

Item 9

Derby City Council
Planning Control Committee
27th May 2010



Development Control Report Of
The Director of Planning and Transportation

Index
Planning Control Committee 27 May 2010

Item No.	Page No.	Application No.	Address	Proposal	Recommendation
1	1-9	02/10/00128	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	To grant planning permission with conditions
2	10-29	03/10/00276	Land and industrial unit north of Goodsmoor Road Industrial Estate, Sinfin, Derby (inc Unit 2, Derby Distribution Centre, Sinfin Lane)	Residential development (106 dwellings, vehicular accesses, landscaping, boundary treatment and drainage)	<p>A. To authorise the Director of Planning and Transportation 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 Legal and Democratic Services to enter into such an agreement.</p> <p>B. To authorise the Director of Planning and Transportation 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 (15 June 2010) consideration be given, in consultation with the Chair, to refuse permission.</p>
3	30-37	02/10/00200	Former Sturgess School and field, Markeaton Street, Derby	Erection of footbridge	To grant planning permission with conditions
4	38-42	03/10/00305	9 Downing Road, West Meadows Industrial Estate, Derby (Magferns Waste)	Variation of condition 10 on planning permission DER/0409/00427 to extend the operating hours to 06:00 to 19:00 (Mondays to Friday) and 06:00 to 18:00 (Saturdays, Sundays and Bank Holidays)	To grant permission without conditions

Committee Report Item No: 1

Application No: DER/02/10/00128

Type: Full

1. **Address:** 2 Cowley Street, Derby (Victoria Hotel)

2. **Proposal:**

Change of Use from Hotel (Use Class C1) to Residential Care Home (Use Class C2)

3. **Description:**

The application is described by the Applicant's agent as being for change of use of a licensed hotel into a residential home which falls within category C2 for able bodied elderly residents.

The Applicant's agent states that the property will be used for short and long term residency and that the facility will provide 13 bedrooms with en suite, TV lounge, dining room, catering kitchen, laundry room, resident's storage room and garden. A full time warden will be available to oversee the running of the facility with cleaning and catering staff. It is stated that minimum care will be provided if requested by a resident. The Applicant's agent also states that the following will be provided for residents: a warden on duty and on call 24 hours; cleaning and laundry daily; three cooked meals daily; TV and telephone services per room; panic alarms; and storage locker per room located in the basement.

This application is a resubmission of a previously refused application, DER/07/09/00820, for change of use from hotel (Use Class C1) to residential care home (Use Class C2) including alterations to elevations. This application had been refused for the following reasons:

"1. In the opinion of the Local Planning Authority, the proposed residential home for elderly residents fails to provide an adequate amount of private external garden/amenity space for future occupiers of the proposed residential home for elderly residents to enjoy. In the absence of such provision, the proposal is contrary to policies H13 and GD5 of the adopted City of Derby Local Plan Review.

2. The proposed amendments to the existing windows and ornamental gables, by virtue of the proposed design, character, and appearance, are considered to have a detrimental impact on the character of the existing building, therefore, the proposal would be contrary to policies GD4 and E23 of the adopted City of Derby Local Plan Review. "

Prior to the resubmission of this revised scheme, the Applicant and agent undertook a meeting with Officers in order to address these reasons for refusal. The plans had previously shown discrepancies, in particular between the existing plans drawn and the physical building that exists. The proposal has, therefore, been amended to show a true reflection of the building and proposing a number of alterations to the external elevations of the building including:

- The installation of three windows on the ground floor north-eastern side elevation, one of these being formed by the bricking up of the lower half of the existing doorway;

Committee Report Item No: 1

Application No: DER/02/10/00128

Type: Full

- The replacement of large double doors with brickwork and a double window and pedestrian doorway on an existing storeroom on the recessed part of the ground floor, north-western elevation, facing towards Cowley Street,.
- The installation of windows and french doors to the proposed dining room on the ground floor south-western elevation, facing Watson Street. beyond a parking and garden area,
- Bricking-up of an existing door and installation of new french doors to the proposed TV lounge on the first floor north-eastern side elevation.
- Installation of a new fire door to the first floor south-eastern rear elevation and the re-glazing and refurbishment of all existing windows.
- The creation of a roof garden and summer house at first floor level with an overall floor area of 80m². This area is to be fully screened to all sides using bamboo style panels 160mm in height to the top of the existing parapet wall making a total height of 1850mm from floor level to the highest part of the screen.
- The creation of two additional fenced garden areas at ground level with a floor area of 17.46m² to the north east and 23.m² to the south west.

The application premises at the junction of Cowley Street and Watson Street is a substantial and imposing two-storey building of brick and tile construction with feature chimney stacks and ornamental hipped gables to the principal street elevations. The premises is signed as 'The Victoria' and floor plans submitted by the Applicant's agent indicate bar/ lounge, pool room, lounge, kitchen, and associated facilities on the ground floor with bedroom and bathroom on the first floor. Revised plans submitted by the Applicant's agent indicate 6 bedrooms with ensuite, lounge, dining room, kitchen toilet, on the ground floor together with two fenced garden areas to the south east (rear) and north east part of the site. Bedroom, bathroom facilities and TV lounge are shown at the first floor with the addition of access out to the newly proposed roof garden and summer room located to the south east rear part of the site. This garden area can be accessed from the first floor and from the ground floor garden area via the existing stairwell. There is a total provision of 12 bedrooms

The site currently has a vehicular access into a court yard through large double gates from Cowley Street. Plans submitted by the Applicant's agent show this area will be used to provide three car parking spaces, refuse and bin store and a cycle parking facility. This area is referred to on the submitted plans as 'Car Park'. Space one can only be accessed through space two. An existing pedestrian access leads from Watson Street into a second court yard which appears to have been used as an external seating area. It is proposed to form a new vehicular access and use this area to provide a further two car parking spaces designated on the submitted plans for visitors, one of which will be a larger size space 7.2m x 3.5m. It is understood this larger space is designed to accommodate the setting down and picking up of residents/ambulance. The proposed access arrangements to both parking areas will require the removal of existing walls and pillars and formation of dropped and tapered kerb arrangements.

Committee Report Item No: 1

Application No: DER/02/10/00128

Type: Full

4. Relevant Planning History:

DER/07/09/00820- Change of use from Hotel (Use Class C1) to Residential Care Home (Use Class C2) including alterations to elevations- refused 17 November 2009

5. Implications of Proposal:

5.1. Economic:

The Applicant's agent has indicated that the proposed use will include a warden on call 24 hours per day and cleaning and catering staff, which is unlikely to be significantly different to the indicated three posts associated with the previous use on the site.

5.2. Design and Community Safety:

The proposals involve relatively minor alterations to the overall appearance of the building with a number of changes to windows and doorways as described above.

5.3. Highways – Development Control:

Further details will be required regarding the specification of cycle parking, however, this detail can be secured by condition.

5.4. Disabled People's Access:

By the nature of the development, the ground floor of the building and site will be fully accessible for all members of the community.

6. Publicity:

Neighbour Notification Letter	22	Site Notice	Yes
Statutory Press Advert and Site Notice	-	Discretionary Press Advert and Site Notice	-
Other	All 3 Ward Councillors and the Chair have been informed by personal email from the Case Officer		

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

7. Representations:

Councillor Repton has raised objection to the proposal on the grounds that this important historic building could be brought back to its original function serving the needs of local people and the local community. He also objects to the proposed changes to the external structure of the building due to the negative impact on the street scene. A copy of his representation is reproduced.

5 objections have been received and 1 letter of comment in relation to this revised scheme highlighting the following concerns:

- Overlooking from the proposed roof garden
- Loss of privacy
- Inadequacy of the bamboo screen
- Clarification of the use which is causing concern
- Increase in parking problems in the vicinity

Committee Report Item No: 1

Application No: DER/02/10/00128

Type: Full

- Compromise of safety if the home is to be used for the homeless etc.
- Noise
- Loss of property value
- Nearby business losing customers

These representations have been reproduced in this report **(1-6 reps)**

8. Consultations:

8.1. Building Consultancy:

No Comment

8.2. Environmental Services (Health – Pollution):

No objection subject to condition regarding times of building works and informative note regarding no bonfires on the site as previously requested as part of the refused application DER/07/09/00820.

8.3. Environmental Services (Health – Food Safety):

No further comments other than those made on previous application DER/07/09/00820. *No objections, however, details of a sufficient ventilation system and noise control measures are requested.*

8.4. Police Liaison Officer:

Lockable gates are being used to secure the garden and parking areas and should continue to be provided to secure the same areas albeit for a different use. All windows and doors are to be of a 'crime resistant' standard.

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

GD1	Social Inclusion
GD4	Design and the Urban Environment
GD5	Amenity
H13	Residential Development
E10	Renewable Energy
E17	Landscape schemes
E23	Design
T1	Transport Implications of New Development
T4	Access, Parking and Servicing
T6	Provision for Pedestrians
T7	Provision for Cyclists
T8	Provision for Public Transport
T10	Access for Disabled People

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

10. Officer Opinion:

The proposed use described by the Applicant's agent, relates "to a residential home which falls within category C2 for able bodied elderly residents" and is appropriate in its predominantly residential setting providing a form of community facility and is unlikely to result in any loss of residential amenity for nearby residents. Concerns

Committee Report Item No: 1

Application No: DER/02/10/00128

Type: Full

have been raised by neighbouring residents but I can clarify that the unit is to be used for the purpose of elderly short and long term residency within Use Class C2 and for no other purpose within Class C2; nor is the unit to be used for any use within Class C2A. Any changes of use from elderly residence can be restricted by condition.

Whilst there has been objection raised to the loss of the previous use on the site this is a commercial operation whose continuation cannot be achieved through planning legislation as there are no specific policies relating to the protection of licensed hotels.

The application is in general conformity with the relevant policies of the City of Derby Local Plan Review and the site is not specifically allocated for any proposal.

However, given the close proximity of residential properties to the application site it is considered appropriate to limit the hours of working in respect of noisy construction activities by condition.

The previous application was refused due to the inadequate amount of private external garden/amenity space provided for future occupiers of the proposed residential home. Additional garden space has now been proposed at both ground floor and first levels, all with screening to avoid any material impact by way of overlooking in relation to surrounding dwellings. Although concerns have been raised by residents in relation to the additional roof garden and screening provided in relation to overlooking, I consider that the boundary treatments proposed would be adequate and any significant material impact by way of overlooking would be avoided. Given that additional garden and amenity space has been provided for residents with an increased floor space from the previously refused scheme, I am now satisfied that the revised proposal overcomes those previous reason for refusal, now adequately meeting criteria set out in Policies GD5 and H13.

In relation to visual amenity the proposed changes to the window and door arrangements are relatively minor in nature and the overall appearance of the building in the street scene will be little changed with the main design features including the chimney stacks and the ornamental hipped gables remaining unaltered. The proposal is, therefore, considered acceptable in relation to Policies GD4 and E23.

The previous application had also been refused due to the unacceptable amendments to the existing windows and ornamental gables, by way of design, character and appearance. It has since been established that the agent had not been aware that these changes had been made and these had been errors whilst producing the plans which has been rectified in the revised scheme with the removal of these amendments.

Taking this into consideration, I am now satisfied that the revised scheme has overcome this previous reason for refusal, now adequately meeting criteria set out in Policies GD4 and E23 of the City of Derby Local Plan Review.

In relation to community safety, the use is likely to generate less noise and disturbance in the general locality than the previous use. The Crime Prevention Design Advisor considers that the proposed parking and servicing areas should be gated, however, this would be impractical due to the restricted size of the areas

Committee Report Item No: 1

Application No: DER/02/10/00128

Type: Full

concerned where gates would conflict with parked vehicles using the spaces. Balancing this consideration, I have to advise that the proposal is considered to be acceptable in relation to Policy E24 of the City of Derby Local Plan Review.

The new access arrangements from both Watson Street and Cowley Street will require the formation of dropped and tapered kerb arrangements and will require the removal of existing walls and pillars. Although these are attractive features within the street scene, they are relatively minor in scale and impact. All work within the highway will require the relevant permissions from the Highway Authority and this should be added as an informative note to the Applicant. Five vehicle parking spaces will be provided, including one larger space to accommodate setting down and picking up of residents and ambulances, which is considered to be a satisfactory level of provision. The plans as amended include a bin/recycling storage point and a cycle parking facility; the cycle storage will be required to be covered and secure and it is recommended that Sheffield type cycle hoops are used. Concerns have been raised by neighbouring residents in relation to possible increases in parking problems within the vicinity of the site, however, the proposed provision is considered satisfactory and a condition is proposed to remove any permitted development rights relating to a change of use, thereby restricting the use to C2 elderly use only. Accordingly, I am satisfied that there would be few residents owning a vehicle, therefore, reducing any impact on parking provision within this location. Taking this into consideration the proposal is considered to be acceptable in relation to Policies T1, T4, T6, T7 and T10 of the City of Derby Local Plan Review.

Overall it is felt that the proposal is now acceptable and amenity will not be unreasonably affected. The proposal reasonably satisfies the requirements of local plan policies set out in the City of Derby Local Plan Review and as such conditional planning permission is recommended.

11. Recommended decision and summary of reasons:

11.1. To grant planning permission with conditions.

11.2. Summary of reasons:

The proposal has been considered in relation to the provisions of the adopted City of Derby Local Plan Review 2006 and all other material considerations indicated in 9 above. The proposal would involve the reuse of an existing building and the residential amenities of nearby dwellings would not be unreasonably affected.

11.3. Conditions:

1. The use shall not commence until details of a fume extraction/ ventilation system, with silencer and carbon filtration, has been submitted to and approved in writing by the Local Planning Authority and until such equipment has been brought into use. The use shall not be operated unless the approved system is working satisfactorily. The details shall include the location and design of any external vent or flue.
2. Notwithstanding the provisions of the Town and Country Planning Use Classes Order, the use of the premises shall be restricted to a residential care home for the elderly only, and any change of use including those

Committee Report Item No: 1

Application No: DER/02/10/00128

Type: Full

uses also within Use Class C2, will require the explicit written permission of the Local Planning Authority.

3. Construction work, likely to result in a loss of amenity for nearby residents by reason of noise, shall only be carried out between 07.30 and 18.00 hours Monday to Friday, 07.30 and 13.00 hours on Saturdays and no noisy work on Sundays and Bank Holidays.
4. The permitted use shall not commence until the proposed amendment to the vehicular access from Cowley Street and creation of a new vehicular access from Watson Street have been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
5. No part of the development hereby permitted shall be brought into use until provision has been made within the application site for parking of cycles in accordance with details submitted to and approved in writing by the Local Planning Authority. The cycle stands shall be located near to the main entrance to the development, be covered and that area shall not thereafter be used for any purpose other than the parking of cycles.
6. Details of all external materials shall be submitted to and be approved in writing by the Local Planning Authority before development is commenced.
7. The development hereby permitted shall be begun before the expiry of three years from the date of this permission.
8. The development hereby permitted shall be carried out in accordance with the following approved plans:

11.4. Reasons:

1. To protect residential and environmental amenity.... Policy GD5
2. To assess the suitability of alternative uses including the adequacy of on-site parking provision as a different use could generate the need for increased parking facilities... Policies GD5 and T4
3. To protect residential and environmental amenity.... Policy GD5
4. In the interest of highway safety... Policies T1 and T4
5. In the interest of highway safety... Policies T1 and T4
6. To ensure a satisfactory external appearance of the development in the interest of visual amenity..... Policies GD4 and E23
7. To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
8. For the avoidance of doubt.

11.5. Informative Notes:

Condition No. 5 requires the formation of an access to the highway, which is land subject to the provisions of the Highway Act 1980 (as amended) over which you have no control. Please contact Highway maintenance on 01332 641848 for details of how this work can be undertaken.

Committee Report Item No: 1

Application No: DER/02/10/00128

Type: Full

Permeable Driveway- The proposed hard surfacing is required to be permeable to allow sustainable urban drainage and meet with the requirements of the Guidance on permeable surfacing of front gardens dated October 2008.

It is recommended that Sheffield type cycle hoops are used in the cycle store details of which can be obtained from the Council's Highways Development Control section.

The Crime Prevention Design Advisor has recommended the use of laminated security glazing at the ground floor exposed street facing areas and all new external doors should be of a crime resistant standard (known as Pas23/24) details of which are available at [www. securedbydesign.com](http://www.securedbydesign.com).

11.6. S106 requirements where appropriate:

Confirmation given that no requirement is necessary.

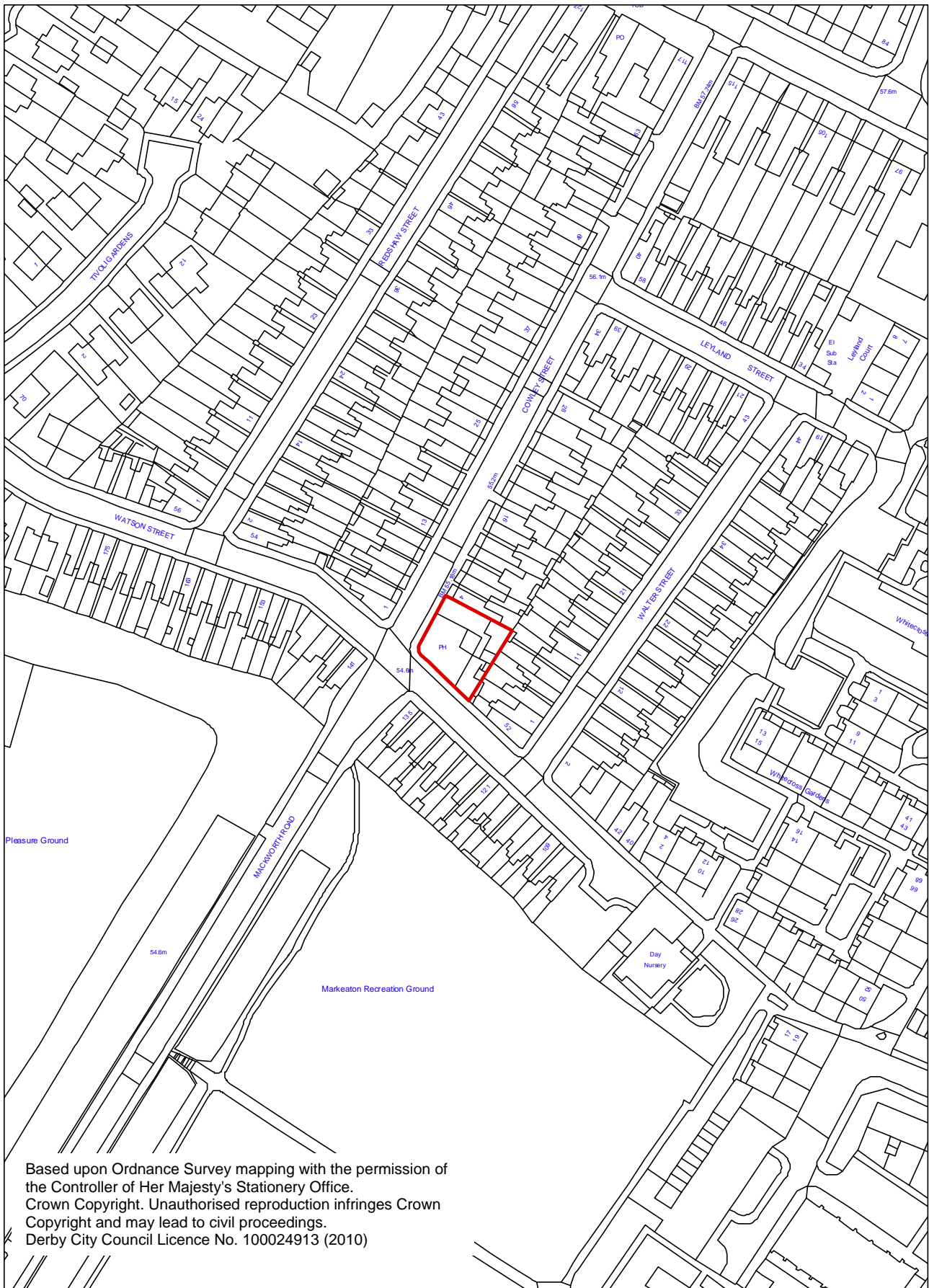
11.7. Application timescale:

The target time for determination has expired due to the need to carry out further consultations.

