withdrawn.

Rolls Royce do operate a shuttle service between Raynesway, Pride Park and Derby City Centre at a frequency of one every 40 minutes. The shuttle service was withdrawn during Covid and has recently been re-introduced. However, the service isn't really frequent enough for commuters and it is used to run employees between the park and ride on pride park, Jubilee House and those staying on business at hotels in the city centre.

With no easy solution to providing an economically sustainable public transport service to the site, it is better to focus on cycling and the travel plan to promote options that might work such as car sharing.

Travel Plan

At present, it is estimated that there are currently 3,630 employees on the RRSL site, which are composed of 88% office-based employees and 12% manufacturing employees. RRSL indicated that 100% of office employees work primarily between 08:00 to 16:00 with a degree of variance to allow for flexible working. Presently, employees are required to work three days in the office, which includes any external business meetings. Manufacturing employees work in three shifts of 06:00 to 14:00 (36%); 14:00 to 22:00 (36%); and 22:00 to 06:00 (28%).

Rolls Royce has an established travel plan for the Raynesway site, which it introduced in 2011. It's has implemented a Travel Plan intranet site, a car sharing scheme, 420 secure bike spaces, showers and changing facilities, Bike2Work Scheme and a programme of monitoring using an employee survey. **Table 1** below provides employee survey information from 2014, February 2020, and March 2023. The surveys normally achieve a high response rate of around 50% and show that between 2014 and 2020 that Rolls Royce has managed to reduce single car occupancy by 11.5%, but post pandemic this figure has increased again by 6.2%

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Primary Mode of Travel	2014	2020	2023	Derby Average 2011
Single Occupancy Vehicle	89%	77.5%	83.7%	67%
Car-share	4%	5.6%	5.8%	
Bus travel	0.30%	0.5%	0.8%	10%
Train travel	0%	1.9%	0.8%	
Cycling	5%	10.8%	5.5%	4%
Motorcycle	0.70%	0.5%	0.7%	
Taxi	0%	0.0%	0.4%	
Walk	0%	2.20%	1.5%	12%
Other	3%	0%		8%

Table 1: Rolls Royce Journey to Work Mode Share and Derby's Average Taken from 2011 Census

Compared to Derby's average mode share by workplace, the Rolls Royce single car occupancy is relatively high, 83.7% compared to an average of 67% across Derby's workforce. This perhaps reflects the location of the site and the lack of public transport. For example, Rolls Royce's mode share compared to the average across Derby is about 2.5% compared to 10%. Further, walking is also relatively low with around a 2% mode share compared to 12% for Derby. Postcode information on employee home addresses perhaps reveals why and that less than 1% live within 1 mile of the site, and 80% live over 3 miles away. However, cycling mode share is relatively high for Rolls Royce, although it has reduced since the pandemic. The 2020 Rolls Royce employee survey recorded a mode share for cycling of 10.8% compared to a Derby average of 4%. Further, there is also a relatively positive mode share for car sharing of around 6%, which compares to other large employees in Derby of around 3%. The survey information reveals that where Rolls Royce have invested in travel plan measures, such as cycle facilities on site and car sharing, that they have managed to reduce single occupancy car trips.

Further, since the pandemic Rolls Royce has introduced a hybrid working from home policy, which allows non-shift workers to work 2 days at home. This will reduce employee car trips across the week by approximately 20%. However, if all employees chose to take Mondays and Fridays to work at home then this will not have a positive impact on the other three working days in terms of network operation. A Framework Travel Plan (FTP) will be provided for the development based on the current travel plan for the existing site. The framework includes a number of initiatives to support sustainable travel. For example:

Co-ordination of Travel Plan:

- A Travel Plan Co-ordinator (TCP) from within Rolls Royce, (to be named).
- Travel Plan RRSL
- Promotion and dissemination of Travel Information Packs.
- Provision of a travel information notice board in prominent locations.

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Walking and cycling Initiatives:

- Retention of the 420 secure, covered high quality cycle shelters/pods and expansion for another 170 spaces.
- Cycle spaces to be incorporated into the design of the redeveloped site located as close to new workplaces as possible to be set out in the Reserved Matters Applications.
- Showers, changing facilities, locker areas to be incorporated into the new buildings and when existing buildings are refurbished.
- Investigate the potential to improve cycle parking and shower/changing signage.
- Creation of an interactive walking and cycling map showing all walking and cycling routes in proximity to the Site.
- Setting up a Bicycle User Group (BUG) to promote cycling events.
- Complete regular audits of cycle facilities and monitor cycle parking usage, with a view for additional provision if 90% take-up is reached regularly.
- Investigate purchasing a number of personal alarms for issue to staff; and
- Undertaking activities to promote the Cycle to Work scheme, such as cycle maintenance sessions and cycle challenges.

Public Transport:

- Display and update bus information on relevant notice boards. Information on rail stations, timetables, bus fares, ticket types, season tickets and bus company contact details will also be provided.
- TPC to liaise with local public transport operators to seek potential employee discounts.
- TPC will promote the use of modes other than the private car for employment trips by promoting personalised online travel planning services.
- TPC to work with public transport operators and DCC to investigate how the Site can be better served by bus and how a new bus service can be introduced.

Car Sharing:

- Provision of priority spaces for car sharers at the Site (linked to the development of a Car Park Management Plan.
- Locate car share 'priority parking' spaces nearest the main accesses entrance. Locations to be determined as part of the full TP.
- Set up a car sharing group.
- Review providing a Car Share mileage reimbursement rate to employees.

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-
- Raise awareness of the sharing scheme with marketing and communication materials including within employees' TIPs.
 - Introduction of measures to encourage car sharing including guaranteed lift home in the case of emergency.
 - Annual travel surveys including car park surveys to assess occupancy levels will seek to identify any problems with car parking arrangements and use.
 - Details of local taxi firms included on the sustainable travel section of the company intranet as well as in the TIPs and notice boards.

Car Park Management:

- Development of a parking policy which could prioritise parking for essential users and car sharing and consideration of demand management techniques, such as a charging policy.
- Parking permits that restrict parking on certain days and giving up a parking space in return for public transport or cycle vouchers.
- Introduction of a Car Park Management Plan in order to improve the management of car parking and the enforcement of poor parking behaviour.
- Funding of a car park management team, including an on-site car park attendant so that issues regarding car parking can be addressed pro-actively.
- Distribute 'eco driving' information through marketing channels, to help drivers save money and reduce emissions.

Installation of further charging bays for Plug-in Electric Vehicles (PEVs).

Monitoring:

- A travel plan target of 6.2% reduction in single car occupancy.
- Annual monitoring including employee survey.

The Framework Travel Plan is very comprehensive, and it will be secured through condition based on the draft that has been submitted with this application. A single car occupancy (SOV) target of 6.2% has been set, which returns the mode share to the pre-pandemic levels recorded in the staff survey. The ambition should be 10% but the historical travel surveys provide a valuable measure of success that at least show Rolls Royce has moved away from a SOV of 89% in 2014. Further, homeworking, and the reduction in any travel demand, remains one of the most sustainable measures that can be introduced. However, homeworking is only effective if it is spread across the week. A more detailed analysis of homeworking has been requested to be included in the monitoring results. As such, the target maybe adjusted depending on the outcome of the first survey results.

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Conclusion

It is considered that the applicant has done as much as can reasonably be expected to make this site sustainable.

2.2 Safe and suitable access to the site can be achieved for all people

This application is outline only and access will be a reserved matter, although the ATA does not suggest any proposed changes to the current arrangement at the RRSL Raynesway site.

However, it is worth noting that there have been past problems with Rolls Royce traffic around Raynesway, particularly in the AM Peak as employees enter the site. It is identified in the TA that traffic still queues back onto the slip road from the A5111(T), although, this isn't as extensive as historically observed. In part the queuing has been relieved by the second entrance adjacent to the BOC Gas site, which provides access to some of the parking on site. However, any small amount of queuing is a potential safety problem, particularly on the A5111(T), which is a 50 mph Trunk Road Route.

As such, the access management strategy for the site is an important consideration for any future reserved matter. The ATA identifies the access area on the general layout plan but does not suggest any changes to this layout. **As such, a condition will be included that any changes to layout and control of the access will need to be agreed with the Highway Authority.**

2.3 Transport Impacts of the development.

NPPF suggests the impact of the residual trips (i.e. the remaining car trips after travel by other modes has been taken into account), should be mitigated as long as it is affordable in the context of the value of the development. The Government does not define 'severe impact'. DCC takes the view that in this context 'severe' can relate to congestion, but definitely relates to safety.

Development Proposals and Parking

The proposals include for the redevelopment and expansion of the RRSL site at Raynesway. This includes an additional 68,133 sqm of manufacturing (Use Class B2) and ancillary office (Use Class E), and 36,297 sui generis use that is mainly car parking. The development is proposed to be constructed over the next five years and when fully operational the number of employees will increase from 3630 to 4827, or 1197 additional employees.

The proposals include the consolidation of parking on-site and the construction of a new multi-storey car park. In addition, an 887 space multi-storey car park (MSCP) will be constructed off-site on St Modwen Park, Wyvern.

A detailed assessment of the parking requirements is contained in the Transport Assessment that accompanies the planning application. It identifies that currently there are 2398 spaces in use on the Raynesway site, and 3630 (3508 daytime) employees, which equates to 1.46 employees per space or parking for 68% of staff.

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The difference between the single occupancy mode share of 84% and car parking provision for staff is related to not all staff being on site at anyone given day because of annual leave, working from home, sickness and external business trips. As such the day-time employee population is likely to be less than 3508 per day.

The proposed redevelopment and expansion of the site will see employee numbers grow to 4827 (4665 daytime) employees. Based on the employee per space ratio, the equivalent number of spaces would equate to 3188 spaces or an increase of 790 additional spaces. However, the parking numbers at Raynesway will not remain the same and it is proposed that 2196 will be provided, or 202 less spaces. Therefore, this equates to an off-site demand of 992. As such, the MSCP on St Modwen Park provides for a slight shortfall in demand of 105 spaces, or 3.3%.

However, in order to understand whether the number of parking spaces are justified, the total land use for the RRS� Raynesway site, including the existing and proposed development plus existing, is set against the parking standards contained in Part 1 of the Derby Local Plan (2016).

Parking Based on Floor Space					
Land Use Classification	GIA		Parking Space per SQM GIA	Parking	
	Exisitng	Proposed +Existing		Exisitng	Proposed
B2	49953	98005	68	735	1441
Office (E)	26452	46533	24	1102	1939
B8	639	639	172	4	4
Total	77044	145177		1840	3384
Total Parking Existing/Proposed				2398	3038
As % of Maximum Parking Standard				130%	90%

Note: Proposed Sui Generis (36,297 sqm) not included because it relates to car parking, and Parking Space per SQM has been converted from GFA to GIA based on 20% Difference

Table 2: Parking Based on DCC Maximum Standards

Table 2 shows that based on DCC's parking standards that currently there is a 30% over provision of parking. With the proposed development expansion there is 10% less parking spaces than the maximum standard.

Cycle and Other Parking

Derby parking standards suggest that for developments of 1000m2 and above, the provision of cycle spaces should follow the basic guideline of 5% of the maximum parking provision for cars. Based on this then the total cycle parking requirement for the expanded RRS� site would be cycle 152 spaces. However, Government guidance on cycle infrastructure design contained in LTN1/20 (2022), suggests 429 long stay spaces for the mix of office and manufacturing proposed.

In total the RRS� site will provide 594 long stay spaces, which is in excess of Derby City Council policy and guidance provided by government.

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The number of disabled spaces has not been specifically identified and will be set out in the reserved matters applications. However, the TA identifies that disabled parking will be provided in-line with Derby City Council's parking standards.

Derby City Council does not have any specific guidance on Electric Vehicle (EV) charging parking. The new MSCP will provide 56 EV charging spaces and 97 passive spaces with ducting for future connection. This equates 17% of the total parking for the MSCP.

A condition will be included, with the phasing of development, which accounts for the cumulative number of car, cycle, EV charging and disabled parking spaces to be included in each reserved matter application.

Transport Assessment

The impacts of the expansion of the Rolls Royce Submarines Limited (RRSL) Raynesway site will be as a consequence of the trip generation from the new 887 space Multi Storey Car Park on St Modwen Park. This will include some new trips but also the movement of 202 spaces from the RRSL site, which will have some benefit in terms of reducing trips in the Raynesway area.

Appendix B of the Addendum Transport Assessment, submitted with this planning application, sets out the traffic impact analysis, prepared by RLRE Consulting Engineers on behalf of St Modwen. This is the same assessment report submitted with the Multi Storey Car Park application 23/01646/FUL.

The main area of impact is going to be on the Wyvern Way area and the points of access in and out. The trip generation from the MSCP has been calculated using an observed trip profile taken from parking on the RRSL site. A survey of the car parks was undertaken in March 2023 over two 24 hour periods to produce a trip rate per space. It should be noted that staff do not all arrive at work in a single morning peak hour or depart in a single evening peak hour and that there is an arrival and departure profile across the whole day. Indeed, for Rolls Royce the main arrivals are between 0600 hrs and 1000 hrs, with around 41% of movements in this three hour period arriving between 0700 hrs and 0800 hrs. In the PM the departures are also spread with the main exodus between 1500 hrs and 1800 hrs. The Peak PM movement is between 1600 hrs to 1700 hrs when around 39% of the movements across the three hour period leave. **Table 3** summarises the total predicted movements during the peak hours.

