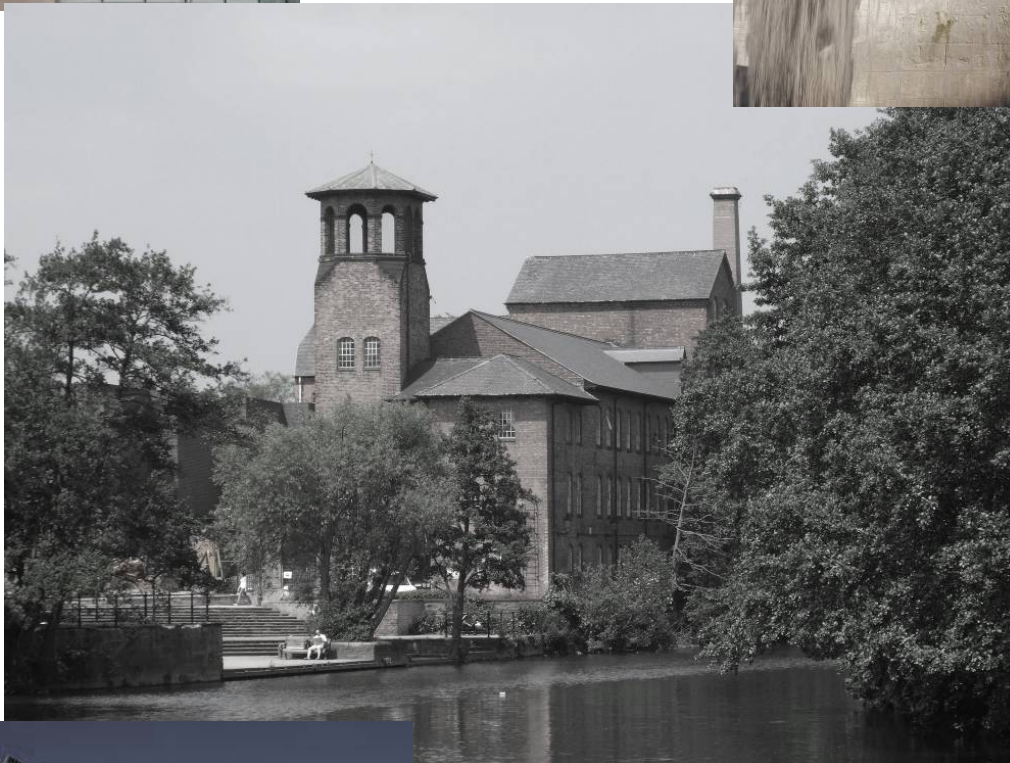


Item 7

Derby City Council
Planning Control Committee
14th January 2010



Development Control Report Of
The Assistant Director – Regeneration

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Planning Control Committee 14 January 2010

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2	9 - 21	09/09/01047	Site of Arthur Neale House, Hanwell Way, Derby	Demolition of residential care home and erection of 98 flats and communal spaces including restaurant and kitchen, lounge, cafe bar, gym, shop, beauty salon, meeting rooms and additional activity rooms, offices and ancillary spaces.	<p>To grant planning permission with conditions</p> <p>A. To authorise the Assistant Director – Regeneration to negotiate the terms of a Section 106 Agreement to achieve the objectives set out in 11.5 below and to authorise the Director of Corporate and Adult Services to enter into such an agreement.</p> <p>B. To authorise the Assistant Director – Regeneration to grant permission upon conclusion of the above Section 106 Agreement.</p> <p>C. If the applicant fails to sign the Section 106 Agreement by the expiry of the 13 week target period (DD MMMMMMMM 200Y) consideration be given, in consultation with the Chair, to refuse permission.</p>
3	22 - 25	10/09/01225	St. Helens House, King Street, Derby	Installation of commemorative plaque on proposed south boundary wall	To grant consent
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5	31 - 35	07/09/00758	Land at junction of Willow Row, Walker Lane and Cathedral Road, Derby	Formation of temporary public car park (one calendar year)	To refuse planning permission.
6	36- 44	11/09/01312	Land adjacent Power station at Celanese Acetate Ltd, Holme Lane, Spondon, Derby	Erection of power plant, including turbine, generator, control room and storage area	To grant planning permission with conditions

Committee Report Item No: 1

Application No: DER/08/08/01236

Type: Full

1. **Address:** Longbridge Weir, Riverside Gardens

2. **Proposal:**
Installation of hydro electric power generator

3. **Description:**

This proposal seeks planning permission for a hydroelectric power generator located on the south bank of the River Derwent within the riverside gardens and adjacent to the Longbridge Weir. The site, of some 1820sq m, lies between the river and the existing footpath/part cycle route and entails the erection of a power generator building and the creation of an intake channel and outgoing tail race. The site currently contains mostly grass banks and trees. It lies at the former junction with the Derby Canal which allowed crossing of the river, alongside the former towbridge, to the former branch of the canal leading off the north bank towards Nottingham Road.

The scheme comprises an intake channel leading from the river upstream of the weir leading to a screen cleaner and fish bypass, a Power House to enclose generation equipment with a Siphon Chamber below to house the turbine and a Tail Race to direct water back to the river downstream of the weir.

The design of the Power House is intended to be a landmark design rather than utilitarian turbine housing. Accordingly, the selected design is cylindrical, with a diameter of some 8m and height of 5.35m with a smaller feature dome, of 4.2m height, on top. The Siphon Chamber extends a further 4.4m below but this is below the adjoining footpath level. External details are stone plinth and projecting bands at flood level with stone tiling above. The roof is stone tile finished as is the central roof light feature. This has the possibility for future interpretation panels, windows, seating, and a link to the Riverlights podium. The Siphon House is a concrete finish as are the water channels. The use of boulders is proposed at the waters edge and the site will be secured by a 2.4m high mesh fence. A reinforced grass finish surface will be provided for a service vehicle.

The turbine would generate around 1.3million kWh per year of electricity to feed into the nearby Council Offices, supplying enough 'green' electricity for the equivalent of over 300 average households and representing a saving of at least 1000tonnes of CO2 per year from coal fired power stations.

Turbines are not uncommon on the Derwent with 7 operating on 4 sites at Borrowash, Milford, Belper and Masson in addition to those at the Ladybower Reservoir. In the 1960's there were 20 water turbines operating at 8 low head sites and including 2 in parallel with the main weir in Derby.

Since submission, the plans have been modified slightly following discussions with the Environment Agency and these change the design of the fish bypass. The spiral external ramps are also omitted.

4. **Relevant Planning History:**

None relevant on this site but the Riverlights mixed scheme on the former bus station site is to the south.

5. **Implications of Proposal:**

Committee Report Item No: 1**Application No:** DER/08/08/01236**Type:** Full**5.1. Economic:**

The proposal would result in the provision of 'green energy' and could create a feature of tourism interest. It would provide 'green energy' saving CO2 emissions with the associated wider economic savings.

5.2. Design and Community Safety:

The external spiral ramps have been omitted and the site will be secured by 2.4m high mesh security fencing.

The design is intended to be a landmark feature of public interest, with potential for interpretation of 'green energy'.

5.3. Highways – Development Control:

Information will be required on construction management such as routes, access and parking for construction traffic and siting of the compound.

5.4. Disabled People's Access:

The development should be accessible.

5.5. Other Environmental:

The scheme would involve the removal of 3 good young mature lime trees, 2 willow and 2 sycamore in poor condition, and most of a mixed group of willow, alder, sycamore and ash trees which are generally fair and visually prominent.

The site is within the River Derwent corridor which is a site of wildlife interest.

The site is not within the World Heritage Site or its buffer zone.

6. Publicity:

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

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

7. Representations:

One representation has been received objecting on the grounds of impact on nature conservation and biodiversity, flooding, energy saving, funding and design.

The letter is reproduced in the report.

8. Consultations:**8.1. Building Consultancy:**

The public access to and around the generator should be accessible to all.

8.2. City Development & Tourism:

No comments

8.3. Natural Environment:

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Type: Full

Need details of landscaping to ensure the recommendations of the submitted ecology survey are pursued.

8.4. Environmental Services (Trees):

Confirms that some trees, including the Willows, are in poor condition and needed to be removed on health and safety grounds but the other trees to be removed are healthy and the removal of visually important trees is subject to objection.

8.5. Environmental Services (Health – Pollution):

The turbine/generator unit provides a combined energy conversion efficiency of 85%. Hence there is relatively little energy left to be converted into heat and noise. Noise emanating from the rotating machinery will be contained within the solid powerhouse building. Experience from other schemes shows that, in the context of continuous background noise coming from the weir, no noise will be heard beyond a few metres from the powerhouse building.

8.6. Corp & Adult Services (Estates):

No comment

8.7. DCC Archaeologist:

The proposal area encroaches on 3 historic sites listed in the Derbyshire Historic Environment Record (HER) namely site of pre 1791 copper mills, early 19th century towpath bridge and weir and the 1796 junction of the Derby Canal and River Derwent. The proposal may impact on buried archaeology and PP16 requires a programme of archaeological work to mitigate any impacts accordingly, a continuous watching brief should be conditioned.

8.8. ENV Agency:

With respect to the originally submitted scheme, objected to the lack of an acceptable flood risk assessment. In particular, the scheme failed to demonstrate a comprehensive view of flood risk to the development or impact on flood flow upstream and downstream; it also did not show compensation for loss of floodplain or how the scheme ties in with the Lower Derwent Strategy.

The Agency also objected on fisheries grounds in that inadequate provision was made for protecting fish and fish habitat or for monitoring.

Since then, further discussions have removed the objections on fisheries grounds and further submissions have been made with respect to flooding concerns. Updated comments will be reported at the meeting.

8.9. Derbyshire Wildlife Trust:

Any comments to be reported

8.10. Police Liaison Officer:

No comments received but advice was given to the Applicant prior to submission.

8.11. Cityscape:

No comments received

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

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Type: Full

GD2 Protection of the Environment
GD3 Flood Protection
GD4 Design and the Environment
GD5 Amenity
E4 Nature Conservation
E5 Biodiversity
E6 Wildlife Corridors
E9 Trees
E10 Renewable Energy
E21 Archaeology
E23 Design
E24 Community safety
L1 Protection of Parks and Public Spaces
T6 Provision for pedestrians
T7 Provision for cyclists
T10 Access for Disabled People

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

10. Officer Opinion:

Policy E10 allows for development in connection with the generation of renewable energy subject to:

- No materially adverse effect on the natural or built environment,
- Not inhibiting development potential of land allocated for other uses, or
- The benefits of the scheme in securing energy from a renewable source outweigh any adverse effects.

The site is within a wildlife corridor and will impinge on a wildlife site, the River Derwent and its banks, as defined in Policies E6 and E4(7). In these areas development will not be permitted if they do not take account of the need to protect them from adverse impact or if they sever or undermine the value of the wildlife corridor. Policy E5 also requires retention of nature conservation features such as trees unless mitigation is provided.

The proposal results in the loss of some good and some poor condition trees which will alter the visual appearance of the river bank at this point and reduce some potential wildlife habitat. The submitted ecological appraisal indicates an absence of evidence of protected species and although the proposal requires fairly invasive works to the river banks, this work is temporary and habitats are not considered to be affected in the long term. This is a city centre site with much disturbance to wildlife

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Type: Full

where the main function of the site is for foraging rather than occupation. Apart from some of the trees, the flora is otherwise not considered to be significant. Mitigation is recommended in the form of landscaping, including the growing of plants on the walls of the proposed buildings and provision of habitat for species such as crayfish and bats. Such provision can be conditioned. Discussions with the Environment Agency have resulted in changes to the fish bypass proposals.

The site is not within or immediately adjacent to the World Heritage Site and is outside the buffer zone. The proposed building is intended to be a landmark design which will add interest to the riverside rather than detract from it in built terms.

It has an acceptable relationship with the nearby Riverlights development and will add to rather than inhibit it. It may be possible in the longer term to provide a link from that development to the roof of the Power House for use as a viewing platform but that is not part of this application proposal.

The site is also within public open space where Policy L1 normally only allows development associated with the provision of leisure or recreational use unless an assessment has been undertaken showing the open space surplus to requirements. No assessment has been submitted to this effect and, whilst the area has limited public physical usage, it does provide visual importance as an open area. Against this, it is intended that the development will have benefits for tourism and in the future will have value as an interpretative resource

Reference is also made in the objector's letter to the Biodiversity Action Plan and to the Council's Climate Change Commission indicator to improve local biodiversity.

The proposal will change the existing nature of the site which currently has a visual function as an open area adjacent to the river and replaces it by a development which provides energy from a renewable resource. The determination under policy E10, and other general policies, is whether the benefits of the scheme outweigh any disadvantages.

One of the aims of Policy E10 is to minimise greenhouse gasses and this proposal is one of the Council's schemes aiming to do that and meet its commitment to support that and other targets to this effect.

Members will need to balance that benefit with the loss of the existing nature of the river bank but for the reasons given above I am recommending that the balance is clearly met in favour, in this instance, of meeting renewable energy requirements.

Policy GD3 allows development where satisfactory compensatory measures are provided to off-set any potential adverse effects on the water environment and associated lands such as loss of floodplain and where it would create or exacerbate flooding elsewhere. In this respect the advice of the Environment Agency is significant.

As submitted, the Environment Agency objected on flooding and fisheries grounds. I am awaiting formal confirmation that the revised scheme overcomes the fisheries objections and understand that a licence has been granted for the development.

On flooding grounds, further work has been carried out by the Applicant and considerable discussion held with the Agency. I am awaiting the further views of the

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Agency and will report any comments at the meeting. I am accordingly recommending that members agree with the principle of the development subject to the views of the Environment Agency. If not received by the meeting, I would ask Members to authorise me to grant permission in consultation with the Chair subject to no adverse comments from the Environment Agency.

11. Recommended decision and summary of reasons:

11.1. Subject to the resolution of any outstanding flood risk issues, **to grant planning permission with conditions.**

11.2. Summary of reasons:

The proposal has been considered in relation to the provisions of the Development Plan and all other material considerations as indicated above and is acceptable as it will assist the production of energy from renewable resources, have the potential to promote public interpretation of such proposals and provide mitigation for the loss of any nature conservation features.

11.3. Conditions:

1. Standard condition sc 27 (external materials)
2. Standard condition sc 20 (landscaping scheme)
3. Standard condition sc 22 (landscaping maintenance)
4. Standard condition sc 24a (vegetation protection)
5. Standard condition sc 19 (boundary treatment)
6. Before development commences, detail of wildlife and vegetation mitigation measures shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with those agreed measures.
7. No development shall take place until the applicant or their successor in title has secured the implementation of an archaeological watching brief in accordance with a written scheme of investigation (WSI) submitted by the applicant and approved in writing by the Local Planning Authority.
8. Details of cycle parking, including secure parking, for any staff and visitors shall be submitted to and approved in writing by the Local Planning authority and implemented in accordance with the agreed details before the development is brought into use
9. A construction management plan shall be submitted to and agreed in writing by the Local Planning Authority before development commences and implemented in accordance with the agreed details. The plan shall indicate construction traffic routes in the locality and to the site, the design, size and location of any site compound and details of signage for pedestrians, cyclists and construction traffic.

11.4. Reasons:

1. Standard reason E14 – Policy E23

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2. Standard reason E10 - Policy GD2, GD4, E4, E5
3. Standard reason E10 – Policy GD2, GD4, E4, E5
4. Standard reason E11 - Policy GD2, E9
5. Standard reason E10 – Policy GD5, E23
6. Standard reason E10 – Policy GD2, E4, E5, E6
7. In order to record and protect any archaeological interest within the site and in accordance with Policy E21 of the adopted CDLP Review.
8. Standard reason sc E16 – Policy T7
9. In the interests of pedestrian, cyclist and other traffic safety and to meet the requirements of Policies GD5, T6, T7 & T10 of the adopted CDLP Review

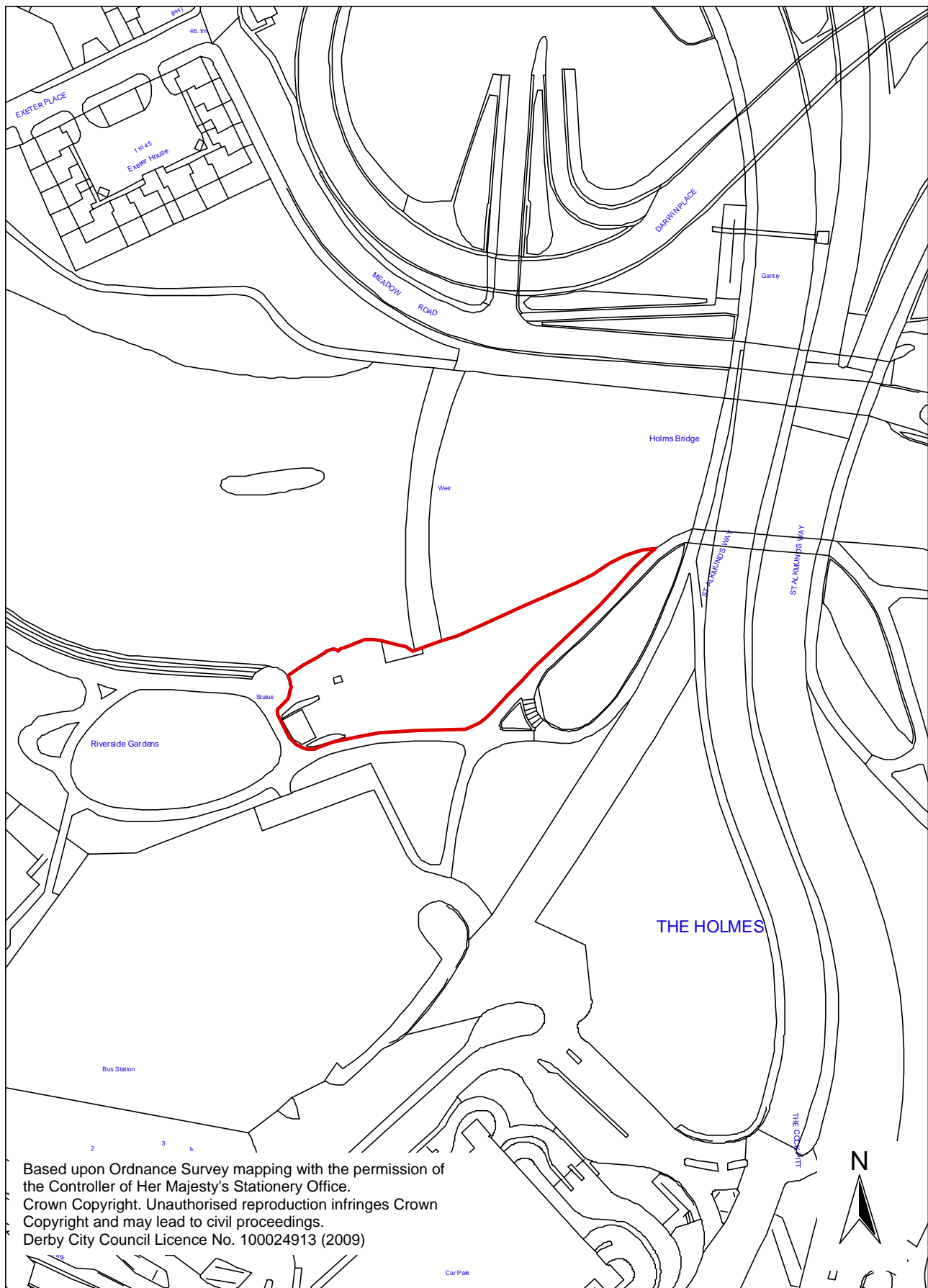
11.5. Application timescale:

The application has exceeded the target timetable due to negotiations on flooding issues.