Committee Report Item No: 1

Application No: DER/02/10/00128

Type: Full



Enclosure

Neighbour comments for Planning Application 02/10/00128

Site Address: 2 Cowley Street, Derby (Victoria Hotel)

Comments received from: Mr Phillips, 33 Leyland Street

Type of Response: OBJE

Comments:

I would like to object to the proposal to create a roof garden on The Victoria Hotel. The windows at the rear of my property on Leyland street look towards the area where this proposed roof garden is to be created. I am very concerned about the potential loss of privacy not only to my rear bedroom but also to my garden. This proposed roof garden would be at the same height as my rear bedroom giving anyone on this roof garden a direct line of sight into my property. I dont believe a bamboo screen provides adequate protection of my privacy, because by its very design it is not a solid barrier and can be seen through. Bamboo screens have a limited life span compared to other fencing and screening materials. I would be concerned if this type of screen was used because it would not last very long.

Does not wish to speak at committee.

Date Comments Accepted: 04/03/2010

DERBY CITY COUNCIL

Ms. Jenny Collison
Roman house
Friar Gate
Derby
DE1 1XB

CITY OF DERBY	
DEV/INT/REP/1	20/128
FILED	23 MAR 2013
RECEIVED	Ab- ems
REFERRED TO	JK
REPLIED	

Enclosure

4 Cowley street
Derby
DE1 3SN

Dear Ms. Jenny Collison,

I am writing in response to your letter about Victoria Hotel (2 Cowley street, Derby,) being turned into a residential care home.

Let me begin by say that I have brought 4 children up in my home, that is right next door to the location in question, and lived their for a total of 51 years, and while it has been a pub I have never had any problems what so ever.

My concerns are as follows:

- What do you mean by "care home" do you mean, a home for the elderly, or homeless etc.
- There is not enough parking on the street as it is due to shops, residents and students, and I believe this would reduce the parking further, and when my disabled daughter comes to visit she has trouble parking as it is, and creating a residential care home would only worsen the problem.
- There is a nursery near by with small children and if homeless/ ex convicts were introduced into the area, I fear for their safety.
- I fear drugs might be introduced into the area, and with a children's play area near, and if a child stumbles upon a needle, etc.
- Noise
- Loss of property value
- Nearby business's losing customers

All of these issues are of great concern to me, and other nearby residents.

As the pub can't just be left unoccupied, I suggest student accommodation/flats for everyday people, and not for people that would raise the above concerns.

I hope you take my letter into account.

Yours faithfully,
Ms. N. Shreeve,

Mr. K Shreeve.

Enclosure

Sent: 14 April 2010 19:53

To: Collison, Jenny

Subject: VICTORIA HOTEL COWLEY STREET C2 STATUS

WILLIAM CASH
33 WHITE ST.
DERBY
DE22 1HB

Dear Jenny, I would like to express my concern about the Victoria Hotel in Cowley st. I understand an application for a care home with C2 status has been applied for. This would definitely be undesirable in such a built up residential area which is already suffering the effects of university students parking, the new, as yet unfinished bus lane on Kedleston rd. which will drive even more cars into these side streets. There are daily annoyances with inconsiderate parking in this area. Also, there is the added danger of cars to the children at the local primary school and mothers taking their children to the nearby nursery and recreation grounds.

I would prefer a C1 status if it is no longer to be a public house.

Apart from increased parking requirements, is it fair to impose possible drug addicts, asylum seekers, rehab cases etc. on the tight knit community surrounding the Victoria Hotel. Lots of residents are upset by the influx of students into rented properties in the area, with the accompanying noise, music and unkempt appearance of these properties. A walk down nearby Redshaw street will confirm this. The ordinary families have nearly all been forced out and most of the properties are let to students. A halfway house in next door Cowley street will see more houses sold to landlords and taken up by students. I feel for young couples who will not be able to afford to move.

If the Victoria Hotel is used as some sort of hostel for class C2 cases, the conditions in the area will only get worse.

I know that this sounds like " Not in my back yard" but the possibility of falling house prices, rising crime, young children seeing these people in the area, possibly drunk or drugged, is very frightening. The ex pub is so prominent, straight off the street, with no sort of driveway or garden to hide it from view.

I hope you will consider these points from a very ordinary resident who does not wish the area to become even more downgraded.

Your sincerely

W.Cash.

Enclosure

To: jenny.collison@derby.gov.uk

Subject: victoria hotel

Date: Tue, 13 Apr 2010 17:25:31 +0100

Dear Jenny

As the planning officer for the regeneration & community Department of our area I email you with my concerns about a C2 being granted to no.2 Cowley street The Victoria Hotel, this has been a integral part of the community and it was sad to see the property sent to auction obviously as the property has been gutted internally and a C2. has been applied for, I think our best hope is to limit the C2. to **old peoples care home** rather than trying to stop it from being anything but a Pub/hotel (C1) which is what it is at the moment, from speaking to yourself I hope that you understand my concern of the property being used as anything other than an old persons care home e.g.drug rehab residence,alcahol rehab ,half way house, etc all of which fall under the heading C2. But obviously a C1. Pub/hotel Would be best!

I want to air my concerns eg nersary nexdoor offlicence opposite (not the best location for a rehab center)& that parking problems are already cramp and the university/council parking meters through the park have forced even more parking congestion onto cowley street and neighbouring roads !

best regards

Robert Atkinson

local resident.

Enclosure

From: Emma Atkinson [mailto:]
Sent: 17 April 2010 15:37
To: Collison, Jenny
Subject: C2 Victoira Public House 2 Cowley Street

Dear Jenny

I am writing to you with regard to the Victoria Public House on 2 Cowley Street.

I would like to object to it becoming a C2.

I live on Walter Street and currently our parking situation is diabolical. As you may be aware, there are pay metres that now run through the park, which have been put into place since the new University site was built and opened. Subsequently cars (whether public or students) have started to park in the areas of Cowley, Walter, Watson, Leyland and beyond. Some days I have nowhere to park my own car outside of my own house and I know I am not alone. The council have not been able to pick up bins on most occasions and we are all getting letters saying our cars are blocking the entrances to the roads, THESE ARE NOT OUR CARS. To say residents are frustrated is an understatement. So by granting a C2 will turn the already boiling pot of cars, students, bin men and tenants, into a catastrophic situation. I have lived there for 8 years and do not want to leave a very good, grounded community that you find hard to get these days.

It would be a pleasure for you to come over to our house for a cup of tea and to see the situation. I look forward to hearing from you.

Kind regards

Emma Atkinson
resident of walter street

Enclosure

From: Repton, Martin

Sent: 05 March 2010 15:34

To: Collison, Jenny

Subject: RE: Notification of application - DER/02/10/00128- 2 Cowley Street, Derby

Please accept this as my objection. I believe this building and its original function as a public house serving the needs of local people should remain and be encouraged in its current state. Change of use should not be granted. The building which is of historic and social importance should be preserved.
Cllr Martin Repton

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

1. **Address:** Land and industrial unit north of Goodsmoor Road, Sinfen, (including Unit 2, Derby Distribution Centre, Sinfen Lane)
2. **Proposal:**
Residential Development (106 dwellings, vehicular accesses, landscaping, boundary treatments and drainage)
3. **Description:**

The outline planning application seeks to gain planning permission for the erection of 106 dwellings, as a maximum, with access details to be considered as part of the proposal. The application is accompanied by an indicative Masterplan which identifies the siting of 106 residential units and details how the site can reasonably accommodate the units, the proposed internal road layout, mitigation ponds for wildlife, balancing pond and public open space. Members are respectfully reminded that the submitted Masterplan (Drawing No.31) is an indicative plan only and is subject to change on the submission of future reserve matters application(s).

The application site has an area of approximately 3.74 hectares and is designated under the adopted City of Derby Local Plan Review (CDLPR) for industrial and employment purposes. Land levels within the site are relatively consistent and appear relatively flat. The application site is triangular in shape and bounded to the North and North West by an existing railway line which is screened by an established hedgerow; to the Southern boundary by the public highway of Goodsmoor Road and to the East by an existing one and a half storey storage and distribution centre, which is currently occupied for such purposes. The adjacent site is designated in the adopted CDLPR as an existing business and industrial site, policy EP11 is therefore relevant in this case. The application is accompanied by details of an "Overview of Industrial Market" appraisal, the content of which will be discussed in this report, but provides details of how the site has been marketed along with the outcome of the marketing exercise.

The application site is located within the urban area of Sinfen, approximately 4 kilometres from Derby City Centre, and will be accessed off Goodsmoor Road. The existing neighbourhood centre is located on the junction of Wordsworth Avenue and Sinfen Lane and is in close proximity to the application site. There are a number of existing amenities in the area including health centres, libraries, community centres, convenience shops, Supermarket, takeaway facilities, public house and educational facilities including primary and secondary schools.

The application site is occupied by an existing single storey brick built industrial unit which under current market standards is not considered to be fit for purpose and has been unsuccessfully marketed since 2007 due to the height of the building, parking provision and internal floor area etc. Part of the site has been previously developed but left unused recently and now appears as scrubland within the street scene. There is an existing Nature Conservation area to the north east of the application site which provides a habitat for a small number of Great Crested Newts.

To the south of Goodsmoor Road is a residential development site, which is being delivered by Strata Homes. However, construction on site has recently stalled primarily due to the current economic climate.

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

The wider locality is characterised by existing residential properties varying in architectural style and merit. To the North and North West, on the opposite side of the railway line is Sunny Hill, an existing residential location. To the south of the application site is the urban area of Stenson Fields which is typically characterised by residential properties and houses the district centre of Sinfin.

The application is accompanied by a Planning Statement, Design and Access Statement, Overview of Industrial Market Appraisal, Flood Risk Assessment (FRA), Noise Assessment, Transport Assessment, Ecological Appraisal, Protected Species Survey and relevant plans.

4. Relevant Planning History:

DER/09/05/01563 Withdrawn – Erection of 17.5 metre Monopole and 3 Antennae and equipment cabinet and fencing.

Preliminary Application Advice – DER/09/00120

5. Implications of Proposal:

5.1. Economic:

The proposal would deliver residential development on a previously developed site that has been, according to the submitted information, unsuccessfully marketed for commercial business purposes.

5.2. Design and Community Safety:

The application has been submitted in an outline format with external appearance, landscaping, layout and scale details to be considered under any future reserved matters application(s). An indicative Masterplan accompanies the application.

5.3. Highways – Development Control:

The following comments are made in relation to drawing reference no. 2377 31 Rev C. It is considered that this site should be served by a single access to serve up to 106 dwellings. This access should be a right hand turn priority junction with a refuge to allow pedestrians to cross from the North to the South side of Goodsmoor Road.

As an Outline Application where access is to be approved there are no significant highway implications. However the junctions of Stenson Road and Sinfin Lane with Goodsmoor Road are to be assessed, in terms of their traffic generation to justify that there are no significant traffic impacts in the area. Any further comments about the traffic implications of the proposal will be reported orally at the meeting.

Highways – Land Drainage:

The application is accompanied by an FRA that is now acceptable. Any outline planning permission should be accompanied by conditions to ensure that the principles of PPS25 (Development and Flood Risk) are achieved within the detailed design of the overall development.

5.4. Other Environmental:

None

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

5.5. Pre Submission Publicity:

Prior to the submission of the outline planning application the applicant has sought representations from surrounding residential properties through a pre-submission publicity exercise which involved the delivery of an A3 Leaflet to approximately 500 residential units to the North and South of the application site including those to the North of the railway line; predominantly around Dewchurch Drive, Mimosa Crescent, Lawnlea Close, Morlich Drive, Ballater Close and Wordsworth Avenue. The consultation document provides details of “*Why redevelop part of the Sinfin Industrial Area?*”, Indicative Site Layout Plan, Shape and Vision for Goodsmoor Road and provides the opportunity for residents to provide their comments prior to the submission of the formal planning application. The leaflet was distributed on 26th October 2009 with no fixed deadline date provided for responses. The Planning Statement from page 16 – 18 seeks to address the comments of the 7 responses received as a result of the process; which are focused around the following issues:

- No more houses are needed in this area,
- Loss of ecological habitat,
- Overdevelopment,
- Poor access to the site,
- Additional traffic,
- Proximity of railway line,
- Position of pond near to the main road,
- Position of play area and anti-social behaviour,
- Location of bin storage areas,
- Parking issue on Goodsmoor Road,
- Potential loss of World War II Pillbox from the site.

In addition one letter of support was also received.

6. Publicity:

Neighbour Notification Letter	64	Site Notice	
Statutory Press Advert and Site Notice	MAJOR	Discretionary Press Advert and Site Notice	
Other			

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

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

7. Representations:

64 initial letters of neighbour notification were sent on 17th March 2010 along with the display of a site notice on 18th March 2010 and press notice on 23rd March 2010. At the time of drafting the report, the application had attracted 6 letters of representation, 4 of which are letters of objection and 1 is a letters of support; along with 1 letter of comment. The Council has also received a petition with 57 signatures; the petition is particularly concerned with increased traffic on the existing roads. A summary of the representations is provided below:

Objections

- Increased traffic on the roads in this locality,
- People already drive at excessive speeds in this location,
- There have been a number of incidents/accidents in this location,
- Impact of construction traffic,
- Impact on pedestrian and cyclist safety,
- Traffic issues worsen when there is an accident on Stenson Road,
- Goodsmoor Road is used a short cut by people which increases traffic,
- Cars parked on the pavements results in pedestrians having to walk on the road and negotiate parked cars,
- Dangerous 90 degree bend needs to be negotiated by construction traffic and all other traffic,
- Land not suitable for residential development,
- Site and area cannot support 106 residential units,
- Limited access to buses in this location meaning residents will resort to using private transport,
- Application should not be considered due to impact on traffic when considering the situation as it currently exists,
- Road network can not accommodate this much additional traffic,
- Impact on the Artesian Spring and previous works to the spring including works to re-surface the road and re-locate the spring,
- Increased noise, mud, dust and dirt which will be transferred onto Wordsworth Avenue during construction works,
- Impact on residential amenity,
- Goodsmoor Road cannot accommodate a bus route,
- Poor layout,
- No consideration has been given to local residents,
- Health and Safety implications of the use of ponds in order to mitigate the impact on wildlife.

Supports

- Regeneration of the area

These representations are available in the member's rooms

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

8. Consultations:

8.1. Environmental Services (Health – Pollution):

I have reviewed the application information and whilst I do not object to the application in principle, I would make the following comments:

Due to the proposed sensitive use of the site, an assessment of potential contamination should be undertaken to ensure that the development will be suitable for use. I would recommend the attachment of a land contamination condition.

Future residents of the development may be affected by high levels of noise from nearby sources. I note that a noise survey has been undertaken and a report submitted as part of the application. Any further comments about the noise implications of the proposal will be reported orally at the meeting.

8.2. DCC Archaeologist:

This existing building is of no architectural or historical interest, and there is no need for a historic building record before its removal. The remainder of the site is undeveloped grassland, although aerial photographic evidence suggests that this area is not undisturbed in the recent past and may comprise made-ground material of industrial origin, perhaps even associated with the construction of the Midland Railway cutting along the northern edge of the site in the 1830s.

There are no records of archaeological finds or features in the immediate vicinity; the medieval village of Sinfin appears to have been situated some way further south, with another possible medieval settlement in the vicinity of Sinfin Golf Course to the east. This lack of archaeological information may however simply reflect the lack of archaeological investigation in this area.

While there is perhaps therefore some potential for hitherto undiscovered archaeology in the western third of the site, I feel that the industrial history of the site and the likely presence of made ground greatly limits this potential. I therefore recommend on balance that it would not be proportionate in this case to place an archaeological requirement on the applicant.

8.3. ENV Agency:

The proposed development will only be acceptable if planning conditions are imposed.

8.4. Derbyshire Wildlife Trust (1):

“Thank you for consulting the Derbyshire Wildlife Trust with regard to the above planning application. I am now responding under the terms of the Service Level Agreement which Derby City Council and the Trust have signed.

We have checked the site against our usual datasets (see endnote for list)
We have considered the relevant documents submitted as part of the planning application with particular reference to the following:

- Ecological Appraisal & Protected Species Report (Green Environmental Consultants Limited, July 2009)

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

- Design & Access Statement (John Martin and Associates, February 2010)

We provided comments to you regarding this development site in correspondence dated 22nd September 2009 as part of the pre-application consultation.

Results of assessment

From our searches we are aware that the Local Wildlife Site Raleigh Depot Emergency Water Tank DE037, designated in recognition of the presence of Great Crested Newt, is located within the application site. The species was first recorded on the site in 1988 and breeding confirmed by the presence of a single larva in 2005.

An initial Phase 1 Habitat Survey was undertaken on 29th September 2008 and included data consultation with relevant local nature conservation organisations together with use of web-based services such as MAGIC and NBN. Subsequent surveys for protected species including Great Crested Newts, bats and reptiles were carried out during 2009.

The Ecological Appraisal has identified that the western end of the site is dominated by rank grassland with areas of bare and colonising ground with ditches on two sides. The grassland supports two uncommon plant species, Knotted Hedge-parsley and Pyramidal Orchid, which are particularly significant within the context of Derby City while the ditch which runs along the southern (Goodsmoor Road) boundary contains Lesser Reedmace, another uncommon species within Derby City.

We would advise the Council that the significance of the three uncommon plant species within the context of Derby City, namely Knotted Hedge-parsley, Pyramidal Orchid and Lesser Bulrush, do not appear to have been adequately recognised within the Ecological Appraisal.

The eastern area has a large warehouse-style building and much hardstanding together with a steep-sided water storage tank which supports a population of great crested newt and smooth newt. A mound with trees and grass is present near to the water tank.

No evidence of bats or reptiles was found on the site.

Limitations

This response is based on the best information available to us at this time. DWT does not guarantee the accuracy of this data, and cannot be held accountable for any loss, damage or injury to the client or any third party, or any other occurrence arising from the use of the data.

We are aware that the dangerous nature of the water storage tank and difficult access has placed limitations on the level of survey effort possible in relation to Great Crested Newt with the result that torchlight survey was the only method employed for survey of the aquatic environment.

