

## **Applications to be Considered**

### **Purpose**

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

### **Recommendation(s)**

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

### **Reason(s)**

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

### **Supporting information**

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

### **Public/stakeholder engagement**

- 5.1 None.

### **Other options**

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

### **Financial and value for money issues**

- 7.1 None.

### **Legal implications**

- 8.1 None.

## Climate implications

9.1 None.

## Other significant implications

10.1 None.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal		
Finance		
Service Director(s)		
Report sponsor	Paul Clarke	29/03/2022
Other(s)	Ian Woodhead	29/03/2022

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

**Planning Control Committee 07/04/2022**  
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Item No.	Page No.	Application No.	Location	Proposal	Recommendation
1	1 - 39	21/00204/FUL	Royal Derby Hospital Uttoxeter Road Derby	Erection of a Multi-Storey Car Park	<p><b>A. To authorise</b> the Director of Planning, Transportation and Engineering to negotiate the terms of a Section 106 Agreement to achieve the objectives set out below and to authorise the Director of Legal, Procurement and Democratic Services and Monitoring Officer to enter into such an agreement.</p> <p><b>B. To authorise</b> the Director of Planning, Transportation and Engineering <b>to grant permission with conditions</b> upon conclusion of the above Section 106 Agreement.</p>
2	40 - 51	21/02064/FUL	295 - 297 Brighton Road Derby	Change of use from dwelling house (Use Class C3) to an seven bedroom (seven occupant) house in multiple occupation (Sui Generis) including installation of new windows to the side elevation.	<b>To grant</b> planning permission with conditions.
3	52 - 60	22/00241/FUL	85 Haven Baulk Lane Derby	Change of use from dwelling house (Use Class C3) to residential care home (Use Class C2)	<b>To grant</b> planning permission with conditions.
4	61 - 67	22/00392/FUL	2 Repton Avenue Derby	Roof alterations including installation of a dormer to the rear elevation, single storey rear extension to dwelling house (kitchen/dining area and lounge) and erection of outbuilding (garden room) - retrospective application	<b>To grant</b> planning permission with conditions.

## **Committee Report Item No: 1**

**Application No: 21/00204/FUL**

**Type: Full Planning Application**

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### **1. Application Details**

**1.1. Address:** Royal Derby Hospital, Uttoxeter Road, Derby

**1.2. Ward:** Littleover

**1.3. Proposal:**  
Erection of a Multi-Storey Car Park (MSCP)

### **1.4. Further Details:**

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/21/00204/ful>

#### **Brief description**

This full planning application seeks permission for the erection of a multi storey car park on land within the Royal Derby Hospital, Uttoxeter Road.

The Royal Derby Hospital is a City and Regional hospital for Derby, Derbyshire and Burton and the hospital is within the portfolio of the University Hospitals Derby and Burton NHS Foundation Trust. The hospital is located in the western quadrant of the City on the southern side of Uttoxeter Road, A516 which links Mickleover, Littleover and surrounding areas to the City Centre and A38.

The application site, which includes the entire Hospital, specifically relates to Car Park 6. This car park is the largest surface car park on the site and is in the south-eastern corner of the hospital in close proximity to the Maternity and Gynaecology entrance. This surface car park currently has capacity for 385 car parking spaces.

The application is accompanied by a suite of documents which are all available to review on the application website, link provided above. During the life of the application additional information has been provided in respect of the general site layout, landscaping, lighting details and Arboricultural information. The applicant has also taken the opportunity to provide a background as to why the proposal is being sought and the clinical changes the hospital has experienced; these are as follows:

The Hospital Trust has explored the layout of the hospital site along with considering the clinical services it needs to provide. The RDH has been extended in recent years in order to increase its clinical capacity this has resulted in the loss of car parking such as car park 1 (88 spaces); planning permission has recently been granted for the erection of an outpatients building on car park 8 (101 spaces). The loss of these spaces needs to be replaced, with increasing demand and pressure being placed on the Trust, as a direct result of an aging population, people living with “bad” health, drug and substance abuse, poor screening and immunisation take up/programmes.

In addition to this the Trust *“have seen a year-on-year increase in demand on their services, particularly admissions and attendance related to cardiac problems, strokes, respiratory disease, alcohol and mental illness. Despite moving all acute services to the RDH site in 2009 and expanding our footprint, the demand has now started to out strip our physical capacity on the RDH site. Our A&E was designed for around 350 attendances per 24hr period; we are now seeing an average of 500. We risk crowding and safety issues if we cannot accommodate this increased demand.”*

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*As clinical demand increases as does the car parking demand, despite the Hospital being located on an established bus route and well served by public transport. "...this increased clinical activity has and will lead to a surge in vehicles entering our RDH site. The Trust has spent the last 4 years in trying to manage this influx through its original multi-staged plan. The first stage was by way of the implementation of the new on-site One-Way System scheme that was completed in 2017; the second stage being achieved by the extension to the Manor Staff Car Park adjacent to Northmead Drive. However, whilst both of these initiatives have been successful and instrumental in alleviating some of the Trust's parking capacity issues, the Trust recognised and expected at the outset that a third and final stage was always going to be required, this third stage being the construction of a multi-storey car park facility (MSCP)."*

This increased demand should also be considered in the context of the COVID-19 Pandemic which has resulted in huge backlog of medical and surgical procedures as well as outpatient appointments, seen by the Trust and others. *"We are required to increase our activity up to 120% in elective procedures to try and reduce our backlog of surgical & diagnostic activity. This requires maximum use of all our operating theatre capacity 7 days a week and inevitably will require more people to come on site. Despite running many of our outpatient appointments virtually (this increased during the peak of the COVID pandemic & will remain for a good percentage of activity), the volume of new referrals still awaiting a first outpatient appointment remains very high and a good proportion of new outpatient appointments still require that initial face to face consultation."*

Prior to submitting this application, the applicant has sought the introduction of different initiatives to manage parking pressures including the expansion of the staff Manor car park, relocation of staff parking and thus freeing up of more spaces within the RDH site for patients and visitors. This also includes the introduction of a one-way loop road system, traffic lights and manned booth at the entrance, staggering clinic and visiting times, a mobile phone parking app, the redeployment of staff and services to the London Road Community Hospital, and green travel initiatives - including investment in new bus routes and cycle storage.

Notwithstanding the above, the demand on the hospital and its car parking continues and the applicant considers that a multi storey car park is now required.

The proposed car park is located near to the common boundary of the hospital site, in close proximity to residential properties on Constable Avenue, Constable Lane/Queen Drive and Owlers Lane. Both Owlers Lane and Constable Avenue are private roads maintained by the residents of those roads – these are not adopted public highways.

The proposed multi storey car park is a split level 5 storey car park set around two access cores with stairs and lift access to all floors along with a main core at the pedestrian entrance adjacent to the car parking office.

The car park would provide 875 car parking spaces. However, these are not all new spaces on the hospital site some spaces will replace those lost or that will be lost as a result of consented development:

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<b><u>Car Park</u></b>	<b><u>Car Parking Spaces</u></b>
Multi Storey	875
Car Park 1	88
Car Park 6	385
Car Park 8	101
Multi storey spaces – lost spaces = new spaces	$875 - 574 = \mathbf{301 \text{ new spaces}}$

The multi storey car park therefore seeks to provide 301 new spaces and will replace the 574 spaces that have been/will be lost as a result of physical extensions of the hospital.

The car park would be accessed via the one-way internal road system and exit via the same internal road, which links to the Uttoxeter Road transport corridor. The car park would have a rectangular footprint which provides the opportunity for landscaping and landscaped buffers along the boundary of the site with the surrounding residential dwelling houses.

Externally, the car park is set within the varying land levels of the site, as shown on the elevational drawings. The car park measures approximately 19 metres to highest point (access cores) and approximately 17 metres when considering the main bulk of the car park. With a footprint of approximately 109 metres by approximately 48 metres.

The pedestrian access to the car park will be located on the south-west elevation which is glazed in appearance and adjacent to the car park office. The car park will be clad in decorative cladding which will aim to reduce headlight glare but also allow natural daylight and ventilation into the car park. The applicant also seeks to encourage climbing plants to grow up the mesh exterior.

Internally, the proposed car park will be of a modular construction; based on a steel frame with precast concrete floors and ramps. Each car parking space would measure 2.5 metres by 5.0 metres. This has allowed an internal grid arrangement of supporting columns that will not impede access to spaces and manoeuvring. Car parking allocations are as follows:

<b><u>Parking Allocations</u></b>	
Level 0	58 spaces (6 Accessible)
Level 0	47 spaces (Contractors - not counted in total)
Level 1	199 spaces (22 Accessible)
Level 2	199 spaces (22 Accessible)
Level 3	199 spaces (22 Accessible)
Level 4	199 spaces (22 Accessible)
Total	875 spaces (94 Accessible)

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The car park has been sited on car park 6, which slopes from a southerly to northerly direction as well as sloping from west to east. The proposed car park has been sited to take advantage of the change in land levels to bring the overall height of the proposal down, as detailed on the elevations.

The proposed car park is accessed via an on-ramp to the south of the site, meaning any queuing will be held on the one-way internal road, away from the main entrance of the hospital. Egress from the car park will be taken from the north of the site away from the entrance. This arrangement is proposed to ease circulation within the hospital site.

Externally to the car park, extensive landscaping is proposed. The trees along the common boundary will be retained and additional planting proposed. To the south of the car park, adjacent to the entrance ramp is an area designated for a potential sub-station bounded by hedging and access to this would be restricted along with amenity planting. To the north of the proposed car park and exit ramps are large areas of amenity planting and flowering lawns.

To the east of the car park, adjacent to Constable Avenue, a large landscaping area is proposed. This will accommodate a series of connecting pathways, large areas of planting, lawns, and areas of seating along with a sprinkler tank. This landscaped area provides an amenity area for visitors, patients, and staff.

## **2. Relevant Planning History:**

<b>Application No:</b>	20/01676/FUL	<b>Type:</b>	Full Planning
<b>Decision:</b>	Granted Conditionally	<b>Date:</b>	17/02/2021
<b>Description:</b>	Rooftop extension to hospital (operating theatre) and associated facilities		

<b>Application No:</b>	20/01373/VAR	<b>Type:</b>	Variation of Condition
<b>Decision:</b>	Granted Conditionally	<b>Date:</b>	07/01/2021
<b>Description:</b>	Retention of single storey ward and adjoining link for a temporary period of up to 12 months - variation of condition 2 of previously approved planning permission 19/01454/VAR to allow the building to be used until on or before 28 February 2023		

<b>Application No:</b>	20/00798/FUL	<b>Type:</b>	Full Planning
<b>Decision:</b>	Granted Conditionally	<b>Date:</b>	21/10/2020
<b>Description:</b>	Extensions to hospital to provide additional operating theatre		

<b>Application No:</b>	19/01581/FUL	<b>Type:</b>	Full Planning
<b>Decision:</b>	Granted Conditionally	<b>Date:</b>	17/02/2022
<b>Description:</b>	Erection of a new outpatient's department and associated vehicle access works		

<b>Application No:</b>	19/01454/VAR	<b>Type:</b>	Variation of Condition
<b>Decision:</b>	Granted Conditionally	<b>Date:</b>	02/12/2019
<b>Description:</b>	Retention of single storey ward and adjoining link for a temporary		

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	period of up to 12 months - variation of condition 2 or previously approved planning permission Code No.18/01759/FUL to allow the building to remain until 28 February 2021		
<b>Application No:</b>	19/00237/VAR	<b>Type:</b>	Variation of Condition
<b>Decision:</b>	Granted Conditionally	<b>Date:</b>	25/04/2019
<b>Description:</b>	Extensions To Hospital to Provide Additional Ward Accommodation and Associated Facilities - Variation of conditions 1 and 5 of previously approved planning permission Code No. DER/07/18/01011 to amend the plant deck, cladding and materials schedule		
<b>Application No:</b>	18/01759/FUL	<b>Type:</b>	Full Planning
<b>Decision:</b>	Granted Conditionally	<b>Date:</b>	14/01/2019
<b>Description:</b>	Retention of single storey ward and adjoining link for a temporary period of up to 12 months.		

### **3. Publicity:**

Neighbour Notification Letter

Site Notice

Statutory Press Advert

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

### **4. Representations:**

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

The application has attracted 21 letters of objection during the life of the application these are summarised as follows:

- The proposal will have a negative impact on air quality; and does not seek to reduce the need to rely on the car, increase emissions.
- The proposal will increase impacts of noise, music, car doors slamming, moving within the car park, tyres squealing, car alarms. The accompanying noise assessment is not sufficient and fails to consider the impacts of noise at higher floor levels.
- The proposal will increase light pollution.



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- The proposal is overbearing and out of scale with the site and surrounding area.
  - The multi-storey should be sited away from the residential properties.
  - An additional 300 spaces are not justified.
  - Insufficient information has been provided and no details of how car parking will be managed during construction.
  - Landscaping is not considered to be sufficient and will takes years to establish. Furthermore, the impacts of the proposed development will be worsened in the winter months when vegetation is not in bloom.
  - The plans indicate that there is a need for a sub-station but no details of this have been provided. This is owned by Western Power and does not support the hospital so why does it need moving?
  - Links from surrounding streets should not be included as it will result in access issues for residents.
  - Impacts on surrounding streets, congestion, traffic, anti-social behaviour, littering.
  - Has the proposals impacts on archaeology and the Roman road been considered?
  - The parking provided for the hospital and its services were considered to be acceptable however the failure to provide additional parking as the hospital has grown and provide the park and ride has resulted in the need for this car park.
  - How does this proposal address the Climate Change emergency?
  - The design of the car park and landscaping areas could result in anti-social behaviour in close proximity to the surrounding residential properties.
  - Health and Safety impacts, risk to children and pedestrian safety.
  - Insufficient number of electric charge car parking bays.
  - Investment should be made in improving public transport rather than the car park.
  - There is already meant to be sufficient staff parking and patient parking should be better controlled.
  - The ward on car park 1 should be removed to bring back that car parking.
  - This would be higher than the hospital building.
  - The application does not consider alternative locations for the car park. It should be on Manor Kingsway where it will not have an impact.
  - Limited public engagement.
  - This is the wrong location for the hospital it should have been retained in the City Centre.
  - Have impacts on wildlife been fully considered?

- Introducing the car park would remove land for the future expansion of the hospital.
- The car park would greatly overshadow surrounding neighbouring properties resulting in a loss of light and impacts on residential amenity.
- Given the scale of the building it is difficult to fully assess the impacts.
- The proposal will have an impact on property values.
- The amendments have made no difference to the impacts of the proposal.
- Concerns that the car park will result in the closure of another car parking such as those on the Manor Kingsway site.
- The site cannot accommodate this increase in traffic, and the loop road is already overly congested.

## **5. Consultations:**

### **5.1. Transport Planning and Highways Development Control:**

#### **1) Introduction**

The Royal Derby Hospital (RDH) currently has 1098 on-site parking spaces, that are predominantly for visitors.

The development proposals consist of the construction of a new 874 space Multi Storey Car Park (MSCP), primarily for visitor use on the existing at surface Car Park 6. The proposal will replace the 385 spaces currently provided by Car Park 6 and 189 car parking spaces that have been lost or will be lost as a result of modifications to the RDH site. As such, the applicant has identified that the net increase in spaces provided by the MSCP will be 300 spaces. This will take the total on-site spaces to 1398.

Further, the applicant has identified that currently at peak visitor times there are 72 visitors queuing to and waiting for a space in one of the car parks. Therefore, there is an argument that MSCP represents an increase of 228 spaces.

The National Planning Policy Framework (NPPF), presumes in favour of sustainable development. This development proposal is contrary to this assumption in terms that it is providing additional capacity for cars. However, with the increasing centralisation of health services, and now almost a sub-regional catchment with the incorporation of the Burton Hospitals NHS Foundation Trust, the RDH patient catchment is becoming increasingly larger and dispersed. This is compounded by an aging population and 4% annual average increase in patient numbers and the post-Covid backlog that will drive a 20% target increase in surgery admissions.

Notwithstanding this argument, the network around the RDH is already congested and in particular the operation of the A5111/Uttoxeter New Road signalised roundabout, also known as the Hospital Gyratory. The junction has been changed and improved with other RDH applications to squeeze as much capacity out of it as can be achieved. As such, if the MSCP application increases trips to an extent that it significantly reduces the operation of the Hospital Gyratory further, then there is no scheme to fix the problem. The RDH has argued that the increase in trips will

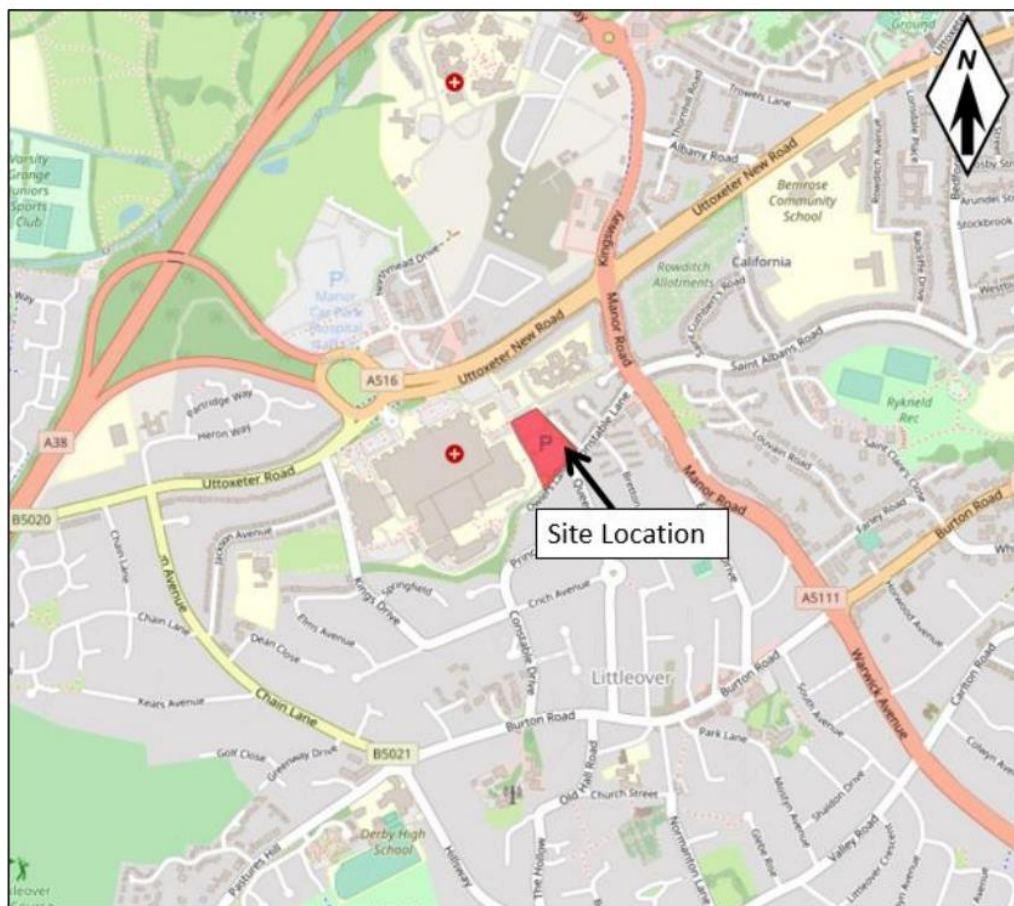
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happen anyway because of uncontrollable growing patient admissions, and without the MSCP that queues on the hospital internal one-way system will become worse and spill out onto the public highway.