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Time Period	MSCP		D100 Extant Permission (9,400 sqm GFA)		Net Trip Generation (MSCP-D100 Extant)	
	Arr	Dep	Arr	Dep	Arr	Dep
AM Peak 0700-0800	297	17	62	30	235	-13
AM Peak 0800-0900	199	19	62	30	137	-11
PM Peak 1600-1700	12	239	25	54	-13	185
PM Peak 1700-1800	10	173	25	54	-15	119
Daily 0000-2400	2089		923		1166	

Table 3: Predicted Trip Generation of MSCP and Trip generation of the Extant Permission for the Industrial Unit that the MSCP will Replace.

The largest predicted peak in trip generation is during the morning between 0700-0800 with 297 arrivals and 17 departures. In the PM it is between 1600 and 1700 hrs with 12 arrivals and 239 departures. However, the MSCP will be constructed on part of the St Modwen Park site that has an extant permission for a 9,400 sqm GFA manufacturing unit. As such, the net trip generation, and hence total impact, is the difference between the trip generation of the existing consented land use and the MSCP. **Table 3** also provides a summary of the predicted trip generation from the extant permission and shows the net trip generation.

The impact of the MSCP was tested using a signal junction network model, which was constructed in LINSIG and covered the Wyvern Way and A52 Junctions. In order to build the model, traffic turning flow surveys and queue length surveys were undertaken in March 2023. The predicted MSCP trips were assigned to the network using postcode information on the home location of existing Rolls Royce employees from the Raynesway Site. The modelling was tested using growthed background traffic flows and a 2028 forecast, which is the year that the MSCP is programmed to be completed and operational.

Table 4 provides a summary of the predicted change in operation at each of the junctions during the peak traffic periods.

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Junction	2028 Base (with St Modwen Extant Permission)		2028 + Proposed MSCP		2028 + Mitigation	
	PRC	Total Delay (pcu/hr)	PRC	Total Delay (pcu/hr)	PRC	Total Delay (pcu/hr)
0700-0800						
Derwent Parade Rdbt	22.1%	20.0	15.4%	22.2	15.4%	22.2
Pullman Road Signals	60.1%	8.8	43.8%	12.1	43.8%	12.0
The Sidings Signals	104.2%	3.4	104.2%	4.9	104.2%	5.6
Stanier Way Rdbt	138.4%	4.7	61.9%	5.0	61.9%	5.8
0800-0900						
Derwent Parade Rdbt	-7.0%	42.2	-8.1%	50.4	-8.1%	50.4
Pullman Road Signals	36.7%	15.5	22.4%	16.0	22.4%	15.9
The Sidings Signals	99.4%	4.3	91.7%	4.5	91.7%	4.7
Stanier Way Rdbt	59.3%	6.2	23.1%	7.2	23.1%	8.2
1600-1700						
Derwent Parade Rdbt	-5.6%	46.9	-5.6%	48.9	-5.6%	48.2
Pullman Road Signals	-3.0%	8.831.0	-4.5%	31.3	-4.5%	31.3
The Sidings Signals	22.3%	3.49.3	21.92%	9.6	21.9%	9.4
Stanier Way Rdbt	18.3%	4.714.0	-4.5%	15.4	3.8%	16.8
1700-1800						
Derwent Parade Rdbt	-4.8%	45.9	-3.5%	45.2	-3.5%	45.2
Pullman Road Signals	-3.8%	31.2	-3.8%	30.3	-3.8%	30.4
The Sidings Signals	24.5%	8.7	24.5%	8.9	24.5%	9.2
Stanier Way Rdbt	15.7%	9.7	4.3%	10.8	12.1%	13.7

Table 4: Summary of the Operational Capacity (Practical Reserve Capacity-PRC) of the Wyvern Junctions

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Although the greatest number of employees is predicted to arrive at the proposed MSCP during the peak hour 0700-0800, around 235 additional trips (see Table 3), the network is predicted to still operate within capacity in 2028. However, the development trips do have a significant impact the capacity of the Derwent Parade/Wyvern Way and the Stanier Way Signal Roundabouts. During the 0800-0900 Peak Hour the MSCP is predicted to generate around 137 additional trips. However, during this hour the network is more sensitive to change, because of background traffic conditions. Derwent Parade/Wyvern Way signalised roundabout is predicted to operate over capacity with a negative Practical Reserve Capacity (PRC) of -7.0%. Again, there is a significant impact on the Stanier Way Signalised Roundabout but it still operates within capacity. It is the Derwent Parade Signal Junction that sees a further negative reduction in capacity from -7.0% to -8.1% PRC.

The Junction Modelling results in the Table 4 above predict that by 2028 the background network is operating over capacity in both PM Peak hours, but that the 1600-1700 is slightly worse, with Derwent Parade Roundabout operating with a -4.8% PRC and the Pullman Road signals operating with a -3.5% PRC. This peak hour is also predicted to be when the proposed MSCP will generate the most trips as Roll Royce employees leave work. Indeed, the proposed development is predicted to add 185 trips to the network and have a significant impact on the Stanier Way Roundabout reducing its PRC from 18.3% to -4.5%.

To put the impact into context, a negative PRC is the point at which queues start to form. **Figure 3 and 4** provides a summary of the AM 0800-0900 and PM Peak 1600-1700 queues, including the observed queues from the 2023 March survey, the predicted 2028 queues with the full St Modwen Park extant planning permission, and the proposed MSCP minus the extant 9,400 sqm industrial unit that the car park replaces.

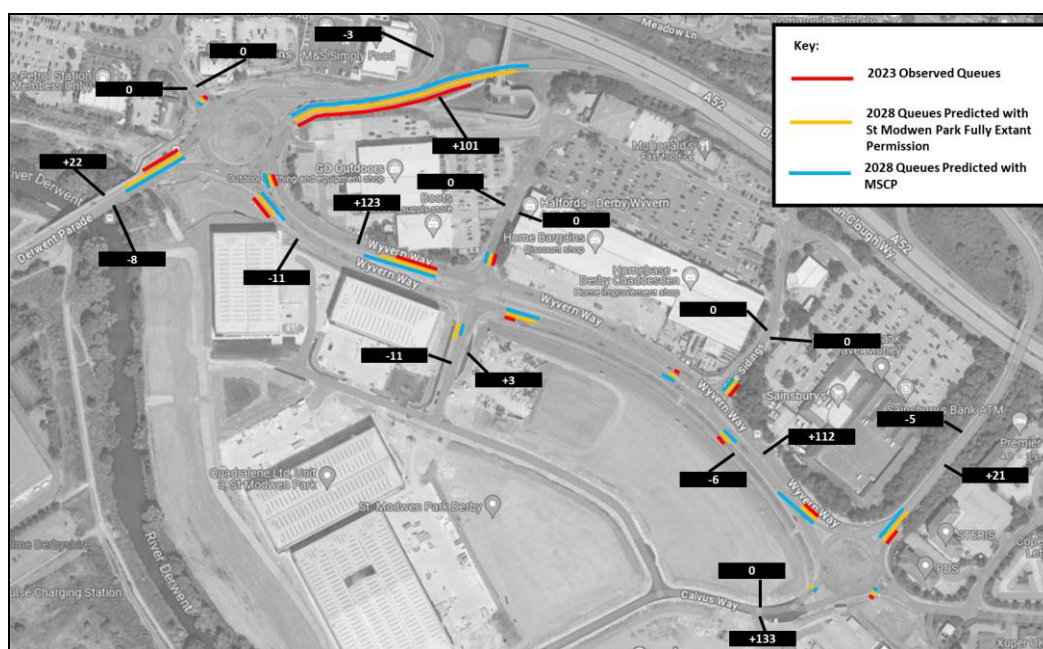


Figure 3: AM Peak 0800-0900 Observed & Predicted Queues, and Net Change in Traffic Flows as a Result of the Proposed MSCP

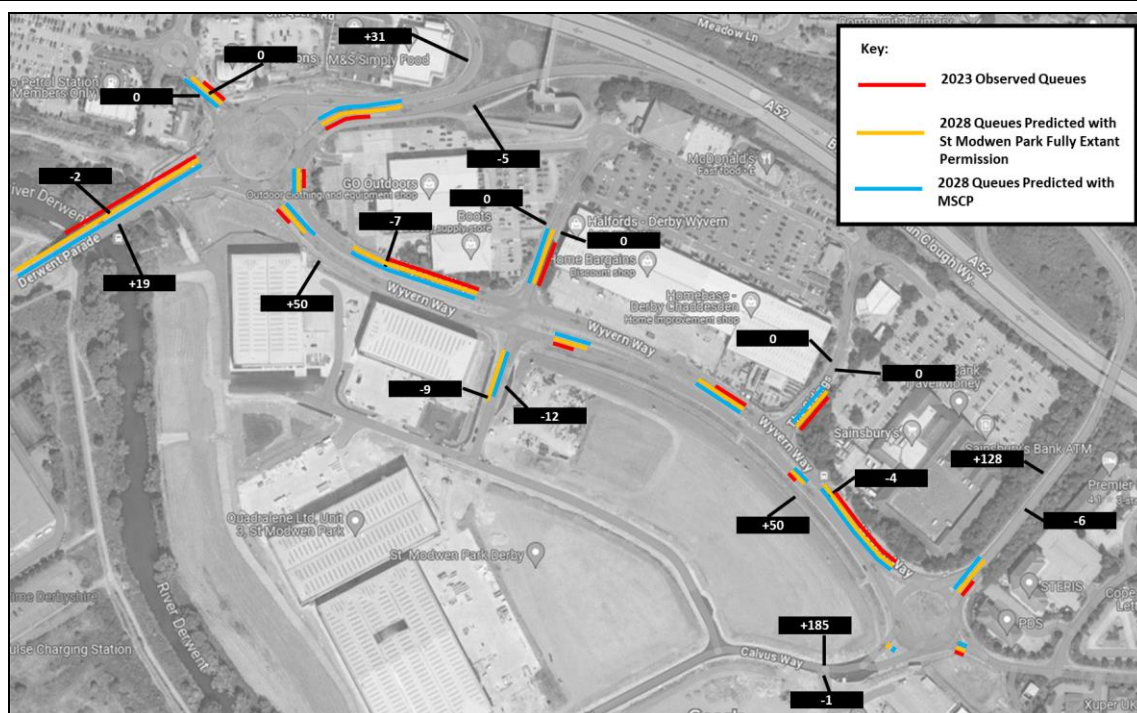


Figure 4: PM Peak 1600-1700 Observed & Predicted Queues, and Net Change in Traffic Flows as a Result of the Proposed MSCP

The queue lengths shown in Figures 3 and 4 are a consequence of stacking at the junctions. Overall, the impacts of the MSCP will be on the Derwent Parade/A52 Junction in the AM Peak and the Stanier Way Junction in the PM Peak. This is caused by the largest movement in development trips, which is predicted to be to and from the A52 east. The signal Junction modelling results show that the MSCP will take capacity from the network in the Wyvern area, however, the queue lengths indicate that the impacts are not predicted to be manageable.

There are wider queues that the proposed development is likely to have an impact on, particularly on the A52. Queues on the westbound carriageway of the A52 particularly during the AM Peak occur on the Wyvern off-slip lane and Raynesway Junction. These queues are not caused by the operation of the Derwent Parade/Wyvern Way Junction but are a consequence of traffic merging from Raynesway and traffic on the A52 changing lanes in order to get into the lane for the Wyvern. It is difficult to predict how the development will impact on the A52 queues because the queuing does not occur everyday, although frequently it is observed on a Tuesday and Wednesday. However, the A52 westbound lanes carries around 1900 vehicles between 0800 and 0900 and the MSCP will generate around 101 additional vehicle trips during this peak hour from this direction. To put the change into context this is an increase of around 5.3%.

Proposed Mitigation

The Wyvern Junctions scheme was completed in July 2021. The scheme was never designed to provide significant future capacity to the Wyvern Way area. The improvement scheme was physically constrained by the Derwent Parade bridge and

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eastbound over bridge to the A52. However, the scheme was designed to provide some capacity to allow for the St Modwens Park development and improve the control and operation through the network by signalising the junctions on Wyvern Way and widening the carriageway. Further, the scheme also provides significant safety benefits for pedestrians and cyclists by providing cycle lanes and signal control crossings. As such, there is little more that can be done to improve the junctions.

The applicant is proposing a scheme to signalise the Calvas Way arm of the Stanier Way junction. Calvas Way provides the access from St Modwen Park and the proposed MSCP. Further, Calvas Way will also be widened to provide two lanes to the approach to the Stanier Way junction, See **Figure 5**. This provides some benefit, particularly in the PM Peak as shown in **Table 4**, where the PRC is improved from -4.5% to 3.8%. However, the scheme does not mitigate the impacts at the Derwent Parade/Wyvern Way Signalised Junction. As such, the applicant has agreed to provide a contribution to provide a fibre optic connection to the signal junctions on the Wyvern so that they can be connected by SCOOT. This will allow the signals to be co-ordinated to match traffic conditions. The system will not provide additional capacity at really congested times, but it will automatically adjust signal timings to give the best performance across the network when capacity allows.

The PM Peak will be sensitive to the amount of traffic that will exit the proposed MSCP in the PM Peak. Indeed, the mitigation put forward is constrained by the amount of land available to provide two lanes on Calvas Way, and the signal capacity at the Stanier Way Junction. As such, the applicant is proposing to limit the amount of employees leaving the MSCP to a maximum of 300. This is the point where the network begins to be significantly affected by the additional traffic. Currently, it is predicted that the peak departures in the PM Peak (1600-1700) will be 239 employees. **A condition will be proposed that seeks to manage and monitor the MSCP and provide a mechanism for DCC to discuss with Rolls Royce and St Modwen.**

However, members should be aware that whilst the proposed development has been assessed, and that the impacts are predicted to be manageable, there is a limit to any further capacity improvements. As such, if the St Modwen Park site or the proposed MSCP do not operate as predicted then there is the potential for increased delays and congestion in the area.