Impact of the development on nature conservation

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

The proposed development will result in the loss of Local Wildlife Site Raleigh Depot Emergency Water Tank DE037 designated in recognition of the presence of Great Crested Newts.

In the absence of appropriate mitigation, the proposed development has potential to adversely impact upon this protected species.

The proposed development also has potential to result in the loss of three uncommon plant species of particular significance within the context of Derby City. These include Knotted Hedge-parsley, Pyramidal Orchid and Lesser Bulrush.

Conditions/Recommendations

The protected species survey confirmed the presence of Great Crested Newts within the water storage tank within the eastern part of the application site.

The Ecological Appraisal has concluded that the water tank is of a very poor design for amphibians and is isolated amongst inhospitable habitat. We advise the Council that it is difficult to support these conclusions when records indicate that the site has maintained a population of Great Crested Newts for at least 22 years. We are also aware that due to limitations imposed upon the survey by access difficulties it is likely that the small population estimate will be an under-representation.

We are of the view that the mound with trees and grass in the vicinity of the water tank has potential to provide valuable terrestrial habitat. Similarly, we regard the railway corridor along the northern boundary of the site as providing important terrestrial habitat as well as possibly the only realistic route for dispersal. We advise the Council that these two features have not been given adequate consideration within the Ecological Appraisal.

Great Crested Newt is a European Protected Species protected under the Conservation (Natural Habitats) Regulations 2007 and the Wildlife and Countryside Act 1981 (as amended). We advise the Council that a site specific European Protected Species licence will be required and appropriate and adequate mitigation put in place before construction can begin.

We advise the Council that Natural England, as the statutory consultee with regard to protected species issues, should be consulted for a definitive comment upon the adequacy of the protected species survey and proposed mitigation measures.

We accept that the retention of the existing water tank in situ as part of the development is unrealistic on health and safety grounds and that the development offers considerable scope to enhance the amphibian population by the creation of high quality aquatic and terrestrial habitat designed specifically with amphibians in mind. We are of the view, however, that the development layout as indicated in the current masterplan fails to achieve these aims. We advise the Council that the location of the attenuation pond in the south-east part of the development is wholly inappropriate as it is bounded on two sides by the main access roads, presenting a threat to the movement of amphibians, and is surrounded on the other sides by housing rendering it

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

as totally isolated. The Design & Access Statement refers to links and landscaped corridors for the benefit of wildlife but these do not appear to be evident from the masterplan.

In summary, we reiterate our comments provided in our earlier correspondence dated 22nd September 2009 which do not appear to have been taken into consideration as follows:

Mitigation for the loss of the water tank will require the creation of high quality aquatic and terrestrial habitat. This should include areas of species-rich and rough grassland, scrub, water bodies and hibernacula which link to the railway corridor. These habitats should be created and allowed to establish well in advance of the destruction of the water tank in order to relocate the amphibians.

We advise that mitigation measures should consist of the creation of one new pond in the north-east of the site in the vicinity of the existing tank and near to the railway corridor and another pond in the south-west corner of the site together with the retention of the mound with trees and grass as part of the landscaping proposals. It is critical that there is some connectivity between the two water bodies and the areas of terrestrial habitat including the railway corridor. The two ponds therefore should be linked by a minimum 5m wide landscape corridor along the railway boundary (excluding existing habitat currently on Network Rail land) consisting of suitable terrestrial habitat. We hold the view that the newt ponds should be stand alone units and not balancing ponds which form part of a SuDS scheme.

The new ponds need to be established well in advance of the destruction of the existing water tank in order to facilitate successful transfer of the amphibians. We recommend that destruction of the water tank and any site clearance, which is deemed necessary in the vicinity of the tank, is carried out under the supervision of a suitably experienced and licensed ecologist.

The pond in the south-west corner should be surrounded by terrestrial habitat to include grassland into which the uncommon plant species should be translocated / seeded.

We support the recommendations provided in 5.3.4 of the Ecological Appraisal for the retention of the ditch/green corridor along the southern (Goodsmoor Road) boundary to link with the railway corridor and pond in the south-west corner of the site. We also recommend the inclusion of a buffer of rough grassland in association with the ditch for amphibians. Again, it is not clear from the masterplan whether or not the ditch has been retained as part of the development.

We advise that the road network should employ amphibian friendly road drainage systems together with sections of dropped kerbs in order to avoid trapping any newts.

We advise the Authority that a Habitat Management and Monitoring Plan should be produced for the created and retained habitats on the site. The contents of the Plan should be agreed in writing with the Authority following consultation with Derbyshire Wildlife Trust and Natural England. The Plan

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

should include details of how the management will be funded and implemented in perpetuity. We recommend that this could be achieved in the form of an annual occupancy charge levied on residents of the finished development.”

8.5. Derbyshire Wildlife Trust (2):

“Derbyshire Wildlife Trust wishes to raise an objection to the above planning application. This objection is made in our role as an independent organisation and separate from any other comments that we have made within the SLA that the Trust and Derby City Council have signed (as set out above).

Our main area of concern is the inadequacy of the mitigation measures that are proposed within the development for the loss of the Local Wildlife Site DE 037 Raleigh Depot Emergency Water Tank which is known to have supported a breeding population of Great Crested Newt for at least 22 years.

Whilst we acknowledge that the development has considerable potential to enhance the existing aquatic and terrestrial amphibian habitat we are of the view that the development layout as indicated in the Masterplan fails to realise this potential.

Whilst we accept that the proposed attenuation pond may provide an attractive feature on entering the development we hold the view that the pond is wholly inappropriate to form part of the mitigation for the loss of Great Crested Newt habitat on account of its location which is surrounded by access roads and housing and lack of connectivity to suitable terrestrial habitat.

It is likely that the size of the Great Crested Newt population determined by the protected species survey is under-estimation as a result of the limitations placed upon the survey by access difficulties. As such, the proposed pond in the north-east corner of the site is too small to be considered as adequate mitigation in its own right for the loss of the water tank.

We are also concerned at the loss of three uncommon plant species, particularly within the context of Derby City, as a result of the development. These include pyramidal orchid, knotted hedge-parsley and lesser reedmace. No mitigation measures have been proposed for the loss of these species.

We believe that mitigation measures should consist of the creation of one new pond in the North-East of the site in the vicinity of the existing tank and near to the railway corridor and another pond in the South-West corner of the site together with the retention of the mound with trees and grass as part of the landscaping proposals. The pond in the South-West corner should be surrounded by terrestrial habitat to include grassland into which the uncommon plant species should be translocated / seeded.

It is critical that there is some connectivity between the two water bodies and the areas of terrestrial habitat including the railway corridor. The two ponds therefore should be linked by a minimum 5m wide landscape corridor along the railway boundary (excluding existing habitat currently on Network Rail land) consisting of suitable terrestrial habitat. We hold the view that the new ponds should be stand alone units and not balancing ponds which form part of a SuDS scheme.

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

We would also wish to see retention and enhancement of the ditch along the southern (Goodsmoor Road) boundary together with clarification of the boundary treatment alongside the railway corridor to allow movement of amphibians onto the railway land as we feel that the railway corridor provides important terrestrial habitat and possibly the only realistic route for dispersal.

We are of the view that the above conditions are the minimum requirement to ensure that there would be no adverse impact upon the long-established Great Crested Newt population as a result of the development.

The Trust would be willing to review the objection if the development layout could be amended to address the above concerns.

8.6. Police Liaison Officer:

Landscaping and boundary treatments I believe are part of this outline application. The land has a boundary to the rail line. This line does suffer from frequent trespass and vandalism. It has also been used to gain access to the rear of houses to commit dwelling burglary and as an escape route.

The siting of a play area next to this line does concern me. Play areas and railway lines do not go together. Natural child inquisitiveness leads to trespass. This boundary must be extremely secure, un-climbable and robust in construction all along its length as well as functioning as a noise attenuation barrier. I recommend a minimum height of 2m and should be well grounded on a hard compacted surface. There should be no loose stones or objects within the vicinity of the railway for obvious reasons after and during construction. This 2m minimum specification should also be applied to all non residential boundaries.

Dwellings fronting Goodsmoor Road are welcomed. These will provide an active frontage and ensure greater personal safety for pedestrians and cyclists. This section of road can be a lonely place at night and many people fear to use the links and route over the bridge.

The indicative layout shows good legibility and is inclusive with good use of natural surveillance and defensible space. There are landscaped areas that could offer the ideal conditions for anti social behaviour i.e. gable side of plots 1, 76, 83 and defences are required to all dwellings that abut open or publicly accessible spaces. The retained Pill Box will be a natural attraction and could well be point of unwanted congregation and nuisance. Again this is adjacent to gables of plots 76 and 83 and I would have preferred one of these dwellings to face onto this feature for added control.

8.7. Natural England:

Natural England notes the content of the protected species survey and the conclusions it draws. Concerns are raised at this stage in relation to the proposed compensation pond for Great Crested Newts. The proposed pond appears to be isolated on all side with little terrestrial habitat which is a critical part of the life cycle of Great Crested Newts. As the works will require a license from Natural England under the Habitats Regulations 2010 the site layout should secure a suitable compensation scheme which will not result in an impact on the conservation status of the local population of Great Crested

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

Newts. The use of a dual-use pond for both flood attenuation and amphibian mitigation should be carefully designed and must function as mitigation for Great Crested Newts if it is to be considered.

On the basis of the present layout of the site and the proposed dual-use of the water body for both flood attenuation and Great Crested Newt mitigation, there is no certainty that the compensatory land provision for the newt population contains sufficient terrestrial habitat, or linkages or habitat corridors for a licence application to be secured. The use of the dual-use pond will need to be justified in terms of its compatibility for both functions.

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

GD1	Social Inclusion
GD2	Protection of the Environment
GD3	Flood Protection
GD4	Design and the Urban Environment
GD5	Amenity
GD7	Comprehensive Development
GD8	Infrastructure
EP11	Development in Existing Business and Industrial Areas
EP12	Alternative Uses of Proposed Business and Industrial Areas
H11	Affordable Housing
H12	Lifetime Homes
H13	Residential Development – General Criteria
E4	Nature Conservation
E7	Protection of Habitats
E9	Trees
E10	Renewable Energy
E12	Pollution
E13	Contaminated Land
E17	Landscaping Schemes
E21	Archaeology
E23	Design
E24	Community Safety
T1	Transport Implications of New Development
T4	Access, Parking and Servicing
T6	Provision for Pedestrians
T7	Provision for Cyclists
T10	Access for Disabled People
L2	Public Open Space Standards
L3	Public Open Space Requirements in New Development

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 main issues at the centre of the assessment of this outline planning application are considered to be the loss of designated business and industrial land and the

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

impact on the local highway network and access issues. Other issues that centre on the notional layout of the proposed development are relevant but essentially would be addressed at the detailed stage, namely the reserved matters submission(s).

Planning Policy

The above policies in part 9 of the report are considered to be relevant during the consideration of this outline planning application. The application site is designated under the adopted CDLPR for business and industrial uses therefore policy EP11 is considered to be relevant. Policy EP11 allows for alternative uses providing specific criteria is satisfied;

- a) In the case of sites near to residential areas, redevelopment would lead to an improved environment for residents;
- b) It would not lead to a qualitative or quantitative deficiency in the supply of employment land;
- c) The proposal would not be incompatible with established employment activity;
- d) The proposal would not decrease the development potential of nearby land identified for business and industrial use.

Policy EP11 also notes that in considering alternative residential proposals (use class C3) that a satisfactory living environment must be created. The western proportion of the site is currently derelict and the existing single storey building to the east is to be demolished in order to facilitate the proposed development. The submitted document "Overview of Industrial Market" provides details of the applicants' previous marketing and advertisement strategy and the steps taken in order to re-let the building; advertisements have been local and national since February 2007 with limited positive feedback. Hence the property remains vacant. The supporting document also provides details of other facilities within the City and Region which are considered to be more appropriate for Storage and Distribution purposes given their recent construction which is considered to be "fit for modern purposes" than the existing building which has relatively low eaves height and limited car parking provision which has, therefore, made the building relatively unattractive for prospective leaseholders.

I am of the opinion which is shared by my colleagues in Plans and Policies that the applicant has made a reasonable effort to market the site for business and industrial purposes for a considerable period of time. Although the development of this site for purposes other than for industrial and business purposes will result in a loss of 3.7 hectares of designated land I am of the opinion that it will not lead to quantitative or qualitative deficiency in the supply of employment land in the City.

Policy H13 seeks to ensure the creation of a satisfactory form of overall development. Members are respectfully reminded that this application and the submitted site plan is indicative only, therefore issues such as the external appearance of the dwellings, site layout, scale and mass will be considered on submission of a future reserved matters application(s). A reserved matters application will be subject to full consultation and potentially committee consideration. Similarly, whilst all policies set out above are relevant during the consideration of this application they are

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

considered to be more appropriate and relevant during the consideration of any subsequent reserved matters application(s).

Policy GD3 seeks to ensure that all developments are acceptable in terms of the provision of satisfactory compensation measures and mitigation measures are implemented to off-set any potential adverse effects of development on the water environment and associated land. The application is accompanied by a Flood Risk Assessment (FRA) which is considered to be acceptable following consultation with the Environment Agency and officers in our Land Drainage section. In addition, to ensure compliance with policy GD3 site specific conditions relating to land drainage are recommended in Section 11.3.

Traffic Issues

The proposed development is located on the north side of Goodsmoor Road and this road runs West to East connecting with the junctions of Stenson Road and Sinfin Lane. Both of these roads link to the A5111 to the north and the A5111 provides a primary route around Derby City Centre. The proposed development is located on land which is currently used as Industrial land. There are no public bus services along Goodsmoor Road adjacent to the site, the nearest services utilise Stenson Road to the West and Sinfin Lane to the East at each end of Goodsmoor Road. These are within walking distance of the site. There is a footway fronting the site on the North side of Goodsmoor Road but no specific cycling facilities are designated.

The site modestly meets standards in term of walking distances to residential amenities. In terms of wider access the site is not holistically considered to be sustainable in terms of walking, cycling and bus provision and the site will attract car/vehicle usage. There is a residential site currently being developed opposite this proposal that was formerly industrial land. There have been flooding issues around Goodsmoor Road and these will need to be considered as a result of this development. Any existing or proposed drainage on the site must be adopted under any highways that are offered for adoption. The City Council, as the Highway Authority, would not adopt roads/footways that are not to the Council's standard according to their geometry or construction.

The application is accompanied by the Transport Assessment (TA), the content of which has been discussed prior to submission with the Council's Highways Development Control Section. The majority of the objections received focus on the implications of increased traffic generation as a result of the development. The applicant has sought both prior to the submission of the application through the pre-submission publicity and during the life of the application to address these concerns. Whilst I acknowledge the concerns of the residents attention must be paid to the existing use of the site and consideration to that fact that the site could be brought back into use as a storage and distribution facility with no restrictions or input from the Council, thus there would be no opportunity to mitigate impacts on the transport infrastructure and impacts on residents. The TA summaries and shows that there will be no negative impact on the existing highway network when comparing the erection of 106 dwelling houses and the existing B8 (Storage and Distribution) use of the building on site. The number of residential units has been reduced from 108 as

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

referred to in the TA to 106 as indicated on the illustrative site plan in order to accommodate the additional pond in the north east corner of the site.

Access is sought from Goodsmoor Road via a single access point. It is considered that the access should be a right hand priority junction and refuge to allow pedestrians to cross. It is considered that as an outline planning application with access being sought there are no significant highway implications and no objections raised from the Council's Highways Section. My colleagues in Highways Development Control have reiterated their comments in respect of the internal road layout for consideration by the applicant/developer.

Impact on Residential Amenity

The detailed issue of gauging the impact on the residential amenities enjoyed at nearby residential properties in relation to the proposed built form of the scheme would be addressed at the reserved matters stage.

Concerns relating to increased traffic movement on the local highway network have been considered above with the conclusion of no significant impact being created when considering the proposed and existing use of the site.

In terms of impact on residential amenity of future occupiers of this site this should be addressed in full during the consideration of any reserved matters application. However this application is accompanied by a Noise Assessment which provides an analysis of the impact of the railway line and the road network on residential development. The Noise Assessment concludes that the site is suitable for residential development subject to appropriate mitigation measures for any dwelling in close proximity to the road and railway line. I am also of the opinion that attention should also be paid, in terms of mitigation, to any proposed dwellings adjacent to the East boundary due to the existing 24 hour storage and distribution business currently in operation.

Surface Water and Land Drainage

The content of the FRA has been agreed and no objections sustained from the Environment Agency and/or the Council's Land Drainage Section subject to the attachment of site specific conditions to any decision. The full comments of the consultees are set out in Section 5 and 9 of this report and suitable conditions have been recommended in Section 11.3 in order to holistically address their concerns.

Ecology

The application is accompanied by an Ecological Appraisal and Protected Species Survey and comments have been sought from Derbyshire Wildlife Trust and Natural England. These are set out in Section 8 of this report. I acknowledge the comments of the consultees and have considered, at length, the issues of the protected species with this application. However, given this application is in outline form with only a notional site plan submitted I am of the opinion that their concerns can be addressed at the detailed stage, as guided by appropriate and reasonable planning conditions. The applicant will be advised to consider mitigation measures for the protected species, in particularly the Great Crested Newts, through the reserved matters application(s). The agent has also acknowledged these comments and seeks, as set

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

out in their letter dated 28th April, to address them during the drafting of the detailed applications.

In summary the issue of layout and mitigation is of detail and can be readily addressed at any reserved matters stage. As such I am of the opinion that the comments of DWT and Natural England can be reasonably addressed through the preparation of a reasonable holistic layout for the site.

Archaeology

Due to the industrial nature of the site it is not recommended to attach an archaeological requirement on the applicant. Concerns were raised during the pre-submission publicity exercise in respect of the potential loss of the World War II Pillbox however this is to be retained in situ as part of the proposals and can be conditioned as such.

Conclusions

Subject to the attachment and compliance with the conditions in Section 11.3, in my opinion, the application site can be reasonably developed for residential purposes and would not significantly compromise highway safety. I, therefore, recommend that planning permission be granted for this outline application.

11. Recommended decision and summary of reasons:

11.1 A. To authorise the Director – Planning and Transportation to **grant permission** upon conclusion of the above Section 106 Agreement. to achieve the objectives set out in 11.6 below and to authorise the Director of Legal and Democratic Services to enter into such an agreement.

B. To authorise the Director - Planning and Transportation to grant permission upon conclusion of the above Section 106 agreement

C. If the applicant fails to sign the Section 106 Agreement by the expiry of the 13 week target period (15 June 2010) consideration be given, in consultation with the Chair, **to refuse** permission.

11.2. Summary of reasons:

The proposal has been considered in relation to the provisions of the adopted City of Derby Local Plan Review and all other material considerations as indicated in Section 9 above and, in the opinion of the Local Planning Authority, the proposal site can satisfactorily be used for residential purposes that would not have a detrimental impact on highway safety. The proposed development would also be regulated by the provision of reasonably associated s106 contributions for social and physical infrastructure improvements in accordance with the provisions of the adopted CDLPR and the adopted Supplementary Planning document relative to Planning Obligations.