The location of the MSCP on Car Park 6 is shown in **Figure 1**.



**Figure 1: Site Location Plan**

## **2) Local Planning Policy**

**Derby City Local Plan Part 1** – the local plan has no specific policy on the Derby Royal Hospital site in terms of highway related matters. General policies on transport support delivering a sustainable transport network.

*The Council will support proposals that:*

1. promote greater travel choice and equality of opportunity for all through the delivery and promotion of high quality and accessible walking, cycling and public transport networks, while maintaining appropriate access for car users and the movement of goods;
2. include initiatives to manage down traffic impacts, promote sustainable transport and the development of accessible sites;
3. contribute to better safety, security and health for all by improving road and rail safety, improving security on transport networks and promoting active travel;

4. contribute to tackling climate change by developing low-carbon travel and lifestyle choices, including the provision of infrastructure to support the use of low carbon vehicles, active travel and reducing the need to travel through the provision of improved IT infrastructure
5. support growth and economic competitiveness by delivering reliable and efficient transport networks that will enhance connectivity to, from and within the City.
6. ensure that investment in transport contributes to the enhancement of the urban and natural environment.

**3) National Planning Policy Framework (NPPF) 2018**

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

Paragraph 108 of the NPPF says:

***In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:***

***a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;***

***b) safe and suitable access to the site can be achieved for all users; and***

***c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree, also:***

Paragraph 111 says:

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

Paragraph 109 of the NPPF says: Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Considering the above criteria I make the following comments:

***a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;***

The issue for this application is whether there is justification for the additional 300 spaces that will be provided by the MSCP.

The National Planning Policy Framework (NPPF), presumes in favour of sustainable development. This development proposal is contrary to this assumption in terms that it is providing additional capacity for cars. However, with the increasing centralisation of health services, and now almost a sub-regional catchment with the incorporation of

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the Burton Hospitals NHS Foundation Trust, the RDH patient catchment is becoming increasingly larger and dispersed.

The applicant has provided a letter from the Executive Chief Nurse, which explains how the RDH has seen a year on year increase in demand on their services, particularly admissions and attendance related to cardiac problems, strokes, respiratory disease, alcohol and mental illness. The letter cites that the A&E was designed for around 350 attendances per day and that it is currently operating at 500 attendances per day. Before Covid non-elective admissions to the hospital were increasing on average by 4% each year. Post Covid the hospital is required to increase elective procedures by 20% to reduce the backlog of surgical and diagnostic activity.

The RDH has a well-established Travel Plan, that primarily focuses on providing facilities and initiatives to promote sustainable travel for staff. Indeed, the travel plan has achieved a single car occupancy mode share of 51% for staff (2018/19) (more 49% in 2020, Derby's resident work place population average single occupancy vehicle travel to work was 62% in 2011 – there isn't any more recent data). Further, the Hospital also has a car park management plan that restricts staff car parking permits based on a set of criteria such as distance of home from hospital. However, it is much harder for the hospital to control visitor travel patterns through such restrictive measures. The Travel Plan does provide some initiatives for visitors such as information on travel options and specific visitor cycle parking. However, visitors also benefit from wider travel plan initiatives, such as the increased frequency and extension to bus service times that the RDH has managed to secure in partnership with the bus operators.

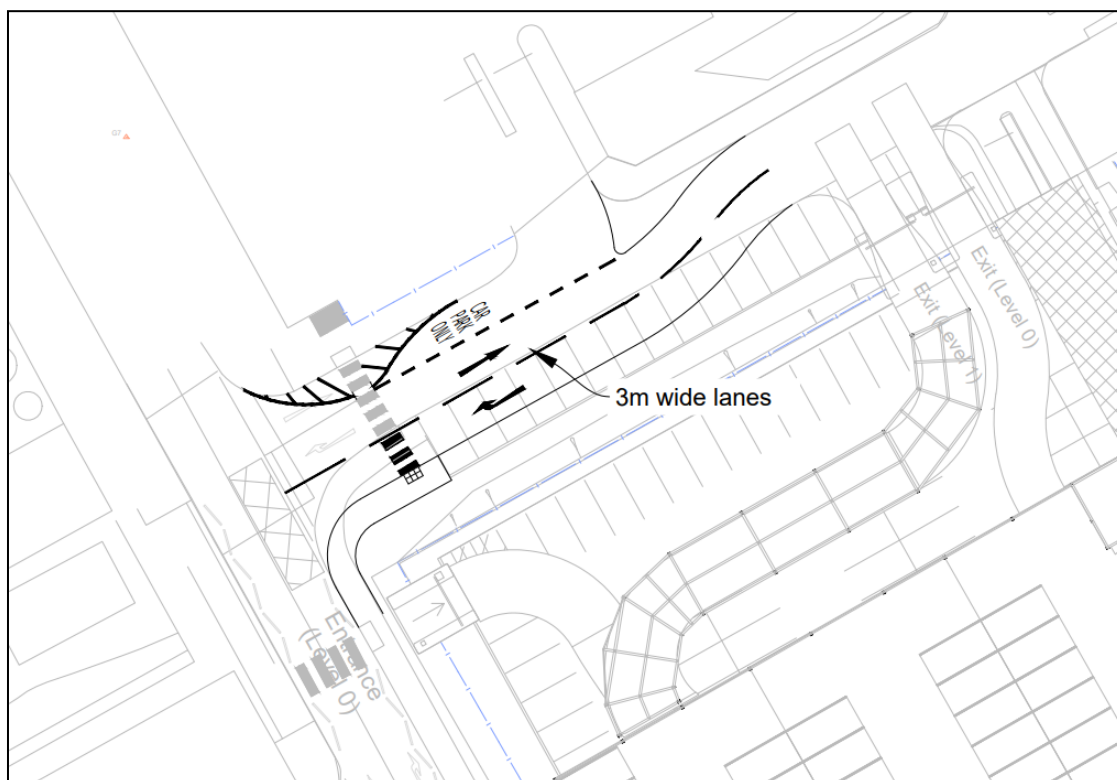
The RDH has continued to try and manage parking and the operation of the RDH, to spread demand and maximise the efficiency of the site. In 2017 the RDH introduced a one-way system around the internal hospital road network to alleviate circulation problems and allow the efficient circulation of traffic to find available parking. However due to the increasing activity the queuing of cars waiting for a space in the car parks has slowly increased and is beginning to impact on the efficiency of the internal road network again.

To support the use of zero emission vehicles, 20 spaces will include electric vehicle charging points as well as space for a minimum of 15 motorcycles. Further, 10% of the spaces will be available for disabled visitors. Illustrative details of the Motorcycle and cycle parking provision will be included at detailed design stage. DCC will condition as part of the consent that dedicated spaces are provide for motorcycles, and secure covered, and preferably a lockable unit is provided for the cycle parking within the MSCP.

It is considered that the applicant has done as much as can reasonably be expected to make this site sustainable and manage visitor and patient parking. However, perhaps unlike other land use development the case for allowing the additional parking is driven by the changing operation of the development, and the wider public interest in accessing health care, which isn't always appropriate or accessible by non-car modes.







**Figure 3: Proposed Access and Exit Scheme**

However, whilst the management of the RDH's internal transport network is a private concern within the hospital, links to the MSCP by all modes need to be considered to ensure that it is accessible and that the provision of cycle storage within the car park is an attractive option to users.

The applicant is proposing to introduce a direct cycle route to the MSCP from Entrance B, tying in with the existing cycle path on the main footway. The scheme (Revision 3) will seek to provide a multi-user footway, widening the existing footway that currently bounds Car Park 7. The scheme set out in **Figure 4** below will be conditioned as part of the consent.

Furthermore, as part of the hospitals commitment to monitor and manage the parking, and to reduce the impact of problems around the internal site, the applicant has agreed to install CCTV around the Kings Treatment Centre (KTC) to respond quickly and reduce blockage issues. DCC will condition this as part of the consent. In addition, the applicant has agreed to repair the current speed Variable Message Sign (VMS) and investigate the possibility of introducing VMS at other locations around the site to manage car park demand.

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Figure 4: Proposed Multi – User Footway Scheme – Revision 3

It is concluded that the developer can provide a safe and suitable access for all modes of transport to the site.

*c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree,*

### Transport Assessment

The development proposal is to construct a new MSCP within Car Park 6, located at the east side of the main hospital opposite the Maternity and Gynaecology building, to facilitate the increasing activity of inpatients and outpatients. The impact of the proposal is based on the net change in parking spaces over and above the existing spaces the MSCP will replace. In this case the applicant has tested the impact based on 300 new parking spaces.

The main impacts of the proposal will be on the A5111/Utttoxeter Road Junction, alternatively known as the Hospital Gyratory, particularly during the Weekday AM Peak and PM Peak commuter peaks. Whilst the net increase is 300 spaces it does not necessarily mean that the impact is an additional 300 vehicles during these peaks. The hospital operates various clinics and visiting times spread across the working day. For example, Trauma Wards have visiting times of between 2pm -4 pm and 6 pm – 8 pm, whilst respiratory Wards have visiting times of 1 pm – 3 pm and 5 pm – 7 pm. As such, the impact of increased activity at the hospital will be spread across the day.

**Net Change Car Parking Spaces –** Whilst the MSCP will be for **874 spaces**, the proposal will replace the **385 spaces** currently provided by **Car Park 6** and **189 car parking spaces** that have been lost or will be lost as a result of modifications to the



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RDH site. As such, the applicant has identified that the net increase in spaces provided by the MSCP will be **300 spaces**. It should be noted though, that there are an additional **48** spaces that will not be used for parking but a storage area with the MSCP. It is proposed that the use of these spaces cannot be bought into use without the written consent of the Local Planning Authority.

Further, the applicant undertook a queuing survey of all eight of their on-site car parks. The survey was undertaken for a one week period in January 2019, between the hours of 09:00 and 17:30 hours at 30 minute intervals. Evidence from the survey identified that currently at peak visitor times (14:30-15:00) there are 72 visitors queuing for a space.

**Traffic Generation** – The traffic generation has been calculated based on the 300 net increases in spaces, and the average arrival and departures of Car Park and the adjacent Car Park 7, which are both visitor car parks. The arrivals and departures were taken from the barrier machines for a weekly periods in March 2018 and October 2017. The total hourly arrivals and departures were divided by the total number of car parking spaces to derive a trip rate per space. **Table 1** below provides a summary of the trip arrival and departures of the net increase in 300 spaces.

	AM 0800-0900			Interpeak 1400-1500			PM 1700-1800		
	IN	OUT	2-WAY	IN	OUT	2-WAY	IN	OUT	2-WAY
Trip Rate per Space	0.36	0.06	0.42	0.25	0.19	0.44	0.19	0.16	0.35
Extra 300 spaces	108	18	126	75	57	132	57	48	105

**Table 1 – Traffic Generation based on 300 Net Spaces**

In the AM Peak the 300 spaces are predicted to generate 108 arrivals and 18 departures. However, the Inter Peak (1400-1500) shows the trip generation is around 65 arrivals and 50 departures. This perhaps indicates that there will be a general increase in activity across the whole day. During the PM Peak the arrivals are predicted to be 57 and departures 48.

It should be noted that whilst a predicted trip rate has been calculated for the new spaces based on the historical operation of the hospital, it will be the predicted increase in outpatient activity and elective procedures that will drive the activity.

**Trip Distribution** – The trip profile across the day has been distributed based on the existing turning proportions observed at both Entrances A, the main access on the Hospital Gyratory, and Entrance B, which is the left only access on the Uttoxeter Road approach to the Hospital Gyratory from Manor Road.

**Table 2** shows the net change in development flows through the main junctions surrounding the site across the AM Peak (0730-0830) and the PM Peak (1600-1700).

Junction	Weekday AM Peak		Weekday PM Peak	
	Arrive	Depart	Arrive	Depart
RDH Entrance A	70	11	33	17
RDH Entrance B	38	8	24	30
Uttoxeter Road Mickleover Arm	10	6	7	15
A38 On and Off-slip	26	4	7	18
Manor Park Way	3	3	5	0

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Uttoxeter New Road eastern arm after Entrance B Slip	39**	6	44**	13
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**Table 2: Change in Traffic Flows on Highway Links around the Hospital Gyratory****\*\*Includes departures from Entrance B**

Appendix A of this report provides plots of change in traffic movements around the Hospital Gyratory and entrances.

**Traffic Impact** - The hospital has two main accesses. Entrance A, the main access on the Hospital Gyratory, and Entrance B, which is the left only access on the Uttoxeter Road approach to the Hospital Gyratory from Manor Road. The Entrance B arm is signalised and linked to the Hospital Gyratory signals. Entrance A, although a main arm of the Hospital Gyratory, is a priority give-way and traffic exiting the RDH uses gaps created by the signals. The A38/A516, Uttoxeter New Road, Manor Park Way, and Uttoxeter Road arms are all signalised. Entrance A, is the main access to the Accident and Emergency Unit.

The transport consultant, acting on behalf of the applicant, has modelled the potential impact the additional 300 spaces will have on the roundabout using LinSig, the standard industry tool for assessing capacity at signalised roundabouts.

Practical Reserve Capacity (PRC) is an estimate of the spare capacity of the junction based on the link (arm) with highest degree of saturation. In theory links are not oversaturated until the degree of saturation exceeds 100% (i.e. demand is equal to capacity) but operational performance above 90% saturation and the junction starts to become less efficient and longer queues will appear.

**Table 4** and **Table 5** below provides a summary of the Mean Maximum Queues and operational saturation of each arm predicted by the traffic signal model. This includes the remaining Practical Reserve Capacity (PRC) at the junction.

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Without Mitigation	Weekday AM Peak 0800-0900					
	2026 Existing		2026 Existing + Com + Dev		Change	
	Queue	DOS	Queue	DOS	Queue	DOS
Arm						
Entrance B Uttoxeter New Rd Exit Left/Left 2	2	40.5	2	42	0	1.5
Entrance B Uttoxeter New Rd Exit Left	2	38.2	2	39.3	0	1.1
A38 off Slip Left	3	32	4	38.2	1	6.2
A38 off Slip Ahead	5	42.4	5	41.5	0	-0.9
A38 off Slip Ahead	10	66.8	11	70.2	1	3.4
Manor Park Way Left	0	8.2	0	8.3	0	0.1
Manor Park Way Ahead/Left	1	26.9	1	27.7	0	0.8
A516 Uttoxeter New Rd Ahead/Left	30	100.5	37	103.1	7	2.6
A516 Uttoxeter New Rd Ahead	19	85.5	60	104.1	41	18.6
Entrance A Exit Uttoxeter Road Ahead/Left	2	26.5	3	30.3	1	3.8
Uttoxeter Road Ahead	15	100.2	18	100.7	3	0.5
Practical Reserve Capacity	-11.7%		-16.0%		4.3%	
	Weekday PM Peak 1700-1800					
	2026 Existing		2026 Existing + Com + Dev		Change	
Arm	Queue	DOS	Queue	DOS	Queue	DOS
Entrance B Uttoxeter New Rd Exit Left/Left 2	6	74.7	7	77	1	2.3
Entrance B Uttoxeter New Rd Exit Left	6	72.8	7	77.3	-1	4.5
A38 off Slip Left	0	2	0	2.1	0	0.1
A38 off Slip Ahead	1	8.5	1	8.6	0	0.1
A38 off Slip Ahead	5	43.4	6	45.2	1	1.8
Manor Park Way Left	3	57	5	69.5	2	12.5
Manor Park Way Ahead/Left	5	66.3	7	79	2	12.7
A516 Uttoxeter New Rd Ahead/Left	21	93.7	29	90.3	8	-3.4
A516 Uttoxeter New Rd Ahead	36	98.2	36	97.8	0	-0.4
Entrance A Exit Uttoxeter Road Ahead/Left	4	45.9	4	49.2	0	3.3
Uttoxeter Road Ahead	5	62.5	5	58.4	0	-4.1
Practical Reserve Capacity	-9.1%		-14.1%		5.0%	

**Table 4 Hospital Roundabout LinSig Results – Without Mitigation**

The LinSig results in **Tables 4** shows that the Gyratory in the AM (0800-0900) and PM (1700-1800) commuter peaks are already forecast to operate over capacity when the Multi-storey Car Park (MSCP) opens in 2026. Indeed, the PRC is predicted to be **-12.0% (or at 112% capacity)** and in the **PM -8.4% (at 108.4% capacity)**. To some extent this value is artificial because the forecast traffic includes background traffic growth, which according to historical traffic data has not occurred in the past 5 year. The historical data shows that actually the traffic growth has occurred in the off-peak periods and suggests peak spreading on the network because it has reached capacity.

With the construction of the MSCP and the net change of 300 car parking spaces the LinSig model predicts varied increases of queuing vehicles across all arms of the roundabout. **Queues vary from 1 vehicle to 60 in the AM peak, to 36 vehicles in the PM peak.** In the AM Peak the capacity reduces to a PRC of -16.0 (or 116%) and in the PM Peak to a PRC of -14.1% (or 114%). There is a decrease in PRC of -4% in the AM Peak and -5.7 in the PM Peak.

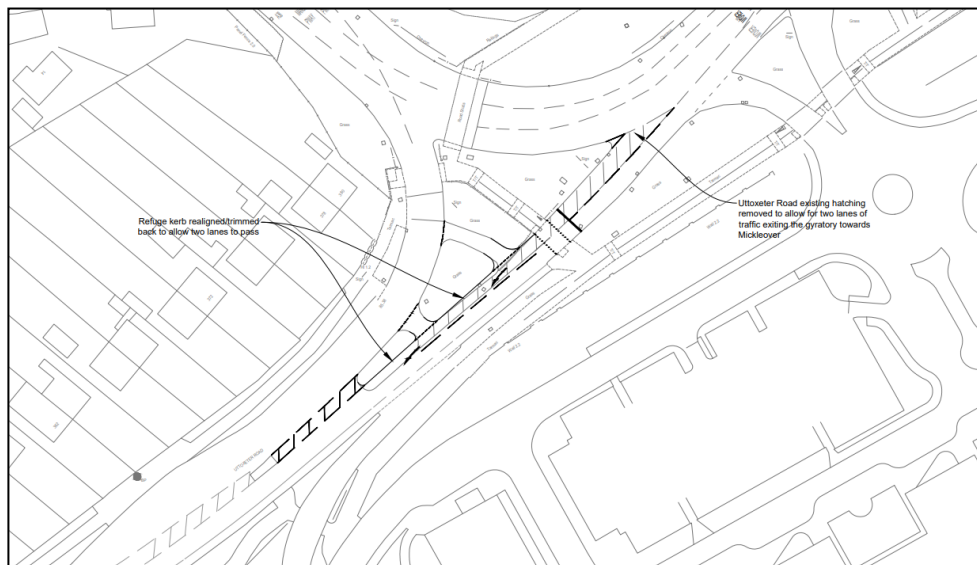
**Mitigation Scheme – Impact of the MSCP on the Signalised Roundabout**

The proposed improvement shown on **Drawing RDH-BWB-GEN-XX-DR-TR-107-P2** and **Figure 5** below, is to provide an additional lane on the exit arm of Uttoxeter Road, traveling towards Mickleover. The scheme includes providing a signal pedestrian crossing to improve safety for pedestrians and cyclists having to cross two lanes.