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Enclosure



Dear Sirs

App No 08/08/01236 – Installation of Hydro-Electric (HE) Power generator

The above application is in breach of environmental and planning grounds.

DERBY NATURAL HISTORY STRATEGY

This warns against 'tidying-up' of the riverbanks.

Another scheme, Project Riverlife was set up in order to allow access to the river without ruining the bio-diversity aspect of it. This has been forgotten, in the 'rush' to develop and concrete the banks of the River, which are supposed to be protected in the **City of Derby Local Plan Review 2006 (CDLPR) - Environment Policy 4 and 6**. Alternative hydro-power schemes, which are less destructive, have not been considered. Japanese plants exist which are invisible to the naked eye, yet are not recognised.

Even though there is an element of 'green tourism' to this application, which is incidentally seen by many as a form of 'greenwash', bio-diversity is supposed to be preserved, as in various Government legislation – the Natural History Planning Policy Guidance 9 – Nature Conservation. Derby also has a Biodiversity Action Plan

The Climate Change Commission has, as just one of its indicators, the 'improvement of local biodiversity' (Performance Eye) Many natural history sites are being destroyed or becoming neglected across the city, this one amongst them

FLOODING

The 'scoop' - as the area is known - is one of the first areas to flood when the river is high - 2-3 days of rainfall and surface water run-off from similar Derby floodplain and washland developments, accomplish this easily. This is a valuable area for the 'storage' of such floodwater. Together with Riverlights and the Cathedral Green development plus others, this is removed, placing people and developments further downstream at increased risk - ie workers at the Rolls-Royce nuclear reactor on Raynesway. The allowances for flood risk do not take into account the effect of other such developments or increased rainfall due to climate change. ie 20% increased rainfall.

This also puts at risk all visitors to such a plant, as well as the plant itself.

Flood conditions are mentioned yet increased rainfall and surface water run-off into the river due to floodplain and washland development further upstream, are also not counted.

CDLPR General Development Policy 3 – Flood Protection states that planning permission will not be granted for development which-

- Lies within undefended areas at risk of flooding (most of city centre – acknowledged by Environment Agency to be in need of further strengthening of flood defences)

Enclosure

- Would create or exacerbate flooding elsewhere (Wilmorton, , Raynesway, Spondon Ambaston)
- Results in the loss of natural floodplain

ENERGY EFFICIENCY

Energy efficiency measures at the Council House have not been put in place, Climate Change Local Impacts Plan has yet to be formulated, and there are no energy efficiency measures at the Council House, where electricity bills currently stand at ½ million pounds annually.

It is claimed that the action of destroying trees and ecology would be outweighed by "energy savings that would result from the use of the power...provide long term electrical power" This plant does not produce energy-savings, it produces power which is then used. Energy savings are made when people act positively in order to save energy.

BORROWING

The amount of money needed for this plant is £1.5 million (09/08 – Climate Change Commission 15 September) in addition to the £160,000 already approved for development. This money could instead be used for;

- funding the city school bus services – which would slash carbon dioxide emissions across the city and encourage modal shift (for parents) from the car to the bus, providing valuable education to children (future voters) and proof that the city council actually considers their future interests
- reinstate the recycling bin sites especially those which are increasing in tonnages
- allowing public toilets in the city and cemeteries to stay open
- waterproofing the Council House basements and moving lift gear to roof

DESIGN AND ACCESS STATEMENTS

Pg 4 states that "**the plant would provide educational and public awareness benefits to the wider community**" Yet the area is already providing educational, informal recreation, public awareness and amenity value.

The above words about educational and public awareness have been used before in various City Council schemes proposed to the public. Amongst them is Arboretum Park, which is in danger of returning to a neglected state.

Other points: -

*"green-screen" installation – plants over a mesh – this has not worked properly on the 'hanging gardens' at the Spot

* "otter bankside path"– as there is no cover provided - unlike the current site, otters will not use such a path. The light, noise and footfall will also put off such creatures.

Trees currently on the site are to be removed – why they are needed follows: --

1. – to keep the river bank stable and prevent soil and bank erosion
2. – absorb rain, river water and increased surface water run-off
3. – provide oxygen and shade, the former particularly needed due to the adjacent Air Quality Management Area that is the inner ring road
4. Natural History interest and education, wildlife foraging grounds, nesting

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General Development Policy 2 states that 'Existing landscape features such as woodland areas, trees, hedgerows, ponds and buildings of interest should be retained where possible and incorporated into the overall design. ' It seems that the City Council is exempt from its own policies which it sets to safeguard against such development, yet breaches these when it suits.

The plans also breach many of the CDLPR Environment Policies – E4 – E9 and Derbys and Derbyshire Structure Plan Policies E11 - Historic Parks and gardens, E13 – World heritage sites, E14 – Sites and features of Nature Conservation Importance, E15 – Habitats, E16 – Trees and Woodland, and E17 – Design Quality, which calls for a design statement needing to explain the relationship between the design principles adopted and the surrounding environment, and identify the local distinctiveness of the area – this statement does not accomplish those aims, in that it merely wipes aside the 'distinctiveness' of the wildlife corridor, the river island and the surrounding riverbanks.

Pg 12 – compared to the current site, the design is an eyesore and not in keeping with the aims of Project Riverlife (current site photographs enclosed)

Lighting and security means that the plant will have to be lit all night and cameras put in place. This is a further waste of energy.

Design and Access Pt 3 Pg 14 – show the weir setting adversely affected, along with the Silk Mill – (World Heritage Site) The site becomes featureless and sterile, in breach of General Design Policy 4.

Pg 15 shows the loss of the willow trees currently by the balustrade. This is valuable shade for people using the seating and cover for wildlife. Again, the area becomes sterile and the form of the potential Riverlights block is stark against the skyline, with no redeeming cover.

The statement further adds that all members of the public will be able to view the plant. If not closed at night then Riverlights users will access it. Some of these will inevitably be under the influence of alcohol and may inadvertently fall into the plant. It is a relief to know that the 'trash-tracker' in the form of a giant pair of 'tweezers' is to be used to clear the steel mesh leading to the turbine.

In short, the plans are completely unsustainable.

Yours sincerely

D Skrytek

Derby and South Derbyshire Friends of the Earth Co-ordinator
95 Crewe St, Derby, DE23 8QQ

Enclosure



Enclosure



Committee Report Item No: 2

Application No: DER/09/09/01047

Type: Full

1. **Address:** Site of Arthur Neale House, Hanwell Way, Derby

2. **Proposal:**

Demolition of residential care home and erection of 98 flats and communal spaces including restaurant and kitchen, lounge, cafe bar, gym, shop, beauty salon, meeting rooms and additional activity rooms, offices and ancillary spaces.

3. **Description:**

The application site is situated on the southern limits of Mackworth housing estate between Hanwell Way and Greenwich Drive North. It is a roughly triangular piece of land covering an area of 0.94 hectares. There is a large number of mature and semi-mature trees on the plot, mainly along its western and southern boundaries, and the site as a whole is covered by a group Tree Preservation Order. The land levels fall gently from the southeast to the northwest of the site.

The land is occupied by the now vacant Arthur Neal House, a care home which provided elderly person's accommodation until it closed in September 2009. Arthur Neal House previously shared the site with the former Lois Ellis Care Home, which occupied the southern limits of the development plot until it was demolished in 2002/2003. The remaining care home building is a two storey 1950's property with a steeply sloping roof constructed of traditional red brick and plain clay roof tiles. It is situated to the north of the site fronting onto Hanwell Way. Four elderly person's bungalows also occupy the northeastern corner of the site, which are also constructed of red brick and clay roof tiles.

At present vehicle access into the care home site is obtained from Hanwell Way, to the north, whilst Greenwich Drive North curves around to the east and south of the site. To the west, the site abuts the playing fields of Brackensdale Junior School. Hanwell Way itself is a fairly narrow residential street, served by a small turning head from which access is provided into Brackensdale Junior School. To the north there is a row of two storey semi detached 1950's dwellings. Greenwich Drive North is a slightly wider street which terminates in a turning head to the southwest of the development site. Here, the site is separated from Kingsway, the A38 dual carriageway, by a landscaped embankment.

This application proposes to demolish all of the remaining buildings on the application site and erect a single extra care facility to be utilised by Sanctuary Housing Association. The development would provide a total of 98 extra care flats for older persons, comprising 61 two bedroom units, and 37 one bedroom units. The units would be 80% affordable rent and 20% shared ownership. In addition to the residential accommodation proposed, a variety of communal and ancillary facilities would be provided within the scheme. These include a restaurant, shop, hair and beauty salon, health suite lounges and a gym. It is the intention of Sanctuary Housing that certain communal facilities will be open to the wider community.

Extra care facilities give older people a new choice within the spectrum of housing, care and support. It is often best described as *bridging the gap* between ordinary/sheltered housing and residential care. Extra care housing, therefore, offers a new choice to older people in terms of being able to remain within the setting of their "own home" and within a community setting.

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Application No: DER/09/09/01047

Type: Full

The proposed development would be arranged in a 'hub' and 'spoke' pattern, with the central hub providing an area of communal accommodation from which short residential wings would radiate. Between each of the residential wings landscaped courtyards would be provided for residents. It is envisaged that the northern courtyard areas would provide a sensory garden, with private terraces and allotments. To the south the courtyard would provide space for staff parking and servicing, and would be used as an external area for the proposed restaurant.

The building would range from two to three storeys in height (approx 13m), with the tallest element of the development along the western elevation. The height of the building would step down to two and a half stories (approx. 10.11m) adjacent to Hanwell Way. The building incorporates an interesting modern design utilising a mixture of different brick types, standing seam metal and tile roofs, and coloured cladding.

The 'spokes' of the building would be treated with a buff brick with a simple pitched roof, either gabled, or hipped at the end. Throughout the building all bay's and gables would be expressed with a red brick. The agent suggests that the architectural treatment would be consistent for all the residential wings, with individual identity added to each 'spoke' through the use of different coloured panels at ground floor level.

The main 'spine' of the building would be treated with large format masonry, increased glazing and a further distinct set of coloured panels throughout, the aim being that its will be read as a single element. The main spine of the building would have a modern sloping metal standing seam roof, which would incorporate a central atrium feature allowing sunlight into the shared space on the ground, giving a light, open feel to the main shared space of the building itself. The proposed double pitch design of the metal roof would reduce the overall ridge height of this central element, further distinguishing it from the residential wings and giving it a more contemporary, less domestic feel, which is reflective of the communal uses within. The corners of the building are and gable ends are articulated to directly address the varying views and experiences of the building.

Vehicular access would be provided from Greenwich Drive North and the existing access along Hanwell Way would be closed. The development would provide a total of 40 off-street parking spaces, in two separate areas, one of which would be designated for staff and deliveries, and one for residents and visitors.

The application is accompanied by the following supporting documentation:

- Tree Survey (prepared by Derby City Council)
- Ecological Survey and Assessment
- Travel Statement
- Flood Risk Assessment
- Completed copies of the community consultation questionnaires
- Design and Access Statement
- Land Contamination Desk study Report

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Type: Full

4. Relevant Planning History:

The Arthur Neal House, the Lois Ellis Home and four bungalows were development in the 1950's under code numbers 1898 and 3444. Since then, permissions have been granted for extensions and alterations in 1972 and 1976 and for the lay-by off Hanwell Way in 1994. Most recent:

DER07/02/1085 – Demolition of residential care home and part of residential care home and erection of 40 bedroom home to provide both residential and medical care – granted, with conditions – 03/12/02

5. Implications of Proposal:

5.1. Economic:

It is estimated that the development would employ 17 full time staff.

5.2. Design and Community Safety:

The main community safety consideration in this case relates to the nature of the boundary treatment which would govern the degree of access into the site. Precise details of the boundary treatment should be conditioned.

Although the development is a modern building its general siting, form and scale are considered to be acceptable in context to the surrounding development.

5.3. Highways – Development Control:

The proposed number of parking spaces is considered to be sufficient to serve the needs of the development, without causing unacceptable additional on-street car parking. The Highways Officer has raised no objections to parking levels, or to the location of the new vehicle accesses.

Highways – Land Drainage

Further clarification of the drainage details has been sought and Members will be provided with an update.

5.4. Disabled People's Access:

All housing units conform to Building Regulations Part M (Facilities for Access and Disabled users) and BS:8300 with level threshold access throughout. In addition to this all flats have been designed to comply with the majority of standards set out in the Wheelchair housing guide. All stairs are designed to be suitable for ambulant disabled and three passenger lifts serve all parts of the building. The implementation of these features within the development would be secured through compliance with Building Regulations guidance.

The units have been designed so that they are fully compliant with Lifetime Homes standards, where appropriate.

5.5. Other Environmental:

The site contains a number of trees, all of which are subject to an area based Tree Preservation Order. The submitted plans indicate the removal of a number of trees on the site, however, no objections are raised by the Arboricultural Officers and sufficient tree coverage would remain to ensure the visual amenity of the area is not adversely affected.

Committee Report Item No: 2**Application No:** DER/09/09/01047**Type:** Full

The main trees of interest are located along the frontage with Greenwich Drive North but there is more substantial tree screening on the western boundary. As part of the development a group of 4 Lombardy Poplars will be removed from the north western corner of the site. Whilst these trees would provide a certain level of amenity value if retained, the inherent propensity for this tree species to shed branches is one that makes it an unsuitable choice for retention in this location. Their loss would be mitigation by enhancement of the landscaping scheme.

The parking layout has been amended to protect the Weeping Beech Tree, to the south of the site, as recommended by the Tree Preservation Order Officer.

6. Publicity:

Neighbour Notification Letter	11	Site Notice	
Statutory Press Advert and Site Notice	YES	Discretionary Press Advert and Site Notice	
Other			

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

It should be noted that prior to the submission of the planning application, the proposal was also subject to a pre-application consultation event with the public and other stakeholders. This took place on the 30 July 2009 and the feedback from this was included as part of the application submission.

7. Representations:

One email and four letters of representation have been received from a single objector. The issues raised are summarised below:

- Drainage and the capacity of the existing sewage to cope with additional residential units.
- Lack of parking for residents and their visitors, and the impact the resultant on-street parking this may cause along Hanwell Way.
- The building line of the proposed development along Hanwell Way, in comparison to that which presently exists.
- Proposed materials of construction, in particular the proposed metal standing seam roof.
- The number of waste/recycling bins provided and whether this is sufficient to serve the development.

These representations have been made available in the Members Rooms.

8. Consultations:**8.1. Natural Environment:**

No comments

8.2. Natural Environment (Tree Officer):

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No objections, subject to revisions to the parking layout to protect two Weeping Beech trees. It is recommended that the group of 4 Lombardy Poplars in the north western corner of the site are removed, as they are unsuitable for retention in this location.

8.3. Environmental Services (Trees):

No objections

8.4. Environmental Services (Health – Pollution):

No objections, subject to recommendations relating to glazing and ventilation installed, to protect the amenity of future residents from the impact of the A38 trunk road. Also recommends a restriction on the hours of construction to protect nearby residents and conditions relating to land contamination.

8.5. Environmental Services (Health – Food Safety):

No objections.

8.6. DCC Archaeologist:

No objections.

8.7. ENV Agency:

No objections subject to the inclusion of conditions relating to land contamination and surface water drainage.

8.8. Derbyshire Wildlife Trust:

The Trust recommends that further survey work is carried out within the buildings to look for any evidence of bats.

8.9. Police Liaison Officer:

No objections but offers advice on security and crime prevention.

8.10. Severn Trent Water:

No objections subject to the inclusion of a condition relating to the disposal of surface water and foul sewage.

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

- GD1 - Social Inclusion
- GD3 - Flood Protection
- GD4 - Design and urban environment
- GD5 - Amenity
- H11 - Affordable housing
- H12 - Lifetime homes
- H13 - Residential development – general criteria
- E9 - Trees
- E10 - Renewable energy
- E12 - Pollution
- E17 - Landscaping Schemes
- E23 - Design
- E24 - Community safety
- L2 - Public open space standards
- L3 - Public open space requirements for new development
- L8 - Leisure and Entertainment Facilities

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- S2 - Retail Location Criteria
- S12 - Range of Goods and Alterations to Retail Units
- T1 - Transport Implications of New Development
- T4 - Access, parking and servicing

- PPS1 - Delivering Sustainable Development
- PPS3 - Housing
- PPS23 - Planning and Pollution Control
- PPS25- Development and Flood Risk

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

10. Officer Opinion:

Location/Use

The application site is not allocated for any particular use within the City of Derby Local Plan Review, however, this is a brownfield site, currently in residential use within an established residential area and, as such, the principle of residential development in this location is acceptable. The proposal would meet the City Council's aspirations of achieving this type of sheltered accommodation within the locality and would add an important facility into the City's housing stock.