11.3. Conditions:

1. Standard condition 100 (Supporting Documents)
2. Notwithstanding the submitted information this outline planning permission shall only extend to include the vehicle access details at the junction with Goodsmoor Road as included on Drawing No.31 Revision

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

C. The other layout information included on that drawing and other accompanying information is illustrative only and does not form part of this outline planning permission.

3. Standard condition 01 (reserved matters) layout, scale, appearance, landscaping
4. Standard condition 02 (reserved matters)
5. Standard Condition 21 (landscaping within 12 months (cond. 1c))
6. Standard condition 30 (hard surfacing)
7. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:
 - the utilisation of holding sustainable drainage techniques;
 - the limitation of surface water run-off to equivalent Greenfield rates;
 - the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and
 - responsibility for the future maintenance of drainage features
8. 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:
 1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

4. A verification plan providing details of the data that shall be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

9. The development hereby permitted shall not be commenced until such time as a scheme to trapped gullies has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved in writing by the Local Planning Authority.
10. Standard condition 19 (means of enclosure)
11. No development shall commence on any part of the application site unless or until a right hand turn priority junction and pedestrian refuge facility has been provided on Goodsmoor Road as shown for indicative purposes only on drawing no. 31 Revision C to the satisfaction of the Local Planning Authority.
12. Before commencement of the development, a Phase I desktop study shall be completed for the site, documenting the site's previous history and identifying all potential sources of contamination and the impacts on land and controlled waters, relevant to the site. A conceptual model for the site should be established, which shall identify all plausible pollutant linkages. A report shall be required for submission to the Local Planning Authority for approval.

Where the desktop study identifies potential contamination, a Phase II intrusive site investigation shall be carried out to determine the levels of contaminants on site. A risk assessment shall be required to determine the potential risk to end users and other receptors. Consideration shall also be given to the possible effects of any contaminants on groundwater. A detailed report of the investigation shall be required for submission to the Local Planning Authority for written approval.

In those cases where the detailed investigation report confirms that contamination exists, a remediation method statement shall also be required for approval.

Finally, all of the respective elements of the agreed remediation proposals shall be suitably validated and a validation report shall be submitted to and approved by the Local Planning Authority, prior to the development commencing.

13. Before the occupation of the first constructed dwelling house all proposed noise mitigation measures/work shall be submitted to and agreed in writing by the Local Planning Authority. The agreed works shall be implemented in full unless the Local Planning Authority gives written approval to any variation.

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

14. Before the occupation of the first constructed dwelling house all proposed Protected Species mitigation measures/works shall be submitted to and agreed in writing by the Local Planning Authority. The agreed works shall be implemented in full unless the Local Planning Authority gives written approval to any variation.

11.4. Reasons:

1. Standard reason E04
2. Standard reason E04
3. Standard reason E01
4. Standard reason E02
5. Standard reason E10 (GD5, E17)
6. Standard reason E21 (GD3)
7. To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures and in accordance with policies GD3, GD4 and H13 of the adopted CDLPR
8. To ensure that the site is redeveloped to a safe and appropriate standard. (GD3)
9. To prevent pollution of the water environment (GD3)
10. Standard reason E08 (GD4, GD5, H13)
11. Standard reason E17 (T4)
12. Standard reason E49 (GD5, E13, H13)
13. Standard reason E25 (GD5)
14. In the interests of safeguarding and enhancing the nature conservation value of this site (GD5, E4, E6)

11.5. Informative Notes:

Derbyshire Wildlife Trust

The reserved matters application should have full regard to the content of the Derbyshire Wildlife Trust comments and seek to mitigate any potential impact on Protected Species and site specific flora. The applicant is advised to discuss any reserved matters scheme with Trevor Taylor of Derbyshire Wildlife Trust. Addition shall also be drawn to educating future residents of the site in respect of their responsibilities of protected species.

Section 278 Agreement (Highways Act 1980)

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact:

HighwaysDevelopmentControl@derby.gov.uk

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application

Demolition

The applicant is advised to limit noisy works to between 07.30 and 18.00 hours Monday to Friday, 07.30 and 13.00 hours on Saturdays and no noisy work on Sundays and Bank Holidays. This is to prevent nuisance to neighbours.

11.6. S106 requirements:

Affordable housing, public open space (major and incidental), public realm, public art, highways contributions, community centres and sports facilities. In addition an Employment and Training Agreement will be required to help maximise recruitment and training opportunities for local unemployed people.

No contributions are required for education, health or libraries.

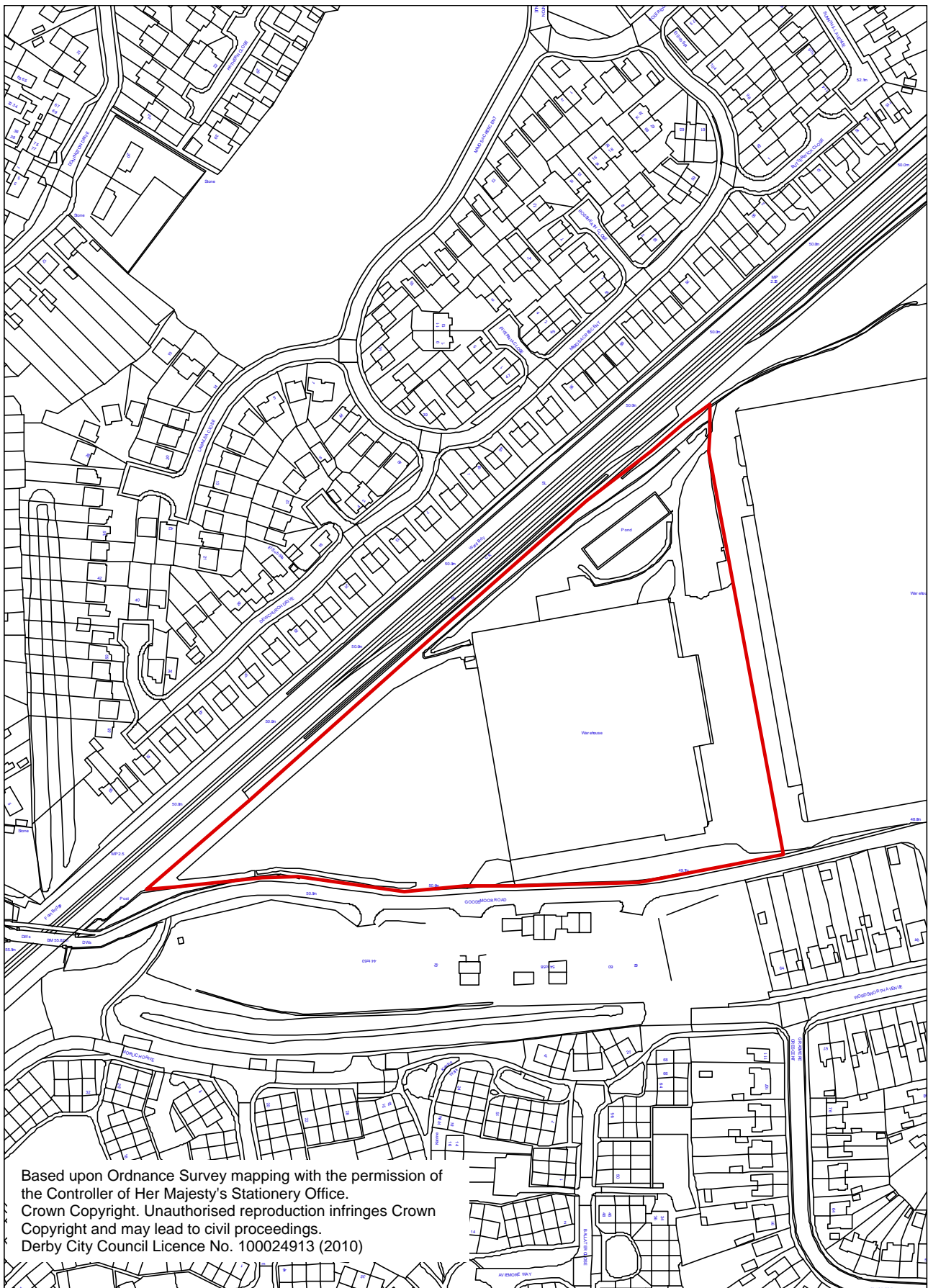
11.7. Application timescale:

The application is a major planning application and the statutory 13 week period expires on 15 June 2010.

Committee Report Item No: 2

Application No: DER/03/10/00276

Type: Outline Planning Application



Committee Report Item No: 3

Application No: DER/02/10/00200

Type: Full

1. **Address:** Former Sturgess School field, Markeaton Street

2. **Proposal:**
Erection of footbridge

3. **Description:**

This application relates to the former Sturgess Fields site, south of Kedleston Road, which has extensive tree belts around the perimeter of playing fields. The trees are covered by a Woodland Preservation Order. There are existing permissive footpaths around the site, which formerly ran from Kedleston Road to Markeaton Street. The site is designated as Green Wedge in the local plan.

This application is a revised proposal for erection of a footbridge over a tributary of Markeaton Brook in the south east corner of the former Sturgess Fields site. The previous application was refused permission due to concerns about the potential impact on protected trees, flood risk and community safety.

The provision of a footbridge is sought to link an existing permitted footpath between Kedleston Road and Markeaton Street for the benefit of University students and staff and the general public. The route is not a public right of way and access is to be closed between 10 pm and 6am each day. There is an existing footpath from Watson Street which stops at the Markeaton Brook tributary. This linked with a former footbridge, now removed, which was located in close proximity to the north of the current application site.

The proposed bridge would be of timber construction, with steel mesh decking. It would be sited on a concrete base with timber pile footings. It would be approximately 1400mm in width and 6 metres in length with timber hand rail 1100mm high. It would be sited in an area of dense woodland, which is currently overgrown and footpaths are not clearly visible.

Along with the required Design and Access Statement, an Ecological Assessment and Arboricultural survey accompany the application.

4. **Relevant Planning History:**

DER/03/09/00330 – Erection of footbridge, Refused permission – July 2009.
Reasons for refusal:

1. The application contains insufficient information to demonstrate that the development would not be at an undue risk of flooding and the structure as proposed would cause resistance to flood flows and be an obstruction to debris on the upstream side, thereby increasing the risk of flooding in the Markeaton Brook corridor. The proposal would, therefore, be contrary to policy GD3 of the adopted City of Derby Local Plan Review.

2. The arboricultural information submitted in support of the application does not accurately indicate the Root Protection Area of the Sycamore tree on the North West bank of Markeaton Brook or adequately demonstrate that the impact of the bridge, in terms of its siting and footings, would not cause undue damage or loss of protected trees alongside the watercourse. The proposal would, therefore, be contrary to policy E9 of the adopted City of Derby Local Plan Review.

Committee Report Item No: 3

Application No: DER/02/10/00200

Type: Full

3. The application contains insufficient information to demonstrate that the footpath route to be formed, by means of the proposed bridge, would provide a safe and secure environment for pedestrians, with regard to layout, design and lighting. This is due to the relative isolation of the site and dense woodland canopy. The proposal would therefore be contrary to policies E24 and GD4 of the adopted City of Derby Local Plan Review.

5. Implications of Proposal:

5.1. Economic:

None.

5.2. Design and Community Safety:

The proposed foot bridge would be a modest structure of functional design, sited in a relatively secluded location, which is characterised by dense woodland. It would have a limited impact on the visual amenities of the surrounding area.

The footpaths through the site are permissive routes on private land and the proposal would link these existing paths. They would be closed for access at night. Although the routes are not to be illuminated with lighting during the evening hours, which is perhaps unfortunate, there would not be a public right of access and as such there would not be significant harm to community safety in the local area.

5.3. Highways – Development Control:

The proposal is not to join any existing highway or public footpath. The bridge would be located at the end of an existing permitted path known as the Markeaton Walkway and will be for the benefit of the University and general public. It would not become a public footpath.

Highways – Land Drainage:

The proposal would not “limit the possibility to resistance” to watercourse flow in a flood event. There is potential for the bridge to be a collection point for wrack in times of flood. The proposed siting would not allow for the bridge to be easily raised above the flood level. If permitted the bridge design should include all safety measures, subject to prior approval.

5.4. Disabled People's Access:

The footbridge is to be elevated about 300mm above the bank level, to minimise increased flood risk and would be accessed by 2 steps. Accessibility for disabled people would therefore be inhibited, unless a ramped approach is formed on each bank. Amendments to the access arrangements have been requested to ensure a ramped access at maximum of 1:12 is constructed to comply with disabled access Policy T10.

5.5. Other Environmental:

The site is in a woodland setting, with a dense canopy of trees, which are protected by a woodland Order. The trees have significant group value, although particular trees may be of limited individual merit.

Committee Report Item No: 3**Application No:** DER/02/10/00200**Type:** Full**6. Publicity:**

Neighbour Notification Letter	212	Site Notice	
Statutory Press Advert and Site Notice	Yes	Discretionary Press Advert and Site Notice	
Other			

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

7. Representations:

There have been 7 letters of objection, 1 of comment and 3 of support received in respect to the proposal. The main issues raised are as follows:

- The proposal would enable an historic footpath route to be reopened from Kedleston Road to Watson Street, provided that access for the public is secured during reasonable hours.
- The bridge would provide a safer route to cross the brook than the existing improvised crossings.
- An appropriate surfaced connecting footpath should be formed across the site.
- More up to date ecological information should be provided to allow the impact on wildlife to be assessed properly.
- The proposal would lead to more cars in the area in order to access the bridge.
- Any improvements to footpaths and installation of lighting would adversely affect wildlife in the local area.
- The applicant discriminates against the local community by providing facility only for university purposes.
- There is no need for a footbridge in this location.
- How are "considerate members of the public" defined and how would this be controlled?
- The bridge would increase the risk of flooding and should be located elsewhere along the brook.

These representations have been made available in the Members Rooms.

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

None received to date.

8.2. Environmental Services (Trees):

No objections to proposal. The Arboricultural Method Statement and Tree Protection Plan are both satisfactory. The protective fencing would be acceptable given the type of works proposed and that machinery will not be used to install the bridge. Any incursion into the Root Protection Area of nearby trees would be very minor and can be offset to accommodate the structure.

Committee Report Item No: 3

Application No: DER/02/10/00200

Type: Full

8.3. ENV Agency:

There are no objections to the proposal subject to there being a 300mm clearance from the top of the bank.

8.4. Derbyshire Wildlife Trust:

The proposal would cross the Local Wildlife Site and there are records of freshwater crayfish, otter and water vole in the vicinity of the application site. Japanese Knotweed is on the southern bank of the tributary. A population of freshwater sponge is also present in the brook, which is considered to be of some significance. The proposal would result in a potential increase in visitor traffic in an area of closed canopy woodland. There are saplings/ immature trees on northern bank, within the footprint of the bridge.

Supports the principle of erecting a footbridge over the tributary, although an alternative crossing point with lesser impact on nature conservation interest should be considered. Supports recommendations for an ecological survey to be carried out prior to commencement of any works, to include footprint of bridge and 10 metre buffer zone. A detailed method statement with regard to excavation work and positioning of the bridge should also be produced to ensure no disturbance to the watercourse and resident wildlife.

8.5. Police Liaison Officer:

No objections to the private access footbridge although concerns about late evening use and control of public access.

8.6. Built Environment :

No comment.

8.9 Central Networks:

No objections to development as proposed.

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

GD1	Social inclusion
GD2	Protection of the environment
GD3	Flood Protection
GD4	Design and the urban environment
E2	Green Wedges
E4	Nature Conservation
E5	Biodiversity
E7	Protection of habitats
E9	Trees
E24	Community safety
L5	Outdoor recreation
LE3	University District
T10	Access for disabled people
T15	Protection of footpaths, cycleways and routes for horse riders

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.

Committee Report Item No: 3

Application No: DER/02/10/00200

Type: Full

10. Officer Opinion:

The proposed footbridge over a tributary of Markeaton Brook is to be provided on University controlled land and is primarily for the benefit of students and staff, to enable access between the Markeaton Street and Kedleston Road campuses and sports fields. There are existing permissive paths across the Sturgess Fields site and the bridge would provide a connection between these routes. It would also reinstate a link along the Markeaton Brook Walkway, which is part of an existing pedestrian route alongside the brook extending into the city centre. This link has been unavailable since the previous bridge was removed, due to being unsafe. The footpath does not appear to have been routinely used in recent times, since it is overgrown with vegetation and has not been maintained. The provision of an extension to the walkway to Markeaton Park is an aspiration of Policy T15, and this proposal would allow this aspect of the policy to be implemented.

The site lies within the Green Wedge, which is covered by Policy E2. This policy allows for a range of uses including outdoor sport and recreation, provided that the open and undeveloped character of the wedge would be maintained. Proposals should also not lead to an excessive increase in numbers of people, traffic and noise. Policy LE3 supports development associated with the University, within the designated University district, subject to provisions that include the intensity of use and the design of development, not detracting from the general character of the surrounding area. The proposed bridge would serve an outdoor function and be of modest scale and appearance. It would be ancillary and essential to the existing recreational use of the site. In terms of use, the site is utilised for general recreation and as part of the University's sports facilities. The location of the footbridge is likely to limit additional numbers of pedestrians using the route. There is not envisaged to be a significant increase in numbers of people using the footpath that would result in an adverse effect on the Green Wedge. The design and form of the bridge would have a limited visual impact on the openness and appearance of the local area. The proposal would also support the provisions of Policy L5, which promotes recreational uses of an open nature. Overall, the proposed development would satisfactorily meet the requirements of Policies E2, LE3 and L5.

Whilst there would be permitted access for the general public to use the bridge and footpaths across the site, the routes are not public rights of way. Access is controlled by the Applicant, which is the University. The Applicant has stated its intention to allow access for the public to the site, although only during the daytime and early evening.

The footbridge is intended to link existing footpaths through the Sturgess Fields site, which are currently not subject to lighting. Whilst it would be desirable to have illumination of the route at night time due to the secluded nature of the location, the application only relates solely to the bridge structure. As such, only lighting of the bridge itself could be secured through this process. However, the site is not to be used at night, after 10pm. It is, therefore, questionable whether a lighting scheme or any other community safety measures are expedient for this proposal. The permissive routes through the site would be no less safe or secure as a result of the installation of the bridge than it is currently and as such the provisions of Policy E24 would be satisfactorily met.

Committee Report Item No: 3

Application No: DER/02/10/00200

Type: Full

The site lies within flood zone 3 and affects a tributary of the Markeaton Brook; as such there is a high risk of flooding to arise from the development. The proposed bridge is classed as a “water compatible” form of development in PPS 25 – Development and Flood Risk, which are normally appropriate within flood zone 3. The previous scheme raised concerns in regard to the potential for the bridge to increase flood risk and cause an obstruction to flood flows. In response to these concerns, the structure has been raised to be approximately 300mm from the top of the bank. This has satisfied the issues raised by the Environment Agency and would ensure that the proposal would not result in a significant increase in flood risk in the local area. The requirements of Policy GD3 would therefore be satisfactorily met.