In view of the above and the proposed condition, Highways Development Control consider the development proposals to be acceptable.

2.4 Construction Management

Parking Management

A significant amount of construction and demolition will take place, which means that large parts of the site will not be in operation during the build programme, including car parking. Indeed, according to the profile provided in the Addendum Transport Assessment, there is predicted to be a shortfall in quarter 3 of 2025 of -1244 spaces.

The Construction Phasing and Car Park Strategy identifies potential measures to mitigate the on-site parking deficiency during construction. This includes:

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- Transfer of some warehousing functions to the St Modwen Park Site and use of 70 car parking spaces by 2024 (Q4).
 - Temporary relocation of approximately 440 staff from RRSL to Sinfin site and Jubilee House on Pride Park.
 - Implementation of Travel Plan.
 - Construction of the 871 space MSCP on St Modwen Park by 2025 (Q1).

If implemented the strategy would not see a shortfall in parking across the construction period to 2028. However, without the proposed MSCP then there would be a shortfall in parking of -760 spaces.

As such, the construction and timing of the MSCP on St Modwen Park is critical to the whole build programme on the RRSL site. If construction continues without sufficient parking supply, and the development begins to be occupied with existing and additional staff, then this could push employees to look for parking in the surrounding area or to park inappropriately. **As such, a condition will be included for a trigger point for the completion of the MSCP on St Modwen Park.**

Phasing of Pedestrian Bridge

The construction of the pedestrian bridge is clearly a major risk to redevelopment of the Raynesway Site. Without the pedestrian bridge then there is a major question over the location of additional parking and relationship to the RRSL site. As such, it is unlikely that the St Modwen Park MSCP would be seen as a viable option and DCC would be asking for other options. **As such, the construction of the pedestrian bridge and its phasing should be conditioned as part of the planning consent.** This will ensure that there is dialog between Rolls Royce and the LPA on its construction, but it will also raise the profile of the bridge construction within the build programme ensuring that it is on a critical path.

The expansion of the RRSL site is programmed to start construction in 2024 (Q2), with the completion of the MSCP in 2025 (Q1). The footbridge is expected to take 18 months from design to construction, however, it has to pass Network Rail's design gateways and track possession will be required during construction. Track possession, where the rail line is temporarily closed over night, has to be booked in advanced and is subject to other works on the rail network. Further, the bridge will require a possession over an 8 hour night-time period and as such would require a longer possession, which are only available over Christmas Day or Easter. Therefore, depending on the track procession, the programme for the bridge construction could be beyond the completion and opening of the MSCP.

As a contingency measure, the applicant has put forward a proposal to provide a shuttle bus service between the new MSCP and Raynesway. The initial proposal is to provide up to a 10 minute frequency service using 3 single decker buses. This seems a reasonable approach, however, the 15 minute journey time in peak traffic conditions will not be popular with employees. As such, it should not be considered as a long-term proposal. **The bus strategy will be conditioned based on the draft**

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information submitted, with a finalised version conditioned to be submit at trigger point related to the build programme of the MSCP and bridge.

3.0 Conclusion and Conditions

3.1 Conclusion

This application specifically deals with the expansion of the Rolls Royce Submarines Limited Raynesway (RRSL) site. However, as a consequence of the expansion, Rolls Royce are proposing to provide a 887 space multi-storey car park on St Modwen Park located on Wyvern Way. The car park will be located directly opposite the Raynesway site on the other side of the Midland Main Line track, which separates the two areas. A pedestrian footbridge will be constructed to directly join the Raynesway site to the car park. As such, the Multi Storey Car Park (MSCP) application is intrinsically linked and the expansion of the Rolls Royce facility relies on the construction of the car park and footbridge coming forward in a timely manner.

The impacts of the expansion of the RRSL Raynesway site will be as a consequence of the trip generation from the new 887 space MSCP on St Modwen Park, which is provided under a separate planning application (23/01646/FUL). This will include some new trips but also the movement of 202 spaces from the RRSL site, which will have some benefit in terms of reducing trips in the Raynesway area.

Overall, the impacts of the MSCP will be on the Derwent Parade/A52 Junction in the AM Peak and the Stanier Way Junction in the PM Peak. This is caused by the largest movement in development trips, which is predicted to be to and from the A52 east. The signal Junction modelling results show that the MSCP will take capacity from the network in the Wyvern area, however, the queue lengths indicate that the impacts are predicted to be manageable.

The application has identified mitigation to reduce its impact where physically possible, and includes schemes or funding to support off-site cycle improvements, and a framework travel plan. However, members should be aware that whilst the proposed development has been assessed, and that the impacts are predicted to be manageable, there is a limit to any further capacity improvements on the Wyvern Way. As such, if the St Modwen Park site or the proposed MSCP do not operate as predicted then there is the potential for increased delays and congestion in the area.

Overall, there are no highway objections to the principle of the development subject to the following conditions and notes.

3.2 Suggested Conditions and Notes

The following provides a suggested list of conditions, which are set out against this application and the MSCP application and broadly includes the following:

RRSL Raynesway Application 23/00817/OUT

- Condition linking the RRSL development consent to the St Modwen Park Car Park consent.
- A condition that identifies any changes to layout and control of the access will be agreed with the Highway Authority.

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- Travel Plan condition based on the submitted framework travel plan.
- Minimum number and standard of cycle parking provision.
- A phasing condition that includes the cumulative number of car, cycle, EV charging and disabled parking spaces to be included in each reserved matter application.
- A condition to limit the number of vehicles exiting the MSCP during the PM Peak, and a manage and monitor mechanism.
- Parking management plan to support the construction phasing.
- Trigger point for the completion of the pedestrian footbridge.
- Details of the bus strategy based on the draft information submitted, with a finalised version conditioned to be submit at trigger point related to the build programme of the MSCP and bridge, if the bridge is not constructed at the same time as the MSCP.
- Construction Management Plan

Proposed MSCP, St Modwen Park 23/01646/FUL

The mitigation for the Roger Leak's transport assessment has been agreed and this includes a scheme on Calvus Way and contribution towards fibre optics to support the implementation of SCOOT at the Wyvern Junctions. As such, the following conditions are suggested:

- The improvement scheme to the Stanier Way/Calvus Way Junction
- A condition to limit the number of vehicles exiting the MSCP during the PM Peak, and a manage and monitor mechanism.
- Control of the MSCP for Rolls Royce use only.
- Minimum number and standard of cycle parking provision.
- Construction Management Plan

Notes to Applicant

- a) Works are potentially required to be undertaken where the development accesses join the public highway, which is land subject to the provisions of the Highways Act 1980 (as amended) and over which you have no control. For these works to proceed, you are required to enter into an agreement under S278 of the Act. Please contact Keren Jones Tel 01332 641767 for details. Please note that under the provisions of S278 Highways Act 1980 (as amended) commuted sums will be payable in respect of all S278 works.

For details of the Delivering Streets and Places Design Guide and general construction advice please contact Keren Jones Tel 01332 641767.

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5.4. Network Rail Property:

Network Rail own, operate and develop Britain's railway infrastructure. Our role is to deliver a safe and reliable railway. All consultations are assessed with the safety of the operational railway in mind and responded to on this basis.

Following assessment of the details provided to support the above application, Network Rail can confirm that it is aware of this scheme and the developer is fully engaged with us in respect of the delivery of this development. We are therefore supportive of this application, subject to detailed design and agreement with Network Rail under the Bridge Agreement processes undertaken between the developer and our asset protection team.

Conclusion

Thank you again for the opportunity to comment on the proposed scheme. We trust that the above will be given due consideration in determining the application and if you have any enquiries in relation to the above, please contact us at townplanninglne@networkrail.co.uk.

5.5. Environment Agency:

Environment Agency position: Flood Risk

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

Condition

The development shall be carried out in accordance with the submitted flood risk assessment (ref 23150-RLL-23-XX-RP-C-001, Rev P02, P23-150, 26th October 2023) and the accompanying technical note (document reference 23150-RLL-24-XX-TN-C0001, Revision P01, 22nd January 2024) and the following mitigation measures it details:

- Finished floor levels of the multi-story car park shall be set no lower than 45.675 metres above Ordnance Datum (AOD)

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason(s) – To reduce the risk of flooding to the proposed development and future occupants

Condition

The development hereby permitted must not be commenced until such time as a scheme to provide detailed design of the pedestrian footbridge and associated infrastructure along with a flood risk assessment has been submitted to, and approved in writing by, the local planning authority.

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The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Flood warning and emergency response - advice to LPA

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network. Planning practice guidance (PPG) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you refer to 'Flood risk emergency plans for new development' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 167 of the NPPF and the guiding principles of the PPG.

Signing up for flood warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>

To get help during a flood, visit <https://www.gov.uk/help-during-flood>

For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

Environment Agency Position: Regulated Industry

The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable to any off-site movements of wastes.

The Code of Practice applies to you if you produce, carry, keep, dispose of, treat, import or have control of waste in England or Wales.

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The law requires anyone dealing with waste to keep it safe and make sure it's dealt with responsibly and only given to businesses authorised to take it. The code of practice can be found here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/506917/waste-duty-of-care-code-practice-2016.pdf

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/506917/waste-duty-of-care-code-practice-2016.pdf

If you need to register as a carrier of waste, please follow the instructions here: <https://www.gov.uk/register-as-a-waste-carrier-broker-or-dealer-wales>

In order to meet the applicant's objectives for the waste hierarchy and obligations under the duty of care, it is important that waste is properly classified. Some waste (e.g. wood and wood based products) may be either a hazardous or non-hazardous waste dependent upon whether or not they have had preservative treatments.

Proper classification of the waste both ensures compliance and enables the correct onward handling and treatment to be applied. In the case of treated wood, it may require high temperature incineration in a directive compliant facility. More information on this can be found here: <https://www.gov.uk/how-to-classify-different-types-of-waste>

If waste is to be used on site, the applicant will need to ensure they can comply with the exclusion from the Waste Framework Directive (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc...' (Meeting these criteria mean the material is not waste and permitting requirements do not apply).

Where the applicant cannot meet the criteria, they will be required to obtain the appropriate waste permit or exemption from us

A deposit of waste to land will either be a disposal or a recovery activity. The legal test for recovery is set out in Article 3(15) WFD as:

- any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.
- We have produced guidance on the recovery test which can be viewed as (insert <https://www.gov.uk/guidance/waste-recovery-plans-and-permits#waste-recoveryactivities>)

You can find more information on the waste framework directive here: <https://www.gov.uk/government/publications/environmental-permitting-guidance-the-waste-framework-directive>

More information on the definition of waste can be found here: <https://www.gov.uk/government/publications/legal-definition-of-waste-guidance>

More information on the use of waste in exempt activities can be found here: <https://www.gov.uk/government/collections/waste-exemptions-using-waste>

Non-waste activities are not regulated by us (i.e. activities carried out under the CL:ARE CoP), however you will need to decide if materials meet End of Waste or By-

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products criteria (as defined by the Waste Framework Directive). The 'Is it waste' tool, allows you to make an assessment and can be found here: <https://www.gov.uk/government/publications/isitwaste-tool-for-advice-on-the-byproducts-and-end-of-waste-tests>

The developer must apply the waste hierarchy as a priority order of prevention, re-use, recycling before considering other recovery or disposal options. Government guidance on the waste hierarchy in England can be found here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/pb_13530-waste-hierarchy-guidance.pdf

Site Waste Management Plans (SWMP) are no longer a legal requirement, however, in terms of meeting the objectives of the waste hierarchy and your duty of care, they are a useful tool and considered to be best practice. Further advice on developing a SWMP can be found here: https://www.bre.co.uk/Waste_and_recycling.html

If you require any local advice or guidance, please contact your local Environment Agency office: regulatedindustrydn1@environment-agency.gov.uk

Environment Agency position: Ground Water and Contaminated Land

Based on the provided information, no unacceptable risk to Controlled Waters has been identified and the report assess the risk to Controlled Waters as not being significant.

We consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are included as set out below. Without these conditions, we object to the proposed development on this site as it presents an unacceptable risk to the environment, until such risk is appropriately assessed and mitigated:

Condition 1

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 180 of the NPPF.

Condition 2

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

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Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 180 of the NPPF.

Note: It is anticipated that significant areas of the site will contain infilled materials, and it would not be appropriate for infiltration drainage (such as soakaways) to discharge into infilled materials, waste, or made ground.

Condition 3

Piling or any other foundation designs using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that any proposed penetrative foundation solutions do not harm groundwater resources in line with paragraph 180 of the National Planning Policy. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document “Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73”.

Advice to Applicant

We recommend that developers should:

1. Follow the risk management framework provided in our Land Contamination Risk Management (LCRM) guidance (which supersedes CLR11 Model Procedures for the Management of Land Contamination), when dealing with land affected by contamination. <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>
2. Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site. The local authority can advise on risk to other receptors, such as human health. <https://www.gov.uk/government/publications/managing-and-reducing-landcontamination>
3. Refer to the Groundwater Protection Guidance which can be found on our website at the following address: <https://www.gov.uk/government/collections/groundwater-protection>
4. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed. <https://www.claire.co.uk/projects-and-initiatives/nqms>
5. Refer to the contaminated land pages on GOV.UK for more information. <https://www.gov.uk/contaminated-land>
<https://www.gov.uk/government/collections/land-contamination-technicalguidance>

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Informatives

Waste on-site

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to our:

- Position statement on the Definition of Waste: Development Industry Code of Practice and;
- website at <https://www.gov.uk/government/organisations/environment-agency> for further guidance.

Waste to be taken off-site

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.