The proposed ancillary facilities, such as the shop/restaurant/gym, are considered to be acceptable in this location provided they are small scale, and predominately serve the needs of the extra care facility's residents. Primarily this would be the case, however, some facilities would be available for use by non-residents, by referral, which would be strictly controlled by Sanctuary Housing. Subject to satisfactory restrictions on the floorspace/number of units given over to the ancillary uses, the proposal is considered to comply with Policies S2, S12 and L8 of the CDLPR.

Design/Impact on the streetscene

The proposed development, although of a modern and interesting design, is considered to be appropriate in terms of its scale, massing and overall form. This is unmistakably a large development and the buildings' mass has been broken up through the use of differing elevation treatments and the provision of landscaped garden areas, between the different residential 'spokes'.

Although the development is very distinctive in comparison to the 1950's development within the locality, some design cues have been taken from the surrounding built form, particularly with the elevations fronting Hanwell Way. Here the two and, two and a half, storey elements of the building are more domestic in their scale and form, and the building is orientated so that it fronts onto Hanwell Way rather than presenting a side elevation to the streetscene. These elements provide a modern interpretation of the semi-detached dwellings opposite.

The frontage along Hanwell Way has been limited to two/two and a half stories which is more commensurate in size with the residential properties on the northern side of Hanwell Way. In this regard, I consider that the building would represent an

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appropriate scale of development in the streetscene, which can be softened in appearance through the implementation of appropriate landscaping in the courtyard areas to the north of the development.

The western elevation to Brackensdale Junior School is the longest elevation, which extends for a distance of approx. 78m. Here the variation in the choice of material helps the break up the massing of the building, as do the projecting gables. The retained tree screening along this boundary would soften this particular elevation further.

Whilst the built form of the extra care unit is modern, and will incorporate modern building materials, the development's style and form won't be out of context with what surrounds it.

Impact upon the amenity of neighbouring residents

The nearest residential properties to the proposed development are those situated to the north of Hanwell Way, however, the development has been designed so that the tallest elements of the scheme are set furthest away from these houses.

The scale of the development on the Hanwell Way frontage would step down towards the nearest houses and the proposed 'hub' and spoke' design of the building ensures the main bulk of the building would be located centrally, away from the residential properties, and the use of landscaped courtyards further breaks up the massing of the building adjacent to Hanwell Way.

In terms of window positions, the nearest principal window to the boundary of the site is approximately 16m, however, this will be across Hanwell Way itself. In fact, the layout proposed, on the whole, moves the development further away from the existing dwellings than the present situation. Furthermore, the nearest windows are at orientated at an angle, in relation to the properties opposite, ensuring that the proposal would not result in any significant overlooking of neighbouring dwellings, or their private amenity space

Whilst there will be an intensification in the use of the site, the relocation of the vehicular access onto Greenwich Drive North means that the movement of people, general traffic and servicing vehicles will be kept away from the neighbouring residents on Hanwell Way. Therefore, in this respect, the impact of the development on the amenity of neighbours could be considered an improvement over the current situation. The courtyard areas closest to the residents along Hanwell Way are to be utilised for quieter activities, whilst the busier service areas and restaurant 'breakout space' will be confined to the southern courtyard, furthest from nearby houses.

Overall, in terms of its impact upon neighbouring residents the proposed development is considered to be acceptable and would comply with the general requirements of Policy GD5 of the CDLPR.

Highway safety, parking and transport

The development would provide a total of forty off-street parking spaces including seven disabled parking bays. This would be comprised of thirty one parking spaces for residents/visitors/visiting professionals and nine parking spaces for staff/ancillary deliveries. Vehicle parking would be provided in two separate areas, accessed off

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Greenwich Drive North. All deliveries and servicing (such as waste and recycling collections) are to be undertaken from Greenwich Drive North.

The existing vehicle access on Hanwell Way would be closed, along with the unadopted track, which currently runs along the western boundary of the application site. As part of the development the turning head along Hanwell Way is to be widened, further details of which are to be obtained from the applicant and will be reported at the Committee Meeting.

The concerns with regards the level of parking provided are noted, however, due to the nature of the use proposed it is expected that most residents will not bring private motor vehicles with them. Extra care housing provides supported accommodation for older and frail people so by its very nature car ownership amongst residents in these schemes is usually low. The submitted information suggests that car ownership within these types of scheme is usually as low as, 4 or 6 at a maximum. As there are no restricted visiting hours, the pattern for visitors is also likely to be distributed throughout the day/week, rather than with nursing homes where car parking becomes stretched because visits are limited to specific times.

It is recommended that preparation and implementation of a Travel Plan is secured via condition, which will encourage staff to find alternative means of travelling to work, rather than utilising private vehicles. It is suggested that existing schemes of a similar size, on average, have 6/8 staff have cars they use for work, however, it is also anticipated that staff recruitment will be from the local area.

It is also noted that the development site is in a sustainable location well served by public transport with the no. 28 and 29 buses offering a regular service into the city centre. The nearest bus stop is situated approximately 400m from the application site along Kingsway. A large number of communal facilities are also available within the building, all reducing the reliance on the private motor vehicle to access necessary services. A cycle store accommodating a minimum of 8 bikes is also proposed, along with a large storage area for electric buggies.

Overall, the number of parking spaces proposed is considered to be sufficient to serve the needs of the development, without causing unacceptable additional on-street car parking. The Highways Officer has raised no objections on this issue, or with regards to the location of the new vehicle accesses. In view of this the proposal is considered to comply with Policies T1 and T4 of the CDLPR.

Arboricultural Issues

There is a large number of mature and semi-mature trees on the site, which are important in providing amenity value both within the site and within the wider area. A full tree survey of the site has been carried out by the City Council's Arboricultural Officer and the submitted plans indicate the removal of a number of trees on the site. No objections are raised by the Arboricultural Officers.

The main trees of interest are located along the frontage with Greenwich Drive North but with a more substantial tree screen on the western boundary. As part of the development a group of 4 Lombardy Poplars will be removed from the north western corner of the site. Whilst these trees would provide a certain level of amenity value if retained, this might well be considered to be short-lived due to their proximity to the proposed development. The inherent propensity for this tree species to shed

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branches is one that makes it an unsuitable choice for retention in this location. Their loss would be mitigation by enhancement of the landscaping scheme.

Subject to the control of tree protection measure, the proposal is not considered to have a detrimental impact upon the remaining protected trees on the site and the development would be acceptable in this instance.

Drainage and Flood Risk

The site is located in an area which has only a 1 in 1000 year chance of flooding and, therefore, is defined as have a low risk of fluvial flooding by the Environment Agency.

Surface water runoff, foul water and sewerage will be to the existing adopted sewers in Greenwich Drive North. No objections have been raised to the development by either Severn Trent Water or the Environment Agency. At this stage the City Council's Land Drainage Team has asked for clarification on a number of points and discussions are ongoing between the agent and DCC's Land Drainage Team. Any comments on the submitted material will be reported to Members by way of an update.

Sustainability

The intension will be to achieve a 'very good' BREEAM multi-residential rating which ensures that the proposal will exceed the current Building Regulations requirements by 25%. This will be achieved through specification of materials and services as well as construction methods, ecology and rain-water harvesting, without the need for renewable energy technologies. The development has been designed, and will be constructed to meet lifetime homes standards.

Other Issues

The initial bat survey submitted confirmed no evidence of a bat utilising the exterior of the care home buildings. Further investigations are being undertaken within the buildings and Members will be updated accordingly. The submitted ecological survey has shown that the redevelopment of the site can be completed without adversely impacting on any other protected species.

Both residential and trade refuse located in two separate stores within the building and these are accessible from the second service car park, to the south of the development. The residential store is capable of containing up to 58 No 120 litre wheelie bins and the Trade store can contain up to 7 No 660 litre bins. This information has been referred to the Waste Team and Members will be provided with an update on this matter.

Conclusion

The redevelopment of the site as an extra care facility will fulfill the City Council's aspirations of providing varied types of residential facilities within the City. The development is acceptable in terms of its scale, siting and form and would be acceptable in terms of its impact on the character of the surrounding area. The development will not materially impact upon the amenity of neighbours, and sufficient off-street car parking is available to ensure there are no highway safety issues resulting from the development. The proposal has full regard for the need to preserve

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energy and, subject to conditions, the retained trees on the site would not be adversely impacted.

11. Recommended decision and summary of reasons:

11.1. To grant planning permission with conditions.

11.1 A. To authorise the Assistant Director – Regeneration to negotiate the terms of a Section 106 Agreement to achieve the objectives set out in 11.6 below and to authorise the Director of Corporate and Adult Services to enter into such an agreement.

11.2. Summary of reasons:

The proposal has been considered in relation to the provisions of the Development Plan and all other material considerations, as indicated above, and is acceptable in terms of its design, impact upon residential amenities, highway safety and off-street parking provision. Subject to the attached conditions, the proposal is not considered to have a detrimental impact upon the protected trees on the site.

11.3. Conditions:

1. SC03 (time limit 3 years)
2. SC 09A (revised plans....02/10 (02)001 B, 002/10(02)005 A, 002/10(02)020 A, 002/10(02)002, 002/10(02)151, 002/10(02)152, 002/10(02)153, 002/10(02)154, 002/10(02)155, 002/10(02)156, 002/10(02)157, 002/10(02)158 and 595.01B dated as received on the 7th of December)
3. SC27 (materials)
4. SC20 (landscaping)
5. SC21 (Implementation of Landscaping)
6. SC19 (Means of enclosure)
7. SC104 (Energy Consumption)
8. SC 30 (surfaces to be drainage, surfaces etc.)
9. SC 38 (disposal of sewage)
10. SC24A (Vegetation protection including overhanging)
11. SC51 (Service runs and trees)
12. SC66 (disabled peoples provision – ramped/level accesses)
13. SC67 (disabled peoples provision – disabled parking spaces)
14. SC69 (cycle/motor cycle parking)
15. SC98 (travel plan)
16. SC 28 (noise protection from the road)
17. SC74 (working hours)

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18. SC100 (closure of the existing vehicular accesses)
19. SC106 (site characterisation)
20. SC107 (submission of remediation scheme)
21. SC108 (implementation of approved remediation scheme)
22. SC109 (reporting of unexpected contamination)
23. Precise details of all outdoor seating areas, sheds and pergolas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those detail approved.
24. The non-residential communal uses hereby approved shall remain ancillary to the main use of the building as a residential care home and shall not be operated independently. Prior to first occupation of the development, a written scheme to demonstrate how access to these communal facilities by non-residents will be controlled, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full, for the life of the development, unless the Local Planning Authority gives written consent for any variation.

11.4. Reasons:

1. To conform with Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 1 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt
3. E14 (ensure a satisfactory external appearance)policies E23, DG4 H13
4. E10 (safeguard visual amenities)....policy E17
5. E10 (safeguard visual amenities)....policy E17
6. E14 (ensure a satisfactory external appearance) & E25 (protect residential and environmental amenities).... policies E23, DG4 H13
7. E51 (energy consumption).....policy E10
8. E21 (satisfactory drainage)...policy GD3
9. E21 (satisfactory drainage)...policy GD3
10. E24 (to protect tree and vegetation – construction work)...policy E9
11. E24 (to protect tree and vegetation – construction work)...policy E9
12. E34 (development accessible to disabled)...policy T10
13. E34 (development accessible to disabled)...policy T10
14. E35 (to meet parking needs/encourage varied means of transport)...policy T4
15. E47 (reason for travel plan)...policy T1

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16. E14 (ensure a satisfactory external appearance)policy GD5
17. E07 (preserve residential amenity)...policy GD5
18. E19 (traffic safety)....policy T4
19. In order to safeguard human health and the water environment....policy E12
20. In order to safeguard human health and the water environment....policy E12
21. In order to safeguard human health and the water environment....policy E12
22. In order to safeguard human health and the water environment....policy E12
23. E14 (ensure a satisfactory external appearance)...policy H13
24. In order to comply with the requirements of Policies S2, S12 and L8.

11.5. Informative Notes:

Control of Dusts from construction and demolition activities,
Restrictions on bonfire activities as recommended by the EHO.

11.6. S106 requirements where appropriate:

Affordable housing, open space, public realm/art, lifetime homes, highways, health, recruitment & training.

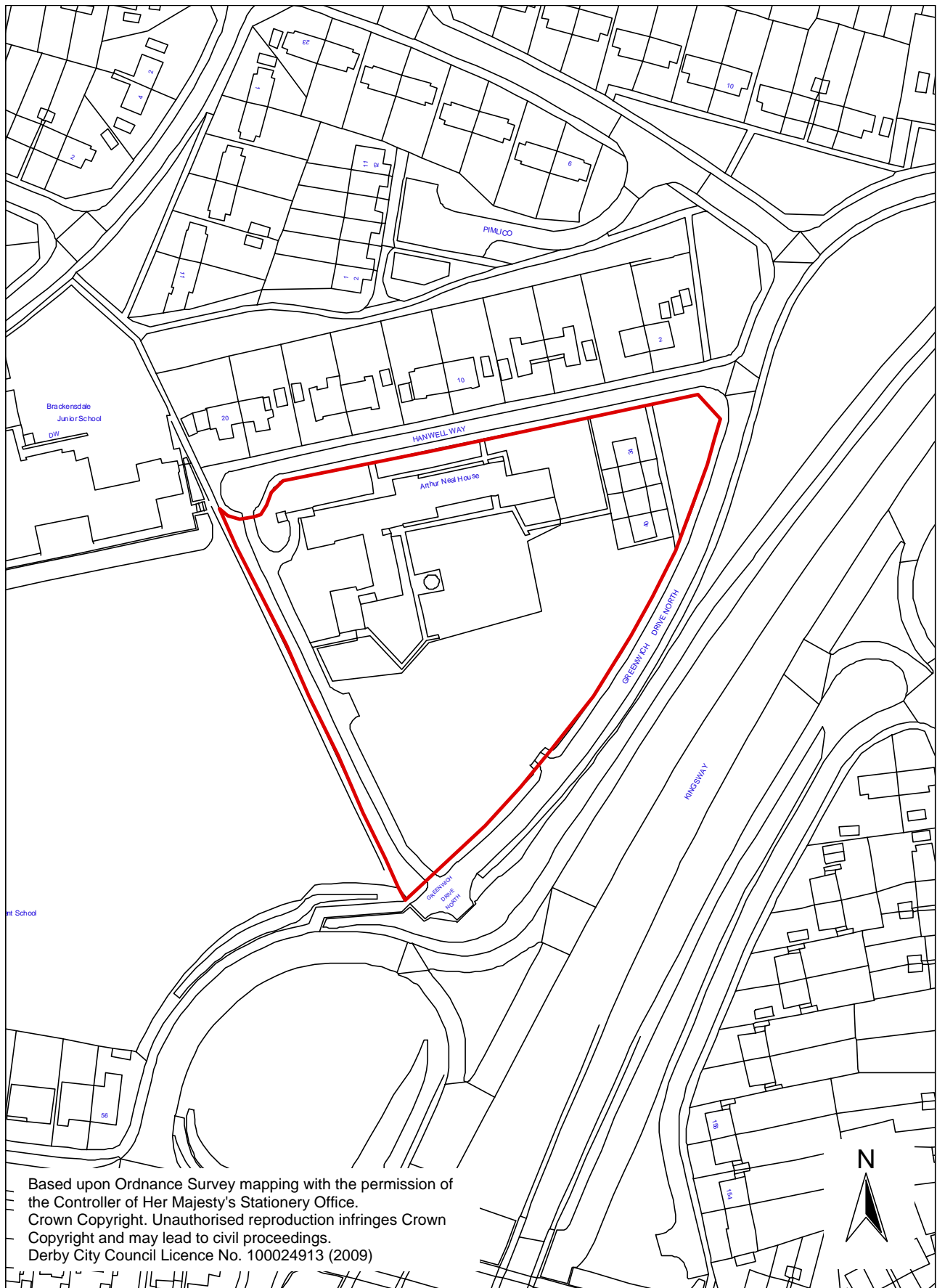
11.7. Application timescale:

The application deadline is the 25th of January 2009.

Committee Report Item No: 2

Application No: DER/09/09/01047

Type: Full



Committee Report Item No: 3

Application No: DER/10/09/01225

Type: Listed Building Consent

1. **Address:** St Helen's House, King Street, Derby.

2. **Proposal:**

The installation of a commemorative plaque, on the proposed south boundary wall.

3. **Description:**

The proposal anticipates the erection of a new boundary wall to surround St Helen's House, that has been granted planning permission as part of the wider scheme to change to use of St Helen's House to an hotel. The proposal is to incorporate a granite plaque into the brick boundary wall that is to be built. The plaque is to commemorate the previous use of St Helens House as a major centre in Derby for adult education.

The plaque will be 457mm (18inches) wide by 305mm (12 inches) high. It would be made from honed grey granite with the wording "ST HELEN'S HOUSE, CENTRE FOR ADULT EDUCATION 1970 – 2004", set in three short lines one above the other. The lettering would be incised into the surface of the plaque and coloured white similar to the plaques on the war memorial by St. Helen's House.

It is intended that the plaque be incorporated into the construction of the wall so that the surface of the plaque lies flush with the surface of the brickwork.

It is intended to be incorporated into the South facing, southern element of the proposed wall with its lowest edge being 1.2 metres above ground level.

4. **Relevant Planning History:**

DER/06/08/00852 and DER/06/08/00853 full planning permission and listed building consent for the change of use of St Helen's House and Pearson buildings from learning centre (use class D1) to hotel, (use class C1) and alterations and extensions to form glazed link, erection of a front boundary wall, conversion of headmasters house to form three dwelling houses demolition of chapel, temporary class rooms and chemistry laboratory, erection of 46 apartments and 3 dwelling houses, basement car parking and alterations to the Edwards Street access.

Granted planning permission and listed building consent 10/9/2009 and 07/07/2009 respectively.