The area alongside Markeaton Brook is identified as being of nature conservation value under Policy E4. Under this policy development should not adversely impact on the wildlife interest of such sites. Provision for the retention of features and species of value should be made as part of any scheme. Some species of interest have been identified in the brook, in the vicinity of the site. Overall, the potential impact on nature conservation interest would not be significantly harmful, subject to a satisfactory method statement, being provided in respect to excavation work and siting of the structure. This can be secured by a suitably worded condition.

There are numerous trees in close proximity to the proposed site of the bridge, which are of varying quality. The siting of the structure has been slightly realigned following the previous refusal to remove it from the root protection areas of the nearest trees. The construction of the footings and siting would enable the long term retention of the protected trees, subject to the implementation of the submitted Method Statement and Protection Plan. The proposal would therefore be in accordance with the provisions of Policy E9.

The Applicant has been asked to consider the provision of ramps to the bridge to enable disabled access across it. Whilst some of the paths beyond may not be very accessible, nevertheless, I believe the presumption with development wherever it's reasonable and practical is that it should be accessible to all as detailed in policy T10 of the CDLP. Delivering accessible development is not just about facilitating access for wheelchair users it's about making the built environment more accessible to all users which includes ambulant disabled people and parents with buggies, within the allowed for groups of students, academics and 'considerate' members of the public.

.We should not be making assumptions about where people can or can't go or do, but rather that we deliver an accessible built environment wherever practical and allow users to make their own decisions.

11. Recommended decision and summary of reasons:

11.1. To grant planning permission with conditions.

11.2. Summary of reasons:

The proposal has been considered in relation to the provisions of the Development Plan and all other material considerations as indicated in 9 above and would be an appropriate use in this location, with a satisfactory form of development, which would not harm the openness and character of the Green Wedge and surrounding area. Features of nature conservation value and protected trees would not be adversely affected by the development.

Committee Report Item No: 3

Application No: DER/02/10/00200

Type: Full

11.3. Conditions:

1. Standard condition 03 (time limit)
2. Standard condition 27 (external materials)
3. Standard condition 100 (drawings)
4. Standard condition 24 (tree protection)
5. Before development commences a detailed ecological survey shall be carried out within the footprint of the bridge and within a 10 metre buffer zone both upstream and downstream and submitted for approval by the Local Planning Authority and any agreed recommendations, shall be implemented in accordance with such details.
6. Method statement for excavation work and siting of bridge on the bank
7. Amended details of access to bridge to provide level/ramped access

11.4. Reasons:

1. Standard reason E56
2. Standard reason E09 – Policy GD4
3. Standard reason E04
4. Standard reason E24 – Policy E9
5. To protect any nature conservation interest on and around the site in the interests of biodiversity – Policy E4 & E5
6. To protect any nature conservation interest on and around the site in the interests of biodiversity – Policy E4 & E5
7. To ensure accessibility for disabled people – Policy T10

11.5. S106 requirements where appropriate:

None.

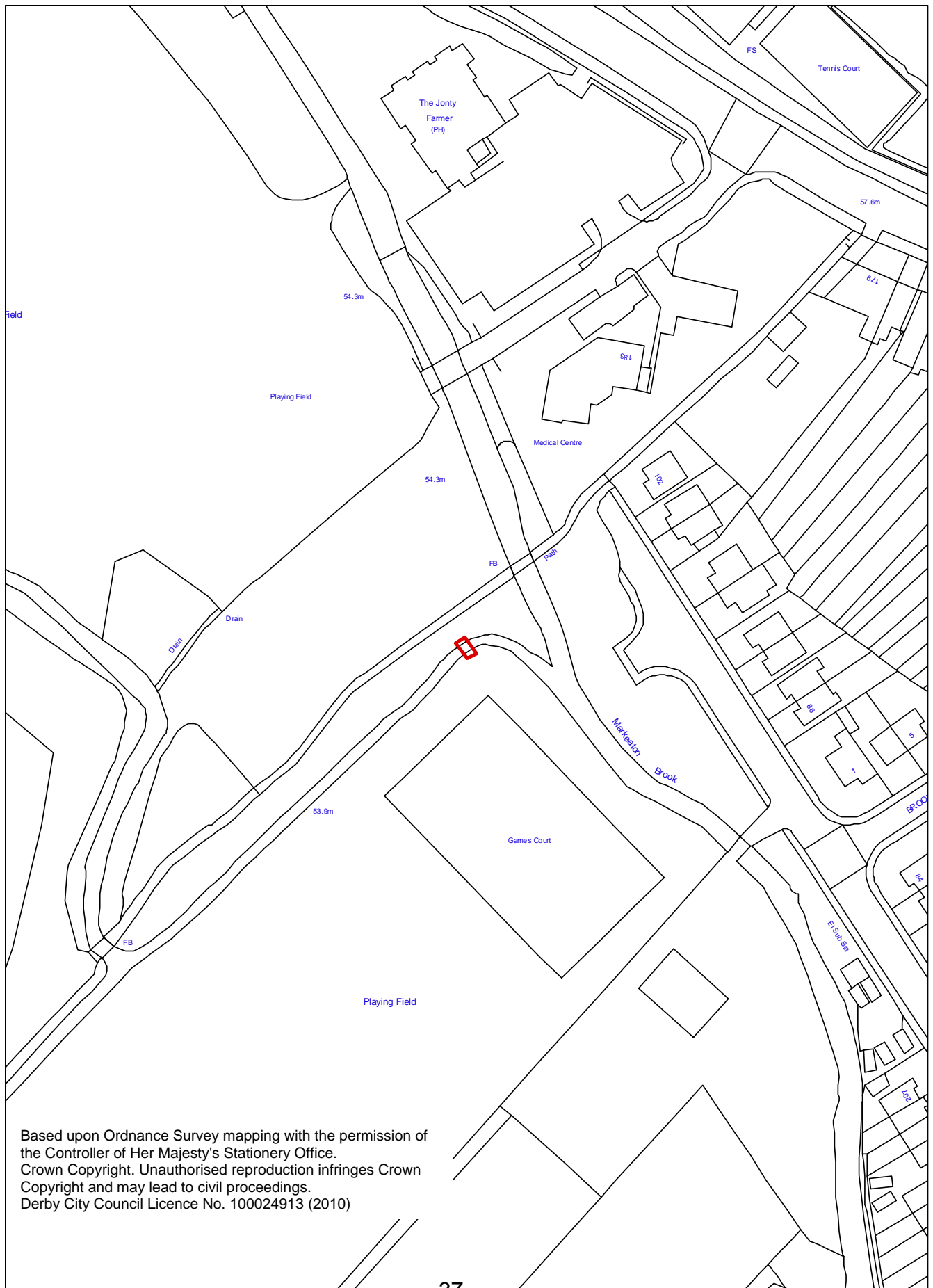
11.6. Application timescale:

The application time period expired on 14 April 2010 and is being reported to Committee as a result of the number of representations received.

Committee Report Item No: 3

Application No: DER/02/10/00200

Type: Full



Committee Report Item No: 4

Application No: DER/03/10/00305

Type: Variation of condition

1. **Address:** 9 Downing Road, West Meadows Industrial Estate (Magferns Waste)

2. **Proposal:**

Variation of condition 10 on planning permission DER/04/09/00427 to extend the operating hours to 6.00 to 19.00 hours (Mondays to Fridays) and 6.00 to 18.00 hours (Saturdays, Sundays and Bank Holidays)

3. **Description:**

Planning permission was granted for a 5 year period at the 30 July 2009 Committee for the erection of a waste transfer station on a site already used for such purposes on Downing Road.

Condition 10 of the permission requires that:

“The approved development shall only be operated within the following times:

Mondays to Fridays - 07:00 to 17:00 hours

Saturdays - 07:00 to 13:00 hours and

Sundays - 07:00 to 09:00 hours

No operations shall be carried out on Bank or Public Holidays.”

This was to allow the delivery, bulking and exporting of Municipal Solid Waste (MSW) and Street Cleansing Waste in normal circumstances.

My report to that meeting is reproduced for background information. The existing hours condition covers normal delivery times, except in weeks with Bank Holidays. It is now proposed to extend the operating hours to:

06.00 to 19.00 hours Mondays to Fridays; and

06.00 to 18.00 hours Saturdays, Sundays and Bank Holidays.

This extends the operating hours by one hour in the mornings and two hours in the weekday evenings, and the opportunity for more weekend and Bank Holiday working.

The proposed variation is principally to allow bulkers to be loaded during the additional hours when the municipal waste is not being delivered and to reduce any delay from vehicles waiting within the site to be emptied or loaded. It is not intended to extend the delivery periods or waste type, except where requested by the Council to accept waste on a Saturday afternoon, up to 17.00 hours in a week following a public holiday and on Boxing Day.

4. **Relevant Planning History:**

DER/04/09/00427 Erection of waste Transfer Station, granted conditionally 3 August 2009 subject to condition 10 on operating hours.

A Certificate of Lawful Use was granted in April 2000 confirming the established use of the site on 18 May 1999 as a waste transfer station with loading machines and elevators and incorporating a recycling centre between the hours of 7.30am to 5.00pm on Mondays to Fridays and 7.30am to 12 noon on Saturdays. The Certificate indicated that the use had commenced 10 years before that date.

Committee Report Item No: 4

Application No: DER/03/10/00305

Type: Variation of condition

5. Implications of Proposal:

5.1. Economic:

The use of this site is a temporary arrangement pending the provision of a long term treatment plant.

5.2. Design and Community Safety:

None relevant to extended hours

5.3. Highways – Development Control:

Noted the Applicant's information regarding the use of the additional hours principally for the loading of bulkers outside delivery times with no generation of additional vehicle movements. The Council's Waste section confirms that the amount of waste handled is not intended to increase but the distribution of trips may vary with Bank Holiday working.

5.4. Disabled People's Access:

None relevant

5.5. Other Environmental:

Traffic, noise and air quality impacts should be considered.

6. Publicity:

Neighbour Notification Letter	26	Site Notice	
Statutory Press Advert and Site Notice	yes	Discretionary Press Advert and Site Notice	
Other			

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

7. Representations:

Two representations have been received on the grounds of:

- 100 extra HGV journeys per day on Chequers Road which is a main cycle route to the city centre from the east;
- The environmental impact of extra lorries on Sundays, in addition to existing noise and air quality implications from lorries visiting the gravel works, from the A52 main road, football stadium and the Wyvern shopping centre; and
- Concern for the job security of employees at the Raynesway Recycling Centre.

The last point is not a cogent planning argument.

These representations have been reproduced in this report.

8. Consultations:

8.1. Environmental Services (Health – Pollution):

Accepts that on the basis of the information submitted, noise should not detrimentally affect the nearest residential properties and dust should be controlled by the Environment Agency Permit.

Committee Report Item No: 4

Application No: DER/03/10/00305

Type: Variation of condition

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

GD5 Amenity
T1 Transport Implications of New Development

Derby and Derbyshire Waste Local Plan (Adopted 2005) Saved Policies

W1b Need for the Development
W2 Transport principles
W4 Precautionary principles
W5 Identified interests of environmental importance
W6 Pollution and related nuisances
W8 Impact of the transport of waste
W9 Protection of other interests.

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:

This permission seeks to extend the operating hours to enable the site to operate more efficiently by loading bulkers outside normal delivery times and to allow for deliveries in weeks with Bank Holidays and to cover emergency operations such as waste from flooding, road accidents, and disrupted collections or similar. It takes 30 minutes to load a bulker with the consequence that with two vehicles per hour there would be a maximum of up to four two-way trips per hour. These are not, however, additional trips but are trips displaced from other times within the day.

The variation has the potential to introduce HGV movements to the afternoon peak which is balanced by the pushing back of private car trips as employees would work later on the site.

The frequency of bulkers being loaded on a weekend is likely to be highly variable and only likely to occur within periods of peak waste delivery, i.e.: not as a normal occurrence. In addition, the original transport statement identified 18 two-way bulk vehicles movements per weekday. Such vehicle movements on a weekend could reduce the weekday volume.

The car boot operation on Sundays is a consideration, but other operations can access their properties and the likely maximum number of HGV trips would be one per every 40 minutes maximum, except that the Sunday working is likely to be only occasional.

The objector has misunderstood the additional trips generated by the extension in hours which for the most part is displaced trips except for more limited occasions on Sundays. Consequently, the air quality and noise implications are not materially different from the approved situation.

The site is some 200m to the west of the nearest residential properties which are located on the other side of the A52 principal road.

In conclusion, the main considerations are the implications from the extra weekday hours and the additional weekend and Bank Holiday working. For the reasons given above, there is unlikely to be a material difference from the approved hours.

Committee Report Item No: 4

Application No: DER/03/10/00305

Type: Variation of condition

Recommended decision and summary of reasons:

11.1. To grant planning permission

11.2. Summary of reasons:

The proposal has been considered against the Adopted City of Derby Local Plan Review saved policies and Derby and Derbyshire Waste Local Plan (Adopted 2005) saved policies and the proposed variation of operating hours is acceptable in traffic, noise and air quality terms.

11.3. Conditions:

Condition 10 to be revised to read:

“The approved development shall only be operated within the following times:

Mondays to Fridays - 06:00 to 19:00 hours

Saturdays, Sundays and Bank Holidays - 06:00 to 18:00 hours”

11.4. Reason:

To meet the requirements of the applicant and for the avoidance of doubt

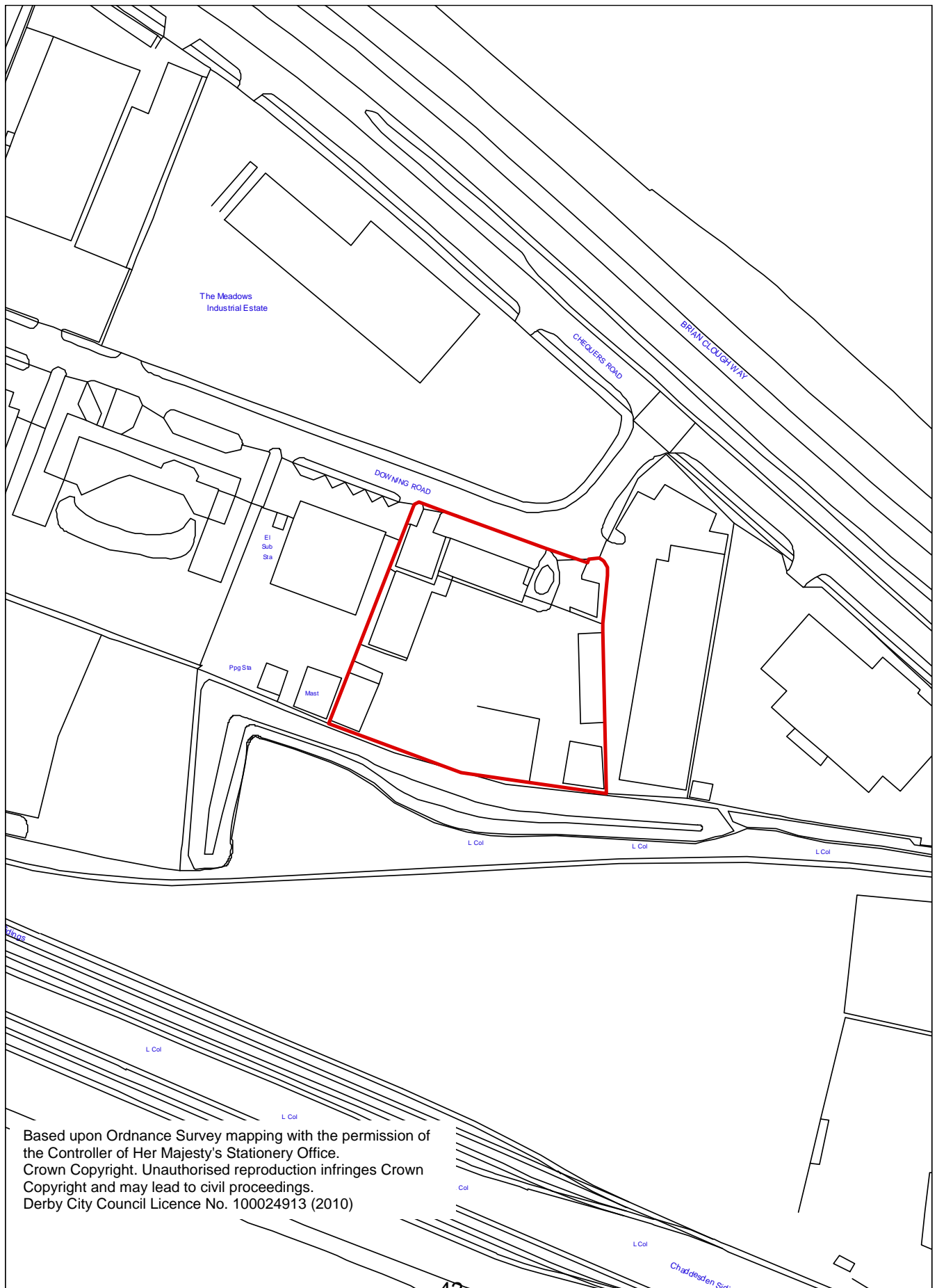
11.5. Application timescale:

The application target determination is 15 June 2010 and is being reported to Committee because of the representations received.

Committee Report Item No: 4

Application No: DER/03/10/00305

Type: Variation of condition



Enclosure

From: Karen Springer]
Sent: 31 March 2010 17:48
To: DevelopmentControl
Subject: Waste Transfer Station : Application 03/10/00305

Dear Sir, RE: Application 03/10/00305

I object to the application to allow lorries to operate in and out the Waste Transfer Site on the West Meadows Industrial Estate on Sundays.

I object on environmental grounds and with concern for the job security of the people employed at the Raynesway Recycling Centre.

I make the following further observations, which I have also published on the Facebook site "spondon against cyclamax incinerator nr anglers lane" regarding my quality of life in my neighbourhood:

" Just across the A52 from Bamford's are some Derby City Council allotments - Highfield Lane, Chaddesden Allotments, and also Highfield Cottages. The cottages are a conservation area consisting of thirty homes originally built in c.1864 by the Midland Railway Company for the men who worked at Chaddesden Sidings. Adjacent to the cottages are some new houses, four at the very end of Highfield Lane which back on to the footbridge and thus the A52, and the eight homes which comprise Highfield Mews.

Noise levels from the A52 are already extraordinary, especially in bad weather. Huge lorries already thunder along the West Meadows Industrial Estate main access road to the gravel works. There are no noise barriers of any kind for the cottages. At the time the A52 was built the cottages largely housed tenants of British Rail. I have noted that the private houses on Carol Crescent do have noise barriers where their gardens abutt the A52. I wonder if a bit of class discrimination was at work...back in the day. Even a reduction in the speed limit along the A52 would help with the noise and emissions issues...say 30mph from the Pentagon to Borrowash...this would also cut accidents.

I have suspected poor air quality for a very long time. I rarely open windows, even on a hot day. We try to keep our garden nice but rarely spend long in it due to the noise levels and concerns with pollution. I tumble dry washing because I am concerned about the dust and pollution from the A52, the landfill area [20'+ high tips of building waste materials etc.], the gravel pits and the now new Waste Transfer Station. In addition there is the noise from the locomotives in the sidings which service the gravel pits, often revving up at around midnight and pulling out very noisily in the small hours.