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**Figure 5: Proposed Additional Lane- Exit Arm Uttoxeter Road**

**Table 5** below provides a summary of the Mean Maximum Queues and operational saturation of each arm predicted by the traffic signal model. This includes the remaining Practical Reserve Capacity (PRC) for the junction, with the proposed mitigation.

With Mitigation	Weekday AM Peak 0800-0900					
	2026 Exisitng + Com + Dev		2026 Dev + Mitigation		Change	
Arm	Queue	DOS	Queue	DOS	Queue	DOS
Entrance B Uttoxeter New Rd Exit Left/Left 2	2	42	2	42.7	0	0.7
Entrance B Uttoxeter New Rd Exit Left	2	39.3	2	38.5	0	-0.8
A38 off Slip Left	4	38.2	4	38.2	0	0
A38 off Slip Ahead	5	41.5	5	42.1	0	0.6
A38 off Slip Ahead	11	70.2	11	69.6	0	-0.6
Manor Park Way Left	0	8.3	0	8.1	0	-0.2
Manor Park Way Ahead/Left	1	27.7	1	28	0	0.3
A516 Uttoxeter New Rd Ahead/Left	37	103.1	36	102.7	-1	-0.4
A516 Uttoxeter New Rd Ahead	60	104.1	58	104.1	-2	0
Entrance A Exit Uttoxeter Road Ahead/Left	3	30.3	18	105.5	15	75.2
Uttoxeter Road Ahead	18	100.7	3	30.1	-16	-70.6
Practical Reserve Capacity	-16.0%		-15.6%		-0.4%	
	Weekday PM Peak 1700-1800					
	2026 Exisitng + Com + Dev		2026 Dev + Mitigation		Change	
Arm	Queue	DOS	Queue	DOS	Queue	DOS
Entrance B Uttoxeter New Rd Exit Left/Left 2	7	77	7	77.7	0	0.7
Entrance B Uttoxeter New Rd Exit Left	7	77.3	7	76.6	0	-0.7
A38 off Slip Left	0	2.1	0	2.1	0	0
A38 off Slip Ahead	1	8.6	1	5.4	0	-3.2
A38 off Slip Ahead	6	45.2	7	50	1	4.8
Manor Park Way Left	5	69.5	6	72.5	1	3
Manor Park Way Ahead/Left	7	79	6	75.9	-1	-3.1
A516 Uttoxeter New Rd Ahead/Left	29	90.3	16	88.4	-13	-1.9
A516 Uttoxeter New Rd Ahead	36	97.8	31	93.4	-5	-4.4
Entrance A Exit Uttoxeter Road Ahead/Left	4	49.2	4	45.2	0	-4
Uttoxeter Road Ahead	5	58.4	4	54.1	-1	-4.3
Practical Reserve Capacity	-14.1%		-5.5%		-8.6%	

**Table 5 Hospital Roundabout LinSig Results - With Mitigation**

The LinSig results in **Tables 5** above shows that the mitigation scheme only improves the performance of the Hospital Gyratory by +0.4 in the AM Peak from -16.0 to -15.6. However, in the PM Peak the scheme has a significant benefit

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improving the operation of the junction by +8.6, more than negating the impacts of the development.

### **Other Network Problems and need for Wider Mitigation Strategy**

However, whilst in isolation the mitigation scheme provides a benefit to the gyratory, on site observations have noted that queuing occurs during the AM Peak and PM Peak from the Cordon Avenue Junction, some 400 metres to the west, onto the gyratory.

As a consequence, the mitigation scheme will not work as modelled because the exit capacity is constrained by the problems caused at the Cordon Avenue Junction. Placing the additional lane on the exit arm of Uttoxeter Road could create two lanes of queuing traffic, further causing circulatory problems on the Hospital Gyratory.

As such, a larger improvement scheme is required to solve the wider network problems. However, this is above and beyond the mitigation required to make this application acceptable.

As such, it has been agreed with the applicant to take a financial contribution equivalent to the value of their mitigation scheme. It is proposed to use this money to investigate a wider network scheme to improve the operation of the network on Uttoxeter Road.

However, it is likely that such a scheme will require a bid for additional capital funding and that any option appraisal will not be able to start until the A38(T) Derby Junctions Scheme is completed post 2026.

### **Collision Analysis**

A full 5 years of accident data history between 01/12/2014 and 30/11/2018 has been provided for the signalised roundabout junction, the signalised junction of Manor Road/A5111 and the Uttoxeter New Road link between the two junctions.

A total of 16 accidents occurred at the Hospital Gyratory over the five-year period of which 14 were recorded as slight in severity. The remaining 2 accidents were recorded as severe in severity. The majority of incidents have been rear shunts, failure to give way or running the red lights.

An average of 3.2 collisions per year does not represent a significant number considering the level of traffic that uses the junction. The location or type of collisions does not appear that there are any defects with the existing layout of the junction.

### **Impacts of Covid-19 on the Assessment of Existing Traffic Conditions**

The applicant's transport consultant undertook manual turning count surveys in November 2018, which covered Weekday AM (0800-0900) and PM Peak (1600-1700) These counts are within the recommended 5 year limit considered acceptable for traffic surveys and were undertaken before the first pandemic lockdown in March 2020.

However, it needs to be recognised that Covid-19 has had a major impact on travel behaviour. There is no certainty what impacts the pandemic will have on traffic patterns in future and whether traffic will remain less than pre-Covid conditions or

increase as a result of less people using public transport. As such, the lack of historical survey information for the Interpeak and Saturday Peak does leave a risk in predicting the operation of the network post Covid.

**Parking Strategy During Construction**

The construction programme for the multi storey car park will be around 18 months. During this time the 385 spaces in Car Park 6 will be out of operation. This is a significant loss of visitor parking, and the applicant is currently looking into options to provide temporary parking off-site.

It is likely that the 385 visitor spaces will be provided within the current staff parking on Manor Park Way and that staff parking will be displaced to an alternative site.

There are limited options close to the hospital to locate a temporary car park. One option is to use vacant land at Manor Kingsway, accessed from the Kingsway Retail Park Roundabout. Any temporary car park will be subject to a separate planning application and full transport assessment.

A condition will be place on this application that construction cannot start until a temporary parking site has been agreed and is operational.

**Impacts of A38 Derby Junctions Scheme**

The A38 construction programme has changed. The scheme was due to start March 2020. However, based on a challenge on the schemes carbon assessment, the High Court took the decision to quash the Development Consent Order (DCO), which was previously granted by the Department for Transport (DfT) on 8 January 2021. The Planning Inspectorate will publish further updates on the re-determination process on the A38 Derby Junctions scheme, however, a decision is not expected until the Summer of 2022, with a predicted construction start date of Winter 2020.

From the modelling undertaken as part of Highways England's assessment of the A38 Derby Junctions, the scheme is predicted to reduce flows on the hospital gyratory. The junction is predicted to operate with a reduction of traffic in both the AM and PM commuter peaks. The change in traffic flows is not considerable but is most notable during the AM Peak with a predicted reduction of 402 less vehicles. Minimal reduced changes are predicted in the PM Peak at around 30 less vehicles. As such, the A38 Derby scheme is predicted not to make the operation of the Hospital Gyratory any worse.

There is also a question of timing in terms of constructing the MSCP whilst the A38(T) Derby Junctions Scheme is also being constructed. The Hospital needs to consider the impact of the road scheme on the operation of the highway network around their main access points, and how their construction will impact on the operation of the RDH site.

The worst case scenario is if there are problems circulating around the one-way system and this then causes a problem that backs out onto the highway network. The cumulative impact of any traffic management issues caused by the A38(T) Derby Junctions construction programme could cause cumulative issues that means access to the RDH is severely impacted.

**Impact Assessment Conclusion**

The network around the Royal Derby Hospital (RDH) is already congested and in particular the operation of the A5111/Utttoxeter New Road signalised roundabout, also known as the Hospital Gyratory. The junction has been changed and improved with other RDH applications to squeeze as much capacity out of it as can be achieved.

There are very few options left and this application is putting forward an improvement that in isolation would mitigate the impacts of the MSCP, but because of wider network issues does not provide any benefits.

As such, it has been agreed with the applicant to take a financial contribution equivalent to the value of their mitigation scheme. It is proposed to use this money is used to investigate a wider network scheme to improve the operation of the network on Utttoxeter Road.

The RDH has argued that the increase in trips will happen anyway because of uncontrollable growing patient admissions, and without the MSCP that queues on the hospital internal one-way system will become worse and spill out onto the public highway.

It is the view of the Highway Authority that the applicant has done as much as is reasonably possible to make this development acceptable.

**5.2. Environmental Services (Health – Pollution):**

**Land Contamination**

1. I have reviewed the application information and I would offer the following comments in relation to Contaminated Land implications for the development as follows.
2. With respect to potential land contamination impacts on site, I note the submission of two reports in support of the application, namely:
  - • *Factual Report on Ground Investigation, Ian Farmer Associates, Ref: 2230243-1 (00), Dated: July 2020; and*
  - • *Geotechnical Interpretative Report, Ove Arup & Partners Ltd, Ref: RDMSCP-ARUP-XX-XX-RP-C-0003, Dated: 20 January 2021*
3. I can comment on the reports and their implications for the application as follows.
4. Please note that the following comments do not seek to interpret or discuss the suitability, or otherwise, of any of the geotechnical aspects of the site investigation, other than within a land contamination context.
5. In addition, all comments relate to human health risks and therefore I would refer you to the Environment Agency for their comments on any conclusions made in the report surrounding risks that may exist to controlled waters, since the Local Authority cannot comment on these aspects.

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### **Factual Report on Ground Investigation**

6. This report includes details of an intrusive ground sampling survey conducted in May 2020. This included both geotechnical and chemical analysis.
7. The report identifies the extent of sampling and includes the sampling results within the Appendices, however no interpretation or risk assessment is provided with respect to the proposed end-use as a multi-storey car park.
8. Consequently, the report is to be read in conjunction with the associated interpretive report produced by Arup.

### **Geotechnical Interpretative Report**

9. The Interpretive Report compiles the information produced in the Factual Report.
10. During the investigations the report notes that no visual or olfactory evidence of contamination was noted.
11. Ground gas monitoring was undertaken across 7 boreholes on 6 different occasions over the course of one month. Although the monitoring period is slightly less than the recommended 6 weeks for a basic ground gas survey, this is still deemed to provide reliable data for the site.
12. The ground gas risk assessment based on the results of this monitoring concludes that the proposed building is categorised under Characteristic Situation CS1, meaning no ground gas protection measures are deemed necessary on site.
13. Further reassurance is also provided based on the fact that the building is due to be a multi-storey car park, which would inherently be built with a high standard of ventilation to manage vehicle emissions.
14. Ground gas risks are therefore deemed to be negligible in respect of the proposed development.
15. Regarding ground contamination and risk assessment, the report notes that this *"is outside of Arup's scope of service"*, however soil contamination results are still presented in the report in conjunction with a tier 1 screening assessment.
16. The report does not however follow the appropriate Land Contamination Risk Management (LCRM) process (formerly CLR11) as there is no conceptual model or review of historical site data.
17. The report concludes that no soil sample results exceeded the GQRA values for a commercial end-use.
18. The report concedes that further risk assessment work may be needed to properly identify ground contamination risks in respect of the development.

### **Conclusions and Recommendations**

19. Although the submitted reports do provide some analysis of soil and ground gas risks on site, they do not follow the approved Land Contamination Risk Management (LCRM) process.



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20. I do note however that the results of the sampling undertaken on site are indicative of a site which is suitable for a commercial end-use.
  21. I further note the limited human health risks presented in relation to this development due to the scheme being a multi-storey car park comprising almost entirely of hard-standing.
  22. Consequently, I am satisfied that the submitted details are sufficient to demonstrate that the proposed end-use is at limited risk of human health risks from contamination. Subsequently, land contamination need not be a factor in determination of the application and conditions are not deemed necessary.
  23. It would however be advisable for a qualified contaminated land engineer to keep a watching brief during enabling works in the event that unexpected contamination is discovered. Therefore, an advisory note is recommended in this regard.

### **Air Quality**

1. I have reviewed the application information and I would offer the following comments in relation to Air Quality implications for the development as follows.
2. In this regard, I note the submission of an assessment in support of the application, namely:
  - *Air Quality Assessment, Apex Acoustics Limited, Ref: 8166.2A, Rev A, Dated: 3rd February 2021.*
3. I can comment on the report and its implications for the application as follows.

### **Air Quality Assessment**

4. The assessment includes analysis of potential construction dust impacts and also includes dispersion modelling in order to predict impacts from vehicle emissions associated with the extra trips generated by the new car park.

#### **Construction Dust**

5. Construction dust impacts were assessed using IAQM Guidance which is a recognised tool.
6. During construction, robust and effective management of dust will be especially important for this site due to the sensitivity of potentially vulnerable hospital patients and also in respect of nearby residential dwellings.
7. Table 19 provides a list of proposed construction dust controls, and these appear reasonable in the circumstances. It is therefore recommended that these measures are confirmed within a detailed Construction Management Plan, to be implemented in full during the works.

### **Traffic Impacts**

8. The report acknowledges the potential impact that vehicle emissions could have on the local area and therefore dispersion modelling is included in the assessment in order to predict the impacts more accurately.
9. A good spread of sensitive receptors have been selected.

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10. Emissions for 2024 'with' and 'without' the development, were modelled using 2019 emissions factors. This is deemed to be a usefully conservative approach.
  11. The model predicts a maximum increase in annual average NO<sub>2</sub> emissions caused by the development of 0.2µgm-3. No receptors were predicted to breach the National Objectives at any of the receptor locations modelled.
  12. The impact of the development on air quality is therefore described as 'negligible'.

### **Conclusions and Recommendations**

13. The assessment is considered to be robust, and the conclusions of the report are accepted in principle based on the information provided, namely that air quality impacts are not a significant factor in determination of the application.
14. Although not recommended in the report, it is still however noted that the predicted increase in NO<sub>2</sub> emissions is still a measurable annual contribution of up to 0.2µgm-3 and therefore, given the recognised need for Local Authorities to maintain efforts to 'reduce' air pollution, mitigation to offset the increases should be provided where possible.
15. With respect to construction dust impacts, robust and effective management of dust will be especially important for this site due to the sensitivity of potentially vulnerable hospital patients and also in respect of nearby residential dwellings. Consequently, the list of measures described in the report in Table 19 should be confirmed within a detailed Construction Dust Management Plan, to be implemented in full during the works and as such, a planning condition is recommended in this regard.
16. I would also recommend that measures are proposed by the developer designed to off-set the predicted increases in NO<sub>2</sub> emissions caused by the increased parking capacity being provided on site (and thus the higher number of vehicle trips to the hospital created by this).
17. I would therefore also recommend a further planning condition requiring the submission of an Air Quality Mitigation Strategy, designed in line with the Council's Air Quality Action Plan, to be agreed by the LPA.

### **Noise**

#### **Context**

A noise impact assessment report has been submitted in support of the above Application.

Document (s) submitted for review:

*Apex Acoustics Ltd Report 8166.1 Rev A dated 1st February 2021*

1. The noise assessment follows the methodology described in IEMA, DMRB documents and British Standard 8233: 2014 Guidance on sound insulation and noise reduction for buildings. These are considered appropriate for the proposed development; the latter being more closely aligned with national noise policy in terms of setting absolute effect thresholds.

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2. The predicted noise levels at nearby dwellings are below the adverse effect thresholds implied by BS8233, accounting for WHO guidance on the effect of a partially open window, being below the daytime (50 LAeq), night-time (45 LAeq), and night-time (60 LAMax) dB thresholds respectively.
  3. Significant noise effects are therefore considered unlikely to be caused by the proposed development at existing residential premises and hence it is consistent with local and national noise and planning policies
  4. The noise report submitted is considered sufficient to determine that this site is suitable for the proposed development without any design or operational noise control measures.

### **Recommendation**

It is recommended that no objection is made on noise nuisance grounds without condition.

### **5.3. Natural Environment (Tree Officer):**

Although a tree survey has been supplied it is lacking an Arboricultural Impact Assessment and draft tree protection plan.

Of note a category A tree T52 is located on site which appears not to be shown on the landscape plan.

Has an AIA been supplied?

#### **Arboricultural Impact Assessment:**

An Arboricultural Impact Assessment (AIA) is required to evaluate the direct and indirect effects of the proposed design and where necessary recommend mitigation. Scaled cross-sections and drawings may be required to demonstrate the feasibility of the scheme.

The AIA should include:

- The tree survey.
- Trees selected for retention, clearly identified and marked on a plan with a continuous line.
- Trees to be removed, clearly identified and marked on a plan with a dashed outline. • Trees to be pruned, including access facilitation pruning, identified and listed.
- Areas designated for landscaping that need to be protected during construction to prevent the soil structure being damaged.
- Evaluation of impact of proposed tree losses.
- Evaluation of tree constraints and draft tree protection plan.
- Issues to be addressed by an Arboricultural Method Statement.

**5.4. Highways Land Drainage:**

The comments previously provided still stand, as there are no amended details with this application. The previous comments are shown below.

The site is located within flood zone 1 according to the Environment Agency Flood Maps and the Council's SFRA. Therefore, I would regard the development as sequentially appropriate in terms of flood risk. The application is also supported by a FRA as it is over 1 hectare in area.

The drainage strategy submitted by the applicant is generally acceptable in terms of the surface water discharge rate to the private surface water sewer at a rate of Qbar circa 5l/s. Attenuation is provided by a storage tank, however if the tank was located outside of the multi-story car park's foot print it could potentially be set at a level that would facilitate drainage by gravity from a shallower tank or tanks. This would reduce the costs and energy use associated with pumping.

The drainage of the lower floor could if required be pumped into the tank if required with a smaller pump.

Appropriate capacity warning should be provided for the interceptor as well as details for the removal of contaminants.

Overall, the provided drainage scheme is acceptable in principle, however full design details will be required before the construction begins.

For this reason, I would therefore recommend a drainage condition is placed on any consent to secure the required drainage standard.

**5.5. Derbyshire County Council Archaeologist:**

We have no concerns in relation to archaeology.

**6. Relevant Policies:**

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

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

- CP1(a) Presumption in favour of Sustainable Development
- CP2 Responding to Climate Change
- CP3 Placemaking Principles
- CP4 Character and Context
- CP16 Green Infrastructure
- CP19 Biodiversity
- CP21 Community Facilities
- CP23 Delivering a Sustainable Transport Network

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### Saved CDLPR Policies

GD5      Amenity  
E12      Pollution

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

[http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/Core-Strategy\\_ADOPTED\\_DEC-2016\\_V3\\_WEB.pdf](http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/Core-Strategy_ADOPTED_DEC-2016_V3_WEB.pdf)

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

[http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/CDLPR\\_2017.pdf](http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/CDLPR_2017.pdf)

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

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

## **6.2. Non-housing applications:**

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

**7. Officer Opinion:**

**Key Issues:**

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

**7.1. Principle of Development**

**7.2. Design, Street Scene Impacts and Residential Amenity**

**7.3. Highways Matters**

**7.4. Land Drainage Matters**

**7.5. Environmental Matters**

**7.6. Statement of Public Sector Equality Duty (PSED)**

**7.7. Planning Balance**

**7.1. Principle of Development**

This full planning application seeks permission for the erection of a MSCP within the grounds of the Royal Derby Hospital. The application site is located to the east of the hospital grounds and will utilise an existing surface car park (car park 6); the car park will re-provide lost car parking space and 301 new car parking spaces. The lost spaces refer to those in car park 1 and car park 8, as a result of the temporary ward and proposed outpatients building, respectively.