Refer to our website at:

<https://www.gov.uk/government/organisations/environmentagency> for more information.

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5.6. DCC Highways – Land Drainage:

This site is currently at risk of flooding, but the OCOR scheme will address that. The surface water will be drained via interceptors and an attenuation pond, so the water quality is ensured. There are no further comments from the Lead Local Flood Authority.

5.7. Environmental Services (Health –Contaminated Land):

Contaminated Land

12. Please note that the following comments do not seek to interpret or discuss the suitability, or otherwise, of any of the geotechnical aspects of the development, other than within a land contamination context.
13. In addition, all comments relate to human health risks and therefore I would refer you to the Environment Agency for their comments on any conclusions made in the report surrounding risks that may exist to controlled waters, since the Local Authority cannot comment on these aspects.
14. A Technical Note, Derby Triangle, D100 Plot (AtkinsRéalis ref: 5130228 dated September 2023) has been submitted in support of this application.
15. The report is a desk-based review that has considered previous ground investigations to determine the level of risk that historical ground contamination is likely to pose to the proposed land use.
16. The site is a former landfill site and a number of investigations have been carried out as part of the wider Derby Triangle development site. Whilst no specific site investigation has been carried out solely on the plot that is the subject of this planning application, several trial pits and boreholes have been dug within or in close proximity to the plot, as part of other investigations. In addition, a number of gas monitoring visits have been undertaken between 2012-2019.
17. In total 8 soil samples have been tested within the plot for a range of contaminants. Whilst the whole reports are not included within the technical note, the soil analysis data is summarised within the report, and I am aware that a number of these reports have been submitted previously to this department for review.
18. The technical note states that whilst some contamination has been identified within the wider site area, none of the soil test results have exceeded the selected Generic Assessment Criteria. One sample was recorded as containing asbestos, but this was located at 2.0mbgl. However, it is noted that due to the site history and levels of contamination identified elsewhere on the site, it is likely that there could be unrecorded areas of contamination present within the plot.
19. However, due to the proposed use of the site with the majority of the site being hardstanding, the report has concluded that there are limited pathways to site users. It is proposed that landscaped areas surrounding the car parking will be

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covered with a 300mm thick, clean cover layer to break any potential exposure pathways.

20. The ground gas risk assessment has identified that there would be a worst-case scenario of Characteristic Situation 2, although due to a lack of confined spaces or building proposed on the plot, it is concluded within the report that ground gas protection would not be required. The Remediation Strategy section has assumed that the car park stairwells are open structures, although this is not clear from the diagrams submitted.
21. A controlled waters risk assessment has also been submitted, although we are unable to comment on the conclusions. This should therefore be forwarded to the Environment Agency for further consideration.
22. We have no objections to the proposed risk assessment submitted with respect to human health. However, in the event that the car park stairwells are not open structures, or any buildings such as security offices etc are proposed, we would require a revised ground gas risk assessment to be submitted.
23. Whilst we do not object to the proposed clean cover for landscaped areas, we require further clarification to be submitted with respect to the proposed validation sampling that will be carried out to demonstrate that the soil used for clean cover is suitable for the intended use. This relates to both imported and site-won material. We are in agreement that the earthworks should be undertaken in accordance with the CL:AIRE DoWCoP where necessary and utilise a Material Management Plan.
24. Therefore, we would recommend that the following conditions be attached to any planning permission granted:
 - i) *Prior to the commencement of development, a more detailed Remediation Strategy will be required in order to clarify how the work will be validated as well as including a Discovery Strategy in the event that unexpected contamination is identified during the course of the development. The Remediation Strategy shall be submitted for written approval by the Local Planning Authority prior to commencement of the development.*
 - ii) *The risk reduction measures detailed within the agreed Remediation Strategy shall be implemented in full. A Validation Report shall subsequently be produced which adequately demonstrates that the measures have been implemented in full and that all significant risks to users of the development and controlled waters have been removed. The Validation Report shall be submitted to and approved in writing by the Local Planning Authority prior to the development being occupied.*

I have no other comments to make on the application regarding air quality or contaminated land at this time.

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5.8. Environmental Services (Health – Air Quality):

1. Further to our comments dated 22nd January 2024, the applicant has submitted some further clarification relating to the predicted traffic levels on Nottingham Road (email correspondence dated 30th January 2024).
2. We note that the traffic volume is now predicted to be less than with the previously consented industrial use and therefore, the air quality impact will potentially be lower than previously considered in the original outline scheme that has been altered with this proposal.
3. However, the planning permissions for the original scheme included a condition requiring a series of air quality mitigation measures to be carried out based on the environmental impact assessment submitted.
4. Whilst we recognise that some of these mitigation measures will not be applicable to the current application under consideration, it would seem appropriate to require any relevant mitigation measures to be applied also to this scheme.
5. The measures that are still considered to be relevant to this scheme are the Travel Plan, the electric charging points and the construction management plan to manage emissions during the development phase of the scheme. The current scheme does not indicate that the car park will be used by HGV's so measures relating to HGV's are unlikely to be relevant and we note that no buildings are proposed.
6. **We would therefore request that conditions relating to the air quality mitigation measures above continue to be required on any planning permission granted in line with the earlier outline planning permission. This includes our previous recommendations relating to a detailed construction environmental management plan. We are satisfied with the additional information submitted that indicates traffic levels on Nottingham Road are unlikely to increase substantially as a result of the proposed development.**

5.9. Environmental Services (Health – Noise):

With regards to the above planning application, it seeks to erect a multi-storey car park, formation of a surface car park and erection of a pedestrian footbridge across the railway line. It is anticipated that there would be some construction noise and the generation of dust from the proposed development. It is expected that the appointed contractor will be required to carry out the works in accordance with BS 5228: Code of Practice for Noise and Vibration Control on Construction and Open Sites as well as other best practice measures relating to pollution prevention and control.

I note that the proposal will involve industrial building works. Given that noise can possibly be a major issue, I advise that contractors limit noisy works to between 07.30 and 18.00 hours Monday to Friday, 07.30 and 13.00 hours on Saturdays and no noisy work on Sundays and Bank Holidays. This is to prevent nuisance to neighbours.

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Given the scale of the Development and/or its proximity to sensitive receptors, I would recommend that the applicant prepares and submits a Construction Management Plan for the control of noise and dust throughout the construction phase of the Development. Noise management procedures should have regard to the guidelines described in BS5228, or other agreed guidance/standards.

I would strongly recommend the inclusion of a condition requiring the above, for submission and approval before construction activities commence. The Plan should be complied with fully throughout the construction phase of the development. I have no other comments to make on the application regarding noise at this time.

5.10. Police Liaison Officer:

Thank you for referring this application for our attention.

Taking stock of proposed plans and section 4.1.4 of the supporting Transport Assessment, on the subject of site security, the security element of this project looks to be well thought through and comprehensive, which you would expect when considering the user profile.

I've discussed the intended security management element with the applicants agent, and no comment would be needed from us in this respect.

Track side access has been raised during consultation over previous applications for this side of St Modwen Park, and I know that boundaries may be subject to restriction because of required Network Rail access and easement for potential canal restoration.

Irrespective, the St Modwen Park side of the railway track will need to have secure enclosure when development has finished, in a position which is acceptable to all parties.

5.11. Historic England:

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

5.12. Derbyshire County Council Archaeologist:

Thank you for consulting on this application.

The proposed development has no archaeological implications and I have no objection.

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5.13. Natural England:

Natural England has no specific comments to make on this proposal or issue. Please refer to our general advice in the Annex attached.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the proposals are not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not the proposals are consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of sites and the impacts of development proposals to assist the decision making process. We advise local planning authorities to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend that local planning authorities use Natural England's Site of Special Scientific Interest Impact Risk Zones (available on [Magic](#) and as a downloadable [dataset](#)) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at:

<https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

<https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals>

<https://www.gov.uk/guidance/consulting-on-neighbourhood-plans-and-development-orders>

5.14. Derbyshire Wildlife Trust:

With reference to the above application, I am responding as the Biodiversity Planning Officer responsible for work relating to the Service Level Agreement, which the Council and the Trust have signed. The following comments are aimed at providing accurate and up to date information on the nature conservation issues associated with the proposed development.

Response

I have reviewed the Preliminary Ecological Appraisal prepared by SK Environmental Solutions Limited September 2023. I have also checked DWT's Biodiversity datasets. The ecological appraisal provides sufficient information on the biodiversity of the site and no further survey work is required.

The development does not adversely affect any designated nature conservation sites and impacts on habitats are limited. There is a band of scrub, grassland and trees that runs along the edge of the railway line, and this is identified as a potential Local Wildlife Site. However, based on the information available it seems unlikely that the ecological interest is sufficient to meet current LWS selection guidelines and criteria.

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Section 6.3 of the PEA states that none of the habitats along the edge of the railway line will be affected. There is a very minor loss of scrub and bramble on the Rolls Royce side of the railway line where the footbridge lands.

Impacts on species have been considered by the PEA and no significant impacts are anticipated. There could be minor disturbance to breeding birds, if present in scrub and trees near the development – mostly along the edge of the railway line.

Conclusion

The development is not considered likely to have any substantive impacts on biodiversity. However, there is a very small loss of scrub and bramble, and compensation measures should be included to address this through landscaping and planting nearby.

Whilst impacts on protected species are unlikely measures to avoid and minimise impacts on wildlife should be adopted during the construction phase.

Conditions

Construction Environmental Management Plan (CEMP: Biodiversity)

No development shall take place (including demolition, ground works, vegetation clearance and movement of plant, machinery and materials) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on reptiles, amphibians, badger and hedgehog during construction.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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Biodiversity Enhancement Plan

Prior to building works commencing above foundation level, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. Approved measures shall be implemented in full and maintained thereafter. The Plan shall clearly show positions, specifications, and numbers of features, which will include (but are not limited to) the following:

- internal / external nest boxes for birds x 5
- Creation of mixed scrub as part of landscaping (full details to be provided in Landscape Plans).

Landscaping

The Council is advised to secure the proposed landscaping details included aftercare and longerterm management.

Lighting

Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). Such approved measures will be implemented in full.

5.15. DCC Biodiversity Net Gain Comments:

The Environment Act seeks to ensure that, from November 2023, all development delivers Biodiversity Net Gain (BNG) and this aspiration is reflected within Policy CP19, specifically criterion (a). At the present time, the requirement to deliver Biodiversity Net Gain is voluntary and the 10% target will be required only when BNG becomes mandatory on 12 February 2024. However, the Providing Biodiversity Net Gain Supplementary Planning Guidance clearly states that the Council aspires to delivering a 10% gain. In addition, the NPPF, paragraph 180 states that planning decisions should provide net gains for biodiversity. Consequently, a percentage increase, however small, arising from the development would be welcomed.

The following comments are based on the applicant's Biodiversity Impact Assessment. In this instance, the applicant has not submitted a completed metric but has included screenshots of certain parts of the metric to back up their assertions.

There are two key elements which need to be considered to determine if an application has delivered Biodiversity Net Gain. The first is if the Trading Rules have been met and the second is if a minimum 10% gain has been achieved.

The basic principle behind the trading rules is to ensure that existing on-site habitats are not degraded and, dependent on the distinctiveness, will be improved. The document indicates that, under paragraph 1.31, the rules have been satisfied.

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The baseline habitat plan indicates that there are no linear features (hedgerows) or water features on-site. However, the plan does indicate several habitats such as modified grassland, bare ground, a pond, artificial unvegetated unsealed surfaces, a pond and sealed surfaces. In total this equates to an area of 2.62 hectares or 1.25 habitat units. Table 2 of the Biodiversity Impact Assessment indicates that, through development, 0.01 units will be lost.

The Post-Development Habitat Plan indicates that habitat creation includes the planting of native hedgerows and native hedgerows with trees, a sustainable drainage system, introduced shrubs and improvements to the modified grassland and mixed scrub. In total this equates to a gain of 0.75 habitat units (+60.93%) and 2.64 hedgerow units.

5.16. DCC Trees

Observations: The submission of the tree survey and hard and soft landscaping proposals are welcomed.

The proposed tree group (part of G23) removal is acceptable. Trees to be retained are shown to have their RPAs protected as identified in the 2101-20-36B Tree Retention Protection & Removal Plan Sheet 2 of 3 which states that they will be protected in accordance with BS5837. This must be conditioned.

Ideally the Landscape plans should show tree soil volume requirements for each tree and actual soil volume availability (this can be reduced for trees planted in a group/line). Soft landscape areas (where trees are to be planted) are shown to have a depth of 600mm (300mm topsoil and 300mm subsoil). Tree pit dept dimensions on site are shown to 1500mm x 1500mm x 900mm. Given the close proximity of hard surface to many of the trees the tree pits should be long linear pits accommodating numerous trees as opposed to individual tree pits.

It is a little disappointing that, with the exception of the Tilia (Lime), the proposed trees species have a fairly small canopy at maturity. Whilst I understand that larger trees at maturity can mean more maintenance and can have greater soil volume requirements it is a known fact that larger trees provide greater benefits.

It is a shame that SUDs have not been incorporated into the linear tree planting areas within the car park.

Conclusion:

I have no objection subject to conditions.

Trees to be retained must be protected in accordance with BS5837 and protection measures must be installed prior to construction (including preparatory ground works).

A final landscape scheme must be conditioned to be supplied and agreed prior to construction. Landscape plans must show tree soil volume requirements and actual soil volume availability.

Consideration must be given to planting larger trees at maturity.

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Tree planting must incorporate the relevant elements of BS 8545:2014 Trees: from nursery to independence in the landscape – Recommendations.