It seems that the people of Highfield Cottages are never considered when developments take place on West Meadows Industrial Estate, or Pride Park for that matter. [You should see the pedestrian and vehicular congestion on match days.]

Would you believe I can remember things getting distinctly worse when the Wyvern was built and then when Sunday shopping came in and when DCFC moved to its Pride Park Stadium matters took at turn for the

Enclosure

worse. Now I hear there are plans to extend development on Pride Park, an area which, when I attended an Eco festival, 'Dewfair' in 1990 at Kedleston Hall, had been earmarked as an extension of Elvaston Castle's parklands so that a green lung stretched from that Country park to the city centre. I can remember seeing artist's impressions. Dream on!

Highfield Cottages and the Highfield Lane area just seem to be ignored. Perhaps planners looked at the Nottingham Road Cemetery over from Bamford's and thought that only dead people are near the Waste Transfer Station."

As a mother I find it unacceptable that my local city council, its officers and its councillors approve of measures which place my children's health and well-being at risk.

Yours faithfully,

Karen Springer.

18, Highfield Cottages, Chaddesden, Derby DE21 6PR.

Enclosure

Neighbour comments for Planning Application 03/10/00305

Site Address: 9 Downing Road, West Meadows Industrial Estate, Derby
(Magferns Waste)

Comments received from: Derby Cycling Group, c/o 126 Station Road

Type of Response: OBJE

Comments:

This planning application proposes to add over 100 extra HGV vehicle journeys per day, including weekends, along Chequers Road. This road is the main cycle route between the eastern parts of Chaddesden, Spondon and the city centre. This number of heavy vehicles on the cycle route will be detrimental to the route; it will increase the fear of traffic and may lead to a reduction in the number of cycle journeys made. The Derby Cycling Group is aware that some cyclists have an issue with vehicles, including HGVs, travelling at excessive speed along Chequers Road and we believe this number of additional journeys cannot make the situation any better. For this reason we object to the planning application.

Yours sincerely,

Tony Roelich
Campaigns Co-Ordinator
Derby Cycling Group

Does not wish to speak at committee.

Date Comments Accepted: 08/04/2010

C APPLICATIONS

1 Code No: DER/ 04/09/00427

Type: Full

1. Address: No. 9 Downing Road, West Meadows Industrial Estate (Magfern Waste)
2. Proposal: Erection of Waste Transfer Station
3. Description: This site is currently a waste handling facility of some 0.43 ha located on the southern side of Downing Road close to the eastern junction of Downing Road with Chequers Road. To the east is Bamford's Auction Rooms, and to the west a printing company; on the opposite side of Downing Road is a commercial vehicle dealership. To the rear of the site is the Chaddesden Railway Sidings area.

The site contains a brick office building on the frontage with two grey corrugated sheet clad buildings on the west boundary and a canopy on the north east boundary of the site.

Generally, the streetscene of Downing Road comprises buildings and trees on the southern side and a metal fence on the northern side.

The current proposal is for a Waste Transfer Station with a design capacity of 110,000 tonnes per annum, a Gatehouse and Weighbridge Control Office, retained office block and facilities, car parking and landscaping.

Access and egress is proposed to be taken from Downing Road with all vehicles required to pass over a weighbridge by the Gatehouse. A Waste Transfer Building (WTS), rectangular in shape, is proposed close to the southern boundary of the site with the office, and two industrial/storage buildings retained. The canopy and a number of small single storey ancillary structures and storage bunds will be demolished to accommodate the WTS building. The building is 50m long by 20m wide, has a pitched and mono-pitched roof to a maximum height of 14.4m with lower sections at 10.2m. The northern elevation has 5 roller shutter doors and 3 personnel access doors. No other windows or doors are proposed in other elevations. The building is a steel portal frame with single skin profile cladding / roof sheeting in neutral colour with internal cladding.

The waste is delivered to the site by refuse collection vehicles and tipped in the building. The doors are fitted with spray atomisers, to mitigate the migration of dust, with the doors closed before tipping commences. Larger vehicles will be used to take material from the site to either new Transfer facilities or to landfill sites as appropriate.

The intended hours of operation of the facility are 07.00 hrs – 17.00 hrs Monday to Friday, 07.00 hrs – 13.00 hrs Saturday and 07.00 hrs –

C APPLICATIONS (cont'd)

1 Code No: DER/04/09/00427

09.00hrs Sunday. No operations take place on Bank or Public Holidays. The site will be floodlit for safe operation.

4. **Relevant Planning History:** A Certificate of Lawful Use was granted in April 2000 confirming the established use of the site on 18 May 1999 as a waste transfer station with loading machines and elevators and incorporating a recycling centre between the hours of 7.30am to 5.00pm on Mondays to Fridays and 7.30am to 12 noon on Saturdays. The Certificate indicated that the use had commenced 10 years before that date.

5. **Implications of Proposal:**

- 5.1 **Economic:** The use of this site is necessary as a temporary arrangement until the main Waste Treatment facility proposed at Sinfin Lane or another suitable site is available for use.

- 5.2 **Design and Community Safety:** The design of the facility should be compatible with the surrounding industrial estate. There are no community safety issues associated with the proposal which has a controlled entrance.

- 5.3 **Highways:** A transport assessment is submitted with the application to indicate the impact on the highway network.

- 5.4 **Disabled People's Access:** Accessibility of the buildings will be controllable under the Building Regulations.

- 5.5 **Other Environmental:** Most of the site comprises hardstanding or buildings with an overgrown grass/landscaped area on the frontage and overgrown elder and bramble on the western boundary. A new planting scheme is proposed.

6. **Publicity:**

Neighbour Notification letter	3	Site Notice	
Statutory press advert and site notice	Yes	Discretionary press advert and site notice	
Other			

The Applicant has also carried out pre-submission publicity through a number of means. These included newsletters delivered to residential and business addresses within a 1km radius of the site, newsletters sent to Neighbourhood managers for the Forums and to local community venues.

C **APPLICATIONS** (cont'd)

1 **Code No:** DER/04/09/00427

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

7. **Representations:** Representations have been received from 13 correspondents. The main grounds of objection concern:

- Traffic
- Pollution, noise and smell
- Flood risk implications
- The nature of the waste transfer operation on this site
- Waste treatment policy.

The adjoining occupier is also concern about the impact on their property especially from pollution, traffic, security issues and the long term implications for the site.

... These letters have been made available in the Members Rooms.

8. **Consultations:**

Environmental Health - to be reported

Environment Agency - initially objected on flood risk grounds because of the lack of sequential test and adequacy of the flood risk assessment (FRA). Since then the Authority has confirmed the acceptance of the subsequently submitted sequential test. A revised FRA has been submitted to the Authority and its further views will be reported at the meeting. Subject to receiving a satisfactory FRA, conditions have been recommended.

9. **Summary of policies most relevant:** CDLP Review (adopted 2006) Saved Policies:

- GD3 - Flood Protection
- GD4 - Design and the Urban Environment
- GD5 - Amenity
- EP11 - Development in Existing Business and Industrial Areas
- EP14 - Employment with Potential Off-Site Effects
- E10 - Renewable Energy
- E12 - Pollution
- E17 - Landscaping Schemes
- E23 - Design
- E24 - Community Safety
- T1 - Transport Implications of New Developments
- T4 - Access, Parking and Servicing
- T10 - Access for Disabled People

C APPLICATIONS (cont'd)

1 Code No: DER/04/09/00427

Derby and Derbyshire Waste Local Plan (Adopted 2005) Saved Policies:

- W1b - Need for the development
- W2 - Transport Principles
- W4 - Precautionary principle
- W5 - Identified interests of environmental importance
- W6 - Pollution and related nuisances
- W7 - Landscape and other visual impacts
- W8 - Impact of the transport of waste
- W9 - Protection of other interests

In addition PPS10 Planning for Sustainable Waste Management is relevant.

The above is a summary of the policies that are most relevant.

Members should refer to their copy of the CDLPR for the full version.

10. Officer Opinion:

Land use principle - The site of the proposal is allocated in the CDLPR as an existing business and industrial area where policy EP11 allows for B1, B2 and B8 uses. It allows alternative uses provided that employment land supply is not adversely affected, the proposal would not be incompatible with established employment activity and the development potential of nearby land identified for business and industrial use would not be decreased.

A Waster Transfer Station is a sui generis use with an industrial character. The site has an established use for such purposes and the principle of the use is acceptable.

The proposed facility is to take in waste, bulk it and dispatch it to landfill prior to the development of an Advanced Conversion Treatment facility elsewhere in the City. As such it fulfils the requirements of Policy W1b of the Waste Local Plan.

Subject to the consideration of the impact on the environment and amenity, it fulfils the other requirements of the Waste Local Plan.

Transport Implications - Intensification of the use could lead to increased traffic movements but the change in trip levels is predicted as relatively low which will have minimal impact on the highway network. The site is not readily accessible by public transport with the result that staff travel to the site will be by car, cycle or on foot. The site is not far

C APPLICATIONS (cont'd)

1 Code No: DER/04/09/00427

from the City Centre by foot and adjoins good cycling routes. A Travel Plan, however, in this instance would be of little value given the low numbers of staff employed on the premises.

The access to the site is proposed to be widened which will assist the access/egress of large vehicles. Car parking is located off Downing Road..

Flooding Issues -The site is located in flood Zone 3 on the EA documents and whilst a less sensitive site would be preferable the site is already in use for such purposes and refusal on these grounds would not be sustainable on appeal. Notwithstanding this, I am expecting further advice from the Environment Agency which will be reported at the meeting, together with any updates or additional conditions.

Amenity implications - there are no residential properties near the site and whilst there may be some additional impact on nearby commercial properties, I do not consider this to be significant bearing in mind the approved use for the site and the industrial nature of the location.

Design and visual impacts - the retention of the office building on the frontage is welcome in streetscene terms and will soften the impact of the proposed larger shed which is acceptable on this industrial estate. Additional planting is proposed on the frontage which can be conditioned.

11. Recommended decision and summary of reasons:

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

11.2 **Summary of reasons:** The proposal has been considered against the Adopted City of Derby Local Plan policies as set out in 9. above and all other material considerations. The proposed development on this industrial land with a history as a waste transfer station is acceptable in land use, policy, flooding and amenity terms.

11.3 **Conditions**

1. Prior to the commencement of development (or such other date as may be agreed 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:

C APPLICATIONS (cont'd)

1 Code No: DER/04/09/00427

- a) a site investigation scheme, based on the initial desk study findings, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site
- b) the site investigation results and the detailed risk assessment (in a above) 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; and
- c) A Verification Plan providing details of the data that will be collected in order to demonstrate that the works set out in (b above) are complete and identifying any requirements for long term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components to be agreed with the Local Planning Authority and the scheme shall be implemented as approved.

- 2. All the waste materials that require transfer, sorting and recycling shall be deposited within the designated areas within the building in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.
- 3. No outside storage shall take place outside the confines of the building, unless otherwise agreed in writing by the Local Planning Authority.
- 4. No development approved by this permission shall commence until a scheme for dealing with dust, wind blown litter and odours shall be submitted to and approved by the Local Planning Authority.
- 5. Before development is commenced, a scheme for disposal of drainage from the site shall be submitted to and approved in writing by the Local Planning Authority.
- 6. Standard condition 27 (external materials)
- 7. Notwithstanding the submitted details, further details of landscaping at the site shall be submitted to and approved in writing by the Local Planning Authority.
- 8. Standard condition 22 (landscape maintenance)

C APPLICATIONS (cont'd)

1 Code No: DER/04/09/00427

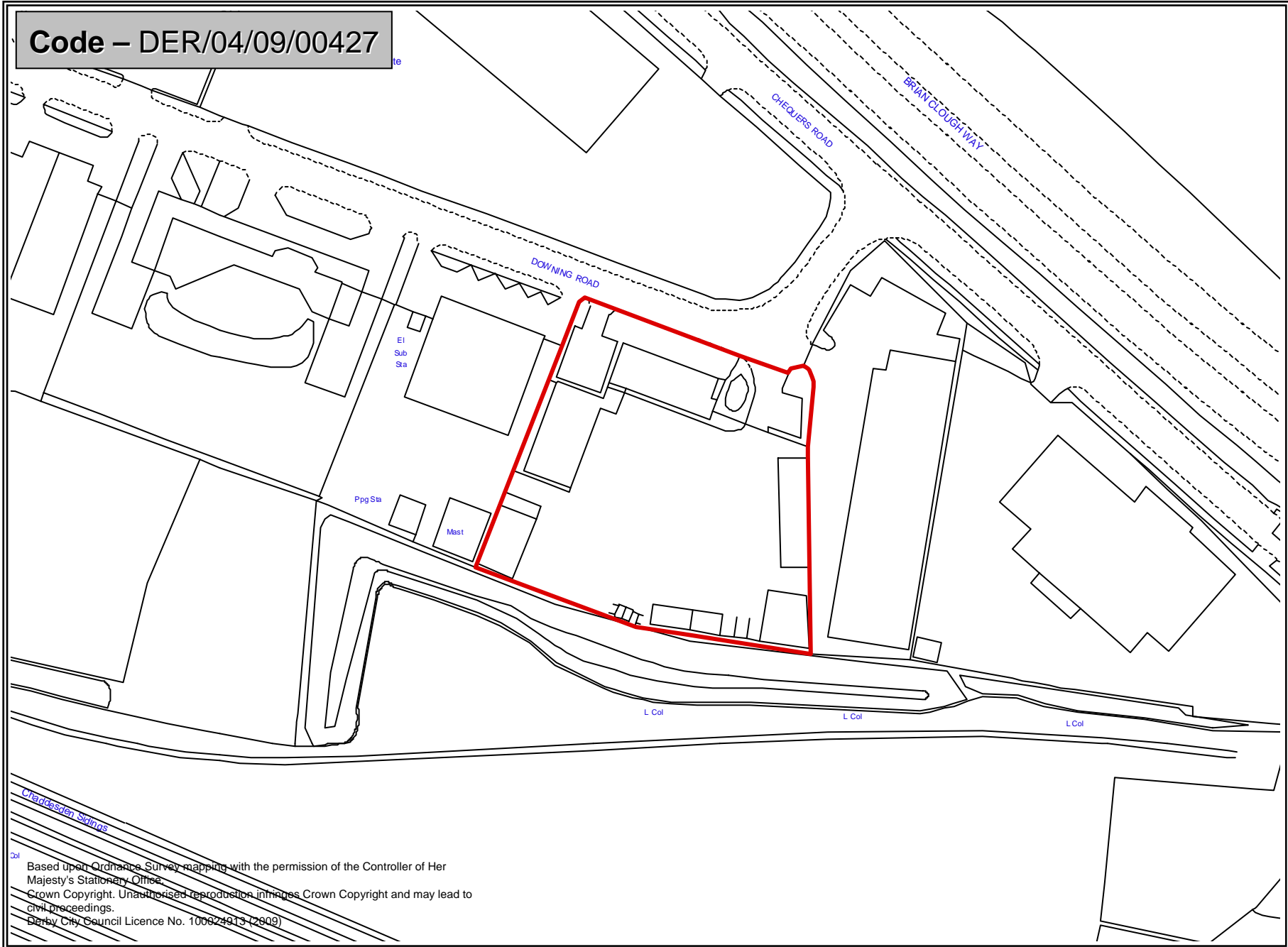
11.4 Reasons

1. Protection of the water environment is a material planning consideration and development proposals should ensure that new development does not harm the water environment. The proposal potentially poses a threat to water quality because of the historical uses on the site and surrounding area. the site conditions lead to the conclusion that groundwater may be impacted by run-off from vehicles in the area and the concrete hardstanding on site is not consistent enough to negate the risks associated with the site use. The requirement is also to meet the requirements of policy E12 of the adopted CDLPR.
2. Standard reason E08 - policies GD5, E12
3. Standard reason E08 - policies GD5 & E12
4. Standard reason E08 - policies GD5 & E12
5. In order to protect the water environment – policy E12
6. Standard reason E08 - policies GD4 & E23
7. Standard reason E10 - policies GD4, & E17
8. Standard reason E10 - policies GD4 & E17

11.5 S106 requirements where appropriate: None.

11.6 Application timescale: The application determination period expired on 15 May. The application is reported to Committee as a waste proposal of significance and in view of the public interest and level of objection letters – in accordance with the current constitution.