A common thread running through the Part 1 Plan is the promotion of sustainable development. It may be argued that the construction of a new MSCP goes against the Plan's aspiration to promote sustainable development and reducing the use of the motor car. However, consideration must be given to the fact that visitors and patients will continue to travel to the hospital by car and have continued to travel by car regardless of the initiatives put in place by the Trust and the established and frequent bus service and these competing factors will need to be weighed in the planning balance.

Whilst this proposal is not typically classed as a community facility the Council, through Policy CP21, is supportive of retaining and enhancing community facilities in the City.

The Royal Derby Hospital does fall under the uses considered to be a community facility, but further consideration needs to be given as to whether a MSCP falls under the remit of Policy CP21. The applicant paraphrases paragraph 5.21.6 which states that:

*"the Core Strategy seeks to support care providers of both primary and acute health care as well as the emergency services in delivering their services. This policy seeks to support the roll out of new and improved health services to address existing deficiencies or provide facilities for housing growth. The strategy also seeks to assist those services providers seeking to extend or reconfigure their current service provision."*

The construction of a MSCP itself cannot be considered to promote sustainable development or classed as a community facility. However, the current issues and the

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wider aspirations of the Hospital Trust need to be considered. The applicant has referred to previously approved application(s) (as set out in Section 2 of this report) which will support the expansion of the hospital and provision of services for the City's population and displace existing car parking as well as increasing the number of patients seen within the hospital.

The applications for a temporary ward and a new outpatients department can only come to fruition through the loss of a number of existing surface car parks. It is recognised that the space within the hospital grounds is not infinite and that remodelling of the hospital layout, which includes revised car parking, needs to be undertaken. Prior to the pandemic the hospital experienced parking issues and general congestion within the hospital site which is exacerbated by standing traffic queuing to get into the car parks. The applicant has put in measures to assist with reducing the demand on the existing car parks such as reviewing visiting hours, clinic hours and increasing staff parking at the Manor Kingsway staff car park. These initiatives have not resolved the current issues.

Whilst the current restrictions arising from the pandemic have reduced visitors to the hospital, the applicant recognises that parking demand will increase as restrictions are continued to be relaxed and the demand on NHS services continues to increase. Consequently, whilst a MSCP cannot be considered to be a community facility, its construction will facilitate the expansion of the hospital, delivery of services and the patient experience and, as such, will help meet the requirements of this policy. Therefore, the proposal would broadly conform to policy CP21.

The applicant recognises that the construction phase of the MSCP will have an impact on parking provision and has explored a number of solutions to alleviate this short-term issue. Many of the options explored have been deemed to be unfeasible due to land ownership, access and other factors. That being said, the loss of the car parks during the construction of the proposed MSCP is recognised by all as an issue and a condition requiring this matter to be resolved will be recommended, prior to the closure of car park 6.

Given the need for the hospital to provide its services there are no restrictions on the implementation of the extensions and the loss of car parking, despite the applicant offering this as a solution.

Therefore, there is a need to mitigate the loss of car park 6 during the construction of the proposed car park and a temporary car park is likely to be needed for a short period of time. This proposal would stand outside of this application and will be subject to a further planning application, in due course. At the time of drafting this report there are no details of the temporary mitigation parking.

Policy CP23: 'Delivering a sustainable transport network' seeks to ensure that people who live, work and travel in the City have viable transport choices. This includes Green Travel options such as walking, cycling and public transport to and from the hospital; these are a long-standing option available for patients and visitors and whilst there is some uptake a large number of visitors and patients arrive by car. The proposals conformity to this policy will be considered further within Section 7.3 of this report.

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There are a number of residential properties on Owlers Lane, Queen's Drive and Constable Avenue which may have their amenity affected by the proposed development; both during the construction and once the car park is complete and operational. Consequently, the requirements of Policy GD5 are of paramount importance. This states that:

*Planning permission will only be granted for development where it provides a satisfactory level of amenity within the site or building itself and provided it would not cause unacceptable harm to the amenity of nearby areas. In considering harm, the Council will consider the following:*

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

Whilst the proposed car park is of a comparable size to other hospital buildings, its size and proximity which may cause issues to nearby residents (especially the loss of privacy, massing, noise, pollution and additional traffic generated in the immediate area) which needs to be fully considered. In addition, the impact of construction needs to be considered prior to permission being granted. This will be explored further within Section 7.2 of this report.

A key consideration is how the development will impact on the natural environment; there are a number of trees located to the south of the car park which are covered by a Tree Preservation Order (Royal Derby Hospital: 330). In addition, there are a number of mature trees located along the southern and eastern boundary. Consideration will therefore need to be given to the proposals compliance with policies CP16 and CP19 and Bio-diversity Net Gain should be considered. In addition, a recent amendment to the NPPF has strengthened this requirement by requiring all development to provide Biodiversity Net Gain. The applicant has submitted a landscaping plan which indicates that additional trees, hedgerows, grass and flowers will be planted as part of the development which, in addition to the use of climbing plants on the exterior of the car park to soften the overall appearance.

The Council records indicate that the entire hospital grounds are considered to be contaminated. In-line with the requirements of Policy E13, the Council needs to be satisfied that *'the proposal would not cause adverse or hazardous effects and that any necessary remedial measures are carried out before development starts'*.

The application is accompanied by the necessary supporting information and the consultation comments of the Council's Environmental Health Officer shall be given full regard.

The hospital is close to an Air Quality Management Area and Policy CP23 is implicit in stating that development will not be permitted *'where it would cause, or*



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*exacerbate, severe transport problems, including unacceptable impacts on congestion, road or rail safety, the rail network, access and air quality – including any cumulative impacts on Air Quality Management Areas (AQMA)'. In this instance, the views of the Council's Environmental Health and Highways Development Control teams are essential to determine the impact of this proposal.*

There are some conflicts between the Hospital Trust's aspiration to construct a new multi-storey car park and the policies within the Local Plan.

There is a question as to whether this application promotes sustainable development and meets the requirements of Policy CP21: Community Facilities. The Council, through the adoption of the Local Plan have sought to reduce the use of the motor car in favour of other forms of transport. However, this application needs to be considered against the wider aspirations of the Hospital trust and the Local Plan; namely the provision and enhancement of health facilities in the City; promoting health and well-being, reducing health inequalities, and creating healthy communities. Taking a pragmatic view, the construction of the car park will assist the Hospital Trust in meeting their long-term plans to expand patient facilities and enhance the patient experience.

## **7.2. Design, Street Impacts and Residential Amenity**

The principle of good design is established in the development plan by policies CP3 'Placemaking Principles' and CP4 'Character and Context' which seek to ensure high quality design and a good relationship between proposed development and existing buildings and the local area. This policy thread underpins Section 12 'Achieving well-designed places' of the National Planning Policy Framework.

The application proposes a large building within a complex of substantial buildings across a large site. The hospital complex comprises buildings of various scales some 2, some 3 and some 4 storeys. Some buildings, including the main hospital building and Derby Medical School, because of plant and overruns have a scale more akin to 5 storeys. However, the varying land levels across the site and the surrounding residential streets allow the hospital site to accommodate the range of building heights.

The proposed MSCP would be sited on car park 6 which already benefits from a change in land levels. Siting of the MSCP would be set within the changing land levels to minimise its scale when viewed from Constable Avenue and to some degree Owlers Lane.

No.24 Constable Avenue would be parallel with the proposed MSCP and the closest property to the proposal on Constable Avenue, but other properties on this street would have their front elevations looking directly towards the application site. That being said, the application does seek to introduce an enhanced landscape buffer, measuring some 16 metres widening to approximately 45 metres, and this would soften the outlook for residents.

No. 33 Queen Drive is some 22 metres away from the stair well at a slightly elevated position looking down over the site of the proposal. Other properties along Queens Drive are unlikely to be significantly affected by the proposal.

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Existing properties on Owlers Lane overlook the rear of the hospital site and, to some degree, are detached from the application site as they are elevated above the application site and screened by a bank of established vegetation.

The external cladding to allow internal natural surveillance and ventilation, but also minimise light spillage, is welcomed and will be secured and agreed by an external materials condition. The inclusion of climbing plants and wall mounted planting as a green wall would give the illusion of the car park sinking within the landscape and the landscape enveloping the structure.

In respect of noise, the application is accompanied by a Noise Assessment which has been reviewed by the Council's Environmental Health Officer, whose comments are set out within Section 5.2 of this report. Overall, they consider that they submitted noise report is sufficient to determine the application and that no further design or operational noise control measures are necessary. They confirm that they offer no objection to the proposal on noise nuisance grounds and recommend no conditions.

That being said, consideration ought to be given to the introduction of a management plan to limiting the usage of the upper floors in the evening.

Taking into consideration the above matters I consider that the proposal is acceptable in terms of its design and impact on the setting of the hospital and surrounding streets. I consider that the proposal would have some impact on the residential amenity of the surrounding properties of Constable Avenue and to a lesser degree the properties on Queens Drive and Owlers Lane but this impact would, in my opinion and judgment, not be so significant to warrant refusal of the proposal on amenity grounds.

As such, I consider that the proposal broadly complies with Development Plan policies CP3, CP4 and GD5 and Section 12 of the NPPF.

### **7.3. Highways Matters**

The full comments of the Council's Highways Development Control Officer and Transport Planner are set out within Section 5.1 of this report. They have assessed the application and the Transport Assessment, and I do not propose to repeat their comments within this section. Overall, they offer no objection to the proposal subject to recommended conditions relating to limiting the impacts of construction on the public highway and the implementation of improvements/repairs to the internal hospital road signs and loops road.

In determining this application, consideration must be given to policy CP23 and the presumption in favour of granting planning permission for sustainable development and planning permission only being refused where it would have a severe impact on the public highway or generate an unsafe form of development.

As set out above, whilst the proposed car park would provide 875 spaces, 574 of these spaces are replacing spaces lost or to be lost and therefore only 301 spaces are considered to be new.

The applicant has confirmed that they have already made steps to improve access to the site through the introduction of the one-way system, staggering visiting hours etc. However, they are still reporting that at peak visiting times some 72 visitors are

queuing to and waiting for a space in one of the car parks across the site despite the measures already in place and the sites' location on a well-served bus route.

It is acknowledged that the hospital gyratory, A5111/Utttoxeter New Road signalised roundabout is congested, and the signals have been manipulated in the past to tease out any additional capacity to assist the growth of the hospital. However, we are now at a point where there is no scheme to fix the problem.

That being said, given the nature of the hospital there is an argument that the hospital will grow anyway with or without the car park as a result of a demand on services and a growing population, and without the proposed MSCP the queueing and waiting for car parking spaces is likely to get worse, on the one-way system, and spill onto the highway.

The Trust has a well-established Travel Plan for staff which sees some 6% of staff car sharing, free bus travel between the Trust sites, public transport discounts, electric vehicle charging points and changing for active commuters (currently 10% of staff walk and 16% cycle). However, it would be very difficult for the Trust to include visitors and patients within the travel plan as their trips are either unplanned in an emergency, uncoordinated, or are being made by people that would have difficulty making trips by other means than the car.

The applicant, in order to mitigate their scheme recommended alterations along Utttoxeter Road (Figure 5 of the Highway Comments). However, whilst the scheme in isolation provided some benefits, overall the wider corridor would experience queuing during the AM and PM peaks and, therefore, it was discounted as a mitigation scheme.

However, a mitigation scheme is still deemed to be necessary. The cost of the discounted mitigation scheme (Figure 5 of the Highway Comments) as agreed between the applicant and officers will be secured as a financial contribution in a Section 106 Agreement. The monies will be spent on feasibility work for improving the wider Utttoxeter Road Corridor, Hospital access and Hospital Gyratory. The feasibility work will allow the Council to consider the improvement of this important corridor. If any residual balance is left after the feasibility work is completed it is put towards any resulting scheme.

It should be noted that the contribution will not be sufficient to carry out a full scheme but is welcomed by officers.

The above, whilst it will not directly mitigate the impacts of the proposal, will assist in the design and feasibility work that will underpin a future scheme. It should also be noted that additional funding is likely to be needed and that the cost of any corridor scheme would, in all likelihood, be significantly more than could be reasonably attributed to the impacts of the MSCP alone.

As indicated previously, the MSCP will displace car parking and, therefore, consideration must be given to the loss of spaces during the construction phase as their immediate loss will be detrimental to the day-to-day management of the hospital. The applicant has indicated a strategy for dealing with this, providing visitor spaces within the Manor Staff car park and providing a temporary staff car park

elsewhere. As such, I consider it reasonable and necessary to recommend a condition to secure such details prior to the closure of car park 6.

In light of the above I consider that the proposal is acceptable subject to the recommended and Section 106 agreement.

#### **7.4. Land Drainage Matters**

The full comments of the Council Land Drainage Engineer are set out within Section 5.4 of this report. The application site is located within Flood Zone 1 and is considered sequentially appropriate in flood risk terms.

The application is accompanied by a drainage scheme which is considered to be acceptable in principle, however full design details will be required prior to construction to secure improvements. Therefore, the proposal is considered to accord with the principles of policy CP2.

#### **7.5. Environmental Matters**

##### Air Quality

The application is accompanied by an Air Quality Assessment (Revision A) which has been assessed by the Council's Environmental Health Officer. Overall air quality impacts are not considered to be a significant factor in the determination of this application but conditions securing the submission of a Construction Dust Management Plan and Air Quality Mitigation Plan are recommended in line with council's Air Quality Action Plan.

##### Contaminated Land

The specialist comments of the Council's Environmental Health Officer are set out in the report and they have assessed the Contaminated Land Reports which accompany the application. The reports confirm that there are no over-riding issues with contaminated land in this case.

##### Trees and Landscaping

Whilst the application is accompanied by a Preliminary Arboricultural Assessment this fails to provide an Arboricultural Method Statement or Arboricultural Impact Assessment. The submission of these reports would confirm the impact of the proposal on the existing trees, any potential tree loss, any excavation, land level changes etc. However, as these details have not been submitted as part of the application, they will need to be secured by way of condition prior to any development commencing on site. That being said, additional information has been submitted in respect of the proposals impact on existing trees and they have confirmed that they are likely to need to remove the following trees: T50, T51, T52, T53, T54, T55, T56 & T57. The applicant/agent has confirmed that it is not possible to retain the category A tree (T52) as a result of the site's topography, underground services runs and the maintenance requirements of the sprinkler tank.

An updated landscaping plan and details have been submitted, any further comments from the Council's Arboricultural Officer will be orally presented at the meeting. The applicant has also agreed to replant three trees for each tree felled as a result of the proposal.

Whilst such details would normally need to be agreed pre-determination the majority of trees are located on the boundaries of the site. I consider it would be reasonable to request the submission of a Arboricultural Method Statement and Arboricultural Impact Assessment in light of the land level changes.

There are opportunities to enhance the biodiversity of the site and provide greater tree planting and landscaping across a currently hard surfaced site. The enhanced landscaping would provide an opportunity for screening the residential properties from the hospital site and the MSCP as well as providing open space within the hospital site. There is very little open space within the hospital site, the existing site is largely hard surfaced and therefore such a green space should be welcomed and the opportunity to enhance biodiversity across the site should be taken.

#### **7.6. Statement of Public Sector Equality Duty (PSED)**

When the Local Planning Authority is carrying out its function to manage and regulate the development of land and buildings, the Equality Act says, as a public authority, it must have due regard or think about the need to:

- eliminate unlawful discrimination.
- advance equality of opportunity between people who share a protected characteristic and those who don't; and,
- foster or encourage good relations between people who share a protected characteristic and those who don't

In having regard for the intentions of the Public Sector Equality Duty (PSED) to consider impacts on people with protected characteristics and those who are potentially disadvantaged, the provision of a mix of access options and spaces has been considered. Should an insufficient mix of options be available then this could result in disadvantage to those who have protected characteristics. The layout, internal configuration, mix of car parking spaces, access cores and surroundings landscaping has taken into consideration providing suitable access for all people.

#### **7.7. Planning Balance**

The application is accompanied by a suite of documents that have been duly considered by colleagues and third parties. Overall, the proposed MSCP is an acceptable form of land use in the context of the Royal Derby Hospital and there are no over-arching policy reasons to resist the proposal.

In terms of encouraging sustainable modes of travel, the Hospital Trust have a well-established Travel Plan and are continuing to work with staff to reduce the demand and reliance on private car usage and this is welcomed. However, it is very difficult for the Trust to Travel Plan for visitors and patients who travelling to the hospital for a variety of reasons. The population will continue to grow as will the hospital and the services it offers and therefore the demand for parking at the hospital will continue.

The scale, setting and external appearance of the proposal are considered to be acceptable and would be further controlled by a suitably worded condition. I am confident that the proposal would not have a significant impact on the residential amenity of the surrounding residential properties - an opinion that is supported by Environmental Health colleagues.

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The Section 106 will secure a contribution that will assist in working towards a wider corridor improvement. Whilst the highway impacts of the proposal will not, necessarily, be mitigated for it can be argued that the increase in trips to the site will happen regardless of the proposal and, as such, I consider that the proposal satisfies relevant policy in this regard.

There are no concerns with regards to the impact of the proposal on air quality, contaminated land and ecological matters. Matters relating to trees and biodiversity can be satisfactorily dealt with by condition and there will be overall biodiversity net gain across the application site and the applicant has agreed a replanting of 3 trees for each 1 that is felled.

In my opinion and judgment the proposal, on balance, accords with the policies of the Development Plan when considered as a whole.

### **8. Recommended decision and summary of reasons:**

#### **8.1. Recommendation:**

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

#### **8.2. Summary of reasons:**

The design, scale and siting of the multi storey car park is acceptable, and the agreement of materials and finish will ensure a high-quality external appearance. There are no concerns with regards to the impact of the proposal on air quality, contaminated land, biodiversity and ecological matters. The proposal will undoubtedly change the character of the area but would support the function and delivery of services at the hospital. The applicant has worked with the Council in order to mitigate the impacts of the proposal on the highway network. There would be no significant residential amenity impacts arising from the development.

#### **8.3. Conditions:**

##### **General Conditions**

- 1. 5-year time limit condition.

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

- 2. Approved plans.

**Reason:** For the avoidance of doubt.

**Pre-Commencement conditions**

3. Condition requiring the submission of external materials including the green walls.

**Reason:** In the interests of visual amenity and the character of the area and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

4. Condition requiring the submission of an Arboricultural Impact Assessment and Arboricultural Method Statement and replanting landscaping plan with an agreed ratio of 1:3.

**Reason:** In the interests of visual amenity and for the avoidance of doubt and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

5. Condition requiring the submission of a dust management plan.

**Reason:** In the interests of the amenities of surrounding occupiers during the construction of the development and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

6. Condition requiring details of wheel washing, construction management for construction traffic and access and parking.

**Reason:** In the interests of highway safety and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

7. Condition requiring the submission of details of hard and soft landscaping plan including any tree planting and retained trees.

**Reason:** In the interests of visual of amenity and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

8. Condition requiring precise details of the cycle parking, cycle charging, and motorcycle parking.

**Reason:** There is space within the car park that is not required for the parking of motor vehicles and can be utilised to increase alternative parking and charging and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

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9. Condition requiring the submission of a temporary car parking strategy during construction.

**Reason:** In the interests of highway safety and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

### **Pre-Occupation**

10. Condition requiring the CCTV to Kings Treatment, repairs to signage, variable signage, cycle/motorcycle parking, layout amendments and widening.