5. **Implications of Proposal:**

5.1. **Economic:**

None.

5.2. **Design and Community Safety:**

The proposal will have a small visual impact on the appearance of the proposed new wall. There are no community safety implications.

5.3. **Highways – Development Control:**

None.

Highways – Land Drainage:

None.

Highways – Structures:

None.

Committee Report Item No: 3**Application No:** DER/10/09/01225**Type:** Listed Building Consent**5.4. Disabled People's Access:**

None

5.5. Other Environmental:

None

6. Publicity:

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

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

7. Representations:

None

8. Consultations:**8.1. CAAC:**

The Committee recommended refusal of the commemorative plaque as it would detract from the simplicity of the boundary wall and could lead to additional applications for similar plaques.

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

E18 Conservation Areas.

E19 Listed Buildings and Buildings of Local Importance.

E26 Advertisements

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

10. Officer Opinion:

The proposal is for a small grey plaque to be integrated into the building of the new boundary wall when it is eventually built as part of the works associated with the already approved change of use and conversion of St Helen's House to a hotel. The details of the wall are yet to be finalised but it will be constructed from brickwork with natural stone detailing.

The wall is to range from between 2.25 metres in height to 2.7 metres in height taking account of changes in land levels and be built from brickwork with natural stone copings. Gate piers would be of two types one fairly plain with stone coping the other with a ball finial. The former would rise to 2.7 to 2.8 metres in height and the latter to 3.7 and 4.0 metres in height.

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Type: Listed Building Consent

The plaque would be inset into the surface of the wall at its southern most elevation facing south. Although I acknowledge that it would be different in appearance to the body of the wall itself, I do not believe that this would result in any significant harm to the visual amenity of the streetscene and I can see little difference between this proposal and the many blue plaques that are erected on buildings and monuments in London by English Heritage to inform of famous historical persons' occupation of a building or the many other forms of historical information or interpretation plaques that adorn many of our Cities . Furthermore, I believe that it will add to the interest of the future St Helen's House hotel. I can see no reasonable reason to refuse this application.

11. Recommended decision and summary of reasons:

11.1. To grant listed building consent.

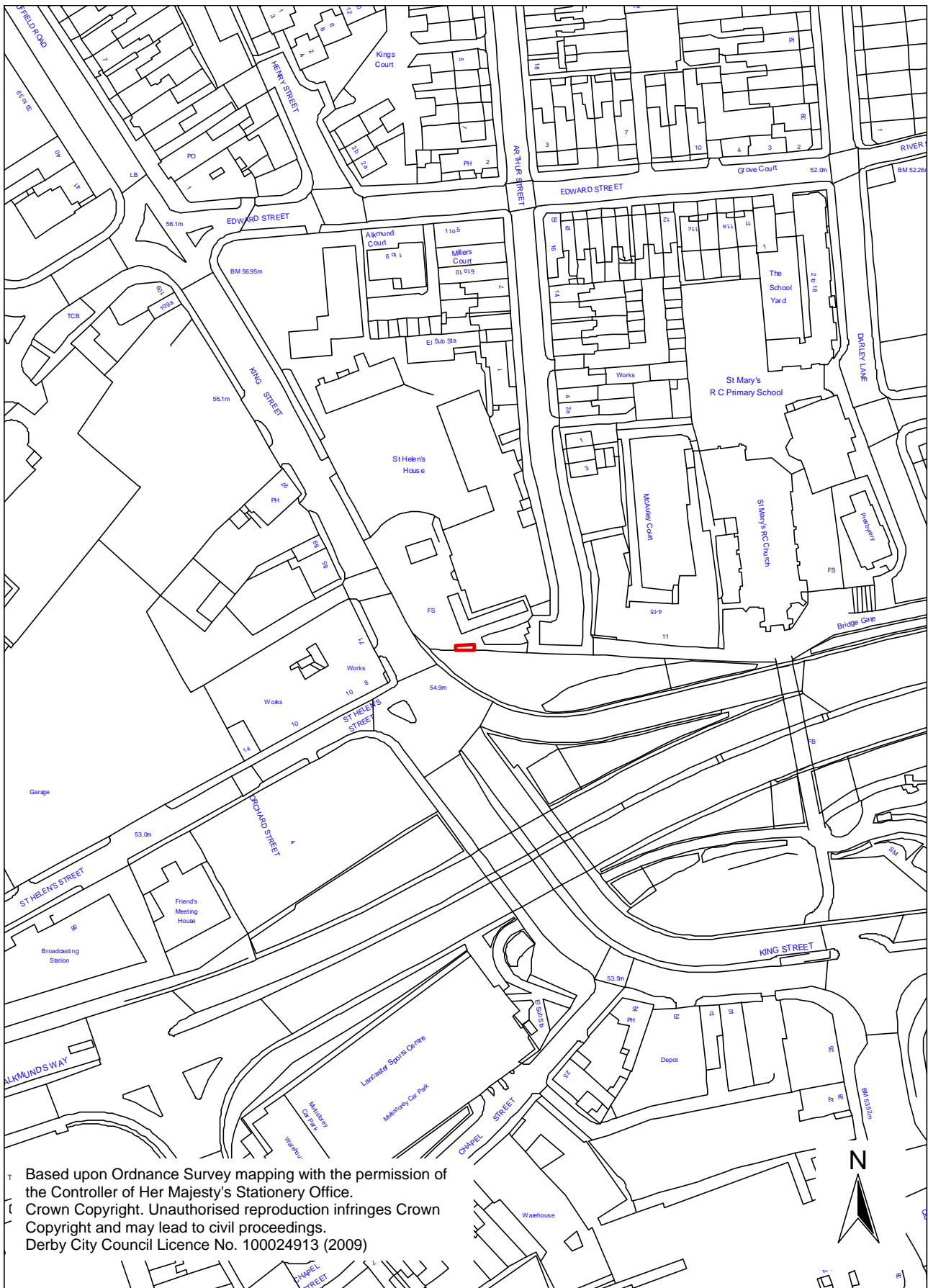
11.2. Summary of reasons:

The proposal would be acceptable in the streetscene and add to the historical interpretation of the Grade 1 listed building of St Helen's House in the public interest.

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Application No: DER/10/09/01225

Type: Listed Building Consent



Committee Report Item No: 4

Application No: DER/07/09/00838

Type: **Full**

1. **Address:** Land Cathedral Road (Former Sixt Kennings Car Hire)

2. **Proposal:**

Retention of use of land for car park for temporary period of 12 months

3. **Description:**

This site is awaiting redevelopment for an office led scheme which was approved by Committee in January 2008. In January this year a car park use for fee paying public commenced without planning permission. The Applicant has indicated that it is very much the intention to construct and let the unit but the dramatic decline in the economy made it take longer to secure a suitable tenant for the office development and as a consequence of ongoing problems on the site with anti-social behaviour and vagrants, sought to generate some temporary income and reduce those problems.

The development comprises a 0.23 ha area of hardstanding which permits approximately 90 parking spaces at a charge of 70p per hour or £4 daily.

There is another unauthorised car park nearby (also reported to this meeting) which charges 50p per hour with a daily rate of £2.50. The nearby Chapel Street public car park charges are on a sliding scale starting at £1.40 for an hour with a daily rate of £7.00.

The site lies outside but adjoining the City Centre Conservation Area.

4. **Relevant Planning History:**

DER/11/07/2079-Erection of Offices (use class B1) and Restaurant/ Café (use Class A3)-Granted Conditionally on 13 November 2008

DER/02/08/00288-Demolition of retail unit and Erection of offices-Granted Conditionally on 13 March 2009

5. **Implications of Proposal:**

5.1. **Economic:**

The Applicant is requesting a temporary use pending the start of development on site.

5.2. **Design and Community Safety:**

The Applicant has suggested that use of the site reduces the anti-social activities on the site.

5.3. **Highways:**

The site has two access/egress points with the south westerly one, close to the junction of Cathedral Road and Walker Lane, currently being used. Cathedral Road is one way east of the Courts' access towards Queen Street. Contraventions of the one way system on exiting the car park have been reported. There is a bus stop clear way directly opposite the site and short stay parking bays and no parking/unloading (double yellow lines) on both sides of the street. There are public car parks nearby at Bold Lane and Chapel Street. The occupancy figures for Chapel Street indicate spare capacity.

Committee Report Item No: 4**Application No:** DER/07/09/00838**Type:** **Full****5.4. Disabled People's Access:**

No disabled spaces are indicated but spaces are not considered likely to be required given the surface of the car park, the distance from the city centre and availability of on-street parking.

5.5. Other Environmental:

The site lies within the archaeological alert area but use of the land as a car park is unlikely to cause disturbance or require further investigation.

6. Publicity:

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

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

7. Representations:

One letter of comment received which suggests the Applicant should pay for revised road markings to stop parkers exiting left into Cathedral Road against the one way traffic flow. This representation is reproduced in the report.

8. Consultations:**8.1. Police Liaison Officer:**

Has raised a number of issues regarding the safe operation of the car park for customers with particular reference to lack of passive surveillance and lighting. Should permission be granted I would recommend conditioning a community safety management plan which would require improvement of these aspects.

8.2. Cityscape:

No response received.

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

GD5 Amenity

GD6 Safeguarding Development Potential

CC9 Northern Quarter Policy Area

CC19 Public Car Parking

R1 Regeneration Priorities

E21 Archaeology

E24 Community Safety

T1 Transport Implications

T4 Access, Parking and Servicing

Committee Report Item No: 4

Application No: DER/07/09/00838

Type: **Full**

T10 Access for Disabled People

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

10. Officer Opinion:

The site lies within the Northern Quarter Policy Area (CC9) which allows a range of uses intended to create a 'Creative Industries Cluster' including business offices and workshops, residential, financial and professional services, non-residential institutions and assembly and leisure. The extant permission for the office led scheme ably meets these policy requirements.

The key policy considerations is the requirements of Policy CC19 on Public Car Parking which only allows for temporary car parking on sites awaiting redevelopment provided that:

- There is a demonstrable need for the car parking subject to review at least every two years;
- The car parking is within or immediately adjoining the Central Shopping Area defined on the Proposals Map; and
- The design of the car park takes into account security needs, pedestrian safety and landscaping where appropriate.
- In all cases, the operation and location of car parking should favour short stay visits and not encourage car borne commuting.

The Applicant has submitted an assessment of car parking need which refers to the 2002 Derby City Centre Car Parking Study which identified a need in the City Centre for an additional 500 short stay spaces and identifying Becket Well as a suitable location. The Applicant's study suggests that some of this demand can be met at the application site which is within easy walking distance of the city centre. The assessment notes the aims of PPG13 to encourage use of alternatives modes of travel to the private car and that limiting parking is one way of achieving this and reducing traffic congestion and agrees there is a balance to be struck with this and the need to maintain the City Centre's viability for retailers and businesses.

The Local Plan Review adopted in January 2006 suggests in the reasoned justification for this policy (CC19) that there is not currently considered (pre January 2006) to be a shortage of short stay parking but that this will be kept under review. It does, however, put forward some suitable locations, such as Becket Well, for any shortfall. The application site is not one of those sites. It should be remembered that Bold Lane and Chapel Street car parks are very close to this site and the latter has spare capacity. In the period January to July 2009, the maximum occupancy was on 2nd June when 424 spaces were occupied leaving 100 spaces free. Outside the peak central period of the day more spaces are available. The argument on need cannot, therefore, be justified.

The site is not within the City Centre Shopping Area nor immediately adjacent in my opinion. The site is some 140m walking distance from the edge and is not immediately obviously well related being out of line of site to it.

Committee Report Item No: 4

Application No: DER/07/09/00838

Type: **Full**

On this base above, the argument of need and relationship fail and the proposal is accordingly contrary to policy CC19.

With respect to landscaping and security, concerns have been raised by the Crime Prevention Design Advisor sufficient to add as a minor reason for refusal but accepting that such matters could be conditioned on an approval.

As currently operated the charging regime favours both short and long stay patrons but the Applicant has indicated a willingness to debate appropriate charges to favour short stay only.

In conclusion, I would advise Members that the proposal is contrary to policy (C19) on the grounds of need, relationship to the Central Shopping Area and on the more detailed matters of security.

Whilst I am sympathetic to the Applicant's desire to overcome site problems and achieve some income pending redevelopment of the site, I consider that these aspects certainly do not outweigh the policy aims of the local plan.

Should Members accept my recommendation to refuse, consideration should be given to Enforcement Action. As I understand that site works are anticipated soon, Members may consider deferring formal action for 3 months.

11. Recommended decision and summary of reasons:

11.1. To refuse planning permission for the following reasons:

The proposal for a car park in this location has not been justified in terms of need or location and the proposal is , therefore, contrary to Policy CC19 of the adopted City of Derby Local Plan Review and would, if continued to be allowed. ,be detrimental to the aims of that policy and PPG13 in encouraging the use of the private car for work and other journeys.

The proposal does not provide adequate passive surveillance or other security measures for patrons of the car park and is accordingly contrary to Policy CC19 and E24 of the adopted City of Derby Local Plan Review.

11.2. To defer consideration of Enforcement Action for 3 months pending commencement of site works.

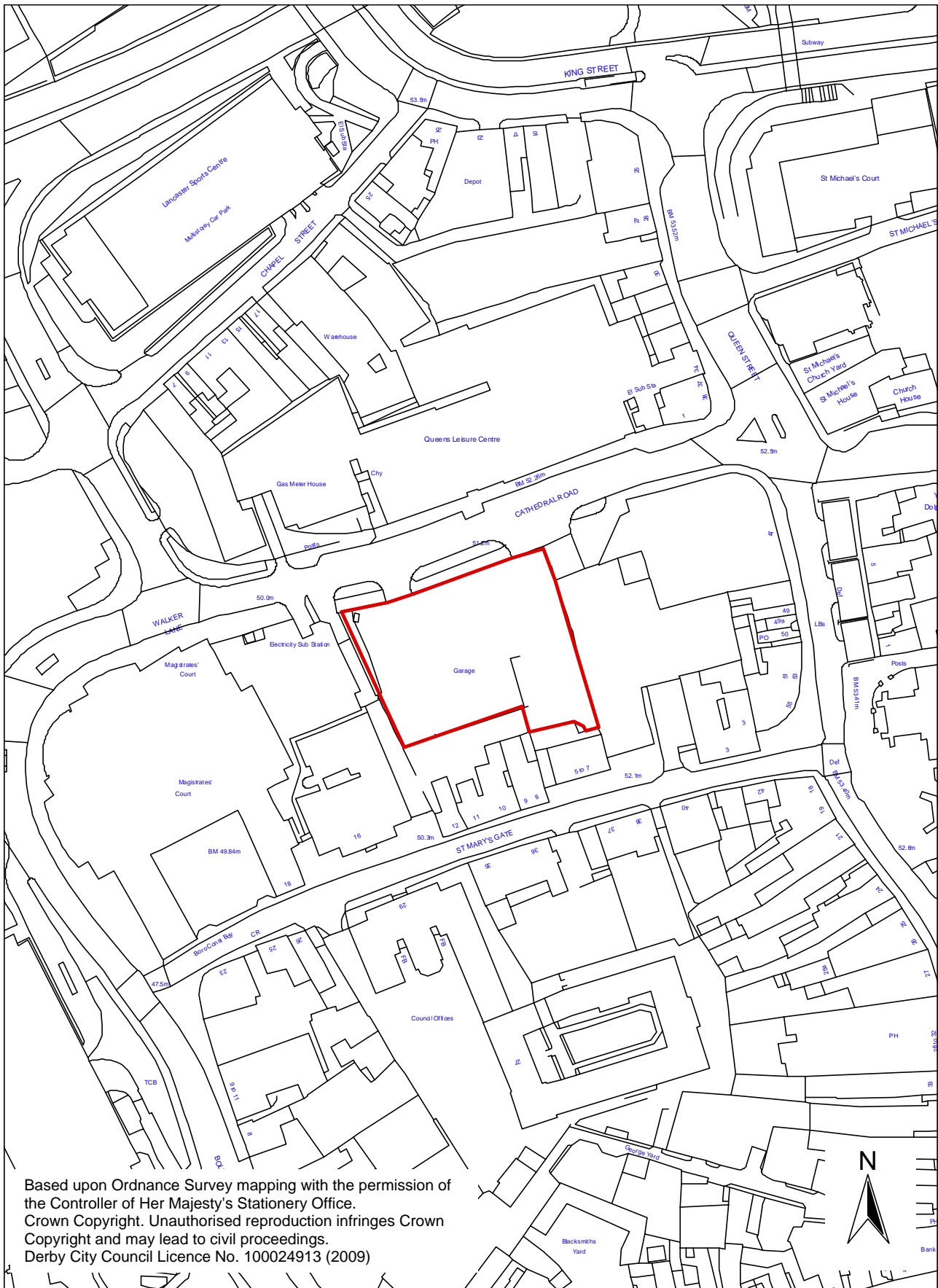
11.3. Application timescale:

The eight week determination period has expired.

Committee Report Item No: 4

Application No: DER/07/09/00838

Type: Full



Enclosure

Neighbour comments for Planning Application 07/09/00838

Site Address: Land, Cathedral Road, Derby (Former Sixt Kenning Car Hire)

Comments received from: Mr Aspdin, 19 Vernon St

Type of Response: COMM

Comments:

The applicant must be made to pay for revised road markings and signage. At present cars are leaving the car park and turning towards Bold Lane, although that section of road is one way and marked/hatched as such.

I have noted a risk to cyclists, in particular.

Does not wish to speak at committee.

Date Comments Accepted: 24/08/2009



Committee Report Item No: 5

Application No: DER/07/09/00758

Type: Full

1. **Address:** Land junction of Willow Row, Walker Lane and Cathedral Road

2. **Proposal:**

Retention of use of land for car park for temporary period of one calendar year

3. **Description:**

This site is awaiting redevelopment for an office led scheme which was granted permission in April 2008. Earlier this year, a car park use for the fee paying public commenced without planning permission. The Applicant, car park operator, had been asked by the site owners/developer to maintain the site until a start could be made on the scheme. A 12 months temporary permission is sought.