Code – DER/04/09/00427



Col
Based upon Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office.
Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings.
Derby City Council Licence No. 100624913 (2809)

Enclosure



DERBY CITY COUNCIL

Derby City Council

Delegated Decisions Made Between 23/03/10 and 11/05/10

Application No	Application Type	Location	Proposal	Decision	Decision Date
02/08/00183/PRI	Full Planning Permission	1 Chapel Side, Spondon, Derby (Co-op Store)	INSTALLATION OF SHOPFRONT AND ALTERATIONS TO ENTRANCE	Granted	22/04/2010
08/09/00959/PRI	Full Planning Permission	Playing field, adjacent Derby Canal, east of Jubilee Road, Shelton Lock, Derby (Hippo Park)	Erection of changing rooms	Granted Conditionally	29/03/2010
08/09/01023/PRI	Full Planning Permission	23 Tewkesbury Crescent, Derby	Extension to dwelling house (kitchen, lounge, dining room and conservatory)	Granted Conditionally	31/03/2010
09/09/01152/PRI	Full Planning Permission	Pride Parkway, Pride Park, Derby (DIPT Building)	Change of use and extension to retail warehouse office building (Use Class B1) to form veterinary hospital (Use Class D1)	Granted Conditionally	27/04/2010
10/09/01243/PRI	Outline Planning Permission	Land North West of 22 Longbridge Lane, Derby (Datum Composites)	Use of land for extension of factory	Granted Conditionally	06/04/2010
11/09/01275/PRI	Full Planning Permission	Site of 44 - 62 Goodsmoor Road Industrial Estate, Sinfen, Derby	Substitution of house types on previously approved Planning Permission Code No. DER/05/07/01031 to form an additional 7 residential dwellings	Granted Conditionally	31/03/2010
11/09/01286/PRI	Full Planning Permission	150 Field Lane, Alvaston, Derby	Extension to dwelling house (garage)	Granted Conditionally	12/04/2010
11/09/01290/PRI	Full Planning Permission	28 Twyford Street, Derby	Erection of 2 first floor flats and formation of parking area	Granted Conditionally	20/04/2010
11/09/01297/PRI	Full Planning Permission	414 Stenson Road, Derby	Extension to dwelling house (2 bedrooms with en-suites)	Granted Conditionally	21/04/2010
11/09/01344/PRI	Outline Planning Permission	Site of 177a and garages, Gerard Street, Derby	Residential Development (demolition of garage and commercial buildings and erection of 5 bedroom bungalow)	Granted Conditionally	01/04/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
11/09/01401/PRI	Full Planning Permission	41 Crawley Road, Alvaston, Derby	Extension to dwelling house (car port, bedroom, bathroom and en-suite)	Granted Conditionally	16/04/2010
11/09/01403/PRI	Full Planning Permission	12a Darley Abbey Mills, Darley Abbey, Derby (Known as Unit 11)	Change the use from retail showroom (Use Class A1) to Accountants (Use Class A2)	Granted Conditionally	04/05/2010
12/09/01413/PRI	Full Planning Permission	36 Quarn Drive, Allestree, Derby	Extensions to dwelling house (2 bedrooms and enlargement of dining room, kitchen and study)	Granted Conditionally	26/04/2010
12/09/01418/PRI	Full Planning Permission	23-29 St. Peter's Street, 23-25 Audley Centre and 24-32 East Street, Derby	Change of use of units from Retail (Use Class A1) of 5 units (24/26, 28, 30 and 32) to Restaurant/Cafe's (Use Class A3); of 2 units (23/25/27 and 29) to Financial and Professional Services (Use Class A2), amalgamation of Units 23/24 with Unit 28 and amalgamation of Unit 25 with Unit 32 (for Use Class A3) and use of mall to form 2 new units for Financial and Professional services (Use Class A2-unit 22A) and retail (Use Class A1-unit 21A) and associated works	Granted Conditionally	12/04/2010
12/09/01425/PRI	Outline Planning Permission	Land at corner of Crowshaw Street and Elton Road, Derby	Erection of 7 dwellings	Granted Conditionally	15/04/2010
12/09/01435/PRI	Reserved Matters	Site of 15 Porters Lane, Oakwood, Derby (Plot B)	Erection of dwelling house	Granted Conditionally	16/04/2010
12/09/01439/PRI	Full Planning Permission	Ingham House, 16 Agard Street, Derby	Change of use of ground floor from office (use class B1(a)) to retail (use class A1)	Refuse Planning Permission	31/03/2010
12/09/01467/PRI	Full Planning Permission	Land at side of 11 Fairwood Drive, Alvaston, Derby	Erection of dwelling house and formation of vehicular access	Granted Conditionally	22/04/2010
12/09/01481/PRI	Certificate of Lawfulness Proposed Use	6 Foxbrook Close, Littleover, Derby	Extension to dwelling house (enlargement of kitchen)	Granted	23/03/2010
12/09/01482/PRI	Full Planning Permission	130 Swarkestone Road, Chellaston, Derby	Extensions to dwelling house (bedroom, kitchen, living room and enlarged dining room/study) and formation of rooms in roof space (bedroom and en-suite bathroom)	Granted Conditionally	08/04/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
01/10/00004/PRI	Full Planning Permission	113 Station Road, Mickleover, Derby	Erection of detached garage	Granted Conditionally	06/05/2010
01/10/00008/PRI	Full Planning Permission	Severn Trent Water, West Service Road, Raynesway, Derby	Extension to offices (reception area and office), external alterations, additional cycle parking and alterations to car park and access road	Granted Conditionally	26/04/2010
01/10/00011/PRI	Full Planning Permission	13 - 13A St. James Street, Derby	Change of use from Retail (Use Class A1) to Financial and Professional Services (Use Class A2)	Granted Conditionally	04/05/2010
01/10/00012/PRI	Full Planning Permission	47 Stenson Road, Derby	Extension to dwelling house (2 bedrooms, playroom and enlargement of kitchen and bedroom)	Granted Conditionally	23/04/2010
01/10/00013/PRI	Full Planning Permission	3 Park Lane, Allestree, Derby	Extension to dwelling house (kitchen, bedroom and en-suite)	Granted Conditionally	31/03/2010
01/10/00018/PRI	Full Planning Permission	65 Stenson Road, Derby	Extension to dwelling house (bedroom and enlargement of kitchen)	Granted Conditionally	04/05/2010
01/10/00019/PRI	Full Planning Permission	73 - 77 Peet Street, Derby	Change of use from offices to 5 flats (Use Class C3) and change of use of rear store to offices and extension and alterations to elevations	Granted Conditionally	16/04/2010
01/10/00035/PRI	Full Planning Permission	Site of Clarion Works, Webster Street, Derby	Demolition of printing works, erection of nine dwellings with access, layout of car parking, landscaping and boundary treatment	Granted Conditionally	25/03/2010
01/10/00055/PRI	Full Planning Permission	22 Buller Street, Derby,	Extension to dwelling house (kitchen)	Granted Conditionally	31/03/2010
01/10/00056/PRI	Full Planning Permission	Unit 2, Bradshaw Retail Park, Bradshaw Way, Derby (Home Bargains)	Installation of shopfront and entrance area	Granted Conditionally	01/04/2010
01/10/00059/PRI	Full Planning Permission	96 Wood Road, Chaddesden, Derby (The Spinning Wheel PH)	Extension to Public House (enlargement of kitchen), installation of doors and erection of gate	Granted Conditionally	23/03/2010
01/10/00066/PRI	Works to Trees under TPO	Derby Independent Grammar School For Boys, Rykneld Road, Littleover, Derby	Removal of deadwood of 2 hornbeams and 3 oak, felling of hornbeam and reduction by 20% of sycamore tree protected by Tree Preservation Order 1993 No 78 (Rykneld Hospital Rykneld Road)	Granted Conditionally	24/03/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
01/10/00067/PRI	Works to Trees in a Conservation Area	Trees at Heritage Gate Complex, off Friary Street, Derby	Crown lifting and thinning of 9 lime trees and crown lifting of 11 ash and sorbus trees within Friar Gate Conservation Area	Raise No Objection	15/04/2010
01/10/00074/PRI	Full Planning Permission	161 Burton Road, Derby (Burton Road Auto Centre)/rear of 33-51 Empress Road, Derby	Formation of car parking area	Refuse Planning Permission	08/04/2010
01/10/00081/PRI	Full Planning Permission	12 Wansfell Close, Mickleover, Derby	Extension to dwelling house (enlargement of lounge)	Granted Conditionally	14/04/2010
01/10/00082/PRI	Listed Building Consent -alterations	Friargate House School Ltd, 65 Friar Gate, Derby (Chestnut House)	Block-up three internal door openings and one external opening between Friar Gate School and Chestnut House	Granted Conditionally	01/04/2010
01/10/00083/PRI	Full Planning Permission	154 Derby Road, Chellaston, Derby	Extension to dwelling house (lounge, hall, dining room, bedroom, bathroom and balcony)	Granted Conditionally	20/04/2010
01/10/00084/PRI	Full Planning Permission	NCS Fabrications Ltd, Ascot Drive, Derby	Erection of industrial units	Granted Conditionally	06/04/2010
01/10/00085/PRI	Certificate of Lawfulness Proposed Use	5 Park Grove, Derby	Extension to dwelling house (toilet and shower)	Granted	05/05/2010
01/10/00086/	Full Planning Permission	Land adjacent 67 Arundel Street, Derby	Erection of detached two storey dwelling house and provision of off-street parking	Granted Conditionally	31/03/2010
01/10/00091/PRI	Full Planning Permission	10 Vicarwood Avenue, Darley Abbey, Derby	Extensions to dwelling house (bedroom, dressing room, en-suite, w.c., porch and verandah)	Refuse Planning Permission	31/03/2010
01/10/00092/PRI	Full Planning Permission	25 Queen Street, Derby	Installation of shop front	Granted Conditionally	31/03/2010
01/10/00093/PRI	Full Planning Permission	35 Penrhyn Avenue, Littleover, Derby	Extension to dwelling house (enlargement of kitchen and dining room)	Granted Conditionally	09/04/2010
01/10/00094/PRI	Full Planning Permission	Meadfoot, 28 Parkfields Drive, Derby	Extension to dwelling house (two bedrooms)	Granted Conditionally	31/03/2010
01/10/00096/PRI	Full Planning Permission	St.Alkmund's Church, 40 Kedleston Road, Derby	Erection of store	Granted Conditionally	31/03/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
01/10/00098/PRI	Full Planning Permission	237 St. Thomas Road, Derby	Extension to dwelling house (bedroom and bathroom)	Granted Conditionally	31/03/2010
01/10/00099/PRI	Certificate of Lawfulness Proposed Use	20 Pingle, Allestree, Derby	Extension to dwelling house (dining room and kitchen)	Granted	31/03/2010
01/10/00100/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	Granted Conditionally	31/03/2010
02/10/00101/PRI	Full Planning Permission	12 Bath Road, Mickleover, Derby	Extension to dwelling house (porch and w.c.)	Granted Conditionally	08/04/2010
02/10/00102/PRI	Full Planning Permission	St. James C of E Infant School, Leonard Street, Derby	Extension to school (canopy)	Granted Conditionally	21/04/2010
02/10/00103/PRI	Full Planning Permission	122 Allestree Lane, Derby	Extension to dwelling house (garage, kitchen, utility room, w.c., bedroom and en-suite)	Granted Conditionally	01/04/2010
02/10/00106/PRI	Full Planning Permission	5 Porter Place, Spondon, Derby	Erection of garage	Granted Conditionally	09/04/2010
02/10/00107/PRI	Full Planning Permission	18 Royal Hill Road, Spondon, Derby	Extension to dwelling house (dining/kitchen, bedroom and en-suite, cupboard, enlargement of bathroom, w.c. and utility room)	Granted Conditionally	01/04/2010
02/10/00109/PRI	Works to Trees under TPO	488 Duffield Road, Derby	Fell 4 Chanaecyrris trees and height reduction by 30% of 2 Chanaecyrris trees protected by Tree Preservation Order 2007 no.481 (488/490 Duffield Road, Allestree, Derby	Granted Conditionally	01/04/2010
02/10/00110/PRI	Full Planning Permission	16 Rushdale Avenue, Littleover, Derby	Extension to dwelling house (gym, bedroom, utility room/store, en-suite and enlargement of kitchen)	Granted Conditionally	01/04/2010
02/10/00111/PRI	Full Application - disabled People	59 Wiltshire Road, Derby	Extension to dwelling house (single storey rear extension)	Granted Conditionally	01/04/2010
02/10/00112/PRI	Full Planning Permission	49 Lincoln Avenue, Derby	Extension to dwelling house (bedroom, bathroom, family room and enlargement of kitchen)	Granted Conditionally	01/04/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
02/10/00113/PRI	Full Planning Permission	51 Lincoln Avenue, Derby	Extension to dwelling house (bedroom, en-suite, bathroom, family room, w.c. and enlargement of kitchen and bedroom)	Granted Conditionally	06/04/2010
02/10/00114/PRI	Full Planning Permission	312 Abbey Street, Derby	Conversion of dwelling to form 3 flats	Granted Conditionally	12/04/2010
02/10/00115/PRI	Full Planning Permission	Georgian House, Great Northern Road, Derby	Alterations and change of use from offices (Use Class B1) to form 6 apartments (Use Class C3) on first, second and third floors	Granted Conditionally	21/04/2010
02/10/00116/PRI	Listed Building Consent -alterations	Georgian House, Great Northern Road, Derby	Alterations and change of use from offices (Use Class B1) to form 6 apartments (Use Class C3) on first, second and third floors	Granted Conditionally	21/04/2010
02/10/00118/PRI	Full Planning Permission	298 Burton Road, Derby	Retention of rear retaining wall	Granted Conditionally	08/04/2010
02/10/00121/PRI	Full Planning Permission	20 Greenwich Drive North, Derby	Extension to dwelling house (bedroom and en-suite)	Granted Conditionally	29/04/2010
02/10/00122/PRI	Full Planning Permission	143 Allestree Lane, Derby	Extension to dwelling house (utility room, w.c., study and enlargement of bathroom and kitchen) and formation of room in roof space (bedroom)-amendment to previously approved planning application Code No.DER/06/09/00634 to alter roof	Granted Conditionally	01/04/2010
02/10/00123/PRI	Full Planning Permission	18 Alton Close, Allestree, Derby	Extension to dwelling house (enlargement of dining room and kitchen)	Granted Conditionally	01/04/2010
02/10/00124/PRI	Full Planning Permission	8 Badgerdale Way, Littleover, Derby	Extension to dwelling house (2 bedrooms, en-suites and enlargement of kitchen)	Granted Conditionally	01/04/2010
02/10/00125/PRI	Full Planning Permission	5 Mead Close, Sinfen, Derby	Extension to dwelling house (dining room, shower room and utility room).	Granted Conditionally	26/04/2010
02/10/00126/PRI	Works to Trees under TPO	80A Chestnut Avenue, Mickleover, Derby	Crown lift and branch reduction of Horse Chestnut tree protected by Tree Preservation Order 1977 No. 8 (Station Road, Derby)	Granted Conditionally	29/03/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
02/10/00127/PRI	Certificate of Lawfulness Proposed Use	65 Callow Hill Way, Littleover, Derby	Extension to dwelling house (dining room/kitchen)	Granted	12/04/2010
02/10/00129/PRI	Advertisement consent	Pets At Home, Meteor Centre, Mansfield Road, Derby	Display of 6 internally illuminated fascia signs and 3 non illuminated signs	Granted Conditionally	01/04/2010
02/10/00130/DCC	Full Planning Permission	Portway Infant School, Woodlands Road, Allestree, Derby	Extension to school (classroom, offices, lobby, canopy and alterations to entrance)	Granted Conditionally	09/04/2010
02/10/00131/PRI	Certificate of Lawfulness Proposed Use	197 Morley Road, Oakwood, Derby	Extension to dwelling house (sun room)	Granted	21/04/2010
02/10/00134/PRI	Full Planning Permission	Derby Multi-Cultural Centre, 41-43 Pear Tree Road, Derby	Extension to community centre (lobby and toilets) and alterations to courtyard roof and additional ramped access	Granted Conditionally	06/04/2010
02/10/00135/PRI	Full Planning Permission	146 Osmaston Road, Derby	Extension to dwelling house (dining room, two bathrooms, lobby, store and meeting room/study)	Granted Conditionally	01/04/2010
02/10/00137/PRI	Full Planning Permission	89-91 St. Peters Street, Derby (formerly Rosebys)	Change of use from retail (use class A1) to restaurant (use class A3) and installation of extract system	Granted Conditionally	31/03/2010
02/10/00138/PRI	Full Planning Permission	19 Ormskirk Rise, Spondon, Derby	Extension to dwelling house (dining room, play room and bedroom)	Granted Conditionally	14/04/2010
02/10/00140/PRI	Full Planning Permission	14 Muirfield Drive, Mickleover, Derby	Erection of garage	Granted Conditionally	30/04/2010
02/10/00141/PRI	Certificate of Lawfulness Proposed Use	31 Kings Croft, Allestree, Derby	Formation of room in roof space (dormer)	Granted	06/04/2010
02/10/00142/PRI	Full Planning Permission	22 Celandine Close, Oakwood, Derby	Erection of garage	Granted Conditionally	01/04/2010
02/10/00144/PRI	Full Planning Permission	Moor Edge, 243 Morley Road, Oakwood, Derby	Extension to dwelling house (living room, bedroom, dressing room, en-suite, balcony, garage, study, utility room, lobby, shower room, and enlargement of porch and dining room) and hard surfacing of driveway	Granted Conditionally	15/04/2010
02/10/00146/PRI	Full Planning Permission	1-7 Abbey Street, Derby	Change of use of storage area and flat to form 5 flats and installation of new window openings and units	Refuse Planning Permission	29/04/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
02/10/00147/PRI	Full Planning Permission	77 Highfield Lane, Chaddesden, Derby	Extension to dwelling house (bedroom and en-suite)	Granted Conditionally	15/04/2010
02/10/00148/PRI	Full Planning Permission	14 Middleton Avenue, Littleover, Derby	Extensions to dwelling house (kitchen, dining room, family room, utility room, porch, bedroom, en-suite, bathroom and study) and formation of rooms in roof space (hobby room and 2 store rooms)	Granted Conditionally	01/04/2010
02/10/00149/PRI	Full Planning Permission	5 Deepdale Road, Spondon, Derby	Extension to dwelling house (bedroom, en-suite, w.c. and hall)	Granted Conditionally	01/04/2010
02/10/00150/PRI	Full Planning Permission	79 Brackens Lane, Alvaston, Derby (Brackens News)	Extension to shop (store and carport) -amendment to previously approved Planning Permission Code No. DER10/09/01231	Granted Conditionally	07/04/2010
02/10/00151/PRI	Full Planning Permission	Ambulance Station, Megaloughton Lane, Spondon, Derby	Erection of storage tank	Granted Conditionally	14/04/2010
02/10/00155/PRI	Advertisement consent	140 Ashbourne Road, Derby (Swan and Salmon P H)	Display of externally illuminated fascia sign, hanging sign and board sign and non illuminated board sign	Granted Conditionally	06/04/2010
02/10/00159/PRI	Advertisement consent	43-53, Osmaston Road, Derby (Siam Corner)	Display of 2 internally illuminated circular wall signs and 2 internally illuminated projecting wall signs	Granted Conditionally	29/03/2010
02/10/00160/PRI	Full Planning Permission	14 Smalley Drive, Oakwood, Derby	Extension to dwelling house (sunroom, utility room and enlargement of kitchen)	Granted Conditionally	06/04/2010
02/10/00161/PRI	Full Planning Permission	28 Chequers Road, Derby (Cattle Market)	Alterations to Auctions and Market office including formation of access for disabled people.	Granted Conditionally	14/04/2010
02/10/00162/DCC	Local Council own development Reg 3	18 Petersham Drive, Alvaston, Derby	Extension to dwelling (shower/ w.c.)	Granted Conditionally	06/04/2010
02/10/00163/PRI	Full Planning Permission	87 Brayfield Road, Littleover, Derby	Extension to bungalow (bedroom, en-suite, store and new raised deck)	Granted Conditionally	07/04/2010
02/10/00165/PRI	Full Planning Permission	4 Castleton Avenue, Derby	Extension to dwelling house (dining room and shower room)	Granted Conditionally	31/03/2010
02/10/00166/PRI	Full Planning Permission	21 Coppicewood Drive, Littleover, Derby	Formation of rooms in roof space (bedroom, dressing room, shower room and insertion of dormer window)	Granted Conditionally	07/04/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
02/10/00167/PRI	Full Planning Permission	The Great Northern P H, Station Road, Mickleover, Derby	Conversion and alterations of outbuildings to form bed and breakfast accommodation (Use Class C1) including erection of external staircase	Granted Conditionally	16/04/2010
02/10/00168/PRI	Full Planning Permission	56 Porter Road, Derby	Extension to dwelling house (enlargement of dining room/kitchen)	Granted Conditionally	09/04/2010
02/10/00169/PRI	Local Council own development Reg 3	38 Colwyn Avenue, Derby	Extension to dwelling house (shower-room)	Granted Conditionally	31/03/2010
02/10/00170/PRI	Full Planning Permission	12 Bannels Avenue, Littleover, Derby	Extension to dwelling house (en-suite and enlargement of kitchen, living room and 2 bedrooms)	Granted Conditionally	23/04/2010
02/10/00171/PRI	Full Planning Permission	2 Willowbrook Grange, Chellaston, Derby	Extension to dwelling house (enlargement of 2 bedrooms)	Refuse Planning Permission	12/04/2010
02/10/00172/PRI	Full Planning Permission	198 Station Road, Mickleover, Derby	Extension to dwelling house (enlargement of kitchen/dining room) and erection of detached garage and ancillary detached living accommodation	Granted Conditionally	08/04/2010
02/10/00173/PRI	Full Application - disabled People	30 Hollis Street, Derby	Extension to dwelling house (shower room)	Granted Conditionally	19/04/2010
02/10/00175/PRI	Full Planning Permission	6 Brookfield Avenue, Sunnyhill, Derby	Extensions to dwelling house (living room, 2 bedrooms and enlargement of dining room, kitchen/breakfast area and bedroom)	Granted Conditionally	29/04/2010
02/10/00180/PRI	Full Planning Permission	Former Surgery at 640 Burton Road, Littleover, Derby	Erection of double garage	Granted Conditionally	20/04/2010
02/10/00181/PRI	Full Planning Permission	216 Stenson Road, Derby	Extension to dwelling house (enlargement of dining room)	Granted Conditionally	31/03/2010
02/10/00182/PRI	Local Council own development Reg 3	311 Brighton Road, Alvaston, Derby	Extension to dwelling house (shower room)	Granted Conditionally	31/03/2010
02/10/00183/PRI	Full Planning Permission	21 Scarsdale Avenue, Allestree, Derby	Extension to dwelling house (garage, utility room, kitchen and lounge) and formation of rooms in enlarged roof space (2 bedrooms)	Refuse Planning Permission	29/04/2010
02/10/00184/PRI	Full Planning Permission	34 Mapleton Avenue, Chaddesden, Derby	Extension to dwelling house (bedroom, lounge/kitchenette, w.c. and enlargement of lounge)	Refuse Planning Permission	12/04/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
02/10/00185/	Full Planning Permission	25 Western Road, Mickleover, Derby	Extensions to dwelling house (dining room and kitchen)	Granted Conditionally	12/04/2010
02/10/00186/PRI	Works to Trees in a Conservation Area	Highfield House, Highfield Lane, Chaddesden, Derby	Felling of poplar and eucalytus trees within Highfield Cottages Conservation Area	Raise No Objection	06/04/2010
02/10/00187/PRI	Full Planning Permission	3 Louvain Road, Derby	Formation of rooms in roof space(2 bedrooms and bathroom)	Granted Conditionally	12/04/2010
02/10/00188/PRI	Full Planning Permission	2 Rockhouse Road, Alvaston, Derby	Extensions to dwelling (garage, conservatory, porch and laundry room) and erection of detached building (ancillary office,treatment room, kitchen, w.c. and entrance hall)	Granted Conditionally	15/04/2010
02/10/00191/PRI	Full Application - Article 4	23 Marcus Street, Derby	Insertion of windows in front elevation	Granted Conditionally	20/04/2010
02/10/00193/PRI	Local Council own development Reg 3	1 Warwick Avenue, Derby	Extension to dwelling (shower room and enlargement of bedroom)	Granted Conditionally	31/03/2010
02/10/00194/PRI	Full Planning Permission	204 Greenwich Drive South, Derby	Extension to dwelling house (garage)	Granted Conditionally	30/04/2010
02/10/00195/PRI	Full Planning Permission	19 Reader Street, Spondon, Derby	Alterations and conversion of single dwelling house to two dwelling houses	Granted Conditionally	14/04/2010
02/10/00196/PRI	Works to Trees under TPO	Tree on land west of 28 Porters Lane, Oakwood, Derby	Removal of bough of plane tree protected by Tree Preservation Order1996 No. 124 (Trees at Millis House, Porters Lane, Oakwood)	Granted Conditionally	03/05/2010
02/10/00197/PRI	Full Planning Permission	Plots 1-13, 64-71, 74-79 & 81-89 Rhapsody Development, off Station Road, Spondon, Derby	Erection of 80 dwellings, garages and associated works (substitution of house types on plots 1-12, 64-71, 71-79 and 81-89 to form 2 additional dwellings)	Granted Conditionally	04/05/2010
02/10/00198/PRI	Works to Trees under TPO	4 Dawsmere Close, Derby	Crown thin by 15%, remove deadwood and remove minor branches of Pine tree protected by Tree Preservation Order 1996 No. 129 (4 Dawsmere Close, Derby)	Granted Conditionally	14/04/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
02/10/00199/PRI	Works to Trees under TPO	30 Porters Lane, Oakwood, Derby	Crown thin and branch removal 2 of Oak trees, removal of lower branch of Horse Chestnut tree and crown thin Ash tree, remove lower branch of Sycamore tree and felling of 1 Ash tree protected by Tree Preservation Order 1996 No. 124 (Trees at Millis House, Porters Lane, Oakwood)	Granted Conditionally	23/04/2010
02/10/00204/PRI	Full Planning Permission	2 West Park Road, Derby	Extension to dwelling house (garage, 2 bedrooms , en-suite and enlargement of living room)	Refuse Planning Permission	15/04/2010
02/10/00205/DCC	Local Council own development Reg 3	Lawn Primary School, Norbury Close, Allestree, Derby	Extension to school (toilet block) and insertion of classroom door	Granted Conditionally	15/04/2010
02/10/00206/PRI	Certificate of Lawfulness Proposed Use	11 Cavendish Avenue, Allestree, Derby	Extensions to dwelling house (garage, garden room and cloak room) and installation of roof window	Granted	04/05/2010
02/10/00207/PRI	Full Planning Permission	26 Hamilton Road, Spondon, Derby	Extension to dwelling house (garage, bedroom, bathroom and dressing room)	Granted Conditionally	16/04/2010
02/10/00210/PRI	Full Planning Permission	2 Tamar Avenue, Allestree, Derby	Extension to dwelling house (kitchen, utility room, w.c, dining room, bedroom, en-suite and dressing room)	Granted Conditionally	16/04/2010
02/10/00211/PRI	Full Planning Permission	141 Havenbault Lane, Littleover, Derby	Extension to dwelling house (bedroom, en-suite and enlargement of living room and kitchen)	Granted Conditionally	19/04/2010
02/10/00212/PRI	Full Planning Permission	196 Clarence Road, Derby	Extension to dwelling house (lounge, kitchen, garage, 2 bedrooms and en-suite-amendment to previously approved planning application DER07/09/00863)	Granted Conditionally	21/04/2010
02/10/00213/PRI	Full Planning Permission	Land at rear of 57 Rosehill Street, Derby (access via Strutt Street)	Erection of detached dwelling house and landscaping details	Refuse Planning Permission	19/04/2010
02/10/00214/PRI	Full Planning Permission	44 Corden Avenue, Mickleover, Derby	Erection of detached double garage, boundary wall and gates	Granted Conditionally	11/05/2010
02/10/00218/PRI	Works to Trees in a Conservation Area	11A Beech Court, Spondon, Derby	Crown reduce pear tree within Spondon Conservation Area	Raise No Objection	19/04/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
02/10/00221/PRI	Full Planning Permission	Plot 2, Site of 522, Duffield Road, Derby	Erection of dwelling house (extension of time limit of previously approved planning application Code No. DER/12/04/02300 by a further three years)	Granted Conditionally	19/04/2010
02/10/00222/PRI	Full Planning Permission	15 Foremark Avenue, Derby,	Extensions to dwelling house (w.c./shower room, kitchen and living/dining room)	Granted Conditionally	19/04/2010
02/10/00223/PRI	Full Planning Permission	Plots 122, 125 - 127 and 164 - 167, City Point Development Phase M (Morris Homes), Derby	Substitution of house types (plots 122,125-127 and 164-167)	Granted Conditionally	19/04/2010
02/10/00224/PRI	Certificate of Lawfulness Proposed Use	2 Hamlet Court, Chellaston, Derby	Extension to dwelling house (dining room)	Granted	21/04/2010
02/10/00227/PRI	Works to Trees in a Conservation Area	139 Duffield Road, Derby	Felling of 5 conifer trees within Strutts Park Conservation Area	Raise No Objection	06/04/2010
02/10/00229/PRI	Full Planning Permission	2 Auckland Close, Mickleover, Derby,	Extensions to dwelling (porch, sun room, 2 bedrooms and en-suite bathroom, enlargement of lounge, kitchen, utility, garage and bathroom) and erection of wall	Granted Conditionally	30/04/2010
02/10/00231/PRI	Full Planning Permission	39 Powell Street, Derby	Extension to dwelling house (enlargement of kitchen and bedroom)	Granted Conditionally	07/05/2010
02/10/00232/PRI	Certificate of Lawfulness Proposed Use	13 Hollies Road, Allestree, Derby	Extension to dwelling house (sun room, utility and shower room)	Granted	04/05/2010
02/10/00233/PRI	Full Planning Permission	187 Vicarage Road, Mickleover, Derby	Extensions to bungalow (hall, utility room, cloaks/wc & kitchen/dining room/living area-amendment to previously approved application Code No. DER/04/09/00469)	Granted Conditionally	21/04/2010
02/10/00234/PRI	Full Planning Permission	9 Tennessee Road, Chaddesden, Derby	Extension to dwelling house (dining room, store, utility, cloaks, 2 bedrooms and enlargement of kitchen)	Refuse Planning Permission	30/04/2010
02/10/00235/PRI	Full Planning Permission	48 Muswell Road, Mackworth, Derby	Extension to dwelling house (garage, hall, w.c. and cloakroom) and formation of rooms in roof space (2 bedrooms, en-suite, family bathroom and insertion of dormers- amendments to previously approved application DER/05/07/00897/PRI)	Granted Conditionally	21/04/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
02/10/00236/PRI	Full Planning Permission	18 Spinney Road, Chaddesden, Derby,	Extension to dwelling (living room, store and lobby)	Granted Conditionally	14/04/2010
02/10/00237/PRI	Full Planning Permission	Rolls Royce Marine, Raynesway, Derby	Erection of temporary building	Granted Conditionally	15/04/2010
02/10/00238/PRI	Full Planning Permission	12 Pear Tree Road, Derby,	Formation of external access stairs and insertion of door at first floor level	Granted Conditionally	26/04/2010
02/10/00239/PRI	Non-material amendment	Car park between garages off Boden Street and Grayling Street, Derby	Erection of 5 dwelling houses, 1 bungalow, 2 garages and formation of parking area (non-material amendment to remove 2 approved garages and replace with car parking spaces)	Granted	25/03/2010
02/10/00241/PRI	Full Planning Permission	124-126 Ashbourne Road, Derby (Markeaton Fish Bar)	Installation of shop front and roller shutters	Granted Conditionally	23/04/2010
02/10/00242/PRI	Full Planning Permission	21 Kedleston Close, Allestree, Derby,	Extension to dwelling (dining/sitting room)	Granted Conditionally	16/04/2010
02/10/00243/PRI	Advertisement consent	Unit 6, Rowallan Way, Chellaston, Derby,	Display of internally illuminated fascia, projecting and ATM signs	Granted Conditionally	30/04/2010
02/10/00244/PRI	Certificate of Lawfulness Proposed Use	7a Ferrers Way, Derby	Extension to dwelling house (conservatory)	Granted	30/04/2010
02/10/00245/	Full Planning Permission	38 Burlington Way, Mickleover, Derby,	Extension to dwelling (kitchen and dining room)	Granted Conditionally	23/04/2010
02/10/00246/PRI	Advertisement consent	2 Osmaston Road, Derby (Save The Children)	Display of non-illuminated fascia and projecting sign	Granted Conditionally	22/04/2010
03/10/00247/PRI	Full Planning Permission	7 Oak Close, Allestree, Derby	Extensions to dwelling house (sun room, study, bedroom, bathroom and enlargement of kitchen)	Granted Conditionally	27/04/2010
03/10/00248/PRI	Full Planning Permission	6 Bramblewick Drive, Littleover, Derby,	Extension to dwelling (porch)	Granted Conditionally	21/04/2010
03/10/00250/PRI	Full Planning Permission	25 Vicarage Road, Mickleover, Derby,	Extensions to dwelling (4 bedrooms, bathroom, en-suite and dining room)	Granted Conditionally	29/04/2010
03/10/00256/PRI	Full Planning Permission	177 Portreath Drive, Allestree, Derby,	Extension to dwelling (porch and enlargement of kitchen/dining area)	Granted Conditionally	10/05/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
03/10/00257/PRI	Full Planning Permission	11 Oak Drive, Alvaston, Derby,	Extension to dwelling house (enlargement of kitchen/dining room)	Granted Conditionally	15/04/2010
03/10/00258/PRI	Full Planning Permission	2 Brading Close, Alvaston, Derby,	Extension to dwelling house (covered way and bedroom)	Granted Conditionally	26/04/2010
03/10/00259/PRI	Full Planning Permission	Oakwood Eyecare Centre, Oakwood District Centre, Bishops Drive, Oakwood, Derby,	Cladding of external staircase	Granted Conditionally	26/04/2010
03/10/00260/PRI	Full Planning Permission	Royal Derby Hospital, Uttoxeter New Road, Derby	Installation of 2 air conditioning condenser units on flat roof	Granted Conditionally	06/05/2010
03/10/00261/PRI	Demolition of dwelling house	The Sherwood Forester Public House, 6 Village Street/St Thomas Road, Derby,	Demolition of public house	Granted	30/03/2010
03/10/00263/PRI	Variation/Waive of condition(s)	41 Duffield Road, Derby (May May House)	Variation of condition 2 of planning permission Code no. DER/02/09/00107 to allow details of fume extraction/ventilation system to be submitted separately for each unit	Granted Conditionally	27/04/2010
03/10/00264/PRI	Advertisement consent	63 St. Peters Street, Derby (Cafe Grazia)	Display of 2 internally illuminated fascia signs	Granted Conditionally	06/04/2010
03/10/00265/PRI	Full Planning Permission	Windy Ridge, Leamington Close, Derby,	Demolition of care home bungalow and construction of new care home bungalow.	Granted Conditionally	04/05/2010
03/10/00266/PRI	Full Planning Permission	2 St. James Court, Friar Gate, Derby	Installation of windows	Refuse Planning Permission	28/04/2010
03/10/00269/PRI	Full Planning Permission	Pride Park Stadium, Pride Park, Derby	Erection of monument comprising bronze statue, podium and associated landscaping	Granted Conditionally	27/04/2010
03/10/00270/PRI	Full Planning Permission	27 Greenway Drive, Littleover, Derby,	Extensions to dwelling (enlargement of kitchen, bathroom and 2 bedrooms with 2 en-suites)	Granted Conditionally	29/04/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
03/10/00271/PRI	Full Planning Permission	22 Fairfax Road, Derby,	Extensions to dwelling (garage, wc, 2 bedrooms, porch and front canopy together with enlargement of kitchen, dining room and bedroom-amendments to existing extensions)	Granted Conditionally	29/04/2010
03/10/00275/DCC	Local Council own development Reg 3	Gayton Junior School, Gayton Avenue, Littleover, Derby,	Erection of timber enclosure to house condenser unit in connection with existing swimming pool	Granted Conditionally	07/05/2010
03/10/00277/PRI	Full Planning Permission	193 Blagreaves Lane, Littleover, Derby,	Extensions to dwelling house(car port, bedroom, bathroom and en-suite)	Granted Conditionally	29/04/2010
03/10/00280/PRI	Full Planning Permission	4 Chilson Drive, Mickleover, Derby	Extension to dwelling (bedroom, bathroom and enlargement of kitchen)	Refuse Planning Permission	30/04/2010
03/10/00281/PRI	Full Planning Permission	14 Farmlands Lane, Littleover, Derby,	Extension to dwelling (inglenook fireplace, enlargement of dining room/kitchen, bedroom and en-suite)	Refuse Planning Permission	30/04/2010
03/10/00282/PRI	Full Planning Permission	Rear of Engine Build Factory, Sinfin D Site, Rolls Royce Plc, Wilmore Road, Derby	Erection of storage building, installation of canopy and door (amendments to previously approved permission code no DER/07/09/00875)	Granted Conditionally	12/04/2010
03/10/00285/PRI	Full Planning Permission	13 Ainsworth Drive, Derby	Extension to dwelling (enlargement of kitchen, shower room and sun lounge)	Granted Conditionally	30/04/2010
03/10/00286/PRI	Full Planning Permission	4 Lady Mantle Close, Chellaston, Derby,	Extension to dwelling (enlargement of bedroom)	Refuse Planning Permission	30/04/2010
03/10/00290/PRI	Full Planning Permission	61 South Avenue, Chellaston, Derby	Extension to detached garage (store room)	Granted Conditionally	30/04/2010
03/10/00294/PRI	Full Planning Permission	178 Derby Road, Chellaston, Derby	Extension to dwelling house (dining room and sun room)	Granted Conditionally	30/04/2010
03/10/00295/PRI	Full Planning Permission	39 Havenbault Avenue, Littleover, Derby	Extension to dwelling (conservatory)	Granted Conditionally	10/05/2010
03/10/00296/PRI	Full Planning Permission	77 Sinfin Moor Lane, Chellaston, Derby	Extensions to dwelling house (garage, games room, dressing room and en-suite bathroom)	Refuse Planning Permission	03/05/2010
03/10/00299/PRI	Full Planning Permission	7 Snelston Crescent, Littleover, Derby	Erection of garage	Granted Conditionally	04/05/2010