5.17. Derby and Sandiacre Canal Trust:

The protected canal line should not be affected adversely by the proposed development subject to:

1. The pedestrian bridge should span the canal corridor width without any structures located on the canal corridor;
2. The bridge height is sufficient to allow headroom for canal boats using the canal;
3. As suggested previously, the Network Rail access on the corridor is removed without cost to the canal construction when required by the canal trust;
4. The canal corridor width is not reduced from that indicated originally.

As this development is essentially a departure from the outline permission, it is suggested that it would be sensible at this stage in construction to dig out the canal to avoid disturbance to the occupiers at a later stage.

This would also have the advantage that a water based environment could be created, with the benefits that would bring to wildlife and occupiers of the commercial development, rather than a grassed 'wildlife' area which would be shortlived and altered if the canal was constructed at a later date. It is noted that most of the corridor is outside the current application area but is within the control of the Applicant.

It is requested that this is conditioned or subject to an Agreement.

The DSCT (Derby and Sandiacre Canal Trust) would be willing to discuss this aspect in more detail with the Applicant.

5.18. Health and Safety Executive:

No comments required.

5.19. Office for Nuclear Regulation:

I have consulted with the emergency planners within Derby City Council, which is responsible for the preparation of the Neptune Reactor Raynesway off-site emergency plan required by the Radiation (Emergency Preparedness and Public Information) Regulations (REPPiR) 2019. They have provided adequate assurance that the proposed development can be accommodated within their off-site emergency plan arrangements.

The proposed development does not present a significant external hazard to the safety of the nuclear site.

Therefore, ONR does not advise against this development.

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5.20. Cadent Gas:

Plan

<https://docs.derby.gov.uk/padocumentserver/DownloadDocument.aspx?docid=202542672>

Your planning application – No objection, informative note required

We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application that has been submitted which is in close proximity to our medium and low pressure assets. We have no objection to this proposal from a planning perspective, however we need you to take the following action.

What you need to do

To prevent damage to our assets or interference with our rights, please add the following Informative Note into the Decision Notice:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting www.cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

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If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com or on 0800 688 588 quoting your reference at the top of this letter.

6. Relevant Policies:

6.1. Relevant Policies:

The Derby City Local Plan Part 1 - Core Strategy was adopted by the Council on Wednesday 25 January 2017. The Local Plan Part 1 now forms the statutory development plan for the City, alongside the remaining 'saved' policies of the City of Derby Local Plan Review (2006). It provides both the development strategy for the City up to 2028 and the policies which will be used in determining planning applications.

Derby City Local Plan Part 1 - Core Strategy (2017)

CP1A	Presumption in Favour of Sustainable Development
CP2	Responding to Climate Change
CP3	Placemaking Principles
CP4	Character and Context
CP9	Delivering a Sustainable Economy
CP10	Employment Locations
CP16	Green Infrastructure
CP19	Biodiversity
CP23	Delivering a Sustainable Transport Network
AC8	Our City Our River
AC11	The Derwent Triangle, Chaddesden

Saved CDLPR Policies

GD5	Amenity
E12	Pollution
E13	Contaminated Land
E17	Landscaping Schemes
E24	Community Safety
L9	Former Derby Canal
T10	Access for Disabled People

The above is a list of the main policies that are relevant. The policies of the Derby City Local Plan Part 1 – Core Strategy can be viewed via the following web link:

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https://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/environmentandplanning/planning/localplan/evidencebase/Core-Strategy_ADOPTED_DEC-2016_V3_WEB.pdf

Members should also refer to their copy of the CDLPR for the full version or access the web-link:

https://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/environmentandplanning/planning/localplan/part1/CDLPR_2017.pdf

An interactive Policies Map illustrating how the policies in the Local Plan Part 1 and the City of Derby Local Plan Review affect different parts of the City is also available at – <http://maps.derby.gov.uk/localplan>

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

6.2. Non-housing applications:

The Local Plan (consisting of the policies of the DCLP1 and the saved policies of CDLPR) covers the period 2011 to 2028 and was adopted on 25 January 2017. The policies of the local plan were reviewed in December 2021 in line with Regulation 10a of the Town and Country Planning (Local Planning) (England) Regulations 2017 and paragraph 33 of the NPPF, the provisions of which require Local Plan policies to be reviewed at least every 5 years. The officer led review, endorsed by the Council's Cabinet on 8 December 2021, indicated that all of the policies relevant to the consideration of this application are still up to date and carry weight in the decision making process as they remain consistent with the NPPF and there have been no changes in local circumstances that render any of the policies out of date. The application is therefore being considered in terms of its accordance with the policies of the Local Plan and any other material considerations, including the National Planning Policy Framework.

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7.2. Officer Opinion:

Key Issues:

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

7.1. Principle of Development

7.2. Design and Street Scene

7.3. Transport and Highways Impacts

7.4. Environmental Considerations

7.5. Planning Balance

7.1. Principle of Development

The site of the proposal is located within the Derwent Triangle, Chaddesden where policy AC11 allows for alternatives to employment generating uses within the 'B' use classes where:

1. *alternative uses would complement employment uses and/or nearby leisure venues*
2. *it is demonstrated that the uses are required to facilitate the comprehensive delivery of the site and associated infrastructure*
3. *proposed uses would not undermine the objectives of the Plan, particularly objectives for City Centre vitality and viability*
4. *proposals would not prejudice the employment generating potential of the site*
5. *proposals would optimise the development potential of the land; and*
6. *proposals would contribute towards the aims and objectives of Policy CP9.*

The proposal would remove part of the site from potential employment use contrary to the intentions of criteria 2,4 and 5 but would otherwise meet the remaining criteria as it would complement employment uses on nearby land, in this instance the Rolls Royce Raynesway Campus.

Whilst the implementation of this application, which is car parking led, would remove any potential for the development of the approved employment unit, the car parking would assist in the realisation of the re-development of the Rolls Royce Raynesway Campus, and their growth. This would therefore satisfy the intentions of policy AC11 in this instance.

The proposed development is closely linked to the proposal for an expansion of the Rolls Royce Campus which would allow for the extension of the campus and rationalisation of current buildings, this would be intrinsically linked to the AUKUS submarine project and so, although it is not within the area covered by CP10, the requirements of that policy can be taken into account. CP10, in relation to certain existing employment areas that are fundamental to the operation of the local economy, are protected and retained, intensified and recycled primarily for the development of employment uses. This includes Rolls-Royce Marine Power, now

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Rolls Royce Submarines, and so the current proposal, in allowing for the intensification of operations on this site, is in line with the intentions of CP10.

The proposal crosses the protected route for the Derby and Sandiacre canal restoration but is unlikely to affect any scheme that may come forward, with the footbridge being at a much higher level. As such the provisions of policy L9 are met in that the proposal would not prejudice the restoration or the formation of the canal or hinder the construction of the canal in this location.

It is accepted that the provisions of the site-specific policy AC11 are not entirely met however the use of this site for car parking would allow for the intensification of an important local and national employer and support economic growth locally and nationally. Thereby satisfy the intentions of policies CP9 and CP10.

As such there are no policy objections to the proposed multi storey car park development.

7.2. Design and Street Scene

The proposed development would not have any impact on the consented outline application or the delivery of the consented reserved matters schemes. The applicant through broad compliance with policies CP3 and CP4 has considered the design of the proposal and the context of the application site. The proposal would have a similar appearance and scale to the wider St Modwen Park which is welcomed. Furthermore, the introduction of planting and landscaping would also assist in the setting of the development and its integration with the wider industrial park.

The third-party comments are noted however in this instance given the context of the application site a different colour palette would sit at odds with the industrial park and would, in my opinion, have a potentially negative impact on the street scene. In my opinion, the car park achieves a design and appearance that would be similar to those neighbouring industrial units which in this setting is supported.

In my opinion the proposal would achieve a high-quality design, for a multi-storey car park, that would broadly comply with the provision of policies CP3 and CP4 which seeks to ensure placemaking principle and character and context are considered in the design process.

Consideration must also be given to the installation of the associated structures and pedestrian footbridge. The cycle store, EV charge points and future PV canopy panels are also considered to be acceptable in terms of their design and appearance. These are also ancillary structures that you would reasonably expect to see within an industrial estate setting.

The application, due to the ongoing negotiations with Network Rail provides limited details of the pedestrian footbridge. That being said the bridge would have an approximate span of 100 metres, across the safeguarded canal route and the railway line where it would be connected each end by the access points. It is anticipated that the bridge would be some 8 metres wide. Given that the bridge is not in close proximity to any sensitive receptors i.e. residential properties I am content that there would not be any undue overlooking as a result of the structure other than into the St

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Modwen Park or Rolls Royce Campus, both parties are in support of the proposal. I am therefore satisfied that the final details of the bridge can be satisfactorily addressed by a suitable worded condition.

7.3. Transport and Highway Impacts

The application has been duly considered by National Highways and DCC Transport Planning colleagues. Comments have also been received from Active Travel who have confirmed that they do not wish to comment on this application, at this time.

The application seeks to provide car parking for employees on the Rolls Royce Raynesway site, unlocking a greater re-development opportunity on the Rolls Royce site. Whilst a proportion of parking would be provided on the Rolls Royce site this proposed development would provide parking during the re-development of the site and also to accommodate the uplift in employment opportunities being created by their masterplan proposals.

The proposal does not have a direct access onto the strategic road network and as such National Highways have no objections to the principle of the development. Conversely, they have no objections to the proposed development but raise a concern around the absence of the car park. In that, if the proposed development is not brought forward there would be a loss of parking for the associated Rolls Royce application which could lead to a negative impact on the strategic road network. As such National Highways support the proposed development and consider it would allow the Rolls Royce masterplan to be delivered without detriment to the safe and efficient operation of the strategic road network, but that there needs to be a linking mechanism to ensure mutual compatibility of provision.

The comprehensive comments of the Council's Transport Planning Colleagues are set out in Section 5 of this report. They echo the comments National Highways in respect of the need of the car park but also consider the impacts on the proposal on the local road network, particularly along Wyvern Way. Without the multi storey car there would be a fundamental under provision at an important employment site. Furthermore, there is also a concern about the location of the car parking and the need for a pedestrian link bridge across the railway line to ensure a sustainable and long-term link between the car parking and the employment site.

Network Rail have confirmed, in principle, their support to the proposal. Albeit the applicant needs to satisfy the Network Rail Technical Approval process and agree the programme for its implementation. It should be noted that the railway line will need to be closed and therefore the opportunities for the physical implementation of the bridge are limited across the calendar year. Therefore, there needs to be an acceptance that for a period of time users of the proposed car park will be transported by shuttle bus around to the Rolls Royce Raynesway site. This is unsustainable but there are no other options. As such securing the implementation of the bridge in a timely manner is of significant importance and will be secured by condition along with the bus strategy and frequency of the service.

Of similar concern is the need to understand when the car park will be operational and when car parking will be displaced from the Rolls Royce site, although this is a

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matter more aligned to the Rolls Royce application and its subsequent delivery phasing.

The Transport Assessment for the multi-storey car park has confirmed that the proposal could have an impact on traffic within the Wyvern Way area. However, it is felt that the mitigation schemes of:

- An improvement to the Stanier Way/Calvus Way Junction
- Barrier control to limit the level of car park departures.
- Control of the users of the car park (restricted to RR employees only)
- Securing cycle parking provision on the site to improve access for cyclists arriving from the north, north-west and north-east.

The mitigation has been agreed in principle with the applicant and can be secured by recommended conditions. As such I am satisfied that the proposal would accord with the provision of CP23.

7.4. Environmental Considerations

The application has been considered by a suite of consultees whose comments are set out in Section 5 of this report. I do not intend to rehearse these but provide an overarching summary to the key issues.

Contaminated Land, Air Quality and Noise

The application is accompanied by a suite of documents that consider the proposals impacts on contaminated land, noise and air quality. These topic areas are also considered within the Environmental Statement.

Given the former use of the site it is known to be contaminated which could impact upon human health and water quality. The full comments of Environmental Health and the Environment Agency are set out within Section 5 of this report. They have considered the submitted Environmental Statement and the technical Note, Derby Triangle D100 Plot (AtkinsRealis ref:5130228) dated September 2023. Overall neither consult object to the proposal but recommend further information is submitted, secured by condition, to ensure that contamination risks are adequately addressed.

It is accepted that air quality in the city has improved over recent years however recent assessment shows that NO₂ levels in certain areas remain to exceed national objectives, particularly on Nottingham Road, Chaddesden where traffic from this development could disperse. Therefore, further detail has been submitted. The updated comments from Environmental Health as contained within Section 5 of this report, which confirm this information has addressed the original comments of Environmental Health in this regard, subject to conditions relating to construction management. It is noted that the subsequent information indicates that the traffic levels on Nottingham Road are unlikely to increase substantially as a result of the proposed development.

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Matters relating to contaminated land, air quality and noise can be adequately and satisfactorily controlled and dealt with by suitably worded conditions. As such I am satisfied that the provisions of policies E12 and E13 can be met.

Flood Risk and Drainage

The Lead Local Flood Authority raises no objection to the proposal and confirms that the site would be afforded protection from flood risk as a result of the completion of the city's flood defence scheme. Surface water will be sustainably drained. That being said colleagues within the Environment Agency originally objected to the application on Flood Risk Grounds, as the submitted Flood Risk Assessment is not considered to be satisfactory. The applicant has sought to address this matter and further information has been shared with the Environment Agency that accord with the reasons set out within their objection. As set out in Section 5 of this report, the Environment Agency have removed their objection and recommend a series of conditions relating to the flood resilience, contamination and waste. As such it is considered that the proposal would broadly comply with policy CP2 and the overarching policies in the National Planning Policy Framework.