The development comprises a 0.2 ha area of hardstanding which permits approximately 89 parking spaces at a charge of 50p per hour or £2.50 daily.

There is another unauthorised car park nearby (also reported to this meeting) which charges 70p per hour with a daily rate of £4.00. The nearby Chapel Street public car park charges are on a sliding scale starting at £1.40 for an hour with a daily rate of £7.00.

Access to the site is off Walker Lane opposite the junction with Chapel Street and adjacent to the vehicle access to the Joseph Wright Centre. The site is part of a larger site part of which has been developed for the College and this part with permission for an office led scheme approved in 2008. The site is surrounded by hoardings which the Applicant would replace by screen fencing, if permission is granted. The Applicant has also indicated that if permission is granted, parking fees would be changed to encourage short term and discourage long term parking comparable with other short term car parks in the locality.

4. **Relevant Planning History:**

DER/05/07/00895 - Erection of retail units (Use Classes A2, A3, A4, and A5) and offices (Use Class B1) with associated parking – granted 14 April 2008.

5. **Implications of Proposal:**

5.1. **Economic:**

The Applicant is requesting a temporary use to maintain the site pending development.

5.2. **Design and Community Safety:**

The Hoardings around the site prevent passive surveillance of the car park.

5.3. **Highways:**

There are existing public car parks nearby at Bold Lane and Chapel Street. The occupancy figures for Chapel Street indicate spare capacity.

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

Four disabled parking spaces are referred to in the application, but spaces are not considered likely to be required given the surface of the car park, the distance from the city centre and availability of on-street parking.

Committee Report Item No: 5**Application No:** DER/07/09/00758**Type:** Full**5.5. Other Environmental:**

The site lies within the archaeological alert area but use of the land as a car park is unlikely to cause disturbance or require further investigation.

6. Publicity:

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

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

7. Representations: none**8. Consultations:****8.1. Building Consultancy:**

Notes that the proposed has disabled people's parking bays but has doubts about their accessibility and likely usage due to a relatively loose car park surface and there distance from the city centre core.

8.2. Police Liaison Officer:

Comments that the current parking layout is haphazard and needs marking out for the safety and security of users. The replacement of solid hoardings by visually permeable fencing to provide adequate passive surveillance and remove the fear that enclosure of space can give, is welcomed. The adjacent street lighting is not adequate and good lighting would be required unless the hours of use are limited to daylight only hours. Good signage and out of hours gates are also necessary. Should permission be granted I would recommend conditioning a community safety management plan which would require improvement of these aspects.

8.3. Cityscape:

The Cityscape Master Plan earmarks the site for commercial development but, given the current economic climate, Derby Cityscape supports the temporary proposal on the basis that the redevelopment of the site is still under consideration.

Lighting, boundary treatment and access arrangements are raised as issues to be considered.

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

GD5 Amenity

GD6 Safeguarding Development Potential

CC9 Northern Quarter Policy Area

Committee Report Item No: 5

Application No: DER/07/09/00758

Type: Full

CC19 Public Car Parking
R1 Regeneration Priorities
E21 Archaeology
E24 Community Safety
T1 Transport Implications
T4 Access, Parking and Servicing
T10 Access for Disabled People

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

10. Officer Opinion:

The site lies within the Northern Quarter Policy Area which allows a range of uses intended to create a 'Creative Industries Cluster' including business offices and workshops, residential, financial and professional services, non-residential institutions and assembly and leisure. The extant permission for the office led scheme ably meets these policy requirements.

The key policy considerations is the requirements of Policy CC19 on Public Car Parking which only allows for temporary car parking on sites awaiting redevelopment provided that:

- There is a demonstrable need for the car parking subject to review at least every two years;
- The car parking is within or immediately adjoining the Central Shopping Area defined on the Proposals Map; and
- The design of the car park takes into account security needs, pedestrian safety and landscaping where appropriate.
- In all cases, the operation and location of car parking should favour short stay visits and not encourage car borne commuting.

The Applicant has submitted an assessment of car parking need which refers to the 2002 Derby City Centre Car Parking Study which identified a need in the City Centre for an additional 500 short stay spaces and identifying Becket Well as a suitable location. The Applicant's study suggests that this provision has not been reviewed but that Developments such as Riverlights and Connecting Derby Highway scheme has reduced the number of short stay spaces in the Centre. An assessment of the use of Chapel Street on 7th and 8th October indicated a high usage and thus a need for more spaces in a location they regard as close to the city centre and cathedral area of the city.

The Local Plan Review adopted in January 2006 suggests in the reasoned justification for Policy CC19 that there is not currently considered (pre January 2006) to be a shortage of short stay parking but that this will be kept under review. It does, however, put forward some suitable locations, such as Becket Well, for any shortfall. The application site is not one of those sites.

Committee Report Item No: 5

Application No: DER/07/09/00758

Type: Full

Both Bold Lane and Chapel Street car parks are very close to this site and the latter has spare capacity. In the period January to July 2009, the maximum occupancy was on 2nd June when 424 spaces were occupied leaving 100 spaces free. The Applicant's submitted assessment indicates a vacancy at peak times of 89 to 153 spaces. Outside the peak central period of the day more spaces are available. The argument on need cannot, therefore, be justified.

The site is not within the City Centre Shopping Area nor immediately adjacent in my opinion. The site is some 250m walking distance from the edge and is not immediately obviously well related to it.

On this base above, the argument of need and relationship fail and the proposal is accordingly contrary to policy CC19.

With respect to landscaping and security, concerns have been raised by the Crime Prevention Design Advisor sufficient to add as a minor reason for refusal but accepting that such matters could be conditioned on an approval.

As currently operated the charging regime favours both short and long stay patrons but the Applicant has indicated a willingness to debate appropriate charges to favour short stay only.

In conclusion, I would advise Members that the proposal is contrary to policy CC19 on the grounds of need, relationship to the Central Shopping Area and on the more detailed matters of security.

The Applicant's arguments on desire to overcome site problems and achieve some income pending redevelopment of the site certainly do not outweigh the policy aims of the local plan.

Should Members accept my recommendation to refuse permission, consideration should be given to Enforcement Action. I do not have a likely date for commencement of development but to be consistent, Members may consider deferring formal action for 3 months.

11. Recommended decision and summary of reasons:

11.1. To refuse planning permission for the following reasons:

The proposal for a car park in this location has not been justified in terms of need or location and the proposal is , therefore, contrary to Policy CC19 of the adopted City of Derby Local Plan Review and would, if continued to be allowed. ,be detrimental to the aims of that policy and PPG13 in encouraging the use of the private car for work and other journeys.

The proposal does not provide adequate passive surveillance or other security measures for patrons of the car park and is accordingly contrary to Policy CC19 and E24 of the adopted City of Derby Local Plan Review.

11.2. To defer consideration of Enforcement Action for 3 months pending commencement of site works.

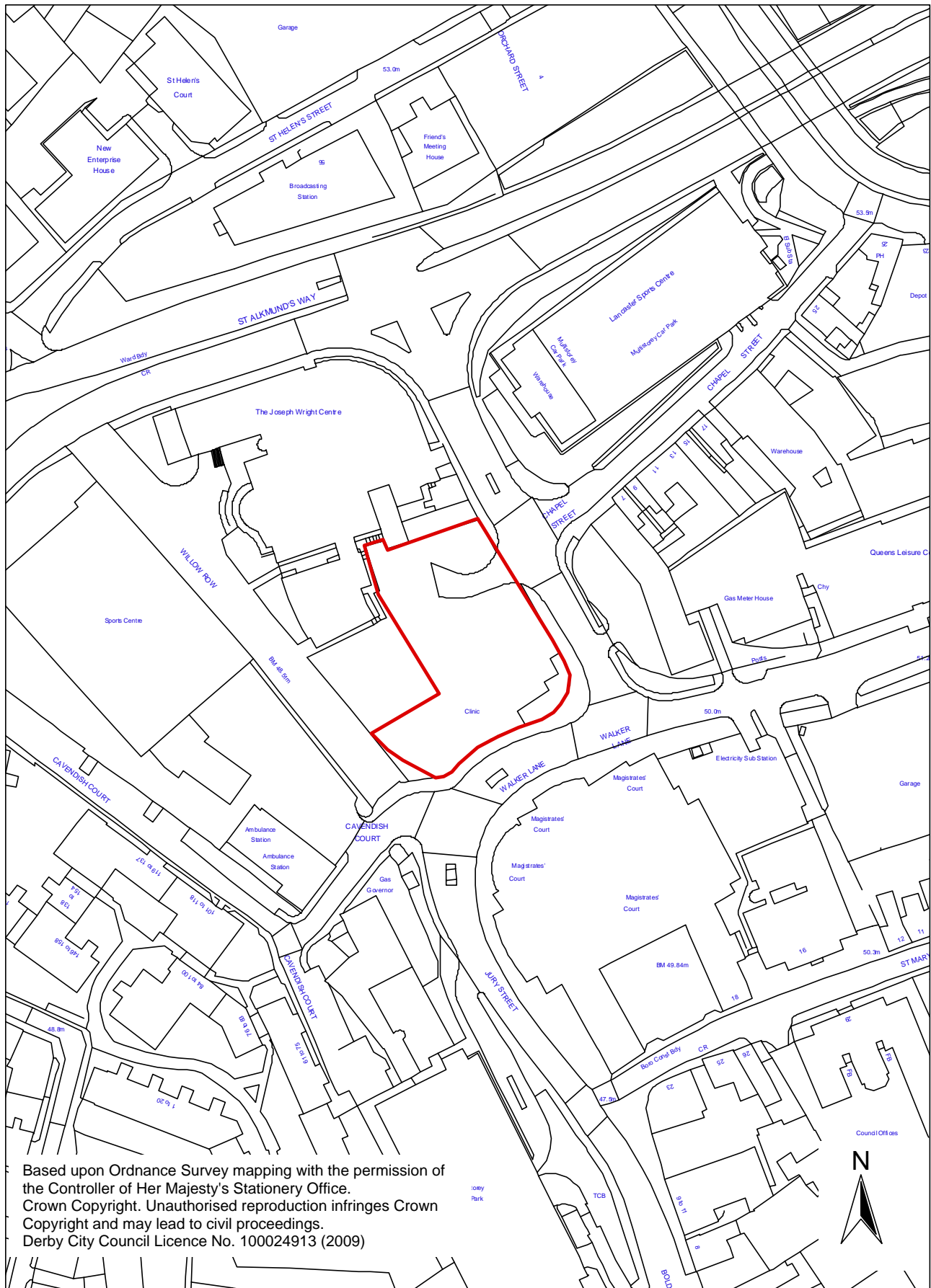
11.3. Application timescale:

The eight week determination period has expired.

Committee Report Item No: 5

Application No: DER/07/09/00758

Type: Full



Committee Report Item No: 6

Application No: DER/11/09/01312

Type: Type Full

1. **Address:** Land adjacent power station at Celanese Acetate Ltd, Holme Lane, Spondon
2. **Proposal:**
Erection of power plant, including turbine, generator, control room and storage area
3. **Description:**
This application seeks planning permission for a gas fired, combined cycle steam power plant at the Celanese Acetate Ltd chemical site in Spondon.

Celanese manufactures cellulose acetate flake which requires a continuous source of high pressure steam, which is currently supplied by an adjacent power station. However, the Applicant advises that proposed changes to the mode of operation of the power station, due to come into effect in 2011, will result in Celanese no longer being provided with steam from this source. In order to enable the continued operation of the installation, Celanese proposes to produce steam using a new system. This will include one gas turbine and Heat Recovery Steam Generator (HRSG) with a thermal rated input of 107 megawatts (MW), and two auxiliary boilers, as well as a water pre-treatment system and storage of water treatment chemicals and maintenance oils. It will be operated continuously i.e. 24 hours a day and 7 days a week. The thermal rated output is 44 mega watts which is just below the threshold of 50 mega watts above which the proposal would be determined by the new national Infrastructure Planning Commission (IPC)

The Celanese installation covers an area of some 50 hectares south of the railway line and on the north bank of the River Derwent. The proposed steam power plant is proposed in the south eastern part of the existing Celanese factory site and to the west of the existing boiler house. The water treatment facilities will be to the north-east of the proposed power plant. The location of the three emission stacks arising from the HRSG and boilers is within the power plant part of the site.

The power plant section includes the gas fired turbine, the Heat Recovery Steam Generator, the two auxiliary boilers and stacks, the HRSG stack and various plant and equipment. The tallest elements are the stacks at 40m high, with the HRSG at 21.339 m high and similar length and the turbine and other plant reaching approximately 13m in height.

In the water treatment area the largest structures are the various water tanks , the tallest of which are the raw and filtered water tanks, 16.23m high and 17.34m in diameter and the treated water tank at 15.53m height and 20.23m diameter. Also within this area are the water treatment/ mechanical services building and administration control building which are respectively 7.6m and 4.8m high. The external appearance will be of industrial plant and clad buildings similar to the newer buildings and plant on the site.

Adjoining the site is the existing power station which has three similar heights stacks and steam power plant of 22.6m height. The rest of the immediate vicinity is occupied by low intensity chemical plant and largely unused land released for inclusion in the Raynesway Park industrial development. The main chemical works is situated to the north west.

Committee Report Item No: 6**Application No:** DER/11/09/01312**Type:** Type Full

The nearest residential properties are at Spondon, some 370 metres distance across the river, railway and canal walkway.

4. Relevant Planning History:

The existing adjacent gas fired power station (Derwent Co-Generation Ltd) was approved some years ago and there is currently an undetermined application for planning permission for a waste facility (Cyclamax) on a nearby redundant part of the Celanese site which was included in the outline planning application area for the new Raynesway Park commercial redevelopment.

5. Implications of Proposal:**5.1. Economic:**

Celanese produces cellulose acetate flake at the Spondon site which is used for a range of purposes including tow for cigarette filters, manufacture of textile fibres and to produce film, sheet and moulded objects. It produces 60,000 tonnes annually and employs 501 people at the site. If production at the site is to continue an alternative source of steam is required which is the purpose of this application.

5.2. Design and Community Safety:

The proposed development is located on an existing industrial site where further industrial plant and buildings is appropriate. The site should be secure.

5.3. Highways – Development Control:

No significant impact on the highway, other than construction traffic which will use main roads, and no impact on off-street parking facilities within the site.

Highways – Land Drainage:

No objection on flood risk grounds.

5.4. Disabled People's Access:

The development should be accessible as appropriate.

5.5. Other Environmental:

The site is in the vicinity of sites of wildlife interest which includes the River Derwent corridor to the east and south, the Spondon Power Station meadow to the east on the opposite bank of the river, the former Shardlow Sewage Works wetland, grassland and scrub to the north, the Alvaston Scrub on the opposite bank of the river to the south and the designated Courtaulds Lagoons to the west.

6. Publicity:

Neighbour Notification Letter		Site Notice	
Statutory Press Advert and Site Notice	yes	Discretionary Press Advert and Site Notice	
Other	Adj. power station		

Committee Report Item No: 6

Application No: DER/11/09/01312

Type: Type Full

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

7. Representations:

Any representations will be reported at the meeting.

8. Consultations:

8.1. Building Consultancy:

To be reported

8.2. City Development & Tourism:

Any comments will be reported

8.3. Natural Environment:

To be reported

8.4. Environmental Services (Health – Pollution):

To be reported

8.5. ENV Agency:

The development will only be acceptable if carried out in accordance with the measures proposed in the Flood Risk Assessment, which should be conditioned.

With respect to ground contamination the Agency requires more information on groundwater flow direction, test borehole locations and remediation plans, and would object unless conditions are imposed.

An application has been made to the EA under the Environmental Permitting Regulations which will assess the proposed equipment and environmental protection measures. The impact on air quality should be assessed, in combination with other nearby planned developments, although it is not considered that the air quality will be adversely impacted in combination with the existing permitted Celanese Acetate operation due to the nature of the emissions.

8.6. Derbyshire Wildlife Trust:

To be reported

8.7. DCC Archaeologist:

The proposal area is within a site on the Derbyshire Historic Environment Record, as the former British Celanese cellulose works, established in 1916 to produce cellulose dope for aircraft fabric. As the site is not within the historic core, the proposals are unlikely to have any archaeological impact.

8.8. Erewash Borough Council:

To be reported

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

EP11 - Development in Existing Business and Industrial Areas

GD3 - Flood Protection

Committee Report Item No: 6

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Type: Type Full

GD4 - Design and the Urban Environment

GD5 - Amenity

E4 - Nature Conservation

E12 - Pollution

E13 - Contaminated Land

E23 - Design

E24 - Community Safety

T4 - Access, Car Parking and Servicing

T10 - Access for Disabled People

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

10. Officer Opinion:

The site is within an industrial site where Policy EP11 allows business, industrial and storage and distribution uses.

To the west of the proposal is an area of Celanese land included in the 64.7 hectare site allocated under Policy EP2 for a major regeneration opportunity for new business and industrial development, accessed from Raynesway. The proposed development is not on that land and should not inhibit its development

In terms of visual impact, whilst the stacks and some of the buildings and water tanks are relatively large. They are located on an industrial complex containing many large and tall industrial style buildings, such as the Flake Building which is 35m high. The existing boiler will screen some views from the open fields to the east. In this context the proposal meets the design requirements of policy E23

The main issue with the proposal is the impact on air quality. There is an existing Air Quality Management Area on Nottingham Road, based on NO2 emissions largely from road traffic, and monitoring is currently being carried out. There are, as indicated in the report, residential properties some 370m to the north east.

Policy E12 precludes developments that would generate pollutants that would be unacceptably detrimental to the health and amenity of users of the development, adjoining land or the environment.

Planning Policy Statement 23, Planning and Pollution Control (PPS23), advises that planning applications that are in accordance with the relevant development plan should be allowed unless material considerations indicate otherwise. PPS23 states that any air quality consideration that relates to land use and its development is capable of being a material planning consideration. However, the weight given to air quality in deciding the application will depend on such factors as: the severity of the impacts on air quality; the air quality in the area surrounding the proposed development; the length of time people are likely to be exposed; and the positive benefits provided through other material considerations.