Application No	Application Type	Location	Proposal	Decision	Decision Date
03/10/00300/PRI	Full Planning Permission	Land adjacent 33 Crown Street, Derby	Erection of dwelling house	Granted Conditionally	04/05/2010
03/10/00303/PRI	Works to Trees under TPO	Trees at Holmfield Estate, Stenson Road, Derby,	Crown lifting of 4 limes and felling of 3 fir trees protected by Tree Preservation Order 1981 No 19 (Holmfield, 145 Stenson Road)	Granted Conditionally	04/05/2010
03/10/00304/PRI	Full Planning Permission	29A Shaftesbury Street South, Derby	Change of use from light industrial unit (Use Class B1) to car sales showroom (Sui Generis Use)	Granted Conditionally	04/05/2010
03/10/00310/PRI	Full Planning Permission	The Cock N Bull PH, Sinfin Lane, Sinfin, Derby	Change of Use from Public House (use class A4) to Assembly and Leisure (use class D2)	Granted	07/05/2010
03/10/00316/PRI	Full Planning Permission	22 The Hollow, Mickleover, Derby	Extension to dwelling house (conservatory)	Granted Conditionally	07/05/2010
03/10/00333/PRI	Full Planning Permission	5 Charing Court, Derby	Extension to dwelling house (kitchen/dining room, sitting room, bedroom and bathroom)	Granted Conditionally	30/04/2010
03/10/00335/PRI	Works to Trees in a Conservation Area	Trees at land south of 7 The Poplars, Allestree, Derby	Crown reduction of apple tree within Allestree Conservation Area	Raise No Objection	28/04/2010
03/10/00340/PRI	Works to Trees under TPO	Trees at 4 Kingswood Place and 6 Constable Drive, Littleover, Derby	Various works to trees protected by Tree Preservation Orders 2001 and 2007 Nos 284 and 502 (Reservoir Site Constable Drive Littleover and 6 Constable Drive, Littleover)	Granted Conditionally	29/04/2010
03/10/00344/DCC	Local Council own development Reg 3	Markeaton Primary School, Bromley Street, Derby	Installation of windows and doors to front elevation	Granted Conditionally	29/04/2010
03/10/00352/PRI	Full Planning Permission	26 Autumn Grove, Chaddesden, Derby	Extension to dwelling house (enlargement of kitchen)	Granted Conditionally	30/04/2010

Total Number of Delegated Decisions made during this period: 188