Ecology and Biodiversity

The application is accompanied by a Biodiversity Impact Assessment, landscaping scheme, ecological appraisal and Arboricultural information. The application has been assessed by colleagues at Derbyshire Wildlife Trust, the Council's Tree Officer and Biodiversity comments have also been provided these are all reproduced within Section 5 of the report.

In relation to biodiversity the submitted information, whilst it does not include the full metric is considered to be acceptable. Derbyshire Wildlife Trust and Biodiversity comments confirm that subject to conditions there are no negative impacts on biodiversity and thus no further information is needed, subject to compliance with the recommended conditions.

There are some concerns with regards to the landscaping scheme and tree retention/removal plan. Particularly in reference to the immaturity of the replacement trees being proposed. I would therefore recommend that further details of the landscaping are secured by condition, ensure that a more mature tree canopy is implemented on site. Furthermore, there is a lost opportunity for integrating suds into the tree pits.

Whilst further information will be secured by condition I am content that the development would need to relevant ecology and biodiversity policies, namely CP16 and CP19.

Derby and Sandiacre Canal

As discussed above, the route of the safeguarded canal sits to the south/south-west of the application site. The proposed development would preserve this safeguarded route and as such satisfy the requirements of policy L9. The full comments of the

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Derby and Sandiacre Canal Trust are set out in Section 5 of this report. I note the requests made by the Canal Trust and would make the following observations:

The design of the bridge is yet to be finalised, but the details would seek to ensure that they do not prejudice delivery of the canal. It is my understanding that the requirements of Network Rail and clearance for trains both passenger and cargo would exceed those requirements of a canal boat. This is not a matter for consideration for this planning application and the Canal Trust might be best advised to discuss this matter directly with Network Rail.

Comments made in relation to the outline planning application are not considered relevant as this is a full planning application and therefore stand outside of the previously approved outline planning application. The relevant planning policy, L9, does not seek to require any development to dig out parts of the canal, only to safeguard the route. As such it would be highly unreasonable to request the developer to dig out the canal as part of this application. The full comments of the trust have been shared with the applicant for their consideration. But for the purposes of determining this application, I would consider that the safeguarded route of the canal is protected and the provision of policy L9 are met.

7.5. Planning Balance

The development of a multi-storey car park as a stand-alone development would not be supported in planning policy terms as it would fail to satisfy the employment allocation policy AC11.

However, as the proposed car park is intrinsically linked to the redevelopment of Rolls Royce Raynesway site and would assist in unlocking the sites comprehensive redevelopment potential through the provision of off-site parking. The proposed car park would be linked to the Rolls Royce site by a pedestrian bridge across the railway. As such the provisions of the policy would be met.

National Highways, Highways Development Control and Transport Planning have raised no objections to the proposal subject to the compliance with the recommended conditions and Section 106 obligations. A matter of particular concern is the installation of the pedestrian link bridge and ensuring its implementation in a timely manner to ensure the limited use of the shuttle bus which is highly unsustainable. Prior to its implementation consideration will need to be given to the design of the link bridge. Although, given its location would limit any views from the public domain.

The design of the car park is considered to be acceptable and would integrate with the character and appearance of the industrial estate. I appreciate the concern of the third party representations however I would consider that there needs to be integration with the surrounding sites which are predominantly of a grey palette.

There are not considered to be any environmental impacts that would be significant and that could not be adequately addressed by recommended conditions.

The proposed development would broadly accord with the relevant policies of the local plan and relevant material considerations. The multi storey car park and link bridge would support the delivery of local and national employment opportunities on

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the Rolls Royce Raynesway site through the rationalisation and optimum use of the Rolls Royce site. Therefore, in my opinion and judgement, the proposed development accords with the Development Plan when read as a whole and the overarching provision of the National Planning Policy Framework.

8. Recommended decision and summary of reasons:

8.1. Recommendation:

To grant planning permission with conditions.

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

8.2. Summary of reasons:

The proposed development has the potential to unlock and support the release of brownfield land and re-development of land on the Rolls Royce Raynesway site which has the potential to generate economic benefits and increase employment opportunities.

The design and appearance of the proposed car park is acceptable and would integrate with the character and appearance of the St Modwen Park. Technical matters have been duly considered and recommended conditions relating to flood risk, ecology/biodiversity and transport will address the impacts of the development. The proposed pedestrian bridge would also help to improve connectivity for all pedestrian and cyclists visiting the Rolls Royce site. Therefore, on this basis, the proposed development broadly accords with the Development Plan when read as a whole.

8.3. General Conditions

Conditions:

- 1. Condition relating to time limit – 3 years
- 2. Condition requiring details of delivery of the pedestrian footbridge (constructed and operational)
- 3. Condition relating to approved plans

Pre-Commencement Conditions

- 4. Condition requiring the submission of a construction environmental management plan (excluding the bridge) – Environmental Health

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-
5. Condition requiring the submission of a construction environmental management plan for the pedestrian bridge – Environmental Health
 6. Condition requiring the submission of a construction management plan – Highways and Transport
 7. Condition requiring the submission of an external materials schedule.
 8. Condition requiring the submission of the pedestrian bridge design.
 9. Condition requiring the submission of cycling and associated infrastructure details – Highways and Transport
 10. Condition requiring the submission of piling and foundation details – Environment Agency
 11. Condition requiring the submission of a flood risk assessment for the pedestrian footbridge – Environment Agency
 12. Condition requiring the submission of a remediation strategy – Environmental Protection
 13. Condition requiring the submission of a Biodiversity Construction Environmental Management Plan – Derbyshire Wildlife Trust
 14. Condition requiring the submission of Biodiversity Enhancement Plan – Derbyshire Wildlife Trust
 15. Condition requiring the submission of a landscaping plan, tree protection, tree management and tree pit details – Tree Officer

Pre-Occupation Conditions

16. Condition requiring the submission of barrier control details for the car park ensuring no more than 300 cars can depart per hour - Transport Planning
17. Condition requiring the submission of a validation report – Environmental Health
18. Condition requiring the submission of a lighting strategy – Derbyshire Wildlife Trust

Management Conditions

19. Condition ensuring the carriageway improvement to Stanier Way/ Calvus Way are implemented.
20. Condition requiring adherence to the flood risk assessment ref 23150-RLL-23-XX-RP-C-001, Rev P02, P23-150, 26th October 2023 (Environment Agency)

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- 21. Condition relating to unidentified contaminated land (Environment Agency)
- 22. Condition restricting infiltration systems without approval from the EA (Environment Agency)

8.4. Informative Notes:

Cadent Gas

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting www.cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linsearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Environment Agency – Floodline

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>

To get help during a flood, visit <https://www.gov.uk/help-during-flood>

For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

Environment Agency - Waste on-site

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any

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proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to our:

- Position statement on the Definition of Waste: Development Industry Code of Practice and;
- website at <https://www.gov.uk/government/organisations/environment-agency> for further guidance.

Waste to be taken off-site

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.

Refer to our website at

<https://www.gov.uk/government/organisations/environmentagency>

for more information.

Environment Agency position: Ground Water and Contaminated Land

We recommend that developers should:

1. Follow the risk management framework provided in our Land Contamination Risk Management (LCRM) guidance (which supersedes CLR11 Model Procedures for the Management of Land Contamination), when dealing with land affected by contamination. <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>
2. Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site. The local authority can advise on risk to other receptors, such as human health.

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<https://www.gov.uk/government/publications/managing-and-reducing-landcontamination>

3. Refer to the Groundwater Protection Guidance which can be found on our website at the following address:

<https://www.gov.uk/government/collections/groundwater-protection>

4. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.

<https://www.claire.co.uk/projects-and-initiatives/nqms>

5. Refer to the contaminated land pages on GOV.UK for more information.

<https://www.gov.uk/contaminated-land>

<https://www.gov.uk/government/collections/land-contamination-technicalguidance>

8.5. S106 requirements where appropriate:

Heads of Terms have been agreed for a single S106 agreement covering this application and the Rolls Royce Outlie Planning application (under code no. 23/00817/OUT). They secure policy compliant financial contributions towards improvements to public transport, cycling and pedestrian facilities, as well as towards a SCOOT scheme on the Wyvern junctions in connection with the MSCP application. A Travel Plan, associated monitoring contribution and potential penalty payments have also been agreed. In addition to these standard Heads of Terms for applications of this nature, the S106 will also secure the fundamental tying of this application to the Rolls Royce Outline application through the submission of a Car Park Phasing Strategy, Car Park Management Strategy and a Shuttle Bus Strategy. These will require the Council's approval and ensure that the applicant adheres to the details within them in the future.

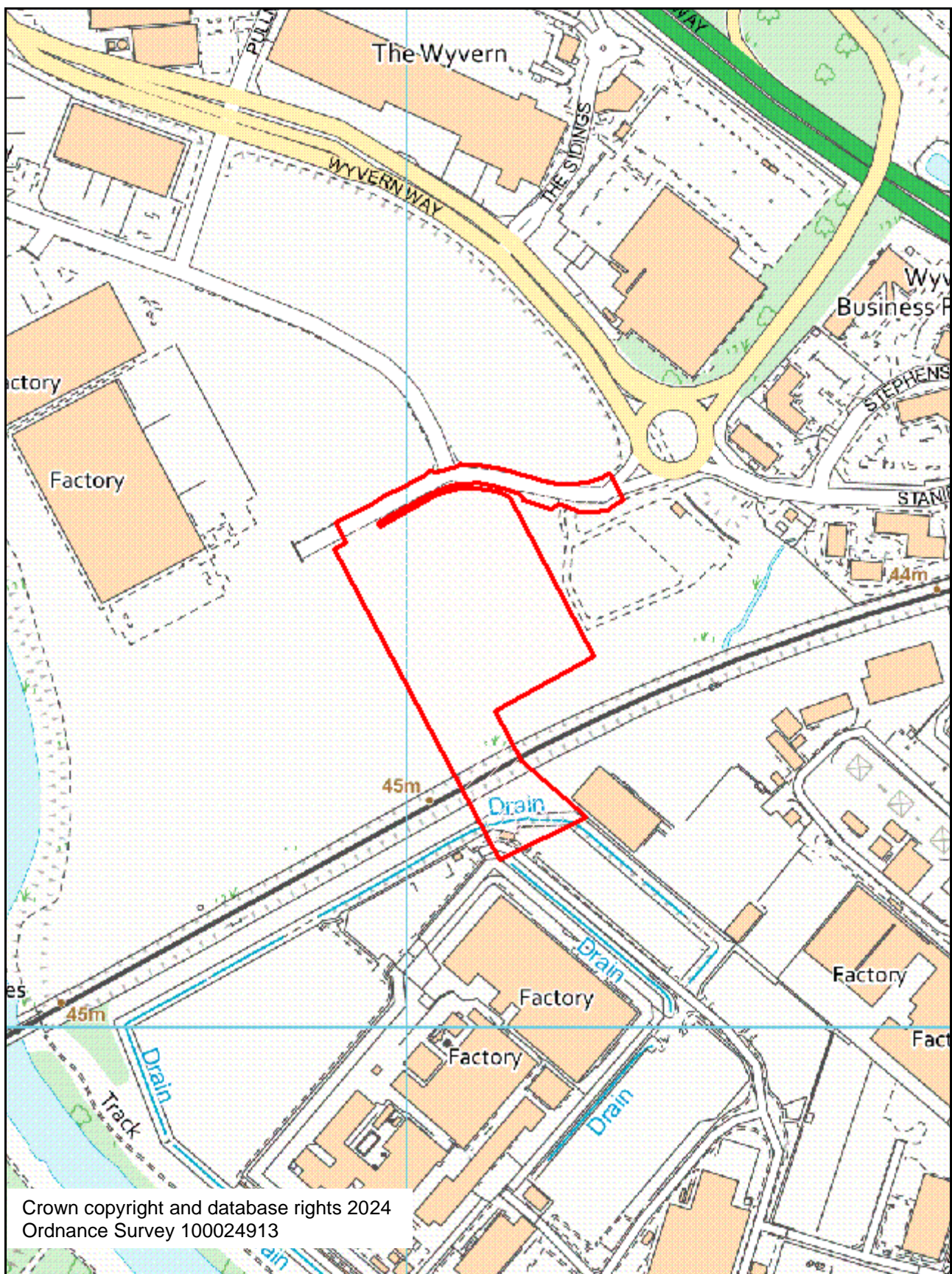
8.6. Application timescale:

Extension of Time has been agreed until 31st May 2024 due to presentation at Planning Control and completion of the Section 106 Agreement.