Committee Report Item No: 6

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Type: Type Full

PPS23 states that air quality is likely to be particularly important where:

- the development is proposed inside, or adjacent to, an Air Quality Management Area (AQMA) as designated under Part IV of the Environment Act 1995;
- the development could in itself result in the designation of an AQMA; and/or
- to grant planning permission would conflict with, or render unworkable, elements of a local authority's air quality action plan.

PPS23 further advises that not all planning applications for developments inside or adjacent to AQMAs should be refused if developments would result in a deterioration of local air quality. Local Planning Authorities (LPAs), transport authorities and pollution control authorities are encouraged to explore the possibility of securing mitigation measures that would allow the proposal to proceed. LPAs must be satisfied that planning permission can be granted on land use grounds taking full account of environmental impacts. This will require close cooperation with the Environment Agency, to ensure that in the case of potentially polluting developments, the relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; and the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable.

An air quality study has been submitted with the application. The situation was assessed in 2008, as the meteorological data in that year gave rise to the highest concentrations and the position in 2011 modelled when the steam plant would be commissioned. The modelling has also taken into account the emissions from the proposed waste facility (Cyclamax) on the nearby site.

The submitted details of the modelling indicate that both proposals in the short term will not exceed the 1 hour objective and in the longer term will not exceed the annual objective. The assessment concludes that the proposal will not significantly increase the NO₂ concentrations at the receptor locations. The Environment Agency will consider this aspect prior to issuing its licence but has indicated that it does not consider there to be an issue.

The submitted details and monitoring by the Council is being assessed by the Environmental Health Officer and I will report any comments at the meeting.

The submitted details include an assessment of potential noise impact. The assessment has taken the maximum noise output of the gas turbine to assess the maximum noise level at the nearest residential receptors at Rovings Lane (370m) and Anglers Lane (530m). The conclusion is that noise levels will be below background levels at those locations. In order to reduce noise generated by the new installation, the gas turbine will be located in an acoustic enclosure. Acoustic lagging will also be applied to certain plant and equipment. In addition the company has a noise management plan which is submitted to the Environment Agency under the Environmental Permitting Regulations. Any comments of the Environmental Health Officer will be reported at the meeting.

The submitted details include an assessment of potential noise impact. The assessment has taken the maximum noise output of the gas turbine to assess the maximum noise level at the nearest residential receptors at Rovings Lane (370m)

Committee Report Item No: 6

Application No: DER/11/09/01312

Type: Type Full

and Anglers Lane (530m). The conclusion is that noise levels will be below background levels at those locations. In order to reduce noise generated by the new installation, the gas turbine will be located in an acoustic enclosure. Acoustic lagging will also be applied to certain plant and equipment. In addition the company has a noise management plan which is submitted to the Environment Agency under the Environmental Permitting Regulations. Any comments of the Environmental Health Officer will be reported at the meeting.

The site is located within the flood zone where Policy GD3 would preclude, unless compensatory measures are provided, development which is at risk of flooding, would create or exacerbate flooding elsewhere, result in loss of natural floodplain or impede access to watercourses for maintenance or flood defence purposes. The site is, however, already industrial use as was used prior to 2002 as part of the now demolished coal fired power station. The Environment Agency has been consulted and raises no objections on flood grounds subject to the recommended condition. The proposal accordingly satisfies policy requirements.

As an industrial site, contamination needs to be addressed and conditions are as recommended by the Environment Agency.

The site is not on or immediately adjacent to sites of wildlife interest but there are such sites in the vicinity. The submitted details include a desk top ecological study and habitat survey which concluded that the site itself has a low ecological value with limited habitat potential comprising mostly hardstanding/ bare ground, fences and some buildings. The most likely impact would be run-off during construction to the river, which is conditioned and disturbance during the bird nesting season. Any comments from the Derbyshire Wildlife Trust will be reported.

The proposed installation will not require a significant number of additional staff once commissioned, the application form indicates no increase in current staffing levels, and no additional parking is proposed. During the construction period traffic will be encouraged to use the existing delivery routes off Raynesway to the site and not through Spondon across the level crossing. The proposal is accordingly acceptable in this respect.

In considering this proposal, I am satisfied that it is acceptable and complies with policy except in the area of air quality where I cannot make a positive recommendation without the assessment of the Environmental Health Officer. If, once received there is an issue, Members will need to balance the benefits of the proposal in the ability of the company to remain in production and employ 500 personnel against the impacts on air quality. Further comment on this aspect will be available before the meeting.

11. Recommended decision and summary of reasons:

11.1. Subject to no adverse comments on air quality grounds, **to grant** planning permission with conditions.

11.2. Summary of reasons:

The proposal has been considered in relation to the provisions of the adopted City of Derby Local Plan Review 2006 and all other material considerations as indicated in 9 above and is considered to be acceptable on this industrial site.

Committee Report Item No: 6

Application No: DER/11/09/01312

Type: Type Full

11.3. Conditions:

1. Standard condition 27 (external materials)
2. The development permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA), section 9 'Application for Planning Permission Celanese Acetate Ltd' and the following measures detailed within the FRA:
 - a) flood mitigation measures as detailed in section 9.5 (FRA) and
 - b) finished floor levels of the various components as detailed in section 9.4.3 (FRA)
3. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
 - a) a site investigation scheme, based on 'Application for Planning Permission for Celanese Acetate Ltd' report (October 2009) to provide an updated round of groundwater monitoring information for the detailed assessment of the risk to controlled waters that may be affected, including those off-site;
 - b) the site investigation results and the detailed risk assessment (a) 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,
 - c) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (b) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components shall require the consent in writing of the Local Planning Authority and the scheme shall be implemented as approved.
4. If, during development, contamination not previously identified is found to be present at the site, no further development, unless otherwise agreed in writing by the Local Planning Authority, shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
5. The development hereby permitted shall not be commenced until such time as a scheme for the storage of oils, fuels and chemicals has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

11.4. Reasons:

1. Standard reason E14 – policy E23

Committee Report Item No: 6

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Type: Type Full

2. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and to reduce the impact of flooding on the proposed development and in accordance with Policy GD3 of the adopted CDLP Review.
3. To ensure the protection of controlled waters and in accordance with Policies GD2, E12 & E13 of the adopted CDLP Review.
4. To prevent pollution of the water environment in accordance with Policies GD2, E12 & E13 of the adopted CDLP Review
5. To ensure the protection of the underlying minor aquifer and the nearby River Derwent from pollution and to meet the requirements of Policies GD2, E12 and E13 of the adopted CDLP Review.

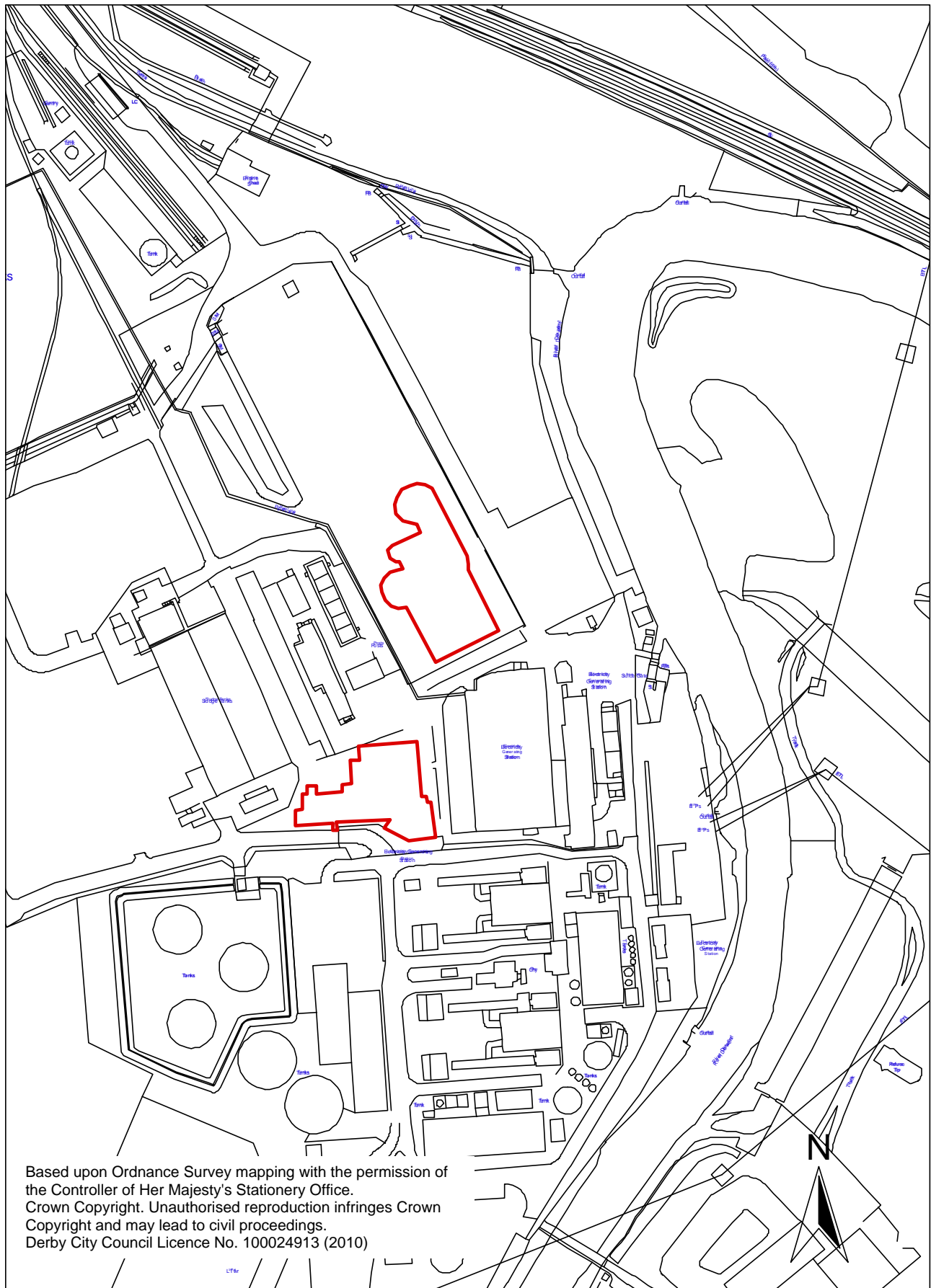
11.5. Informative Notes:

The Applicant is informed that the Environment Agency advises that no rainwater contaminated with silt/oil from disturbed ground during construction shall drain to surface water sewers or watercourses without sufficient settlement. Under the Water Resources Act 1991, the prior agreement of the Environment Agency is required for any discharge of dewatering water from excavations to controlled waters.

11.6. Application timescale:

The application expires on 9 February 2010.

Type: Type Full



Derby City Council

Delegated Decisions Made Between 11/11/09 and 23/12/09



Application No	Application Type	Location	Proposal	Decision	Decision Date
04/08/00667/PRI	Works to Trees under TPO	14 Westfield Grove, Derby	Felling of Willow, 2 Sycamore, Ash and Hawthorn Trees protected by Tree Preservation Order 2000 No.242 (Trowels Lane, Former Refuse Tip)	Granted Conditionally	19/11/2009
01/09/00037/PRI	Full Planning Permission	Shelton Lock Community Welfare Centre, Chellaston Road, Shelton Lock, Derby	Formation of outdoor play area and erection of canopy and fencing	Granted Conditionally	26/11/2009
05/09/00516/PRI	Full Planning Permission	3 Goodsmoor Road, Littleover, Derby	Retention of dormer window, fence and gates	Granted	30/11/2009
05/09/00532/PRI	Full Planning Permission	Land at side and rear of 18 Hillcross Avenue, Littleover, Derby	Erection of dwelling house and access road	Refuse Planning Permission	19/11/2009
05/09/00560/PRI	Full Planning Permission	Land at north end of 555 Osmaston Road, Derby	Formation of two vehicular accesses including use of highway verge	Refuse Planning Permission	26/11/2009
06/09/00648/PRI	Full Planning Permission	35-41 Brighton Road and land adjacent 938 London Road, Alvaston, Derby	Formation of 8 residential flats	Granted Conditionally	23/11/2009
06/09/00731/PRI	Works to Trees under TPO	Allestree Park, Allestree, Derby	Felling and pruning of trees protected by Tree Preservation Order 2000 No. 235 (Trees at Allestree Park).	Granted Conditionally	23/12/2009
06/09/00753/PRI	Full Planning Permission	203A (Builders Yard), Drewry Lane, Derby	Erection of two dwelling houses	Granted Conditionally	27/11/2009
07/09/00756/PRI	Full Planning Permission	12 Oadby Rise, Sunnyhill, Derby	Extension to dwelling house (kitchen diner, study, bedroom and en-suite)	Granted Conditionally	26/11/2009
07/09/00820/PRI	Full Planning Permission	2 Cowley Street, Derby (Victoria Hotel)	Change of use from Hotel (Use Class C1) to Residential Care Home (Use Class C2) including alterations to elevations	Refuse Planning Permission	17/11/2009

Enclosure

Application No	Application Type	Location	Proposal	Decision	Decision Date
07/09/00829/PRI	Full Planning Permission	43 Howard Street, Derby	Extension to dwelling house (kitchen, shower room, en-suite, covered way and canopy)	Granted Conditionally	26/11/2009
07/09/00845/PRI	Full Planning Permission	10 Marshgreen Close, Alvaston, Derby	Retention of boundary fence	Granted Conditionally	17/11/2009
07/09/00881/PRI	Full Planning Permission	35 Mostyn Avenue, Derby	Retention of shed/playroom	Granted	23/12/2009
07/09/00883/PRI	Full Planning Permission	Land at side of 53 Caxton Street, Derby	Erection of attached dwelling house	Granted Conditionally	11/12/2009
07/09/00890/DCC	Local Council own development Reg 3	Arboretum Primary School, Corden Street, Derby	Extension to school (community room, classroom, office/staff room) and various alterations to the layout of the existing school buildings and the siting of temporary class rooms, bin storage and other ancillary facilities, and erection of fencing	Granted Conditionally	16/12/2009
08/09/00909/PRI	Full Planning Permission	Land between Cotton Lane and Elton Road, Derby	Erection of 15 dwelling houses and 10 apartments and formation of associated car parking, landscaping and boundary treatments	Granted Conditionally	11/11/2009
08/09/00926/PRI	Full Planning Permission	5 Aimpoy Court, Sutherland Road, Derby	Change of use from laundry to residential (Use Class C3) and alterations to elevations (windows)	Granted Conditionally	03/12/2009
07/09/00939/PRI	Variation/Waive of condition(s)	490-492 Nottingham Road, Chaddesden, Derby (The Peregrine P H)	Variation of condition 7 of previously approved planning application Code No. DER/ 06/06/01047 to allow the use of the forecourt as an external seating area for eating and drinking until 2300 hours	Granted Conditionally	26/11/2009
08/09/00942/PRI	Full Planning Permission	St. Georges RC School, Uplands Avenue, Littleover, Derby	Extensions to school (classrooms)	Granted Conditionally	23/11/2009
08/09/00952/DCC	Local Council own development Reg 3	Meadow Farm Community Primary School, Foyle Avenue, Chaddesden, Derby	Erection of 2 stores	Granted Conditionally	16/12/2009
08/09/00970/PRI	Works to Trees under TPO	10 Cloisters Court, Oakwood, Derby	Fell Sycamore, Oak, Ash and Rowan trees, removal of branches of Ash, and crown lift 2 Horse Chestnut trees to 3.5metres, protected by Tree Preservation Order 1996 No.124 (Land at Millis House, Porters Lane, Oakwood)	Granted Conditionally	17/11/2009

Application No	Application Type	Location	Proposal	Decision	Decision Date
08/09/00976/PRI	Full Planning Permission	Land, south west portion of Neighbourhood Centre, Rowallan Way, Chellaston, Derby	Erection of Medical Centre and pharmacy and formation of associated car parking	Granted Conditionally	01/12/2009
08/09/00988/PRI	Full Planning Permission	146 Osmaston Road, Derby	Extension to dwelling house (dining room, 2 bathrooms, meeting room and lobby)	Refuse Planning Permission	17/11/2009
08/09/00989/PRI	Full Planning Permission	Land adjacent 1 Edale Close, Allestree, Derby	Erection of dwelling house	Refuse Planning Permission	25/11/2009
08/09/00994/PRI	Full Planning Permission	The Blue Pool P H, Stenson Road, Derby	Installation of plant equipment at rear of building	Granted Conditionally	17/12/2009
08/09/00995/PRI	Full Planning Permission	The Blue Pool P H, Stenson Road, Derby	Installation of ATM unit, 2 bollards and front entrance door	Granted Conditionally	17/12/2009
08/09/01001/PRI	Full Planning Permission	1a Oakover Drive, Allestree, Derby	Erection of 1.8m high fence	Refuse Planning Permission	22/12/2009
08/09/01006/PRI	Full Planning Permission	118-122 Uttoxeter New Road, Derby	Extension to create 2 x 4 bed student flats	Refuse Planning Permission	13/11/2009
08/09/01007/PRI	Advertisement consent	Meteor Centre, Derby (In'n'Out Ltd)	Display of 1 internally illuminated totem sign	Granted Conditionally	17/11/2009
08/09/01008/PRI	Full Planning Permission	Sherwood View and Forest View Nursing Homes, 29-31 Village Street, Derby	Extension to nursing homes (formation of link), siting of detached bin store and amendments to on-site car parking layout	Granted Conditionally	17/12/2009
09/09/01018/PRI	Full Planning Permission	63 High Street, Chellaston, Derby (Bevande)	Retention of change of use from launderette to coffee shop (Use class A3)	Granted Conditionally	10/12/2009
08/09/01020/PRI	Full Planning Permission	Units 15-21 Royal Scot Road, Pride Park, Derby	Change of use of 4 units from Business (Use Class B1) to Non residential institution (use Class D1) and extension to Unit 17	Granted Conditionally	23/12/2009
08/09/01028/PRI	Full Planning Permission	2-4 Thornhill Road, Derby (Holly Tree Lodge)	Extension to care home	Granted Conditionally	11/11/2009