**Reason:** In the interests of highway safety and to ensure a sustainable development and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

11. Condition requiring the submission of an air quality mitigation strategy designed in line with the Council's Air Quality Action Plan.

**Reason:** In the interests of public health and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

### **Management Conditions**

12. Condition ensuring that there is no access except emergency access onto Owlers Lane.

**Reason:** In the interest of residential amenity and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

13. Standard condition requiring landscaping maintenance

**Reason:** In the interest of visual amenity and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

### **8.4. Informative Notes:**

1. The applicant is advised to have a suitably qualified contaminated land engineer to keep a watching brief during enabling works in the event of unexpected contamination being found.

### **8.5. S106 requirements where appropriate:**

The cost of the discounted mitigation scheme (Uttoxeter Road), as agreed, will be secured as a financial contribution in a Section 106 Agreement. The monies will be spent on feasibility work for improving the wider Uttoxeter Road Corridor, Hospital



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access and Hospital Gyratory. The feasibility work will allow the Council to consider the improvement of this important corridor. If any residual balance is left after the feasibility work is completed it is put towards any resulting scheme.

**8.6. Application timescale:**

An Extension of Time has been requested and agreed until 29 April 2022.



## **Committee Report Item No: 2**

**Application No: 21/02064/FUL**

**Type: Full Planning Application**

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### **1. Application Details**

**1.1. Address:** 295 - 297 Brighton Road, Derby

**1.2. Ward:** Alvaston

**1.3. Proposal:**

Change of use from dwelling house (Use Class C3) to an seven bedroom (seven occupant) house in multiple occupation (Sui Generis) including installation of new windows to the side elevation.

**1.4. Further Details:**

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/21/02064/FUL>

**Brief description**

The properties appears to have previously started out as a pair of semi-detached dwellings. It is apparent from a site history search that the properties have been knocked through to create one detached dwelling which has been extensively extended at first and second floor levels over the years. The site is predominantly surrounded by semi-detached residential dwellings of a varying style, character and design.

The most recent physical works undertaken to the property had been extensions, including alterations to roof and erection of the detached garage. 05/08/00803 | Extension to Dwelling House (Porch, Canopy and Alterations to Roof) And Erection Of Garage | 295 Brighton Road Alvaston

The proposal is for change of use from dwelling house (Use Class C3) to a seven bedroom (seven occupant) house in multiple occupation (Sui Generis). The application had initially been submitted as an eight bedroom (eight occupant) HIMO. Concerns had been raised with the applicant's agent in respect of the outlook from bedroom 4, lack of windows to the ground floor communal area and lack of overall amenity space, both internally and externally, for eight occupants, so amended plans have now been submitted removing ground floor bedroom 4 from the scheme increasing the internal communal space for future occupants.

The proposed bedrooms and shared living space would be located at both ground and first floor levels as follows:

**Ground floor**

Bedroom 1- Single occupancy bedroom with kitchenette and en-suite- 20m2

Bedroom 2- Single occupancy bedroom with kitchenette and en suite- 19m2

Bedroom 3- Single occupancy bedroom with kitchenette and en- suite- 21m2

Shared communal kitchen/diner- 50m2

Detached garage to the rear of the site, accessed off Warren Street- 15m2. This garage has not been included as part of the schemes parking provision due to its limited and substandard size.

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### **First floor**

Bedroom 5-Single occupancy bedroom with kitchenette and en-suite- 20m2

Bedroom 6-Single occupancy bedroom with kitchenette and en-suite- 19m2

Bedroom 7- Single occupancy bedroom with kitchenette and en-suite- 19m2

Bedroom 8- Single occupancy bedroom with kitchenette and en-suite- 18m2

Lobby- 8m2.

Application plans show provision of four off road parking spaces. These spaces are currently in situ to the front elevation of the property and would be utilised as parking provision for the scheme.

The proposal also includes the installation of one ground floor window and two first floor windows to the side (east) elevation. All these windows would serve en-suite facilities.

## **2. Relevant Planning History:**

<b>Application No:</b>	05/08/00803	<b>Type:</b>	Full planning
<b>Decision:</b>	Granted Conditionally	<b>Date:</b>	22/07/2008
<b>Description:</b>	Extension to Dwelling House (Porch, Canopy and Alterations to Roof) And Erection Of Garage		

## **3. Publicity:**

Neighbour Notification Letter – 2 letters

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

## **4. Representations:**

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

Ten objections have been received to the application, including two from Cllr Alan W Graves.

### **Cllr Objection- Cllr Graves:**

- Too many HMO's in street.
- Parking problems exacerbated (Parking adequacy; Highway safety; and traffic generation.)
- Change in character of area

8 third party objections received.

Reasons for objection include:

- Insufficient parking space to the front of the property.
- Objections to extensions however no extensions are proposed.
- No provision for charging electric vehicles
- Highway safety and insufficient manoeuvrability for vehicles.
- Impact upon safety.
- Overlooking impact.
- Type of people living in the property.
- Loss of a family home

## **5. Consultations:**

### **5.1. Highways Development Control:**

The site is located at the junction of Brighton Road and Warren Street.

The Brighton Road frontage is subject to a “no waiting at any time” (double yellow lines) parking restriction. The Warren Street frontage is subject to the same restriction, and (on the development side) a “no waiting Mon-Sat 8am – 6pm” (single yellow line) parking restriction.

According to the Application form the site is capable of parking 6 vehicles, whereas the Design & Access Statement (DAS) states that 5 vehicles can be accommodated.

Images available on “streetview” show up to four vehicles being parked within the Brighton Road curtilage.

To the rear (off Warren Street) there is a garage with a roller shutter door. According to the plans, this garage has internal dimensions of 2.74m x 5.47m.

Delivering Streets and Places “Design Element Sheet: Garages and Gated Accesses to Car Parking Spaces” (Table 8.13) gives advice on the size of such spaces stating that a standard single garage should have absolute minimum internal dimensions of 3.0m x 6.0m. This means that the garage is too small for practical use for the parking of a vehicle (car) and should not be counted within any parking provision.

Drawing A100 (Proposed floor plans) shows a sheltered cycling rack and bin store to the rear of the site; these are presumably accessed through the existing gates. In practice, these will prevent the available space from practical use for vehicle parking; (it is also doubtful that the gates could open inwards if there were a vehicle parking in place.)

Therefore, the Highway Authority is of the view that the development can be considered to have four off-street parking spaces.

By reference to Table A2.4 from “Residential Car Parking Research”, (Queen’s Crown Copyright, 2007), research carried out by the former Department for Communities and Local Government, on car residential ownership and parking

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demand – which was based on analysis of Census information not generally published in the public domain.

This shows that for a 1 room non-owner occupied flat (which is the best equivalent to a room in a House in Multiple Occupation) that the average car ownership is 0.3 vehicles. As such, for an 8 bedroom HMO this would equate to 2-3 vehicles ~ a level of off-street parking which is already available within the development site.

I am advised that “permitted development rights would allow for the use of the building to accommodate 6 people without requiring planning permission under permitted development rights as a House in Multiple Occupation”.

As six room HMOs are considered permitted development. Therefore, there is also an additional argument that the only impact that can be considered material is that of the additional rooms above the permitted limit.

It is acknowledged that on-street parking is at a premium in this area and that there are nearby parking restrictions on both Brighton and Warren Streets. However, the site is in a sustainable location, within walking distance to the Local District Centre and amenities; and is in close proximity to local transport links.

Para 111 of the National Planning Policy Framework states that

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

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

I note the inclusion of a new ground floor window (shown on plan A100 – Proposed floor plans). Section 153 of the Highways Act 1980 requires that doors, gates, and windows do not open outwards over the public highway. The risk to highway users of an outward opening ground floor door, window or other obstruction must always be avoided – this can be dealt with by an appropriate condition.

Recommendation:

The Highway Authority has No Objections to the proposals, subject to suggested conditions.

### **5.2. Resources and Housing (HIMO):**

The development shows eight entirely self contained units, two of which have their own entrances at the rear. There is a communal lounge provided and a sperate WC, but as all the units are self-contained it doesn’t meet the definition of an HMO as none of the units have to share a basic amenity (toilet, bathroom or kitchen).

Therefore from our perspective the building would be classed as a block of self contained flats, not an HMO and therefore wouldn’t meet your requirements for flat sizes.

**6. Relevant Policies:**

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

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

CP1a)	Presumption in favour of sustainable development
CP3	Placemaking Principles
CP4	Character and Context
CP6	Housing Delivery
CP23	Delivering a Sustainable Transport Network

**Saved CDLPR Policies**

GD5	Amenity
H13	Residential Development – General Criteria
H14	Re-use of Under used buildings

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

[http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/Core-Strategy\\_ADOPTED\\_DEC-2016\\_V3\\_WEB.pdf](http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/Core-Strategy_ADOPTED_DEC-2016_V3_WEB.pdf)

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

**6.2. Applications involving the provision of housing:**

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

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

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Application**

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Policy CP6 sets a housing requirement of 11,000 new homes over the 17 year Plan period (647 dwellings annually). However, in December 2020, Government amended it's 'Standard Method' for calculating Housing Need to include a 35% uplift in the top 20 largest urban areas in England which includes Derby. The standard method housing need calculation for Derby City now stands at 1,189 dwellings a year and this is significantly higher than the CP6 requirement. Therefore, the housing requirement in Policy CP6 is out of date.

A further consequence of the significant increase in housing requirement, brought about by the change to the standard method, is that the Council can no longer demonstrate a 5 year supply of housing land as required by the NPPF (NPPF paragraph 74 (footnote 39) refer). The current supply of deliverable sites is sufficient to provide 3.9 years of dwellings against the annual 1,189 requirement.

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

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

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

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

Other material considerations to weigh in the planning balance are that the Council's housing needs have increased significantly and as such the benefits of delivering housing carry greater weight. Also, the degree to which the Council is unable to demonstrate a 5 year supply is material. A housing land supply of 3.9 years is a significant shortfall and therefore very significant weight should also be applied in favour of applications that can contribute to increasing this supply.

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



**7. Officer Opinion:**

**Key Issues:**

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

**7.1. Principle of Development**

**7.2. High Quality Living Environment**

**7.3. Design and Visual appearance**

**7.4. Highways Implications**

**7.5. Impact on Character of the Surrounding Area**

**7.6. Conclusion**

**7.1. Principle of Development**

The NPPF states that the Government's objective is to significantly boost the supply of homes, and that a sufficient amount and variety of land should come forward to address the needs of groups with specific housing needs.

The application site is not allocated for any particular use in the Core Strategy. However, Saved Local Plan Policy H14 states that the Council will support the re-use of underused buildings, throughout the City, for residential purposes including proposals for intensifying existing residential uses.

The proposal comprises the conversion of the existing residential property to create a seven person HIMO. The proposal would marginally increase the variety and amount of housing delivery in accordance with Core Strategy policy CP6. As set out in the policy comments regarding the "tilted balance", the Council's housing needs have increased significantly and as such the benefits of delivering housing carry greater weight. Also, the degree to which the Council is unable to demonstrate a 5 year supply is material. There is currently a significant housing land supply shortfall and therefore very significant weight should also be applied in favour of applications that can contribute to increasing this supply.

Policy H13 specifically refers to C1, C2, C3 uses and hostels but can, by extension, be considered as guidance for other residential uses such as HIMOs. In this case, the site is on a junction with Warren Street and is surrounded predominantly by terraced and semi-detached residential properties. A more intensive residential use of the site is therefore considered acceptable in this central and accessible location within Alvaston and the proposed use can be supported in land use terms.

There are no planning policy objections to the proposal. Subject to an assessment of the quality of the proposed living environment (as required by Core Strategy Policy H13) and the effect that the intensification of use may have on the amenity of the surrounding area (Local Plan Policy GD5 applies), the proposal is considered to be acceptable, in principle.

**7.2. High Quality Living Environment**

In regard to the proposed use of the dwelling house as a seven bedroom (seven occupant) HIMO it accepted that a small HIMO of up to 6 people would fall under Use Class C4. Planning permission is not required to move between Use Class C3 and C4 therefore the HIMO proposed would, be for the provision of one additional person living at the property, above and beyond the permitted development threshold. On that basis a refusal of the scheme would in my opinion, be difficult to argue at any future appeal.

I am satisfied that the bedrooms/shared living spaces, would provide adequate living and bathroom facilities for any future occupants, which has been confirmed by the City Council's Housing Standards team. The proposed layout and size of accommodation, as revised, is also considered to form a pleasant and secure living environment for the occupants as required by saved policies GD5 and H13.

In regard to impacts on residential amenity, saved Policy GD5 states that "permission will only be granted for development where it provides a satisfactory level of amenity within the site or building itself and provided it would not cause unacceptable harm to the amenity of nearby areas". With this in mind it is considered that the proposed introduction of a more intensive type of residential use, by forming a HIMO, would not result in any undue material impact to neighbouring residents within the vicinity of the site, by way of loss of privacy, increased pollution (such as noise), disturbance or resultant parking implications.

Although a significant level of objection has been raised by local residents, the use of the building to provide residential accommodation for seven occupants would not, in my opinion, have an unreasonably harmful impact on nearby residents, bearing in mind the size of the property and the context in a relatively high density residential area.

**7.3. Design and Visual Appearance**

In relation to visual amenity, there are 3 additional windows are to be located to the east side of the property, which would be visible from Warren Street. These are to new en-suite bathrooms, so would be obscure glazed. With this in mind I am satisfied that the inclusion of additional windows would be in-keeping with the existing property and would not be detrimental to the character and design of the locality. In relation to residential amenity I am satisfied that there would be no material impact by way of overlooking of neighbouring dwellings due to the positioning of these windows, overlooking the street.

**7.4. Highways Implications**

Although a number of objections have been received in regard to parking in the area, the City Councils Highways Officer does not raise objection in respect of the potential additional parking generated by the occupants of the HIMO, given the sustainable location of the property, within close proximity to bus routes and the City Centre. Although details submitted as part of the application state that the site would provide 5/6 parking spaces it is clear that the garage to the rear of the site would be substandard in both size and width and therefore cannot be considered an additional space. Revised drawing B100 (Proposed floor plans) shows a sheltered cycling rack

and bin store to the rear of the site, which are presumably accessed through the existing gates. In practice, these would prevent the available space being for practical use for vehicle parking; (it is also doubtful that the gates could open inwards if there were a vehicle parking in place). I therefore consider the scheme would provide off road parking space for four vehicles to the front of the property (south). By reference to Table A2.4 from “Residential Car Parking Research”, (Queen’s Crown Copyright, 2007), research carried out by the former Department for Communities and Local Government, on car residential ownership and parking demand – which was based on analysis of Census information not generally published in the public domain. This shows that for a 1 room non-owner occupied flat (which is the best equivalent to a room in a House in Multiple Occupation) that the average car ownership is 0.3 vehicles. As such, for a seven bedroom HIMO this would equate to 2-3 vehicles, a level of off-street parking which is already available within the development site. As previously indicated, a six bedroom HIMO would be considered permitted development, therefore there is also an additional argument that the only impact that can be considered material is that of the additional rooms above the permitted limit. It is acknowledged that on-street parking is at a premium in this area and that there are nearby parking restrictions on both Brighton and Warren Streets. However, the site is in a sustainable location, within walking distance to the Alvaston District Centre and amenities; and is in close proximity to local transport links.

Para 111 of the National Planning Policy Framework states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.” To be clear, ‘severe’ does not relate to parking, but the consequences of congestion as a result of the traffic effects arising from the development. It is the view of the Highway Authority that it would not be possible to argue that the scheme would lead to ‘unacceptable impacts’ to highway safety.

Overall it is considered that the proposed parking layout meets with the aims of Policy CP23, subject to the recommended conditions for parking and cycle parking being attached.

#### **7.5. Impact on the Character of the surrounding area**

Regarding the intensification of use of the property and the impact of a large HIMO on the character of the surrounding area, there are already several HIMOs in the vicinity, such that a mixture of uses is already evident.

Planning Control Committee have refused several similar applications for proposed large HIMOs, contrary to the officer recommendation.

Particularly, an application (ref: 04/18/00518) at 135 Brighton Road (which lies to the west and in close proximity to this site) was refused in July 2018, on the grounds of that the proposed change of use to a HIMO would have a detrimental impact on the wider character of the area by virtue of the loss of a family dwelling house and that this would erode the prevailing character of the area, through an unacceptable intensification of the residential use, being injurious to residential amenities and exacerbation of congested on-street parking levels.

However, this refusal was allowed on appeal, with the Inspector stating that, “the loss

## **Committee Report Item No: 2**

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of a family dwelling house ... would alter the character of the area, [but] in this particular circumstance the change of use would not represent substantial change to the character... it is unclear what elements of neighbouring amenity would be affected by the intensification of use ... Whilst I agree that the scheme would potentially increase demand for parking spaces, I do not feel that the scheme would lead to 'unacceptable impacts' to highway safety".

In this instance, it is considered that there is no significant evidence to justify a refusal on the grounds of a detrimental impact on the wider character of the area, caused by one additional bedroom to the property and that any subsequent appeal is likely to be successful.

### **7.6 Conclusion**

Overall, it is felt that the increase in the residential use of the property to a 7 bedroom HIMO would marginally increase the variety and housing delivery in this part of the city and is acceptable by way of highway implications, visual and residential amenity. The proposal also meets the Council's housing standards, regarding room sizes. I am satisfied that all relevant planning matters have been adequately addressed within this report. The proposal reasonably satisfies the requirements of policies CP1a, CP3, CP4, CP23 and CP6 of the Derby City Local Plan: Part 1 and saved policies GD5, H13 and H14 of the City of Derby Local Plan Review and the over-arching guidance in the National Planning Policy Framework.

## **8. Recommended decision and summary of reasons:**

### **8.1. Recommendation:**

**To grant** planning permission with conditions.

### **8.2. Summary of reasons:**

In dealing with this application the City Council has worked with the applicant / agent in a positive and proactive manner and has secured appropriate and proportionate improvements to the scheme which relate to the ground floor plan and removal of bedroom 4.

The proposed increase in the use of the residential property to form a seven bedroom HIMO would marginally increase the variety and amount of housing delivered in this part of the city and hence the proposal is considered to be acceptable in principle. The proposal meets all the Council's housing standards, regarding room sizes. A satisfactory quality of living accommodation is proposed and the proposed use would not cause such an overriding adverse impact on residential amenity or the character of the area to warrant a refusal.

### **8.3. Conditions:**

#### **General Conditions**

1. Standard condition (3 year time limit)

**Reason:** 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.

2. Standard condition (approved plans)

**Reason:** For the avoidance of doubt

**Pre-Occupation Conditions**

3. No part of the development hereby permitted shall be brought into use until the four parking spaces off Brighton Road are provided, in accordance with the revised approved plan B100. The parking areas shall not be used for any purpose other than parking of vehicles.

**Reason:** To ensure provision of adequate off-street parking in interests of highway safety

4. No part of the development hereby permitted shall be brought into use until the cycle parking layout as indicated on revised drawing B100 has been provided. That area shall not thereafter be used for any purpose other than the parking of cycles.

**Reason:** To promote sustainable travel

**8.4. Informative Notes:**

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

The consent granted will result in alterations to a building which needs renumbering. To ensure that any new addresses are allocated in plenty of time, it is important that the developer or owner should contact [traffic.management@derby.gov.uk](mailto:traffic.management@derby.gov.uk) with the number of the approved planning application and plans clearly showing the site layout, location in relation to existing land and property, and the placement of front doors or primary means of access.