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Delegated decisions made between Between 01/02/2024 and 29/02/2024

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01321/OUT	Outline Application	97 - 105 Monk Street Derby	Residential development - (six apartments in three storeys - Use Class C3)	Approval	28/02/2024
21/00906/FUL	Full Application	Site Of 87 Morley Road Derby	Demolition of existing dwelling house and erection of four dwelling houses (Use Class C3)	Approval	20/02/2024
21/02217/FUL	Full Application	Land Rear Of 127 Manor Road Littleover Derby	Erection of a dwelling house (Use Class C3) and retaining wall and associated ground works	Approval	08/02/2024
22/00711/FUL	Full Application	Land At The Rear Of 52 Ravenscroft Drive Derby	Erection of a dwelling house (Use Class C3) and green house	Refused	13/02/2024
22/01554/ADV	Advertisement Consent	Dog And Moon 16 Sadler Gate Derby	Display of various signage	Approval	02/02/2024
22/01558/LBA	Listed Building Consent- Alterations/Demo	Dog And Moon 16 Sadler Gate Derby	Installation of various signage	Approval	02/02/2024
23/00033/FUL	Full Application	16 St Peters Churchyard Derby	Installation of a vent to the side elevation	Refused	26/02/2024
23/00167/FUL	Full Application	11 Cherrybrook Drive Derby	Single storey front and side extensions to dwelling house (store, entrance hall and enlargement of office and living room)	Approval	21/02/2024
23/00206/FUL	Full Application	1A Keats Avenue Derby	Two storey rear and single storey infill extensions to dwelling house (balcony and enlargement of kitchen and lounge)	Approval	02/02/2024
23/00244/FUL	Full Application	Land Adjacent The River Mill Venue Darley Abbey Mills Haslams Lane Derby	Change of use of land and creation of seating terrace (retrospective application)	Refused	02/02/2024

Application No:	Application Type	Location	Proposal	Decision	Decision Date
23/00320/FUL	Local Council Own Development Reg 3	Riverbank And Built-up Areas Between Derwent Street And The A601, Along The Eastern Boundary At Darwin Place And Along The Southern Sections At Meadow Road And Meadow Lane, Derby	Full application with details of OCOR 'Package 2' for a flood alleviation scheme and mitigation measures including demolition of existing buildings, boundary treatments and existing flood defence walls; partial removal of the existing flood defence walls to ground level; removal of existing flood embankments, footpath and cycleway layouts and ancillary works; creation of vehicular access, access ramps, steps, paths, retaining walls, railings, surface water drainage features and greenspace; provision of opportunities for installation of permanent and/or temporary artworks; and landscape reinstatement works	Approval	08/02/2024
23/00337/LBA	Listed Building Consent-Alterations/Demo	The Old Fire Station Darley Abbey Mills Haslams Lane Derby	Alterations in association with change of use from office to gin distillery incorporating internal alterations to toilets and services	Approval	27/02/2024
23/00545/FUL	Full Application	St Matthews House Brick Row Derby	Part change of use from offices (Use Class E) to 3 no. residential apartments (Use Class C3) and associated works	Approval	02/02/2024
23/00546/LBA	Listed Building Consent-Alterations/Demo	St Matthews House Brick Row Derby	Alterations and works associated with part change of use to residential (Use Class C3) to form 3 residential units, including the repair to historic fabric (e.g external brickwork & windows) and removal of none historic features (e.g partition walls & ceilings).	Approval	02/02/2024
23/00768/FUL	Full Application	Queens Hall 125 London Road Derby	Change or use of former events venue and day nursery to 21 apartments (Use Class C3). Including creation of new second floor and external bike and bin store	Approval	16/02/2024
23/00854/FUL	Full Application	Units 7 And 8 Raynesway Park Drive Derby	Inclusion of Use Class F1(a) (provision of education) in the permitted uses for the building	Approval	16/02/2024
23/00856/FUL	Full Application	3 Ruskin Road Derby	Single storey rear extension to dwelling house (pergola) and lowering of land levels in rear garden area	Approval	02/02/2024

Application No:	Application Type	Location	Proposal	Decision	Decision Date
23/00887/LBA	Listed Building Consent-Alterations/Demo	2 - 4 The Strand Derby	Internal alterations (refurbishment of ground floor retail unit)	Application Withdrawn	28/02/2024
23/00970/FUL	Full Application	The Manor House Residential Home 137 Manor Road Littleover Derby	Change of use from nursing home to 12 flats (Use Class C3)	Approval	16/02/2024
23/01041/NONM	Non-Material Amendment	Land North Of Snelsmoor Lane Derby	<p>OUTLINE PLANNING APPLICATION - for up to 800 dwellings (Use Class C3) with all matters reserved except access; access to be fixed off Snelsmoor Lane and Field Lane, a sustainable drainage system of attenuation ponds/swales, new primary school (Use Class D1) with playing field, alongside open space including creation of country park (including footpath/cycleways, wildflower meadows, public orchard etc.) and Green Infrastructure network.</p> <p>FULL PLANNING APPLICATION - for 245 dwellings (Use Class C3) including site roads, Infrastructure, landscaping, attenuation ponds and play areas -</p> <p>Non-material amendment to previously approved planning permission 22/00369/VAR to amend the materials for plots 31-33, 744-746 and 751-753</p>	Approval	22/02/2024
23/01052/FUL	Full Application	19 Wordsworth Avenue Derby	First floor extension to dwelling house and formation of a rear terrace at first floor level	Approval	02/02/2024
23/01090/NONM	Non-Material Amendment	2 Burghley Way Derby	<p>Single storey extension to outbuilding (office) and erection of boundary wall and gates -</p> <p>Removal of sky light and installation of obscure glazed window to w.c - Non-material amendment to previously approved application 23/00168/FUL</p>	Approval	19/02/2024
23/01118/FUL	Full Application	112A Blagreaves Lane Derby	Erection of detached triple garage	Approval	08/02/2024
23/01133/FUL	Full Application	134 Stone Hill Road Derby	Single storey rear extension to dwelling house (bedroom and wet room)	Approval	14/02/2024

Application No:	Application Type	Location	Proposal	Decision	Decision Date
23/01151/NONM	Non-Material Amendment	212 Birchover Way Derby	Single storey rear extension to dwelling house - Non-material amendment to previously approved planning permission 22/01971/FUL to move the extension away from the boundary	Approval	08/02/2024
23/01158/FUL	Full Application	Holly House 20 Park Road Spondon Derby	Seperation of existing annexe accommodation to form a detached dwelling (Use Class C3)	Approval	13/02/2024
23/01211/VAR	Variation of Condition	16 Sadler Gate Derby	Erection of a timber pergola, two timber structures with bar and food servery. Installation of a new awning to the front elevation and external lighting - Removal of conditions 3 and 4 of previously approved planning permission 22/00750/FUL in respect of noise management for the outside areas	Approval	05/02/2024
23/01226/FUL	Full Application	31 Mount Carmel Street Derby	Change of use from a six bedroom (six occupant) house in multiple occupation (Use Class C4) to a seven bedroom (eight occupant) house in multiple occupation (Sui Generis)	Approval	20/02/2024
23/01241/FUL	Full Application	12 Sunnyhill Avenue Derby	Change of use from dwelling house (Use class C3) to residential children's home for a maximum of three children (Use class C2) and single storey side/rear extensions (office and lobby)	Approval	27/02/2024
23/01251/VAR	Variation of Condition	90 Normanton Road Derby	Demolition of three buildings. Erection of a three storey commercial building to create planning class use E(d) indoor recreation, E(b) sales of food and drink and retention of the existing Use Class E(a,b,c). Re-cladding and installation of a new window to rear block and alteration to elevational treatment - Variation of condition 2 (approved plans) of previously approved planning permission Code No. 21/01036/FUL to amend the external elevations, internal layout and entry points into the unit	Approval	05/02/2024
23/01255/FUL	Full Application	12 Browning Street Derby	Erection of outbuilding (annexe accommodation) - retrospective application	Approval	16/02/2024

Application No:	Application Type	Location	Proposal	Decision	Decision Date
23/01265/VAR	Variation of Condition	Land South Of Watten Close And East Of Deep Dale Lane Derby	Residential development of up to 50 dwellings including infrastructure and associated works - approval of reserved matters pursuant to outline planning permission Code No. 02/15/00211 in respect of appearance, landscaping, layout and scale - Variation of conditions 1 (approved plans), 3 (tree protection) and 8 (boundary treatments) of previously approved planning permission Code No. 21/00039/RES to amend the boundary treatments	Approval	13/02/2024
23/01266/FUL	Full Application	1 Lynwood Road Derby	Raising of the roof height and two storey side extension to dwelling house (lounge, bedroom and en-suite)	Refused	01/02/2024
23/01309/FUL	Full Application	Land At The Side Of 101 Wood Road Chaddesden Derby	Erection of a dwelling house (Use Class C3)	Refused	12/02/2024
23/01322/FUL	Full Application	Site Of 443 And Land Surrounding 445 Kedleston Road Derby	Demolition of workshop buildings. Erection of four bungalows with garages (Use Class C3) and enlargement of vehicular access	Approval	13/02/2024
23/01373/TPO	Works to a tree with a TPO	Coney Grey South Drive Darley Abbey Derby	Crown reduction by 4m in height and 3m lateral spread of a Beech tree protected by Tree Preservation Order no. 506	Approval	02/02/2024
23/01393/PNRIA	Prior Approval - Commercial to Resi	8 Curzon Street Derby	Change of use from offices (Use Class E) to 14 apartments (Use Class C3)	Prior Approval Approved	07/02/2024
23/01404/FUL	Full Application	23 Winslow Green Derby	Change of use from domestic extension to dog grooming salon (Sui Generis)	Approval	13/02/2024
23/01441/FUL	Full Application	1 Sycamore Avenue Derby	Two storey side extension to dwelling house (garage, office, bedroom and bathroom)	Approval	12/02/2024
23/01442/FUL	Full Application	22 Marcus Street Derby	Installation of a replacement front door	Approval	02/02/2024
23/01456/FUL	Full Application	2 Bramble Street Derby	Change of use from a six bedroom (six occupant) house in multiple occupation (Use Class C4) to a six bedroom (seven occupant) house in multiple	Approval	01/02/2024

Application No:	Application Type	Location	Proposal	Decision	Decision Date
			occupation (Sui Generis)		
23/01460/NONM	Non-Material Amendment	16 Short Avenue Derby	Two storey side and single storey front and rear extensions to dwelling house (utility, living/dining space, bedroom and en-suite), formation of a raised patio area to the rear and raised stepped area to the front elevation with installation of cladding and render - Non-material amendment to previously approved planning permission 22/01202/FUL to change external materials	Approval	27/02/2024
23/01483/NONM	Non-Material Amendment	38 Courtland Drive Derby	Two storey side extension to dwelling house (garage, bedroom, W.C., office and balcony) - Non-material amendment to previously approved permission 21/01570/FUL to amend window details	Approval	02/02/2024
23/01489/FUL	Full Application	56 Penzance Road Derby	Erection of detached annexe - retrospective application	Approval	21/02/2024
23/01493/FUL	Full Application	37 Fairway Crescent Derby	Two storey rear and side extension and single storey rear and front extensions to dwelling house	Approval	15/02/2024
23/01497/FUL	Full Application	69 Portreath Drive Derby	Demolition of existing single storey rear structure. Construction of new single storey rear and side extension and replacement of external materials.	Approval	12/02/2024
23/01501/TPO	Works to a tree with a TPO	1 Cooper Street Derby	Felling of a Blackthorn tree. Crown reduction by 1m of a Hawthorn tree and crown reduction by 1.5m of a Hawthorn tree protected by Tree Preservation Order no. 133 - crown reductions to be maintained for a period of ten years	Approval	02/02/2024
23/01508/FUL	Full Application	Derby High School Hillsway Littleover Derby	Installation of utilities including a new electrical substation	Approval	02/02/2024
23/01522/FUL	Full Application	86 Kenilworth Avenue Derby	Single storey side extension to dwelling (dining room, sun lounge and enlargement of kitchen)	Approval	02/02/2024

Application No:	Application Type	Location	Proposal	Decision	Decision Date
23/01527/FUL	Full Application	14 St Wystans Road Derby	First floor rear extension to dwelling house	Approval	13/02/2024
23/01536/ADV	Advertisement Consent	Service Station Traffic Street Derby	Display of one internally illuminated totem sign	Approval	14/02/2024
23/01538/OUT	Outline Application	Land Rear Of Pear Tree Plaza Pear Tree Road Derby	Residential development (9 flats) (outline planning permission with all matters reserved.)	Refused	01/02/2024
23/01542/FUL	Full Application	445 Kedleston Road Derby	Two storey side extension to dwelling house (bedroom & study)	Approval	05/02/2024
23/01545/TPO	Works to a tree with a TPO	161 Blenheim Drive Derby	Crown reduction by 2-3m of a Field Maple tree protected by Tree Preservation Order no. 267	Approval	29/02/2024
23/01561/RES	Reserved Matters	'Becketwell', Land Off Victoria Street, Green Lane, Macklin Street, Becket Street, Colyear Street And Becketwell Lane, Derby	Reserved matters application pursuant to permission Code No. 19/01245/OUT for the erection of a substation and associated works	Approval	22/02/2024
23/01568/TPO	Works to a tree with a TPO	Old Wall House 2 Kipling Drive Derby	3m lateral reduction of stem over the highway. Pruning of canopy to provide 3m clearance of the building - to be carried out as and when required within a ten year period of a Horse Chestnut tree protected by Tree Preservation Order No 14	Approval	27/02/2024
23/01590/CLP	Lawful Development Certificate -Proposed	124 Brighton Road Derby	Change of use from dwelling house (Use Class C3 to a house in multiple occupation - maximum six occupants (Use Class C4) and installation of a dormer to the rear elevation	Approval	12/02/2024
23/01597/FUL	Full Application	2A Henry Street Derby	Two storey and single storey side/rear extensions to dwelling house (living space and bedroom)	Approval	29/02/2024
23/01598/FUL	Full Application	33 Crabtree Close Derby	Two storey front and side and single storey side and rear extensions to dwelling house	Approval	05/02/2024
23/01614/ADV	Advertisement Consent	Ground Floor Gervase House 111 - 113 Friar Gate Derby	Installation of hanging sign	Approval	22/02/2024