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Application No	Application Type	Location	Proposal	Decision	Decision Date
08/09/01031/PRI	Full Planning Permission	305 Burton Road, Derby (Former Ashberry Nursing Home)	Alterations and Change of use from nursing home (Use Class C2) to residential dwelling (Use Class C3)	Granted Conditionally	24/11/2009
08/09/01040/PRI	Full Planning Permission	110 Village Street, Derby	Extension to dwelling house (garage)	Granted Conditionally	02/12/2009
08/09/01043/PRI	Full Planning Permission	38 Princes Drive, Littleover, Derby	Erection of garage and wall	Granted Conditionally	12/11/2009
09/09/01060/PRI	Full Planning Permission	5 Darwin Road, Mickleover, Derby	Formation of rooms in roof space (bedroom, en-suite and dormer) and erection of rear balcony	Granted Conditionally	03/12/2009
09/09/01065/PRI	Full Planning Permission	53 Rykneld Road, Littleover, Derby	Extension to dwelling house (w.c., enlargement of bathroom and formation of rooms in roof space)	Granted Conditionally	30/11/2009
09/09/01070/PRI	Full Planning Permission	65 Stenson Road, Derby	Extension to dwelling house (bedroom and enlargement of kitchen)	Refuse Planning Permission	02/12/2009
09/09/01072/PRI	Full Planning Permission	660 Osmaston Road, Derby	Extension to dwelling house (conservatory)	Granted Conditionally	02/12/2009
09/09/01073/PRI	Full Planning Permission	12 Back Lane, Chellaston, Derby	Extensions to dwelling house (kitchen, utility room/w.c and 2 bedrooms) and erection of garage	Granted Conditionally	23/11/2009
09/09/01080/PRI	Full Planning Permission	Land at 139 Whitaker Road, Derby	Erection of bungalow (amendments to windows in bungalow previously approved in planning application no. DER/11/07/02202/PRI)	Granted Conditionally	16/11/2009
09/09/01087/PRI	Full Planning Permission	60 Chain Lane, Littleover, Derby	Extensions to dwelling house (kitchen, lounge and bathroom) and formation of room in roof space (bedroom)	Refuse Planning Permission	16/11/2009
09/09/01091/PRI	Full Planning Permission	Land east of Highfields Park Drive, Derby (Highfields Development)	Erection of 32 dwelling houses	Granted Conditionally	18/11/2009
09/09/01092/PRI	Full Planning Permission	3 Rutland Drive, Mickleover, Derby,	Erection of garage	Granted Conditionally	20/11/2009
09/09/01093/PRI	Full Planning Permission	70A Pastures Hill, Littleover, Derby	Erection of double garage and study	Granted Conditionally	02/12/2009

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Application No	Application Type	Location	Proposal	Decision	Decision Date
09/09/01094/PRI	Full Planning Permission	76 Etruria Gardens, Derby	Retention of 0.5m satellite dish	Granted	16/12/2009
09/09/01102/PRI	Works to Trees under TPO	St. Peters Church, Church Street, Littleover, Derby,	Felling of 2 silver birch and hawthorn and crown thinning of maple tree protected by Tree Preservation Order No 2002 328 (St Peters Church, Church Street Littleover)	Granted Conditionally	15/12/2009
09/09/01103/PRI	Works to Trees under TPO	327 Burton Road, Derby,	Reduce height by 8m and pollarding of crown of willow tree protected by Tree Preservation Order no 2001 278 (Burton Road/Whitaker Road)	Granted Conditionally	17/11/2009
09/09/01105/PRI	Full Planning Permission	232 Stenson Road, Derby	Erection of double garage	Granted Conditionally	02/12/2009
09/09/01106/PRI	Advertisement consent	770 London Road, Derby (YMCA)	Display of internally illuminated totem sign	Granted Conditionally	13/11/2009
09/09/01107/PRI	Full Planning Permission	1 Birchover Rise, Chaddesden, Derby	Erection of double garage	Granted Conditionally	23/11/2009
09/09/01108/PRI	Full Planning Permission	20 Blagreaves Lane, Littleover, Derby	Extension to dwelling house (hipped roof over existing bedroom and study)	Granted Conditionally	13/11/2009
09/09/01110/PRI	Full Planning Permission	103 Carlton Road, Derby	Formation of vehicular access	Granted Conditionally	19/11/2009
09/09/01111/PRI	Full Application - disabled People	15 Village Street, Derby	Rear single storey granny annex (bedroom, living room and shower room)	Refuse Planning Permission	17/11/2009
09/09/01112/PRI	Works to Trees under TPO	Derby Independent Grammar School For Boys, Rykneld Road, Littleover, Derby	Pollarding of willow tree protected by Tree Preservation Order 1993 No 78 (Rykneld Hospital Rykneld Road)	Granted Conditionally	02/12/2009
09/09/01113/PRI	Full Planning Permission	44 Beeley Close, Allestree, Derby	Extension to dwelling (lounge, kitchen, utility, bedroom, en-suite and shower room and insertion of dormer)	Granted Conditionally	13/11/2009
09/09/01114/PRI	Full Planning Permission	24 Murray Road, Mickleover, Derby	Extension to dwelling house (store, wc, bedrooms and kitchen)	Granted Conditionally	18/11/2009
09/09/01115/PRI	Certificate of Lawfulness Proposed Use	4 Royal Scot Road, Pride Park, Derby	Use of office premises for B1 Use Class	Granted	16/11/2009

Application No	Application Type	Location	Proposal	Decision	Decision Date
09/09/01119/PRI	Full Planning Permission	35 Harpur Avenue, Littleover, Derby	Extensions to dwelling house (sitting room, w.c, conservatory, 2 bedrooms and en-suite bathroom)	Refuse Planning Permission	16/11/2009
09/09/01120/PRI	Works to Trees under TPO	27 Keats Avenue, Littleover, Derby	Crown cleaning, deadwooding and crown raising of 2 copper beech trees protected by Tree Preservation Order 2003 no 357 (Keats Avenue/South Drive Littleover)	Granted Conditionally	20/11/2009
09/09/01121/PRI	Works to Trees under TPO	Trees at side of Step-In Family Centre, Stepping Lane/Handford Street, Derby	Crown reduce by 2 metres, crown lift by 5 metres, and crown clean to remove deadwood and epicormic growth of 12 Plane Trees and 3 Lime Trees protected by Tree Preservation Order 2001 No.300 (Step-In Family Centre Corner of Handford Street and Stepping Lane)	Granted Conditionally	08/12/2009
09/09/01122/PRI	Works to Trees in a Conservation Area	8c The Green, Mickleover, Derby	Crown lift by 2m, crown clean and branch removal of black pine, height reduction of leylandii hedge and pruning of overhanging branches of crack willow tree within Mickleover Conservation Area	Raise No Objection	12/11/2009
09/09/01123/PRI	Full Planning Permission	1 Park Drive, Littleover, Derby	Extension to dwelling house (conservatory)	Granted	25/11/2009
09/09/01124/PRI	Full Planning Permission	Land at side of 54 Grange Road, Alvaston, Derby (with access adjacent 92 Holbrook Road)	Erection of dwelling house	Granted Conditionally	25/11/2009
09/09/01125/PRI	Works to Trees under TPO	418 Burton Road, Derby (Beech Tree Lodge)	Pruning of branches of Beech Tree protected by Tree Preservation Order 2001 No.279 (Trees at Burton Road/Farley Road)	Granted Conditionally	24/11/2009
09/09/01126/PRI	Full Planning Permission	2 St. Johns Close, Allestree, Derby	Extension to dwelling house (lounge, day room, dressing room and en-suite) and erection of detached garage	Refuse Planning Permission	27/11/2009
09/09/01130/PRI	Full Planning Permission	5 Madeley Street, Derby	Extension to dwelling house (kitchen and bedroom)	Refuse Planning Permission	15/12/2009
09/09/01131/PRI	Full Planning Permission	12 Nettleton Close, Littleover, Derby	Extensions to dwelling house (shower room, porch and enlargement of existing hallway)	Granted Conditionally	19/11/2009

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Application No	Application Type	Location	Proposal	Decision	Decision Date
09/09/01132/PRI	Full Planning Permission	45 Marjorie Road, Chaddesden, Derby	Extensions to dwelling house (bedroom, 2 bathrooms, enlargement of kitchen and bedroom and formation of room in roof space with dormer)	Refuse Planning Permission	23/11/2009
09/09/01134/PRI	Full Planning Permission	Cherry Tree Hill Infant School, Lime Grove, Chaddesden, Derby	Extension to school	Granted Conditionally	26/11/2009
09/09/01135/PRI	Works to Trees under TPO	11 Chaddesden Lane, Chaddesden, Derby	Pruning of shoots from previous cuts and deadwooding Lime Tree protected by Tree Preservation Order 1984 No.23 (Chaddesden Lane, Chaddesden)	Granted Conditionally	13/11/2009
09/09/01138/PRI	Full Planning Permission	2 Tamar Avenue, Allestree, Derby	Extension to dwelling house (dining room, kitchen, w.c. bedroom en-suite and dressing room)	Refuse Planning Permission	24/11/2009
09/09/01139/PRI	Full Planning Permission	Derby Cathedral Centre, 18 & 19 Iron Gate, Derby	Installation of window and alterations to shop front	Granted Conditionally	19/11/2009
09/09/01140/PRI	Listed Building Consent -alterations	Derby Cathedral Centre, 18 & 19 Iron Gate, Derby	Installation of window and alterations to shop front	Granted Conditionally	19/11/2009
08/09/01141/PRI	Works to Trees under TPO	Trees at rear of 31 and 35 Diamond Drive, Oakwood, Derby	Removal of one branch and reduction of three branches by 3.5 metres of Lime Tree and removal of branch of Horse Chestnut tree protected by Tree Preservation Order 1984 No.24 (Oakwood No.2)	Granted Conditionally	25/11/2009
09/09/01142/PRI	Full Planning Permission	176 Normanton Road, Derby	Change of use from motor vehicle workshop (sui generis use) to retail (use class A1) and subdivision into units and retention of shopfront/shutters	Granted Conditionally	09/12/2009
09/09/01144/PRI	Full Planning Permission	3 Louvain Road, Derby	Formation of rooms in roofspace (two bedrooms and bathroom)	Granted Conditionally	30/11/2009
09/09/01145/PRI	Full Planning Permission	7 Mountford Close, Oakwood, Derby	Extension to dwelling house (bedroom and en-suite)	Granted Conditionally	17/11/2009
09/09/01146/PRI	Full Planning Permission	11 Fairway Crescent, Allestree, Derby	Extension to dwelling house (kitchen, utility room, w.c. garage, bedroom, en-suite and enlargement of bedroom)	Granted Conditionally	23/11/2009

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Application No	Application Type	Location	Proposal	Decision	Decision Date
09/09/01147/PRI	Advertisement consent	Land at front of Victory Park, Victory Road, Derby	Display of non illuminated advertising board	Granted Conditionally	19/11/2009
09/09/01149/PRI	Listed Building Consent -alterations	Derby City Church, Curzon Street, Derby	Alterations to Church (installation of lift for disabled people)	Granted Conditionally	23/11/2009
09/09/01151/PRI	Full Planning Permission	Littleover Methodist Church, Constable Drive, Littleover, Derby	Extension to Church (covered play area)	Granted	19/11/2009
09/09/01153/PRI	Works to Trees under TPO	Derby Conference Centre, London Road, Derby	Crown lifting to 5m of 7 lime trees and 1 horse chestnut tree protected by tree preservation order 2005 No 416 (Rail Engineering School, London Road)	Granted Conditionally	23/11/2009
09/09/01154/PRI	Full Planning Permission	18 Oldbury Close, Oakwood, Derby	Extensions to dwelling house (utility room, bedroom and en-suite bathroom)	Granted Conditionally	25/11/2009
09/09/01155/PRI	Certificate of Lawfulness Proposed Use	2 Brambleberry Court, Oakwood, Derby	Extension to dwelling house (enlargement of kitchen and dining room)	Granted	01/12/2009
09/09/01156/PRI	Full Planning Permission	44 Moor End, Spondon, Derby	Extension to dwelling house (enlargement of kitchen/dining room)	Granted Conditionally	08/12/2009
10/09/01157/PRI	Full Planning Permission	472 Stenson Road, Derby	Extension to dwelling house (lounge and utility room)	Granted	25/11/2009
10/09/01159/PRI	Full Planning Permission	34 Vauxhall Avenue, Derby	Extension to dwelling house (hall, garage, utility room/garden room, bedroom and en-suite)	Refuse Planning Permission	26/11/2009
10/09/01160/PRI	Full Planning Permission	25 Franklyn Drive, Alvaston, Derby	Extensions to dwelling house (garage and enlargement of kitchen)	Granted	17/11/2009
10/09/01161/PRI	Works to Trees in a Conservation Area	27 Otter Street, Derby	Reduce crown by 20% and crown lift by 2m of Cherry Tree within Strutts Park Conservation Area	Raise No Objection	17/11/2009
10/09/01162/PRI	Full Planning Permission	185 Station Road, Mickleover, Derby	Erection of garage and store room	Refuse Planning Permission	16/12/2009
10/09/01163/PRI	Full Planning Permission	72 Watson Street, Derby	Erection of boundary fence	Granted Conditionally	23/12/2009
10/09/01164/PRI	Full Planning Permission	Land adjacent 45 Leopold Street, Derby	Change of use of vacant land to car park and erection of boundary wall	Granted Conditionally	09/12/2009

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Application No	Application Type	Location	Proposal	Decision	Decision Date
10/09/01167/DCC	Local Council own development Reg 3	Becket Primary School, Monk Street, Derby	Change of use of a caretakers dwelling from residential (use class C3) to meeting room (use class D1)	Granted	14/12/2009
10/09/01169/PRI	Full Planning Permission	Spondon Bowls Club, off Borrowash Road, Spondon, Derby	Installation of flood lights	Granted Conditionally	14/12/2009
10/09/01170/PRI	Full Planning Permission	15 Lens Road, Allestree, Derby	Retention of extension to dwelling house (roof and rear elevation -amendment to approved application DER/07/03/01190/PRI)	Granted	07/12/2009
10/09/01171/PRI	Full Planning Permission	24 Royal Hill Road, Spondon, Derby	Extension to dwelling house (bedroom and en-suite)	Refuse Planning Permission	30/11/2009
10/09/01173/PRI	Full Planning Permission	Unit 1, Sidney Robinson Business Park, Ascot Drive, Derby	Extension to industrial unit (workshop, canteen, warehouse, w.cs. and offices) and formation of parking area	Granted Conditionally	23/12/2009
10/09/01175/PRI	Full Planning Permission	Land at side of 4 Balleny Close, Oakwood, Derby	Erection of dwelling house	Granted Conditionally	14/12/2009
10/09/01176/PRI	Full Planning Permission	589 Burton Road, Derby	Extension to dwelling house (bedroom, dressing room and en-suite)	Granted Conditionally	07/12/2009
10/09/01177/PRI	Works to Trees in a Conservation Area	177 Mansfield Road, Derby	Pruning and crown reduction by 30% of purple plum within Little Chester Conservation Area	Raise No Objection	17/11/2009
10/09/01178/PRI	Full Planning Permission	183 Abingdon Street, Derby,	Erection of detached garage/store	Granted Conditionally	18/12/2009
10/09/01179/PRI	Full Planning Permission	Unit 10, Racecourse Industrial Park, Mansfield Road, Derby	Change of use from storage warehouse (Use Class B8) to training and rehearsal room (Use Class D1) together with associated storage facilities	Granted Conditionally	26/11/2009
10/09/01180/PRI	Full Planning Permission	11 Broom Close, Chellaston, Derby	Extension to dwelling (porch, garage, dining room and garden room) and demolition of garage	Granted Conditionally	14/12/2009
10/09/01182/PRI	Full Planning Permission	Land at rear of 15 Albany Road, Derby (Access via California Gardens)	Erection of dwelling house	Refuse Planning Permission	02/12/2009

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Application No	Application Type	Location	Proposal	Decision	Decision Date
10/09/01183/PRI	Full Planning Permission	Land at side of 55 Willowcroft Road, Spondon, Derby	Erection of dwelling house	Granted Conditionally	30/11/2009
10/09/01184/PRI	Full Planning Permission	12 Salisbury Street, Derby	Formation of rooms in roof space (bedroom and en-suite)	Granted Conditionally	30/11/2009
10/09/01185/PRI	Works to Trees under TPO	St. Mary's Catholic Primary School, Broadway, Derby	Crown reduction horse chestnut tree, felling of Pine tree, crown lifting of 5 Oak trees and 1 Lime Tree to 4m over the cycle path protected by Tree Preservation Order 2002 No. 308 (Beechwood and St. Philomena's convent, Mount Carmel House and Catherine House)	Granted Conditionally	03/12/2009
10/09/01188/PRI	Full Planning Permission	40 Blenheim Drive, Allestree, Derby	Extension to dwelling house (conservatory)	Granted	16/12/2009
10/09/01189/PRI	Full Planning Permission	24A and 24B Iron Gate, Derby	Installation of shop front, alterations to fascia and internal alterations to staircase access to first floor.	Granted Conditionally	10/12/2009
10/09/01190/PRI	Listed Building Consent -alterations	24A and 24B Iron Gate, Derby	Installation of shop front, alterations to fascia and internal alterations to staircase access to first floor.	Granted Conditionally	10/12/2009
10/09/01191/PRI	Full Planning Permission	10A Lens Road, Allestree, Derby	Erection of detached garage	Granted Conditionally	07/12/2009
10/09/01192/PRI	Full Planning Permission	9 Chase Close, Chellaston, Derby	Extension to dwelling house (enlargement of lounge and bedroom)	Granted Conditionally	19/11/2009
10/09/01193/PRI	Advertisement consent	Bus shelter in front of 672 Harvey Road, Derby	Display of one illuminated double sided bus shelter sign	Granted Conditionally	07/12/2009
10/09/01194/PRI	Full Planning Permission	143 Pear Tree Crescent, Derby	Extension to dwelling house (enlargement of bathroom)	Granted	30/11/2009
10/09/01195/PRI	Full Planning Permission	The Gables, 220 Max Road, Chaddesden, Derby	Extension to dwelling house (2 bedrooms)	Refuse Planning Permission	26/11/2009