**8.5. Application timescale:**

The target date for determination was 28 January 2022 and an extension of time will be agreed with the agent.



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## **Committee Report Item No: 3**

**Application No: 22/00241/FUL**

**Type: Full Planning Application**

### **1. Application Details**

**1.1. Address:** 85 Haven Baulk Lane, Derby

**1.2. Ward:** Littleover

**1.3. Proposal:**

Change of Use from dwelling house (use class C3) to residential care home (use class C2)

**1.4. Further Details:**

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/22/00241/ful>

**Brief description**

This full planning application seeks planning permission to change the use of no. 85 Haven Baulk Lane from a dwelling house (use class C3) to a residential care home (use class C2). There are no external alterations proposed as part of this application.

The application site is located on the northern side of Haven Baulk Lane and comprises a semi-detached two storey dwelling house which benefits from a drive to the front and a substantial rear garden. The dwelling house already benefits from a single storey rear extension.

There are no external alterations proposed as part of this application and the internal layout will remain unaltered, as indicatively detailed on the submitted floor plan. The property benefits from a kitchen/diner, reception room and reception room/bedroom at ground floor with storage and two bedrooms and bathroom at first floor with ancillary storage.

The proposed care home would provide a home for 2 children between the ages of 6 years old and 18 years old. Each child would have their own bedrooms. Staff would be on site 24 hours a day 365 days a year and would be suitably qualified. The home would not be a permanent residence for staff, but they would be on site 24 hours every day. The applicant has confirmed that the care home would be staffed as per the following:

- 07:00 - 22:00 day staff, with 2/3 staff.
- 21:30- 07:30 1 night wake staff member, alongside a sleep in member of staff.
- A manager would also be in 09:00-17:00.

Staffing can be amended to take account of the individual needs of a child.

### **2. Relevant Planning History:**

<b>Application No:</b>	03/13/00304	<b>Type:</b>	Full Planning Permission
<b>Decision:</b>	Granted Conditionally	<b>Date:</b>	25/06/2013
<b>Description:</b>	Change Of Use from Dwelling House (Use Class C3) To Residential Care Home (Use Class C2)		

## **Committee Report Item No: 3**

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Weblink to application:

<https://docs.derby.gov.uk/padocumentserver/index.html?caseref=03/13/00304>

### **3. Publicity:**

Neighbour Notification Letter – 3 letters sent

Site Notice

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

### **4. Representations:**

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

The application has attracted 19 representations from third parties, these all object to the proposal for the following reasons:

- The site has inadequate car parking which will affect the public highway, pedestrian safety as a result of staff, visitors, staff change over etc.
- Will result in anti-social behaviour resulting in a risk to the local community.
- Increase in noise levels above those associated with a family home.
- This is a residential area for families and this use would not be in context with that.
- The property has, allegedly, been used in conjunction with previous criminal activities.
- Its not a safe location for children next to a busy road.
- Other facilities are known to create issues for neighbouring properties.
- Concerns around safeguarding.
- Is the property suitably acoustically and fire insulated to reduce impacts on the attached neighbouring property as it's a 1930's semi-detached dwelling?

Any further representations received after the drafting of this report will be orally reported at the Planning Control Meeting.



**5. Consultations:**

**5.1. Highways Development Control:**

The Highway Authority has No Objection to the proposals.

Observations:

This response is primarily based upon information contained within

- The Application Form.
- Planning Statement
- Site Plan.

The site currently has two off-street parking spaces; these spaces will be retained.

The proposals show additional cycle parking to the rear which could be used by staff/visitors/Residents.

The proposals are to use the building as a residential children's home; for two children.

The application form states that there will be 9 full-time staff employed on the site; this seems an incorrect figure given the proposed use of the site. The Case Officer has confirmed that clarification is sought on this matter.

Assuming that (as is usually the case with similar development) that there are two staff on duty at any time; the operational use would not be dissimilar to that which would be expected for a regular residential dwelling.

Para 111 of the National Planning Policy Framework states that'

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

The Highway Authority does not consider that it could be argued that the proposed change of use would have an unacceptable impact upon highway safety or a severe impact upon the adjacent highway network.

**5.2. Environmental Services (Health – Pollution):**

1. I have reviewed the application information and I would offer the following comments in relation to noise.

**Noise**

2. The application seeks to convert an existing semi-detached dwelling into a care-home.
3. The Planning Statement submitted in support of the application confirms that the maximum occupancy of the care home will be 2, plus support staff.
4. Even with the addition of on-site carers/staff, it appears that the occupancy of the premises will be in line with that of a normal dwelling.

## **Committee Report Item No: 3**

**Application No: 22/00241/FUL**

**Type: Full Planning Application**

5. I note a number of concerns raised regarding noise; however it is hard to see how the noise generated by a care home with this capacity would significantly increase compared with that of the pre-existing dwelling.
6. In addition, I am unaware of any activities likely to take place that would be substantially different from normal domestic living.
7. **Consequently, I have no objections to the application on noise amenity grounds and conditions are not deemed necessary.**

### **6. Relevant Policies:**

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

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

CP1A	Presumption in Favour of Sustainable Development
CP2	Responding to Climate Change
CP3	Placemaking Principles
CP4	Character and Context
CP6	Housing Delivery
CP21	Community Facilities
CP23	Delivering a Sustainable Transport Network

#### **Saved CDLPR Policies**

GD5	Amenity
H13	Residential development – General Criteria
E24	Community Safety

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

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

**6.2. Applications involving the provision of housing:**

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

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

Policy CP6 sets a housing requirement of 11,000 new homes over the 17 year Plan period (647 dwellings annually). However, in December 2020, Government amended it's 'Standard Method' for calculating Housing Need to include a 35% uplift in the top 20 largest urban areas in England which includes Derby. The standard method housing need calculation for Derby City now stands at 1,189 dwellings a year and this is significantly higher than the CP6 requirement. Therefore, the housing requirement in Policy CP6 is out of date.

A further consequence of the significant increase in housing requirement, brought about by the change to the standard method, is that the Council can no longer demonstrate a 5 year supply of housing land as required by the NPPF (NPPF paragraph 74 (footnote 39) refer). The current supply of deliverable sites is sufficient to provide 3.9 years of dwellings against the annual 1,189 requirement.

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

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

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

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

Other material considerations to weigh in the planning balance are that the Council's housing needs have increased significantly and as such the benefits of delivering housing carry greater weight. Also, the degree to which the Council is unable to demonstrate a 5 year supply is material. A housing land supply of 3.9 years is a

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

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

## **7. Officer Opinion:**

### **Key Issues:**

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

#### **7.1. Principle of Development**

#### **7.2. Impact on Residential Amenity**

#### **7.3. Highways Matters**

#### **7.4. Other Issues**

#### **7.5. Summary**

### **7.1. Principle of Development**

The proposal consists of a change of use to an alternative form of residential accommodation within an existing residential area. The site of the proposal isn't allocated for any particular use in the Local Plan – Part 1 and in land use policy terms there are no 'in principle' concerns with the proposed change of use.

There are no specific policies which restrict the overall number of care homes that can or should be provided within the City at a certain time, and separate legislation would ensure that the wider needs of the occupants can be met, and the management monitored (for example, OFSTED). The application site is in a sustainable location so that future occupiers would have good access to services and public transport links in the area.

The decision maker must also consider that planning permission has been previously granted for the change of use of this property from a dwelling house (use class C3) to a care home (use class C2) for two children with associated staff, under code number 03/13/00304. Since the approval of this application there has been no substantive change in planning policy that would require a different determination.

Overall, the principle of development is considered to be acceptable subject to all other more detailed planning matters being addressed, as considered below.

### **7.2. Impact on Residential Amenity**

Saved policy GD5 of the CDLPR (Amenity) states that planning permission will only be granted for development where it provides a satisfactory level of amenity within the site or building itself and provided it would not cause unacceptable harm to the amenity of nearby areas. New development should not seriously detract from the amenity of nearby land, property, or the occupants of these. The point at which new development will unacceptably affect nearby areas will depend on the nature of the activity proposed and the nature of the surrounding area.

Numerous objections have been received by residents living nearby raising concerns relating to general noise and disturbance impacts, including from comings and goings to and from the property. However, the proposed number of bedrooms at the property would remain unaltered and within the submitted statement it has confirmed that no more than two children would be permanent residents of the property at any given time, supported by two staff members.

This level of occupation is not considered to be any more intensive than the likely occupation of the existing family dwelling and is unlikely to result in a significantly detrimental impact on the neighbouring properties amenities.

Given the low number of children being cared for and the low number of staff providing their care this would be akin to a traditional family home. The limited number of staff, trips associated with staff change over, school drops off etc. would not be more than those associated with other residential dwelling houses and thus would be reasonable within the parameters of policy GD5 and would not be detrimental to the residential amenity of those neighbouring properties.

In addition to the staff changeover the activity within the care home would be that of a more traditional family home with school runs, food shopping, weekend and after school activities etc. The inclusion of a condition restricting the use of the property to a children's residential care home (Use Class C2) for occupation by two children is recommended to control the scale of the use.

I note that the Council's Environmental Health Officer has not objected to the proposal confirming that the occupancy will be similar to that of a normal dwelling. *"In addition, I am unaware of any activities likely to take place that would be substantially different from normal domestic living."*

On balance, it is considered that the general noise and disturbance impacts would not be above and beyond what could be achieved or associated with a residential dwelling and the proposal is not considered to result in significant impacts upon surrounding residential amenity that would warrant refusal of planning permission. Subject to the suggested condition, it is considered that the proposal would comply with saved policy GD5 of the adopted CDLPR.

### **7.3. Highway Matters**

The full comments of the Council's Highways Development Control Officer are set out within Section 5.1 of this report, and they offer no objection to this change of use.

They consider that the application site has adequate off-street parking, two spaces and as such would not have a detrimental impact on highway safety. Paragraph 111 of the National Planning Policy Framework states *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"* the proposal is not considered to have a severe impact and as such the proposal cannot be refused on highway grounds.

### **7.4. Other Issues**

A number of the representations received during the life of the application have raised objections in relation to anti-social behaviour, criminal activity, and fire safety as a result of the age of the property. These are not material planning considerations

and will be assessed and/or controlled outside of the planning process by other service provides such as the Police and Building Regulations.

**7.5. Summary**

The principle of development is acceptable. No external alterations are proposed as a result of the development. The proposal is acceptable in highways terms.

On balance, the proposed change of use is not considered to result in significantly detrimental impacts on neighbouring amenity. The proposal would provide a valuable source of residential accommodation for supporting young people in an established residential area and there are no detrimental impacts that would, in my opinion and judgment, significantly and demonstrably outweigh the benefits of this proposal.

The proposal is deemed to comply with the relevant policies in the adopted Local Plan and the advice contained within the NPPF. It is therefore recommended that the application be granted permission, subject to the suggested conditions.

**8. Recommended decision and summary of reasons:**

**8.1. Recommendation:**

**To grant** planning permission with conditions.

**8.2. Summary of reasons:**

The principle of development is acceptable. No external alterations are proposed as a result of the development. The proposal is considered to be acceptable in terms of highway safety. On balance, the proposed change of use is not considered to result in significantly detrimental impacts on neighbouring amenity. The proposal would provide a valuable source of residential accommodation for supporting young people in an established residential area and there are no detrimental impacts that would, in the opinion of the Local Planning Authority, significantly and demonstrably outweigh the benefits of this proposal.

**8.3. General Conditions**

**Conditions:**

1. Standard time limit condition

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

2. Standard plans condition

**Reason:** For the avoidance of doubt.

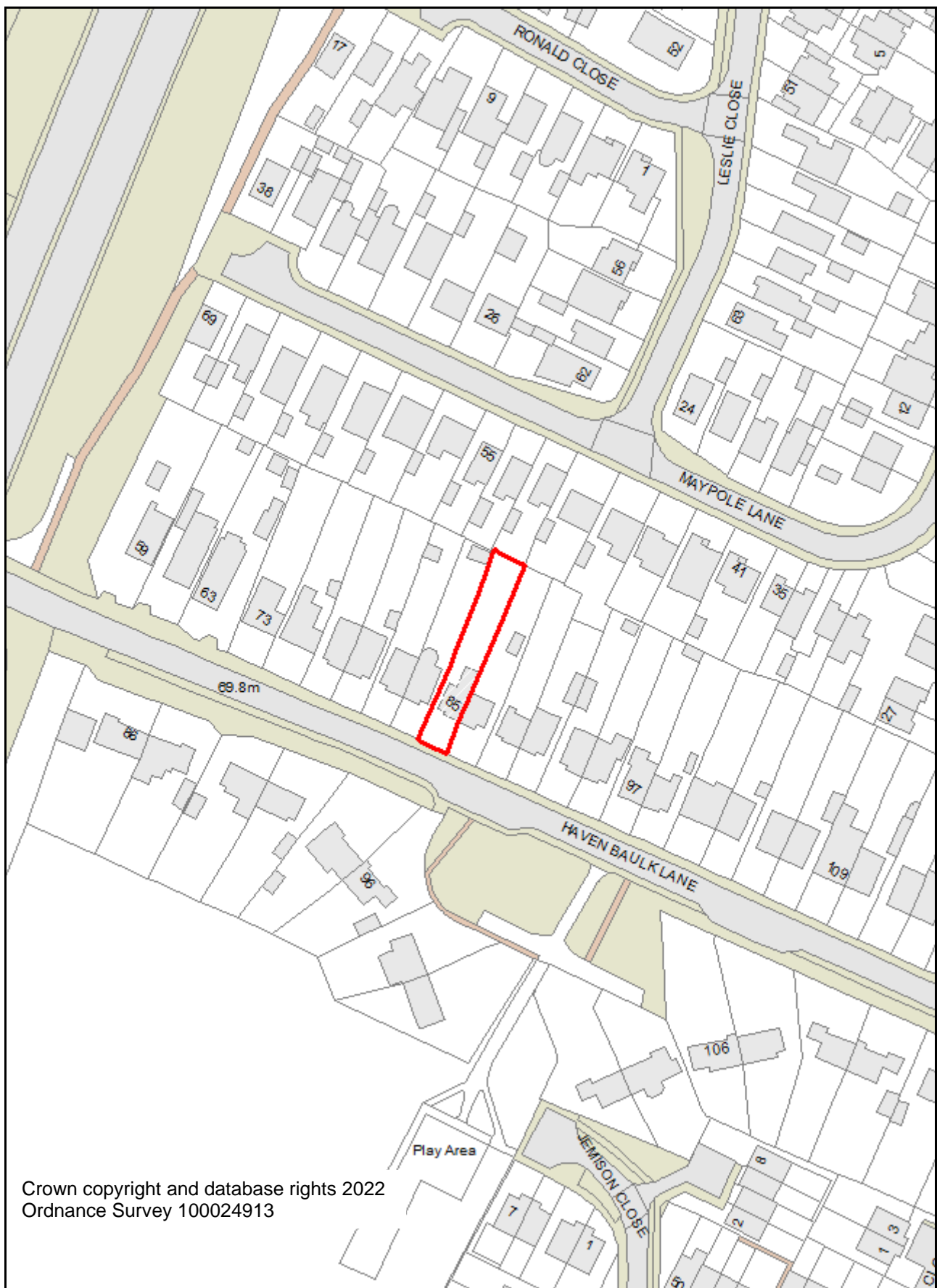
**Management Conditions**

3. Condition restricting occupants to a maximum of two children with appropriate levels of staff.

**Reason:** For the avoidance of doubt.

**8.4. Application timescale:**

The application has a target date for determination of 22 April 2022.



**1. Application Details**

**1.1. Address:** 2 Repton Avenue, Sunnyhill

**1.2. Ward:** Blagreaves

**1.3. Proposal:**

Roof alterations including installation of a dormer to the rear elevation (bedroom and shower), single storey rear extension to dwelling house (kitchen/dining area and lounge) and erection of outbuilding (garden room)

**1.4. Further Details:**

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/22/00392/FUL>

**Brief description**

This application is partially retrospective and for proposed extension, an outbuilding and dormer to the rear of a semi-detached dwelling at 2 Repton Avenue. The proposals would comprise the retention of a single storey rear extension (kitchen, lounge and dining area), rear outbuilding (garden room) and formation of rear dormer in the roof of the dwelling.

The dwellinghouse is on the east side of Repton Avenue and adjacent to dwellings on Littleover Lane, to the south. It has been subject to various full applications since 2018 for the rear extension and garden room, which are listed below. Both of these structures are partially constructed and currently unauthorised. The roof has also been extended with a hip to gable extension (which is permitted development) and a large dormer extension on the rear, which is also unfinished. This dormer is faced in brick and extends to the eaves line.

The current proposals seek to regularise and amend the existing extensions on the property and follow discussions with Officers about the most appropriate way forward. The proposed extensions are as follows:

- Single storey flat roof extension to rear of dwelling, 8.4m length, 7.5m width and 3m height. It has glazed opening, door and window to rear elevation and window to the side elevation. It abuts the shared boundary with 4 Repton Avenue.
- Single storey flat roof outbuilding (garden room to rear curtilage, 7.4m length, 6.8m width and 2.7m height. It has two windows and double doors in front elevation and small windows in both side elevations. The footprint is set out approx. 600mm from the boundaries on each side. The existing overhanging roof sections are omitted from the plans and are to be removed.
- Rear box dormer extension to the extended roof (bedroom and shower), 5.9m width and up to ridgeline of the main dwelling. It has a window in the rear elevation and small obscure glazed window in the side elevation. The dormer would be set in 200mm from the eaves line and faced in roof tiling.



## **Committee Report Item No: 4**

**Application No: 22/00392/FUL**

**Type: Full Planning Application**

### **2. Relevant Planning History:**

<b>Application No:</b>	20/01433/FUL	<b>Type:</b>	Full Application
<b>Decision:</b>	Withdrawn	<b>Date:</b>	11/01/2022
<b>Description:</b>	Retention of single storey rear extension (kitchen/dining area and lounge)		
<b>Application No:</b>	19/01353/FUL	<b>Type:</b>	Full Application
<b>Decision:</b>	Refused	<b>Date:</b>	06/10/2020
<b>Description:</b>	Retention of single storey rear extension (kitchen/dining area and lounge) and erection of outbuilding (garden room)		
<b>Application No:</b>	19/00698	<b>Type:</b>	Full Application
<b>Decision:</b>	Granted Conditionally	<b>Date:</b>	10/07/2019
<b>Description:</b>	Single storey rear extension (kitchen/dining area and lounge) and erection of outbuilding (garden room) - Amendment to previously approved planning permission Code No. DER/06/18/00994 to reduce the size of the garden room and amend the roof design		
<b>Application No:</b>	06/18/00994	<b>Type:</b>	Full Application
<b>Decision:</b>	Granted Conditionally	<b>Date:</b>	02/10/2018
<b>Description:</b>	Single storey rear extension (kitchen/dining area and lounge) and erection of outbuilding (garden room)		

### **3. Publicity:**

Neighbour Notification Letter – 5 letters

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

### **4. Representations:**

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

Three objections have been received to the application. These raise concerns about the following:

- Works carried out without permission
- Height and scale of extensions too close to neighbouring properties
- Overshadowing and loss of privacy of nearby properties
- Noise and disturbance from garden room

## **Committee Report Item No: 4**

**Application No: 22/00392/FUL**

**Type: Full Planning Application**

- Overhanging roof of garden room, intruding on neighbouring properties
- Dormer extension is too big and would result in loss of privacy
- Obstruction to view of neighbouring property
- Dormer extension is unsafe
- Concerns about potential uses of the garden room.