Application No:	Application Type	Location	Proposal	Decision	Decision Date
23/01618/FUL	Full Application	217 Normanton Road Derby	Dormer extension to rear roof and formation of new entrance to first and second floor	Approval	21/02/2024
23/01626/FUL	Full Application	75 Blenheim Drive Derby	Erection of outbuilding (shed and seating area) - retrospective application	Approval	28/02/2024
23/01637/TPO	Works to a tree with a TPO	30 Porters Lane Derby	Removal of branches, crown thinning by 5-10% and branch reduction by 1-2m of an Oak tree (T1) and removal of branch and cutting back of top branches to give a 1-2m reduction of an Oak tree (T2) protected by Tree Preservation Order no. 124	Approval	07/02/2024
23/01638/CLP	Lawful Development Certificate -Proposed	1 Nether Park Drive Derby	Partial conversion of garage into habitable space including bricking up of door and installation of a window	Approval	02/02/2024
23/01644/CLP	Lawful Development Certificate -Proposed	11 Foxdell Way Derby	Single storey rear extension to dwelling house	Approval	02/02/2024
23/01650/FUL	Full Application	71 Rykneld Road Derby	Erection of boundary fence and gates - retrospective application	Refused	23/02/2024
23/01655/FUL	Full Application	Land On The West Side Of Brookside Close Derby	Demolition of garages. Erection of a dwelling (Use Class C3) and associated ground works	Approval	12/02/2024
23/01658/FUL	Full Application	15 Spinney Road Chaddesden Derby	Erection of outbuilding (summerhouse/shed) - retrospective application	Approval	01/02/2024
23/01659/PNRIA	Prior Approval - Commercial to Resi	67 - 69 Shakespeare Street Derby	Change of use from retail (Use Class E) to a dwelling house (Use Class C3)	Prior Approval Approved	02/02/2024
23/01663/OUT	Outline Application	Garage Court Crown Street Derby	Demolition of garages. Residential development - maximum of three dwellings (Use Class C3)	Approval	12/02/2024
23/01665/RES	Reserved Matters	Former Celanese Site Holme Lane Derby	Reserved matters approval for Phase 5, Plot 9, relating to outline planning permission reference: 23/00148/VAR, for the construction of a food manufacturing unit, with storage and distribution	Approval	23/02/2024

Application No:	Application Type	Location	Proposal	Decision	Decision Date
			(Use Class B2 and B8) with ancillary facilities, together with access roads, car parking, landscaping, drainage works and all associated works.		
23/01673/CAT	Works to Trees in a Conservation Area	8 Potter Street Derby	Re-pollarding of three Lime trees and lateral reduction by 1m of a Yew tree within the Spondon Conservation Area	Raise No Objection	28/02/2024
23/01679/FUL	Full Application	123 Normanton Lane Derby	Two storey, first floor and single storey extensions to dwelling house and alterations to front garden area to form parking area	Approval	29/02/2024
23/01683/FUL	Full Application	Land At The Rear Of 39A West Avenue South Derby	Erection of two dwelling houses (Use Class C3) and associated ground works	Refused	09/02/2024
23/01685/PNRIA	Prior Approval - Commercial to Resi	35 Pear Tree Road Derby	Change of use of first floor from Commercial, Business and Service (Use Class E) to flat (Use Class C3)	Approval	07/02/2024
23/01689/CLP	Lawful Development Certificate -Proposed	23 The Chase Derby	Use of dwelling house for the care of a maximum of three children by professional carers	Approval	05/02/2024
23/01692/FUL	Full Application	2 Woodcote Way Derby	First floor side and single storey front extensions to dwelling house (storage,en-suite, porch and enlargement of bedroom)	Approval	02/02/2024
23/01693/FUL	Full Application	47 Peet Street Derby	Two storey and single storey rear extensions to dwelling house (kitchen, living space, bedroom and en-suites)	Approval	02/02/2024
23/01697/TPO	Works to a tree with a TPO	Trees South Of 16 And 23 Wessington Mews Allestree Derby	Crown thin by 15-20% and crown raise to 3m of a Norway Maple tree protected by Tree Preservation Order no. 1956 Highfield Darley Abbey DCC No.45	Approval	21/02/2024
23/01702/TPO	Works to a tree with a TPO	65 Fieldsway Drive Derby	Reduction by up to 2m (back to the boundary line) of overhanging lateral growth on the Eastern side of a mixed group of Conifer, Elder and Prunus trees protected by Tree Preservation Order no. 149	Approval	07/02/2024

Application No:	Application Type	Location	Proposal	Decision	Decision Date
23/01704/TPO	Works to a tree with a TPO	25 Darley Park Road Derby	Crown lift to 2.5m, height reduction by 4m and branch cutting (not to exceed 30mm) of a Silver Birch Tree protected by Tree Preservation Order No 618 - works to be maintained for a period of ten years	Approval	07/02/2024
23/01709/ADV	Advertisement Consent	Units 6A, _ 6 Meteor Centre Mansfield Road Derby	Display of four internally illuminated fascia signs and one non-illuminated sign	Approval	06/02/2024
23/01710/FUL	Full Application	21 Oakridge Derby	Installation of a pitched roof to the existing single storey side extension	Approval	21/02/2024
23/01711/FUL	Full Application	3 Marchington Close Derby	Two storey and first floor side and single storey front extensions to dwelling house (bedroom, en-suite and enlargement of hall and kitchen)	Approval	08/02/2024
23/01713/TPO	Works to a tree with a TPO	Cavendish Court Derby	Various works to trees protected by Tree Preservation Order no. 547	Approval	29/02/2024
23/01715/CLP	Lawful Development Certificate -Proposed	14 Fieldgate Drive Derby	Single storey rear extension to dwelling house	Approval	08/02/2024
23/01718/FUL	Full Application	24 Livingstone Road Derby	Two storey side/rear extension to dwelling house (play room, enlargement of kitchen, bedroom and bathroom), installation of a dormer to the side elevation and a new third floor side elevation window to form rooms in the roof space (bedroom and en-suite)	Refused	09/02/2024
23/01727/FUL	Full Application	1 Meadow Brook Close Derby	single storey side and rear extension (kitchen/dining room)	Approval	06/02/2024
23/01728/FUL	Full Application	Markeaton House 3 Slater Avenue Derby	Change of use from office (Use Class E) to an extension to the existing special needs education School at Cedar House (Use Class F1)	Approval	26/02/2024
23/01729/FUL	Full Application	485 Baker Street Derby	Change of use from a six bedroom house in multiple occupation (Use Class C4) to a seven bedroom (seven occupant) house in multiple occupation (Sui Generis)	Refused	12/02/2024

Application No:	Application Type	Location	Proposal	Decision	Decision Date
23/01730/FUL	Full Application	12 The Spot Osmaston Road Derby	Change of use of first floor from offices (Use Class E) to five apartments (Use Class C3) including alterations to window and installation of a door with steps to the rear elevation	Approval	27/02/2024
23/01735/FUL	Full Application	118 Pear Tree Crescent Derby	Installation of a free standing air source heat pump	Approval	08/02/2024
23/01736/FUL	Full Application	113 Stanton Street Derby	Single storey rear extension to dwelling house (wet room and enlargement of kitchen) - retrospective application	Approval	08/02/2024
23/01739/FUL	Full Application	121 Nuns Street Derby	Installation of plant equipment at roof level	Approval	08/02/2024
23/01745/NONM	Non-Material Amendment	1 Rushdale Avenue Derby	Non-material amendment to remove a roller shutter door from the North East elevation and replace with a window of previously approved planning permission 23/01236/FUL - Installation of a replacement roof with reduced ridge height together with removal of rear dormer. Installation of partial render to the North East facing elevation and a replacement window to the front elevation (retrospective application)	Approval	02/02/2024
23/01747/TPO	Works to a tree with a TPO	27 Blagreaves Lane Derby	Crown reduction by 3m and removal of broken branches of a Lime tree protected by Tree Preservation Order no. 36	Approval	29/02/2024
23/01757/FUL	Full Application	12 Oaklands Avenue Derby	First floor extension to bungalow to form a dwelling house together with a single storey side extension	Approval	15/02/2024
23/01758/FUL	Full Application	97 Blagreaves Lane Derby	First floor side and rear extensions, and single storey rear extension to dwelling house	Approval	22/02/2024
23/01759/FUL	Full Application	Sinfin D Site Rolls Royce Wilmore Road Derby	Installation of external plant and equipment principally constituting air handling units, sprinkler tanks and associated pump house, airlock and other ancillary infrastructure. Retention of two temporary tooling shed for a period of 5 years.	Approval	14/02/2024

Application No:	Application Type	Location	Proposal	Decision	Decision Date
23/01760/CAT	Works to Trees in a Conservation Area	146 Duffield Road Derby	Felling of a Walnut tree within the Strutts Park Conservation Area	Raise No Objection	29/02/2024
23/01762/FUL	Full Application	25 Glebe Rise Derby	Two storey and single storey rear extensions to dwelling house (dining/family space and enlargement of kitchen and bedroom) and installation of a new window to the first floor side elevation	Approval	13/02/2024
23/01763/PNRH	Prior Approval - Householder	39 Hobkirk Drive Derby	Single storey rear extension (projecting beyond the rear wall of the original house by 5m, maximum height 3.96m, height to eaves 2.4m) to dwelling house	Prior Approval Not Required	02/02/2024
24/00002/PNRH	Prior Approval - Householder	72 Stockbrook Road Derby	Single storey rear extension (projecting beyond the rear wall of the original house by 4.2m, maximum height 3m, height to eaves 3m) to dwelling house	Prior Approval Not Required	08/02/2024
24/00003/FUL	Full Application	5 Highfield Road Derby	Single storey side extension to dwelling house (boot room)	Approval	27/02/2024
24/00014/NONM	Non-Material Amendment	Becketwell Development Land Macklin Street Derby	Non-Material Amendment to amend the approved plans of previously approved planning permission 22/01765/VAR - Demolition of unretained buildings and structures, renovation and alterations to retained building, erection of a performance and entertainment venue, service yard, vehicular and pedestrian access, highway infrastructure amendments, landscaping, public realm, and associated works.	Approval	08/02/2024
24/00019/FUL	Full Application	32 Hartington Way Derby	Two storey side extension to dwelling house	Approval	19/02/2024
24/00022/FUL	Full Application	1 Maplebeck Court Derby	Installation of replacement windows and door to the front elevation	Approval	28/02/2024
24/00023/CLP	Lawful Development Certificate -Proposed	51B Stafford Street Derby	Change of use from a single flat (Use Class C3) to a three bedroom flat in multiple occupation (Use Class C4)	Approval	26/02/2024

Application No:	Application Type	Location	Proposal	Decision	Decision Date
24/00029/CAT	Works to Trees in a Conservation Area	Orchard Leigh 3 Orchard Street Derby	Felling of four Pear trees, removal of 3 stems of a Rowan tree and pruning of a Birch tree (10 year management plan) within the Mickleover Conservation Area	Raise No Objection	27/02/2024
24/00030/FUL	Full Application	93 Borrowfield Road Derby	Demolition of existing outbuilding. Erection of outbuilding (garage)	Approval	21/02/2024
24/00044/PNRH	Prior Approval - Householder	22 Werburgh Street Derby	Single storey rear extension (projecting beyond the rear wall of the original house by 6m, maximum height 3m, height to eaves 3m) to dwelling house	Prior Approval Not Required	21/02/2024
24/00047/FUL	Full Application	30 Draycott Drive Derby	Single storey side extension to dwelling house (shower room, utility and kitchen/dining area)	Refused	21/02/2024
24/00048/PNRH	Prior Approval - Householder	138 Boulton Lane Derby	Single storey rear extension (projecting beyond the rear wall of the original house by 5.6m, maximum height 3.5m, height to eaves 3m) to dwelling house	Prior Approval Not Required	08/02/2024
24/00049/FUL	Full Application	22 Wordsworth Avenue Derby	Single storey rear extension to dwelling house (shower room and kitchen/diner)	Approval	28/02/2024
24/00051/FUL	Full Application	44 Farmhouse Road Derby	Single storey front extension to dwelling house (porch)	Approval	28/02/2024
24/00056/CLP	Lawful Development Certificate -Proposed	87 Portreath Drive Derby	Single storey side extension to dwelling house	Approval	19/02/2024
24/00059/FUL	Full Application	370 Boulton Lane Derby	Two storey side and single storey rear extension to dwelling house (office, stores, kitchen, living space, utility, wet room and enlargement of bedroom)	Approval	28/02/2024
24/00077/PNRH	Prior Approval - Householder	1144 London Road Derby	Single storey rear extension (projecting beyond the rear wall of the original house by 6m, maximum height 2.9m, height to eaves 2.75m) to dwelling house	Prior Approval Not Required	13/02/2024
24/00088/CAT	Works to Trees in a Conservation Area	The Flower Pot 23 - 25 King Street Derby	Removal of left limb from a Maple tree, removal of limb overhanging parking area and crown reduction by 2m of a Birch tree and crown	Raise No Objection	27/02/2024

Application No:	Application Type	Location	Proposal	Decision	Decision Date
			reduction by 2m of two Cherry trees within the City Centre Conservation Area		
24/00094/PNRH	Prior Approval - Householder	50 Gerard Street North Derby	Single storey rear extension (projecting beyond the rear wall of the original house by 5.95m, maximum height 3m, height to eaves 3m) to dwelling house	Prior Approval Not Required	14/02/2024
24/00107/NONM	Non-Material Amendment	1 Radstone Close Derby	Non-material amendment to reduce the number of windows in the rear extension of previously approved planning permission 22/01399/FUL - Single storey side and rear extensions to dwelling house (porch, W.C. and garden room)	Approval	19/02/2024
24/00144/PNRH	Prior Approval - Householder	68 Lindon Drive Derby	Single storey rear extension (projecting beyond the rear wall of the original house by 5.75m, maximum height 3.74m, height to eaves 3.46m) to dwelling house	Prior Approval Not Required	27/02/2024
24/00157/PNRH	Prior Approval - Householder	62 Ashbourne Road Derby	Single storey rear extension (projecting beyond the rear wall of the original house by 4.8m, maximum height 4m, height to eaves 2.7m) to dwelling house	Prior Approval Not Required	27/02/2024