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Application No	Application Type	Location	Proposal	Decision	Decision Date
10/09/01196/DCC	Works to Trees under TPO	Land fronting 1 Robincroft Road, Allestree, Derby	Crown clean to remove dead/dangerous branches, reduce canopy away from building by 2.5m and crown lift to 6m of Oak Tree protected by Tree Preservation Order No 100 (1994 Kingscroft/Robincroft Road, Allestree)	Granted Conditionally	25/11/2009
10/09/01197/PRI	Works to Trees in a Conservation Area	Trees at Alkmund Court, Edward Street, Derby	Reduction of 2 cherry trees by 25% within Strutts Park Conservation Area	Raise No Objection	25/11/2009
10/09/01198/PRI	Full Planning Permission	28 Windley Crescent, Darley Abbey, Derby	Extension to dwelling house (dining room, kitchen, bedroom, en-suite, hall and enlargement of utility room and bathroom) and formation of room in roof space (bedroom)	Refuse Planning Permission	30/11/2009
10/09/01199/PRI	Full Planning Permission	4-12 Derby Road, Chellaston, Derby (Royal British Legion)	Change of use of first floor from function room to restaurant (use class A3) including installation of extraction flue and canopy to external staircase	Refuse Planning Permission	14/12/2009
10/09/01200/PRI	Certificate of Lawfulness Proposed Use	113 Devonshire Drive, Mickleover, Derby	Extension to dwelling house (shower room and conservatory)	Granted	30/11/2009
10/09/01201/PRI	Works to Trees in a Conservation Area	Trees at 61 Belper Road, Derby	Felling of Maple (ash leaf), Holly and Yew and crown lift Walnut to 2 metres and works to Laurels and Conifer hedge within Strutts Park Conservation Area	Raise No Objection	16/12/2009
10/09/01202/PRI	Advertisement consent	1 Margreave Road, Chaddesden, Derby	Display of internally illuminated fascia sign	Refuse Planning Permission	23/12/2009
10/09/01203/PRI	Full Planning Permission	Car park and garages between Boden Street and Grayling Street, Derby	Erection of 5 dwelling houses, 1 bungalow, 2 garages and formation of parking area	Granted Conditionally	09/12/2009
10/09/01204/PRI	Advertisement consent	27 Duffield Road, Derby	Display of 2 externally illuminated fascia signs and various non illuminated signs	Granted Conditionally	16/12/2009
10/09/01205/DCC	Local Council own development Reg 3	52 Duncan Road, Derby	Extension to dwelling house (bedroom and shower room)	Granted Conditionally	03/12/2009
10/09/01206/PRI	Full Planning Permission	8 Badgerdale Way, Littleover, Derby	Extension to dwelling house (two bedrooms, two en-suites and enlargement of kitchen)	Refuse Planning Permission	04/12/2009

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Application No	Application Type	Location	Proposal	Decision	Decision Date
10/09/01207/PRI	Full Planning Permission	56 Porter Road, Derby	Extension to dwelling house (dining room and kitchen)	Refuse Planning Permission	04/12/2009
10/09/01211/PRI	Full Planning Permission	110 Laburnum Crescent, Allestree, Derby	Extension to dwelling house (porch/w.c.) and erection of garage	Granted Conditionally	08/12/2009
10/09/01213/PRI	Full Planning Permission	45 Harcourt Street, Derby	Extension to dwelling house (2 bedrooms)	Refuse Planning Permission	11/12/2009
10/09/01214/PRI	Demolition of dwelling house	707, 709, 711, 713, 715, 717 Osmaston Road, Derby	Demolition of dwelling houses	Granted	23/12/2009
10/09/01215/PRI	Full Planning Permission	546 Duffield Road, Derby	Erection of garage	Refuse Planning Permission	22/12/2009
10/09/01216/PRI	Reserved Matters	Office Village Phase 2, The Point, Locomotive Way, Pride Park, Derby (Units 7,8, 10 and 12)	Erection of offices	Granted Conditionally	23/12/2009
10/09/01218/PRI	Works to Trees in a Conservation Area	Darley Dene, 104 Belper Road, Derby	Reduce height of Leylandii tree, reduce height of Yew tree and fell Curly Willow Tree within Strutts Park Conservation Area	Raise No Objection	15/12/2009
10/09/01219/PRI	Full Planning Permission	9 Stoney Flatts Crescent, Chaddesden, Derby	Alterations to previously approved application DER/04/09/00403/PRI (additional 1st floor bedroom window)	Granted	10/12/2009
10/09/01220/PRI	Works to Trees under TPO	76 Parkway, Chellaston, Derby	Felling of Ash tree protected by Tree Preservation Order 1990 No 55 (Thurstone Furlong, Parkway and Woodbridge Close Chellaston)	Granted Conditionally	09/12/2009
10/09/01221/PRI	Full Planning Permission	5 Byng Avenue, Derby	Extension to dwelling house (conservatory)	Granted Conditionally	14/12/2009
10/09/01222/PRI	Full Planning Permission	24 Connaught Road, Derby	Change of use from workshop to dwelling (Use Class C3)	Refuse Planning Permission	09/12/2009
10/09/01224/PRI	Outline Planning Permission	Land at 568 Kedleston Road, Allestree, Derby	Residential development (extension of time limit for implementation of Outline planning permission previously granted under Code No. DER/08/06/01315)	Granted Conditionally	11/12/2009

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Application No	Application Type	Location	Proposal	Decision	Decision Date
10/09/01226/PRI	Full Planning Permission	25-27 May Street, Derby	Change of use of offices (use class B1)to dwelling house (use class C3)- minor changes to previously approved planning permission code no. DER/09/08/01363/PRI)	Granted Conditionally	09/12/2009
10/09/01227/PRI	Works to Trees under TPO	52 Swanmore Road, Littleover, Derby	Crown lift to 4m, crown clean, removal of epicormic growth and branch reduction of Oak tree protected by Tree Preservation Order 1985 no. 30 (Pastures Hill Area)	Granted Conditionally	18/12/2009
10/09/01228/PRI	Works to Trees under TPO	48 Swanmore Road, Littleover, Derby	Crown lift to 4m, crown clean, removal of epicormic growth and branch reduction of Oak tree protected by Tree Preservation Order 1985 no. 30 (Pastures Hill area)	Granted Conditionally	18/12/2009
10/09/01229/PRI	Advertisement consent	177 Chaddesden Lane, Derby (Co-operative Funeral Services)	Display of externally illuminated fascia sign	Granted Conditionally	30/11/2009
10/09/01230/PRI	Full Planning Permission	28 Abbey Hill Road, Allestree, Derby	Extension of dwelling (enlargement of 2 bedrooms)	Granted Conditionally	14/12/2009
10/09/01231/PRI	Full Planning Permission	79 Brackens Lane, Alvaston, Derby	Extension to shop (store and car port)	Granted Conditionally	15/12/2009
10/09/01233/PRI	Full Planning Permission	12 Lee Farm Close, Chellaston, Derby	Erection of 2.15 m high boundary fence	Granted	10/12/2009
10/09/01234/PRI	Full Planning Permission	287 Keldholme Lane, Alvaston, Derby	Extension to dwelling house (garage and conservatory)	Granted	16/12/2009
10/09/01235/PRI	Full Planning Permission	Land at rear of 25 Penny Long Lane, Derby (access off Broadway)	Erection of dwelling house and formation of vehicular access	Granted Conditionally	21/12/2009
10/09/01236/PRI	Full Planning Permission	Land rear of 295-297 Uttoxeter Road, adjacent 1 Corden Avenue, Mickleover, Derby	Alteration to roof of dwelling house (alteration to previously approved planning permission DER/01/06/00068)	Granted Conditionally	15/12/2009

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Application No	Application Type	Location	Proposal	Decision	Decision Date
10/09/01237/PRI	Full Planning Permission	4 Peterlee Place, Alvaston, Derby	Extension to dwelling house (enlargement of kitchen and bathroom) and increase in height of roof	Granted Conditionally	16/12/2009
10/09/01238/PRI	Full Planning Permission	2A Keats Avenue, Littleover, Derby	Extension to dwelling house (dining room and enlargement of kitchen and study) and formation of vehicular access onto Chain Lane	Granted Conditionally	14/12/2009
10/09/01239/PRI	Full Planning Permission	21 Askerfield Avenue, Allestree, Derby	Extension to dwelling (dining room and enlargement of kitchen)	Granted Conditionally	26/11/2009
10/09/01240/PRI	Certificate of Lawfulness Proposed Use	358 Boulton Lane, Derby	Extension to dwelling house	Granted	10/12/2009
10/09/01244/PRI	Full Planning Permission	The Hawthorns, The Close, Derby	Erection of garage	Refuse Planning Permission	17/12/2009
10/09/01246/PRI	Full Planning Permission	Pride Park Day Nursery, 2 Royal Scot Road, Pride Park, Derby	Extension to day nursery (conservatory)	Granted	23/12/2009
10/09/01248/PRI	Full Planning Permission	5 Charing Court, Derby	Extension to dwelling house (sitting room, bedroom, bathroom, en-suite and enlargement of kitchen)	Refuse Planning Permission	23/12/2009
10/09/01251/PRI	Full Planning Permission	67 Portreath Drive, Allestree, Derby	Extensions to dwelling house (bin store, utility room, w.c. cloakroom, bedroom, shower room and enlargement of hall and kitchen) and conversion of garage/store to games room	Refuse Planning Permission	23/12/2009
10/09/01252/PRI	Full Planning Permission	3A Meteor Centre, Derby	Installation of display window	Granted	21/12/2009
10/09/01253/PRI	Non-material amendment	Site of 15 Porters Lane, Oakwood, Derby	Erection of dwelling house (amendment to alter position of windows and doors in previously approved application Code No. DER/03/09/00303)	Granted	02/12/2009
10/09/01254/PRI	Non-material amendment	70 Swanmore Road, Littleover, Derby	Extension to dwelling house (enlargement of dining room-pursuant amendment to insert windows and re-position door to planning permission Code No. DER/07/09/00880)	Granted	30/11/2009
10/09/01256/PRI	Full Planning Permission	8 Hilderstone Close, Alvaston, Derby	Extension to dwelling house (sitting room and utility room)	Granted	16/12/2009

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Application No	Application Type	Location	Proposal	Decision	Decision Date
10/09/01258/PRI	Full Planning Permission	11 Slindon Croft, Alvaston, Derby	Extension to dwelling house (kitchen/family room, w.c. and 2 bedrooms)	Granted Conditionally	23/12/2009
10/09/01260/PRI	Certificate of Lawfulness Proposed Use	74 Hillsway, Littleover, Derby	Extension to dwelling house (sitting room and enlargement of kitchen)	Granted	10/12/2009
10/09/01261/PRI	Full Planning Permission	University of Derby, Markeaton Street Campus, Markeaton Street, Derby	Erection of generator building	Granted Conditionally	22/12/2009
10/09/01262/PRI	Full Planning Permission	11 Gilbert Street, Alvaston, Derby	Extension to dwelling house (conservatory)	Granted	30/11/2009
10/09/01263/PRI	Works to Trees in a Conservation Area	Church of St. John the Evangelist, Bridge Street, Derby	Crown thin and lift Lime tree and reduce/pollard 2 Lime trees and 1 Rowan tree within Friar Gate Conservation Area	Raise No Objection	16/12/2009
10/09/01264/PRI	Full Planning Permission	2 Beech Walk, Littleover, Derby	Extension to dwelling house (garage, utility, hall, bedroom, wardrobe, en-suite and enlargement of kitchen/breakfast room)	Refuse Planning Permission	23/12/2009
10/09/01265/PRI	Full Planning Permission	97 Huntley Avenue, Spondon, Derby	Extension to dwelling house (conservatory)	Granted	08/12/2009
11/09/01271/PRI	Local Council own development Reg 3	141 Abbey Street, Derby	Extension to dwelling house (step lift)	Granted	11/12/2009
11/09/01276/PRI	Full Planning Permission	66 Dairyhouse Road, Derby	Extension to dwelling house (kitchen and shower room)	Refuse Planning Permission	18/12/2009
11/09/01277/PRI	Works to Trees under TPO	Trees to the north of Convent of Mercy, Beechwood, Broadway, Derby	Coppicing to 0.5metres or 0.7 metres of various Hawthorn trees protected by Tree Preservation Order 1947 No. 3 and No.45 (Broadway) and 2001 No.306 (Trees on land to the rear of 23-25 Church Lane, Darley Abbey)	Refuse Planning Permission	23/12/2009
11/09/01278/PRI	Works to Trees in a Conservation Area	2 Porter Place, Spondon, Derby	Felling of Pear Tree and Reduction in height of Holly Tree within Spondon Conservation Area	Raise No Objection	16/12/2009
11/09/01280/PRI	Full Planning Permission	57 Evans Avenue, Allestree, Derby	Extension to dwelling house (utility room, bedroom, en-suite and enlargement of garage)	Granted Conditionally	16/12/2009

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Application No	Application Type	Location	Proposal	Decision	Decision Date
11/09/01282/PRI	Full Planning Permission	20 Eastcroft Avenue, Littleover, Derby	Extension to dwelling house (study, w.c., enlargement of bedroom, bathroom and alterations to roof)	Granted Conditionally	08/12/2009
11/09/01284/PRI	Full Planning Permission	266-268 Uttoxeter New Road, Derby	Change of use of first floor from flats (use class C3) to seating area in association with ground floor restaurant (use class A3)	Granted Conditionally	18/12/2009
11/09/01287/PRI	Full Application - disabled People	44a Boulton Lane, Derby	Extension to dwelling house (wash room)	Granted Conditionally	03/12/2009
11/09/01288/PRI	Full Planning Permission	21 Clifton Road, Allestree, Derby	Extension to dwelling house (utility room, bedroom, en-suite and enlargement of bathroom)	Granted Conditionally	18/12/2009
11/09/01289/PRI	Full Planning Permission	33 Church Lane, Darley Abbey, Derby	Extension to dwelling house (office, utility room, 2 bedrooms, en-suite and enlargement of porch, kitchen/breakfast room, living room and bedroom)	Granted Conditionally	30/11/2009
11/09/01292/PRI	Full Planning Permission	321 Uttoxeter Road, Mickleover, Derby	Retention of 2.2 metre high front boundary wall	Refuse Planning Permission	23/12/2009
11/09/01293/PRI	Full Planning Permission	21 Tregaron Close, Oakwood, Derby	Crown lift to 3.5 metres, reduce branches by 2 metres and crown clean and remove deadwood of Oak Tree protected by Tree Preservation Order 1985 no.31 (Oakwood No.3)	Granted Conditionally	22/12/2009
11/09/01294/PRI	Works to Trees under TPO	Trees on Boundary of 63 Catterick Drive and 8 Alverton Close, Mickleover, Derby	Pollarding of 2 branches of oak tree, crown raise to 5m, crown thin by 15%, and crown clean oak tree protected by Tree Preservation Order 2009 No 552 (8 Alverton Close Mickleover/63 Catterick Drive Mickleover)	Granted Conditionally	14/12/2009
11/09/01295/PRI	Full Planning Permission	28 Anthony Drive, Alvaston, Derby	Extension to dwelling house (car port, bedroom and en-suite)	Granted Conditionally	23/12/2009
11/09/01298/PRI	Full Planning Permission	10 Max Road, Chaddesden, Derby	Extension to dwelling house (conservatory)	Granted	22/12/2009
11/09/01299/PRI	Full Planning Permission	22 Hartington Way, Mickleover, Derby	Extension to dwelling (formation of rooms in roofspace-bedroom and dormer)	Granted Conditionally	18/12/2009

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Application No	Application Type	Location	Proposal	Decision	Decision Date
11/09/01300/PRI	Full Application - disabled People	20 Canterbury Street, Chaddesden, Derby	Extension to dwelling house (bedroom, shower room and lobby)	Granted	23/12/2009
11/09/01303/PRI	Full Planning Permission	153 Porter Road, Derby	Extension to education centre (WC area)	Granted Conditionally	16/12/2009
11/09/01304/PRI	Full Planning Permission	18 Ismay Road, Chaddesden, Derby	Extension to dwelling house (conservatory)	Granted	23/12/2009
11/09/01307/PRI	Works to Trees under TPO	7 Fairview Close, Littleover, Derby	Crown raising and pruning of branches of oak tree protected by Tree Preservation Order 1985 No 30 (Pastures Hill)	Granted Conditionally	09/12/2009
11/09/01308/PRI	Works to Trees under TPO	5 Fairview Close, Littleover, Derby	Crown thin by 10%, removal of deadwood and crown raise to 4 metres and minor branch reduction of cedar tree protected by Tree Preservation Order 1985 No 30 (Pastures Hill)	Granted Conditionally	09/12/2009
11/09/01313/PRI	Full Planning Permission	117 Portreath Drive, Allestree, Derby	Extension to dwelling house (enlargement of kitchen)	Granted Conditionally	23/12/2009
11/09/01315/PRI	Full Planning Permission	12 Marina Drive, Allenton, Derby	Extension to dwelling house (conservatory)	Granted	23/12/2009
11/09/01316/DCC	Non-material amendment	Land at side of 69 Prince Charles Avenue, Derby (Mackworth Library)	Erection of library (non material amendment to previously approved planning permission DER/04/08/00579)	Granted	16/12/2009
11/09/01323/PRI	Full Planning Permission	5 Barcheston Close, Oakwood, Derby	Extension to dwelling house (conservatory)	Granted	23/12/2009
11/09/01326/PRI	Certificate of Lawfulness Proposed Use	6 Yewdale Grove, Oakwood, Derby	Extension to dwelling house (conservatory)	Granted	23/12/2009
11/09/01327/PRI	Full Planning Permission	6A Cavendish Avenue, Allestree, Derby	Formation of rooms in roofspace (bedroom and wc) and alterations to roof	Granted Conditionally	23/12/2009
11/09/01333/PRI	Advertisement consent	124-126 Ashbourne Road, Derby (Markeaton Fish Bar)	Display of internally illuminated fascia sign	Granted Conditionally	16/12/2009

Total Number of Delegated Decisions made during this period: 197

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