### **5. Consultations:**

None.

### **6. Relevant Policies:**

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

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

CP3	Placemaking Principles
CP4	Character and Context

#### **Saved CDLPR Policies**

GD5	Amenity
H16	House Extensions

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

[http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/Core-Strategy\\_ADOPTED\\_DEC-2016\\_V3\\_WEB.pdf](http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/Core-Strategy_ADOPTED_DEC-2016_V3_WEB.pdf)

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

[http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/CDLPR\\_2017.pdf](http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/CDLPR_2017.pdf)

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

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

### **6.2. Non-housing applications:**

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

## **7. Officer Opinion:**

### **Key Issues:**

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

#### **7.1. Design**

#### **7.2. Residential Amenity**

#### **7.3. Conclusion**

### **7.1. Design**

The proposal is to retain single storey rear extension as built, although it is not complete. It is a flat roof structure, 3 metres high, with a large footprint, 8.4 metres in depth from the original dwelling and extends the full width of the house. The extension would have very little visibility within the immediate street scene of Repton Avenue, except for a small section of the flat roof extension which projects to the side. It would therefore have a limited visual impact on the local streetscene and in the context of the surrounding residential area, there would be minimal harm to its character.

The garden room currently has a largely overhanging flat roof on, which extends to the shared boundaries with neighbouring properties. This is proposed to be removed such that the outbuilding would have a normal flat roofline. The proposal is to retain the rest of the building, as constructed, although it is not complete. This structure lies at the rear of the garden, close to the eastern boundary. It cannot be seen from the Repton Avenue street frontage and therefore has no visual impact on the local streetscene.

The flat roof dormer extension has been constructed without the benefit of planning permission, although the hip to gable extension is permitted development. It is currently incomplete and is a brick structure, which extends up to eaves line at the rear. The applicant has been advised that this will not be acceptable, due to its appearance and scale, so the proposal is to set it in from the eaves and reinstate the guttering and fascia. The dormer would also be faced in tiling to tie in better with the

existing roof material. Due to the position of the dwelling on the end of a row, the dormer extension is prominent from Repton Avenue and Littleover Lane. Third party objections have raised concerns about its scale and design, although with the proposed changes to the appearance and scale of the dormer, it would look similar to many other such extensions, which are erected under permitted development rights. Whilst the dormer extension is a large structure in the roof and would result in some adverse impact on the character of the dwelling and wider streetscene, it is not in my view so harmful to visual amenity as to justify a refusal in this case.

Overall, I am satisfied that the design principles set out in Policies CP3 and CP4 and those relating to house extensions in saved Policy H16, would be adequately met by these proposals.

## **7.2. Residential Amenity**

The single storey rear extension has a substantial footprint and extends 8.4 metres into the rear garden and up to the shared boundary with 4 Repton Avenue. It is 3 metres high with a flat roof. Third party objections have been raised in respect of the size and design of this extension and impacts on residential amenity. Whilst the extension would have some massing impact and loss of daylight upon the neighbouring properties, due its scale, this would be limited by reason of its low height and an existing rear extension to No.4, which would reduce these impacts to an acceptable level. The harm to the amenities of neighbouring residents on Repton Avenue and Littleover Lane, would therefore not be significant and the extension is therefore considered to be acceptable in this location.

The garden room is a flat roof building, 2.7m high which lies less than 1 metre from the shared boundaries of 4 Repton Avenue and 78 and 82 Littleover Lane. Third party objections have been raised in respect of the size of this element and particular concerns have been raised in respect of the large overhang of the roof, which currently abuts up to the boundaries with those properties. The applicant has agreed to remove the overhanging roof line and it does not form part of this application. With the removal of the overhanging roof, the massing effect on the neighbouring properties would be substantially reduced and the outbuilding, would not have an unreasonably harmful impact on resident's amenity.

The dormer extension would be similar in overall scale and appearance to one which could be formed under permitted development rights. Third party objections have raised concerns about its size and overlooking from the rear window, which is to a bedroom. I am satisfied that it would not result in an overbearing or loss of light to the neighbouring properties and the bedroom window is modest in size, such that it would not result in excessive loss of privacy.

Overall, I am satisfied that the proposed extensions and outbuilding would not result in significant harm to residential amenity of nearby properties and would therefore meet the intentions of saved Policies H16 and GD5 of the CDLPR.

## **7.3. Conclusion**

The extensions and outbuilding which have been constructed on this property and as revised are considered to meet the relevant adopted Local Plan policies and the over

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arching guidance in the NPPF in terms of design, scale and form and they would have an acceptable impact on residential amenity. It is therefore recommended that permission be granted, subject to suggested conditions.

**8. Recommended decision and summary of reasons:**

**8.1. Recommendation:**

**To grant** planning permission with conditions.

**8.2. Summary of reasons:**

The proposed extensions and outbuilding, as revised, would be acceptable in terms of their design, scale and form and their impacts on residential amenity and the character of the wider streetscene.

**8.3. Conditions:**

1. Standard condition (3 year time limit)

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

2. Standard condition (Approved plans)

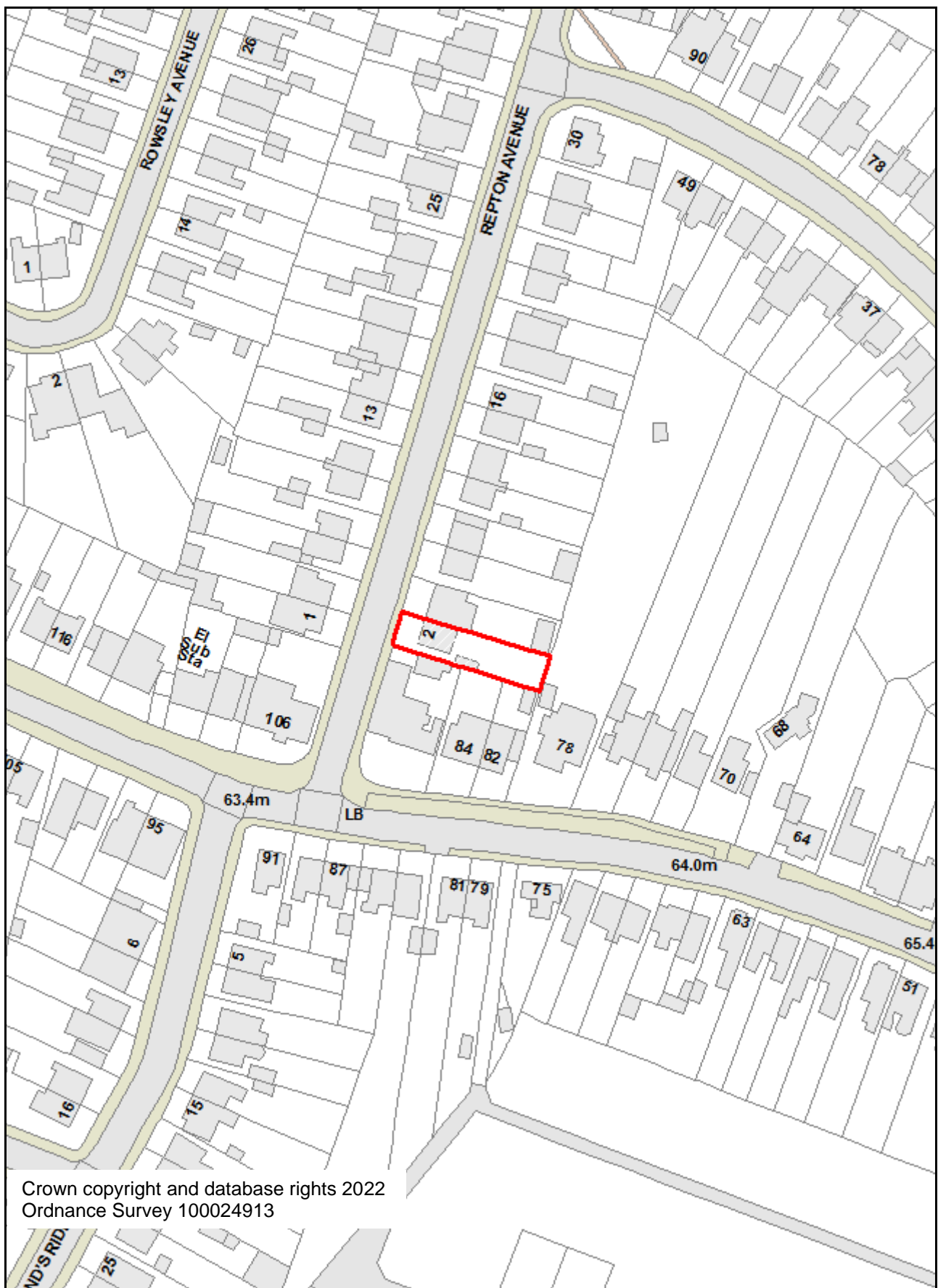
**Reason:** For avoidance of doubt.

3. Condition controlling details of external materials for the dormer extension.

**Reason:** To ensure satisfactory appearance in keeping with character of the surrounding area.

**8.4. Application timescale:**

The target date for determination of the application is 4 May 2022.





Derby City Council

## Delegated decisions made between Between 01/02/2022 and 28/02/2022



Derby City Council

Application No:	Application Type	Location	Proposal	Decision	Decision Date
08/18/01319	Full Application	Former Ambulance Headquarters Kingsway Hospital Grounds Derby	Demolition of Existing Buildings and Erection of 27 New Dwellings (Use Class C3) and associated ground works	Approval	25/02/2022
19/01414/DISC	Compliance/Discharge of Condition	Site Of And Land At Kingsway Hospital Kingsway Derby	Residential development (580 dwellings), erection of offices (use class B1), retail units (use classes A1, A2 and A3), business units and associated infrastructure (roads, footpaths, open space and allotments) - application for approval of reserved matters in respect of layout, scale, appearance of buildings and landscaping of the site for the erection of 291 residential units, retail units (use class A1, A2 and A3) and associated infrastructure (including roads, footpaths, open space and allotments) made pursuant to outline planning permission DER/07/08/01081/PRI - discharge of condition nos 2, 3, 4, 5 and 6 of previously approved permission der/08/18/01304	Discharge of Conditions Complete	21/02/2022
19/01581/FUL	Full Application	Royal Derby Hospital Uttoxeter Road Derby DE22 3NE	Erection of a new outpatients department and associated vehicle access works	Approval	17/02/2022
19/01751/FUL	Full Application	221 Rykneld Road Derby DE23 4AP	Erection of an outbuilding (gymnasium and games room)	Approval	03/02/2022
20/00690/LBA	Listed Building Consent - Alterations	36 Sadler Gate Derby DE1 3NR	Retention of Installation of dumb waiter food hoist from ground floor restaurant to second floor kitchen	Refused	18/02/2022
20/01457/FUL	Full Application	112 Brackensdale Avenue Derby DE22 4AE	Enlargement of vehicular access	Approval	04/02/2022

21/00158/DISC	Compliance/Discharge of Condition	Land To North Side Parcel Terrace Derby	Erection of 2 no. units (Use Class B1(c), B2 & B8 (with ancillary Trade Counter Use), formation of car parking area and associated infrastructure - Discharge of condition 10 (in relation to Unit A only) of planning permission 18/01840/FUL	Discharge of Conditions Complete	01/02/2022
21/00323/DISC	Compliance/Discharge of Condition	Fireplace Workshop Ltd Wyvern Way Derby DE21 6PS	Demolition of existing retail unit. Erection of a retail unit (Use Class A1), landscaping, revised parking and access and associated works - Discharge of conditions 4, 5, 7 and 9 of planning permission 19/001582/FUL	Discharge of Conditions Complete	21/02/2022
21/00391/FUL	Full Application	5 Derby Road Chellaston Derby DE73 1SA	Demolition of garage/store. Two storey rear extension and change of use to form enlarged shop on ground floor (Use Class E). Enlargement of living space at ground and first floor (Use Class C3) and extension to form separate single storey beauty salon (Sui Generis Use)	Approval	08/02/2022
21/00819/FUL	Full Application	Former Pizza Hut 3 Wyvernside Derby DE21 6RS	Full planning for the change of use from Class E (previously Class A3) to a Sui Generis Use consisting of a coffee shop/restaurant selling food and drink for consumption on and off the premises. Installation of a drive-thru lane and associated engineering works. Relocation of the bin store and minor alterations to car parking and servicing arrangements and associated changes to landscaping. Demolition and alterations to the building and elevations including recladding.	Approval	28/02/2022
21/00933/FUL	Full Application	98 Derby Road Spondon Derby DE21 7LX	Erection of two storey and single storey extension to rear and single storey extension to front (bedroom and extended dining room, kitchen and hall)	Approval	28/02/2022
21/00965/NONM	Non-Material Amendment	5 Scarsdale Avenue Littleover Derby DE23 6ER	Two storey and single storey rear, and single storey extensions to dwelling house (kitchen, sitting/dining room, garage, entrance porch, bedroom and bathroom), Alterations to the front elevation roof and installation of render -	Application Withdrawn	28/02/2022



			Non-material amendment to previously approved planning permission 05/17/00711 to reduce the size of the extension		
21/00994/FUL	Full Application	71 Wood Road Chaddesden Derby DE21 4LY	Two storey side and single storey front extensions to dwelling house (lobby, two bedrooms, wetroom and bathroom)	Approval	17/02/2022
21/00999/FUL	Full Application	59 - 61 St Peters Street Derby DE1 2AB	Installation of new shopfronts	Approval	15/02/2022
21/01000/ADV	Advertisement Consent	59 - 61 St Peters Street Derby DE1 2AB	Display of two illuminated fascia signs	Approval	15/02/2022
21/01014/FUL	Full Application	98 Willowcroft Road Derby DE21 7FL	Two storey side and single storey rear extensions to dwelling house (utility, W.C., bedroom, bathroom and enlargement of kitchen and dining area)	Approval	17/02/2022
21/01083/PNRJ	Prior Approval - Offices to Residential	Abbots Hill Chambers Gower Street And Babington Lane Derby DE1 1SD	Change of use of the upper floors from offices (Use Class B1) to 38 no. residential apartments (Use Class C3)	Prior Approval Approved	08/02/2022
21/01122/FUL	Full Application	24 Brisbane Road Derby DE3 9LA	Two storey side extension to dwelling house (utility, W.C. and bedroom)	Approval	02/02/2022
21/01192/FUL	Full Application	Telecommunication Station Chesapeake Community Centre Chesapeake Road Derby	Installation of a replacement 17.5m monopole (overall height 17.8m) supporting 12 antennas on an open head frame with internal works to the existing cabinet and ancillary development thereto	Refused	23/02/2022
21/01202/ADV	Advertisement Consent	Land Adjacent To Rollerworld Mansfield Road Derby DE21 4WA	Display of two internally illuminated digital display screens and ancillary "vertical meadow"	Approval	14/02/2022
21/01306/FUL	Full Application	86 Haven Baulk Lane Derby	Extensions to dwelling house (dining room, sitting room bedroom, en-suite and	Approval	24/02/2022

		DE23 4AE	enlargement of lounge, hall and bedroom)		
21/01313/FUL	Full Application	98A Kedleston Road Derby DE22 1FW	Single storey side and rear extension to dwelling house	Approval	11/02/2022
21/01333/FUL	Full Application	11 Sadler Gate Derby DE1 3NF	Installation of an extraction flue	Approval	11/02/2022
21/01375/FUL	Full Application	77 Belper Road Derby DE1 3ER	Installation of replacement windows	Approval	02/02/2022
21/01397/FUL	Full Application	3 Wyvernside Derby DE21 6RS	Installation of an electrical substation with enclosure	Approval	04/02/2022
21/01471/FUL	Full Application	11 West Bank Avenue Derby DE22 1AQ	Two storey, first floor and single storey extensions to dwelling house together with alterations to include the installation of render	Approval	23/02/2022
21/01533/CLE	Lawful Development Certificate -Existing	32 Brentford Drive Derby DE22 4BP	Use of outbuilding as an ancillary component to the main dwelling house to accommodate hairdressing	Approval	23/02/2022
21/01569/DISCLB	Compliance/Discharge of Condition LB	Longs Mill Brookbridge Court Brook Street Derby DE1 3LG	Removal of a section of block paving and installation of ACO drain and repointing of the building - Discharge of conditions 3 and 4 of Listed Building Consent 21/00764/LBA	Discharge of Conditions Complete	18/02/2022
21/01610/LBA	Listed Building Consent - Alterations	6 West Row Derby DE22 1DN	Installation of six replacement windows	Approval	23/02/2022
21/01682/FUL	Full Application	131 Morley Road Derby DE21 4QY	Erection of dwelling house and outbuilding (garage), enlargement of vehicular access and associated ground works	Approval	17/02/2022
21/01691/FUL	Full Application	Priors Patch 10 Friars Close Derby DE22 1FD	Roof alterations to include raising of the roof height and installation of a dormer to the rear elevation to form rooms in the roof space and erection of an outbuilding (double garage)	Approval	25/02/2022

21/01720/FUL	Full Application	University Of Derby Markeaton Street Campus Markeaton Street Derby DE22 3AW	Extensions and alterations to roof of block D building to create additional teaching space together with associated plant and cladding.	Approval	01/02/2022
21/01731/FUL	Full Application	5 Scarsdale Avenue Littleover Derby DE23 6ER	Two storey and single storey side and rear extensions to dwelling house (kitchen/diner, bedroom and bathroom)	Approval	28/02/2022
21/01783/FUL	Full Application	41 Hill Cross Avenue Derby DE23 1FW	Single storey side extension to dwelling house (office and shower room) enlargement of the rear raised platform area and installation of timber cladding	Approval	03/02/2022
21/01821/DISC	Compliance/Discharge of Condition	Former Celanese Site Holme Lane Derby DE21 7BS	Outline planning application, with access details and scale parameters included, for the redevelopment of a previously industrial brownfield site for B2, B8, associated E Class and F1 purposes and ancillary uses to provide up to 209,000 sq.m. of floorspace for facilities for food production; distribution; training and education; associated food support businesses and supporting energy generation/waste disposal - Discharge of condition 22 of planning permission 20/01646/OUT	Discharge of Conditions Complete	14/02/2022
21/01825/DISCLB	Compliance/Discharge of Condition LB	2 Sitwell Street Spondon Derby DE21 7FE	Internal alterations, replacement of a window with patio doors, 2 rooflights and blocking up of door and installation of new door - Discharge of condition 3 of Listed Building Consent 20/00808/LBA	Discharge of Conditions Complete	28/02/2022
21/01837/DISC	Compliance/Discharge of Condition	Site Of The Moorways Sports Centre Moor Lane Derby DE24 9HY	Erection of a leisure centre (Use Class D2) including a 50M swimming pool, leisure water including water slides, fitness suite, studios and other complementary uses with associated parking, drainage and related infrastructure. Demolition of store - Discharge of condition nos 16, 19 and 20 of previously approved permission 19/01206/FUL	Discharge of Conditions Complete	01/02/2022

21/01893/FUL	Full Application	546 Burton Road Derby DE23 6FN	Installation of replacement shop front	Approval	17/02/2022
21/01894/FUL	Full Application	Humbleton Barn Radbourn Lane Derby DE22 4LX	Demolition of existing barn and erection of a single storey fitness studio, including access improvements.	Refused	09/02/2022
21/01902/FUL	Full Application	29 Lyndhurst Street Derby DE23 6WH	Single storey side and rear extension (enlargement of kitchen)	Approval	28/02/2022
21/01914/CAT	Works to Trees in a Conservation Area	Silvertrees Nursery 40 Ashbourne Road Derby DE22 3AD	Various works to trees within Friar Gate Conservation Area	Approval	18/02/2022
21/01916/FUL	Full Application	68 Otter Street Derby DE1 3FB	Replacement of the existing slate roof to the front of the property and replacement of the existing rooflights to the rear of the property	Approval	28/02/2022
21/01960/FUL	Full Application	49 Crabtree Close Derby DE22 2SW	Two storey front/side and single storey rear extensions to dwelling house (store, cloakroom, utility, lounge, bedroom, en-suite and enlargement of kitchen)	Approval	18/02/2022
21/01967/FUL	Full Application	23 Kirkistown Close Derby DE24 0SW	Single storey side/rear extension to dwelling house (kitchen/dining area) and installation of a pitched roof to the existing single storey garage building	Approval	18/02/2022
21/01977/FUL	Full Application	3 Charleston Road Derby DE21 6UT	Single storey front extension to dwelling house (store, W.C., and enlargement of hallway and dining room)	Approval	17/02/2022
21/01984/FUL	Full Application	40 Rymill Drive Derby DE21 2UW	Single storey side/rear extension to dwelling house (utility and enlargement of kitchen) and erection of a 1.8m high boundary wall	Approval	09/02/2022
21/01988/FUL	Full Application	46 Kedleston Road Derby DE22 1GU	Change of use to a seven bedroom (ten occupant) house in multiple occupation (Sui Generis Use) - Retrospective application	Approval	11/02/2022

21/01997/FUL	Full Application	Land Between 42 And 46 Middleton Avenue Derby DE23 6DL	Erection of a dwelling (Use Class C3), part retrospective application	Approval	21/02/2022
21/02008/FUL	Full Application	20 Thorndike Avenue Derby DE24 8NZ	Single storey side/rear extensions to dwelling house (shower room, bedroom and living room) and replacement of the existing flat single storey extension roof with a pitched roof	Approval	28/02/2022
21/02017/FUL	Full Application	1 Hampton Close Derby DE21 7QD	Single storey side extension to dwelling house (hallway, bedroom and bathroom)	Approval	02/02/2022
21/02024/FUL	Full Application	18 Hebden Close Derby DE23 3TT	Single storey rear extension to dwelling house with access ramp	Approval	23/02/2022
21/02025/FUL	Full Application	Land At The Side Of 54 Gisborne Crescent Derby DE22 2FL	Erection of a dwelling house (Use Class C3)	Approval	18/02/2022
21/02033/DISC	Compliance/Discharge of Condition	Former Celanese Site Holme Lane Derby DE21 7BS	Outline planning application, with access details and scale parameters included, for the redevelopment of a previously industrial brownfield site for B2, B8, associated E Class and F1 purposes and ancillary uses to provide up to 209,000 sq.m. of floorspace for facilities for food production; distribution; training and education; associated food support businesses and supporting energy generation/waste disposal - Discharge of condition 4 of planning permission 20/01646/OUT and 21/01033/VAR (revised submission)	Discharge of Conditions Complete	08/02/2022
21/02034/FUL	Full Application	12 Rowley Gardens Derby DE23 1GF	Single storey front extension to dwelling house	Approval	18/02/2022
21/02048/FUL	Full Application	2 Lime Avenue Breadsall Hilltop Derby	Two storey side and single storey front and side extensions to dwelling house (porch, storage, family/dining/kitchen space, bedroom	Approval	25/02/2022

		DE21 4GD	and en-suite)		
21/02051/FUL	Full Application	4 Chandlers Ford Derby DE21 2LZ	Single storey side extension to dwelling house and erection of an outbuilding (triple garage)	Application Withdrawn	21/02/2022
21/02055/FULPSI	Full Application - PSI	Kingsway Hospital Kingsway Derby DE22 3LZ	Demolition of existing warehouse and storage yard and construction of a new mental health facility and energy centre, associated landscaping, groundworks, parking, and access arrangements	Approval	08/02/2022
21/02056/RES	Reserved Matters	Former Celanese Site Holme Lane Derby DE21 7BS	Reserved matters for 'Phase 2' comprising food production/storage building (B2/B8) together with associated car parking, landscaping, drainage works and internal access roads	Approval	22/02/2022
21/02063/FUL	Full Application	15 Park Wood Close Derby DE22 2AX	Two storey rear extension to dwelling house ((enlargement of kitchen/dining room, bedroom and dressing room) and formation of rooms in roof space (bedroom and office)	Approval	14/02/2022
21/02071/FUL	Full Application	200 Ladybank Road Derby DE3 0RR	Single storey side and rear extensions to dwelling house (reception room, storage, utility and kitchen/dining area) and alterations to the existing first floor side elevation window	Approval	24/02/2022
21/02074/DISC	Compliance/Discharge of Condition	46 Quarn Drive Derby DE22 2NQ	Change of use of part of dwelling house from domestic garage (Use Class C3) to hairdressing salon (Use Class E) (retrospective application) - Discharge of conditions 6, 8 and 12 of planning permission 21/00154/FIL	Discharge of Conditions Complete	18/02/2022
21/02083/FUL	Full Application	40 Sunnyhill Avenue Derby DE23 1JQ	Single storey side and rear extensions to dwelling house (study, W.C., utility and kitchen/dining area)	Approval	24/02/2022
21/02095/FUL	Full Application	488 Nottingham Road Derby DE21 6PF	Single storey rear extension to cafe	Approval	18/02/2022
21/02097/FUL	Full Application	185 - 187 Village Street Derby	Installation of an electrical charging outlet	Approval	09/02/2022

		DE23 8DE			
21/02098/LBA	Listed Building Consent - Alterations	185 - 187 Village Street Derby DE23 8DE	Installation of an electrical charging outlet and additional exterior lighting to outbuilding	Approval	04/02/2022
21/02102/FUL	Full Application	18 Edale Avenue Mickleover Derby DE3 9FY	Single storey rear extension to dwelling house	Approval	02/02/2022
21/02105/VAR	Variation of Condition	1 Stockbrook Road Derby DE22 3PL	Change of use from retail (Use Class E) to hot food takeaway (Sui Generis) including installation of an extraction flue and alterations to the elevations - Variation of condition 2 of previously approved permission Code No. 21/00982 to create a fire door opening to the side elevation	Approval	02/02/2022
21/02110/DISC	Compliance/Discharge of Condition	Former Celanese Site Holme Lane Derby DE21 7BS	Outline planning application, with access details and scale parameters included, for the redevelopment of a previously industrial brownfield site for B2, B8, associated E Class and F1 purposes and ancillary uses to provide up to 209,000 sq.m. of floorspace for facilities for food production; distribution; training and education; associated food support businesses and supporting energy generation/waste disposal - Variation of condition 12 of planning permission Code No. 20/01646/OUT to enable the phasing of the development to be taken into account in the hydraulic modelling exercise required to determine finished floor levels - Discharge of condition 13 of planning permission 21/01033/VAR	Discharge of Conditions Complete	08/02/2022
21/02113/TPO	Works to a tree with a TPO	Mountain Ash 21D Kings Croft Derby DE22 2FP	Felling of two Hawthorn and 11 Lawson Cypress trees protected by Tree Preservation Order no. 471	Approval	03/02/2022
21/02114/VAR	Variation of Condition	Land At The Side Of 4 Garrick Street Derby	Erection of two dwelling houses (Use Class C3) - Variation of condition 2 of previously	Approval	04/02/2022

		DE24 8PT	approved application 20/01244/FUL and 21/01727/VAR to amend the roof tile materials, meter box locations and openings		
21/02116/FUL	Full Application	16 Beechwood Crescent Derby DE23 6GU	Dormer loft conversion and alterations to the front elevation	Approval	16/02/2022
21/02121/DISC	Compliance/Discharge of Condition	Aldi 9 Burton Road Derby DE1 1TG	Erection of a 2m high boundary fence - Discharge of condition no 3 of previously approved permission 21/01621/FUL	Discharge of Conditions Complete	07/02/2022
21/02123/FUL	Full Application	13 Alma Heights Derby DE3 9BF	Single storey side extension to dwelling house (wet room and enlargement of bedroom) and installation of access ramp	Approval	08/02/2022
21/02128/TPO	Works to a tree with a TPO	4 Park Grove Derby DE22 1HD	Crown lift to give 3m clearance of roof and removal of dead and crossing branches of Copper beech protected by Tree Preservation Order No 111	Approval	15/02/2022
21/02129/FUL	Full Application	76 Foremark Avenue Derby DE23 6JR	Two storey side and rear and single storey front and rear extensions to dwelling house (study, family room, bedroom, porch and enlargement of kitchen and bedroom)	Approval	02/02/2022
21/02130/FUL	Full Application	7 Magellan Way Derby DE24 1AD	Erection of canopy to front of dwelling and garage conversion (Retrospective Application)	Approval	07/02/2022
21/02133/FUL	Full Application	33 Newbridge Crescent Derby DE24 9FR	Single storey rear extension to dwelling house (conservatory)	Approval	02/02/2022
21/02135/PNRH	Prior Approval - Householder	3 Marjorie Road Derby DE21 4HQ	Single storey rear extension (projecting beyond the rear wall of the original house by 4.5m, maximum height 3.21m, height to eaves 2.4m) to dwelling house	Prior Approval Not Required	09/02/2022
21/02138/ADV	Advertisement Consent	Bus Shelter Nottingham Road Derby	Display of one internally illuminated double sided digital display screen	Approval	09/02/2022



21/02140/ADV	Advertisement Consent	Bus Shelter Adjacent 821 Osmaston Road Derby DE24 9BQ	Display of one internally illuminated double sided digital display screen	Approval	09/02/2022
21/02141/ADV	Advertisement Consent	Bus Shelter Fronting St Andrews House London Road Derby DE1 2PA	Display of one internally illuminated double sided digital display screen	Approval	10/02/2022
21/02144/ADV	Advertisement Consent	Bus Shelter Outside 114 London Road Derby DE1 2QZ	Display of one internally illuminated double sided digital display screen	Refused	10/02/2022
21/02145/ADV	Advertisement Consent	Bus Shelter Outside 810 London Road Derby DE24 8WA	Display of one internally illuminated double sided digital display screen	Approval	10/02/2022
21/02146/ADV	Advertisement Consent	Bus Shelter Osmaston Road Derby (opposite To Keble Close)	Display of one internally illuminated double sided digital display screen	Approval	23/02/2022
21/02148/ADV	Advertisement Consent	Bus Shelter Adjacent 386 Duffield Road Derby DE22 1ER	Display of one internally illuminated double sided digital display screen	Approval	10/02/2022
21/02152/ADV	Advertisement Consent	Bus Shelter Adjacent To Allenton Market Osmaston Road Derby	Display of one internally illuminated double sided digital display screen	Approval	10/02/2022
21/02153/ADV	Advertisement Consent	Bus Shelter Adjacent To 170 Osmaston Road Derby	Display of one internally illuminated double sided digital display screen	Approval	10/02/2022
21/02156/ADV	Advertisement Consent	Bus Shelter Adjacent To 330 -332 Normanton Road	Display of one internally illuminated double sided digital display screen	Approval	10/02/2022

Derby

21/02161/ADV	Advertisement Consent	Bus Shelter Near Manor Road Burton Road Derby DE23 6AL	Display of one internally illuminated double sided digital display screen	Approval	10/02/2022
21/02163/ADV	Advertisement Consent	Bus Shelter At Entrance To Derby University Kedleston Road Derby DE22 1GB	Display of one internally illuminated double sided digital display screen	Approval	10/02/2022
21/02164/ADV	Advertisement Consent	Bus Shelter Adjacent To Zaytouna Primary School London Road Derby	Display of one internally illuminated double sided digital display screen	Approval	10/02/2022
21/02171/LBA	Listed Building Consent - Alterations	24 Iron Gate Derby DE1 3GP	Installation of vinyl graphics and a replacement fascia panel	Approval	25/02/2022
21/02173/TPO	Works to a tree with a TPO	22 Goldcrest Drive Derby DE21 7TN	Various works to trees protected by Tree Preservation Order no. 76	Approval	15/02/2022
21/02176/FUL	Full Application	1 Crabtree Close Derby DE22 2SW	Two storey side and single storey rear extensions to dwelling house (entrance hall, shower room, utility, bedroom, en-suite and enlargement of kitchen/dining area)	Approval	18/02/2022
21/02177/FUL	Full Application	8 Auckland Close Derby DE3 9LH	Single storey side extension to dwelling house (utility and W.C.)	Approval	15/02/2022
21/02179/FUL	Full Application	176 Stenson Road Derby DE23 1JG	Change of use from care facility (Use Class C2) to four supported living apartments (Use Class C3) with associated staff rooms.	Approval	24/02/2022
21/02184/CLP	Lawful Development Certificate -Proposed	37 Brackensdale Avenue Derby DE22 4AF	Erection of an outbuilding	Approval	11/02/2022

21/02194/FUL	Full Application	171 Western Road Mickleover Derby DE3 9GS	Two storey extension to dwelling house (family room, games room, garage, two bedrooms and bathroom)	Refused	14/02/2022
21/02201/FUL	Full Application	2 Kelvedon Drive Derby DE23 3RZ	Single storey front and side extensions to dwelling house (store and enlargement of porch and sitting room) and erection of boundary wall	Approval	08/02/2022
21/02202/FUL	Full Application	26 Muswell Road Derby DE22 4HN	Single storey rear extension to dwelling (enlargement of kitchen/dining area)	Approval	11/02/2022
21/02206/FUL	Full Application	637 London Road Derby DE24 8UQ	Installation of new window to front elevation.	Approval	14/02/2022
21/02210/FUL	Full Application	101 St Thomas Road Derby DE23 8RG	Change of use from dwelling house to two apartments (Use Class C3)	Approval	09/02/2022
22/00002/CLP	Lawful Development Certificate -Proposed	12 Stanley Road Chaddesden Derby DE21 6SN	Erection of an outbuilding (log cabin/summerhouse)	Approval	23/02/2022
22/00005/FUL	Full Application	1 Dorking Road Derby DE22 4BU	Single storey side extension to dwelling house (dining room and utility)	Approval	24/02/2022
22/00020/PNRH	Prior Approval - Householder	22 Stoney Lane Derby DE21 7QH	Single storey rear extension (projecting beyond the rear wall of the original house by 6.7m, maximum height 4m, height to eaves 3m) to dwelling house	Prior Approval Not Required	21/02/2022
22/00024/ADV	Advertisement Consent	10 - 12 Stenson Road Derby DE23 1JA	Display of four fascia signs	Approval	28/02/2022
22/00029/PNRH	Prior Approval - Householder	42 Hanbury Road Derby DE21 6FT	Single storey rear extension (projecting beyond the rear wall of the original house by 4.3m, maximum height 3.8m, height to eaves 2.2m) to dwelling house	Prior Approval Not Required	21/02/2022

22/00057/PNRH	Prior Approval - Householder	13 Wade Drive Derby DE3 9BS	Single storey rear extension (projecting beyond the rear wall of the original house by 4m, maximum height 3.04m, height to eaves 2.4m) to dwelling house	Prior Approval Not Required	23/02/2022
22/00059/CAT	Works to Trees in a Conservation Area	St Christophers Court Ashbourne Road Derby DE22 3FY	Crown reduction of two London Plane trees by 3m, reduction of limbs overhanging the adjacent school boundary by 2.5m - 3m of five Hornbeam trees and one London Plane tree and felling of an Elder tree within the Friar Gate Conservation Area	Approval	18/02/2022
22/00102/DISC	Compliance/Discharge of Condition	Land To The Rear Of 19 Moor End Derby DE21 7ED	Erection of dwelling house - approval of reserved matters pursuant to outline planning permission 20/01346/OUT in respect of layout, scale, appearance and landscaping - Discharge of condition 2 of planning permission 21/01410/RES	Discharge of Conditions Complete	01/02/2022
22/00105/NONM	Non-Material Amendment	462 Duffield Road Derby DE22 2DH	Two storey rear and single storey front, side and rear extensions to dwelling house to provide enlarged ground floor living accommodation and additional bedroom. Erection of car port to front of property - Non-material amendment to previously approved planning permission 21/01874/FUL to amend the external materials and enlargement of the second floor front elevation window	Approval	21/02/2022
22/00110/DEM	Demolition - Prior Notification	Sir Peter Hilton Court Agard Street Derby DE1 1RG	Demotion of four storey student accommodation blocks	Application Withdrawn	09/02/2022
22/00112/NONM	Non-Material Amendment	39 Duncan Road Derby DE23 8TS	Single storey rear extension to dwelling house (wetroom) - Non-material amendment to previously approved planning permission 21/01812/FUL to move the extension away from the boundary by 200mm	Approval	21/02/2022
22/00121/PNRH	Prior Approval - Householder	11 Dove Meadow Derby DE21 7TZ	Single storey rear extension (projecting beyond the rear wall of the original house by 4.5m, maximum height 3.7m, height to eaves	Prior Approval Not Required	28/02/2022

			2.3m) to dwelling house		
22/00137/CAT	Works to Trees in a Conservation Area	81 Belper Road Derby DE1 3ER	Various works to trees within the Strutts Park Conservation Area	Application Withdrawn	04/02/2022
22/00154/DISC	Compliance/Discharge of Condition	102 Walbrook Road Derby DE23 8RY	Change of use from dwelling house (Use Class C3) to a six bedroom, seven person house in multiple occupation (Sui Generis Use) including installation of a dormer to the rear elevation - Discharge of condition nos 3 and 4 of previously approved permission 20/01140/FUL	Discharge of Conditions Complete	28/02/2022
22/00161/DEM	Demolition - Prior Notification	Sir Peter Hilton Court Agard Street Derby DE1 1RG	Demolition of student accommodation blocks and ancillary structures	Approval	28/02/2022
22/00170/DISC	Compliance/Discharge of Condition	Former Celanese Site Holme Lane Derby DE21 7BS	Outline planning application, with access details and scale parameters included, for the redevelopment of a previously industrial brownfield site for B2, B8, associated E Class and F1 purposes and ancillary uses to provide up to 209,000 sq.m. of floorspace for facilities for food production; distribution; training and education; associated food support businesses and supporting energy generation/waste disposal - Variation of condition 12 of planning permission Code No. 20/01646/OUT to enable the phasing of the development to be taken into account in the hydraulic modelling exercise required to determine finished floor levels. - Discharge of conditions 7, 16, 17 and 27 in respect of Phase 1 Plot 1 of planning permission 21/01033/VAR	Discharge of Conditions Complete	14/02/2022
22/00194/DISC	Compliance/Discharge of Condition	Land At The Rear Of Oaklands 11 Penny Long Lane Derby DE22 1AX (Access Off Broadway)	Erection of a dwelling house (Use Class C3) and formation of a vehicular access - Discharge of condition 4 of planning permission 19/01218/FUL	Discharge of Conditions Complete	11/02/2022

22/00196/FUL	Full Application	7 Magellan Way Derby DE24 1AD	Conversion of internal garage to habitable room	Application Withdrawn	10/02/2022
22/00221/DISC	Compliance/Discharge of Condition	Land At The Side Of 11 Davenport Road Derby DE24 8AY	Erection of a dwelling house (use class C3) - Discharge of conditions 3, 5 & 6 of Previously Approved Application No. 18/01803	Discharge of Conditions Complete	25/02/2022