



PLANNING CONTROL COMMITTEE
14 January 2016

ITEM 8

Report of the Director of Strategic Partnerships,
Planning and Streetpride

Applications to be Considered

SUMMARY

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

RECOMMENDATION

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

REASONS FOR RECOMMENDATION

- 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.

OTHER OPTIONS CONSIDERED

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

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	Ian Woodhead 16/02/2014
For more information contact: Background papers: List of appendices:	Ian Woodhead Tel: 01332 642095 email: ian.woodhead@derby.gov.uk None Appendix 1 – Development Control Monthly Report

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2	32 - 43	06/15/00842	Site of Lindenwood, 39 Penny Long Lane, Derby.	Demolition of dwelling house. Residential development (three dwellings)	To grant planning permission with conditions
3	44 - 53	09/15/01221	Greyhound Hotel, Village Street, Derby.	Change of use from public house (use class A4) to place of worship and religious instruction (use class D1)	To grant planning permission with conditions
4	54 - 58	06/15/00782	23 Horwood Avenue, Derby.	Single storey rear extension to dwelling house (three bedrooms)	To grant planning permission with conditions

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Application No: DER/09/14/01216

Type: Outline (with means of access)

1. Application Details

Address: Land at Brook Farm, north of Oregon Way, Chaddesden

Ward: Chaddesden

Proposal:

Residential development of up to 275 dwellings, with associated infrastructure, new vehicular access and public open space

Further Details:

Web-link to application:

<http://eplanning.derby.gov.uk/acolnet/planningpages02/acolnetcgi.gov?ACTION=UNWRAP&RIPNAME=Root.PgeDocs&TheSystemkey=97041>

This is a revised application which was submitted following refusal of the previous outline scheme for residential development at the Planning Control Committee meeting in February (ref: DER/11/13/01284). That application was very similar to the current proposal, with the exception of the means of access, which was to be served off Oregon Way to the south of the site. It was refused on the grounds of the impact of the proposed roundabout access on the junction of Oregon Way and Ellendale Road on highway safety which was considered to be detrimental to pedestrians and vehicles using the local highway network.

In February 2015, an appeal against the refusal of permission was considered at a public inquiry before a Planning Inspector. The Council took the decision not to defend the appeal with the benefit of counsel's advice. The appeal was subsequently allowed in April 2015 and outline permission was granted for the development of the site for up to 215 dwellings and 60 extra care residential units, with means of access to be formed onto Oregon Way. No reserved matters submission has since been made for the outline approval.

The current proposal is for the same number of dwellings on the same development site, as the previous allowed scheme for 275 units. The main difference in this scheme is that the means of vehicular access would be taken from Acorn Way only, rather than Oregon Way as in the previous application. This application does not specify the provision of extra care accommodation, but is for the same number of overall residential units.

The overall application site for this scheme is approximately 10 hectares in area. The land is agricultural, although it has not been actively in agricultural use for some time. The fields are currently open grassland subdivided by overgrown hedgerow, which are unmanaged and there are woodland areas to the north of the site along the Lees Brook watercourse. The site is identified as Green Wedge and designated as proposed public open space in the adopted City of Derby Local Plan Review (CDLPR). It is clearly accessed informally by walkers, although the land is identified as private on the site. It is not currently considered to be public open space, even though it is being used by the public for informal recreation. The site runs east to west alongside Lees Brook to the north of the residential area around Tennessee

Road and Oregon Way. Chaddesden Park Primary school also lies to the south of the site. To the north of the site is Lees Brook Academy and residential properties off Morley Road. Acorn Way lies to the east with a retained area of open fields which are in the applicant's ownership. The site narrows to the western end, where it meets Chapel Lane, a former vehicular access to the site, which is now closed off. Chapel Lane is a narrow single track road, which contains the former Brook Farmhouse and other housing. The shape of the site is relatively long and narrow, alongside Lees Brook watercourse to the northern boundary. It is also a steeply sloping area of land which extends down to the brook from Tennessee Road and Oregon Way. Lees Brook and its banks are identified as a Local Wildlife Site.

Outline permission is sought for residential development of up to 275 dwellings and associated infrastructure, with means of access to be approved under this application. 60 extra care residential units are not now specifically included in the application, although this is still a potential option for providing affordable accommodation on site, which would be secured under the Section 106 Agreement.

All matters, except for access, would be reserved for future approval. An indicative masterplan has been submitted in support of the application, which shows a concept layout for the development. However, this does not form part of the scheme to be approved at this stage. The indicative layout shows the provision of public open space and surface water attenuation ponds.

The development would be served by a single point of vehicular access formed off Acorn Way. The access arrangement for the development has been amended by submission of three different junction schemes onto Acorn Way, during the course of the application. An access road is proposed across the retained area of open space to the east of the development site to form a single lane dualling junction on Acorn Way. Two pedestrian and cyclist accesses are to be provided to the southern boundary of the development, onto Tennessee Road and Oregon Way. These accesses would also be for use as an emergency access point

In December 2014 the Highways Officer expressed significant concerns about the highway safety implications of the proposed principal access onto Acorn Way and as a result the applicant requested an extension to the time period for determination to allow a revised access arrangement on Acorn Way to be formulated. An amended design for the means of access to form a ghost island junction, was submitted in June 2015, which altered the proposed position of the junction onto Acorn Way by approximately 20 metres to the north of its originally proposed location, to be sited approximately 50 metres from Lees Brook watercourse, which is to the north of the site and is currently culverted under the Acorn Way carriageway. A further amendment to the access was submitted in October and then November 2015, when it was proposed to form a single lane dualling junction design. In order to provide the required extent of visibility splay in both directions on Acorn Way, the carriageway level is proposed to be raised by up to 2 metres approximately, with an associated increase in the height of the embankments on both sides of the highway. The carriageway would be raised for an overall length of approximately 240 metres over the Lees Brook culvert. The proposed junction design is intended to achieve visibility

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splays of up to 215 metres in either direction of the junction. Pedestrian footways are proposed to be formed on either side of the junction along Acorn Way, although they do not extend into the site. The alignment of the proposed access road from the development area has also been amended to reflect the proposed relocation of the access on Acorn Way. The design of the access road would involve the formation of embankments and altered land levels due to the sloping nature of the site.

The current application is supported by various technical assessments and statements which include a Design and Access Statement, a Planning Statement Addendum, Archaeological desk based Assessment and field evaluation results, Phase 1 & Protected Species Survey Report, Flood Risk Assessment, Travel Plan Framework and Arboricultural Survey Report & Method Statement. A Road Safety Audit and Greenhouse Gas Emissions Assessment was submitted to accompany the revisions to the access design, in November 2015.

2. Relevant Planning History:

DER/11/13/01284 – Outline application for residential development of up to 215 dwellings and 60 extra care units, associated infrastructure and public open space, Refused permission for following reason:

In the opinion of the Local Planning Authority the detailed principal access arrangements to serve the development site, in the form of a proposed mini-roundabout at the existing junction of Oregon Way and Ellendale Road, would be injurious to the free and safe movement of vehicles and pedestrians on the public highway. As such, the proposed access arrangements would be to the detriment of highways users on this particular part of the local highway network. Therefore, for this reason, the proposal is contrary to saved policies GD5 and T4 of the adopted City of Derby Local Plan Review.

An appeal against the refusal of permission was allowed and outline permission granted in April 2015

3. Publicity:

Neighbour Notification Letter – 228 letters

Site Notice

Statutory Press Advert

Prior to the original 2013 application, the applicant undertook a public consultation exercise in the local community, which included an exhibition event at Chaddesden Park primary school.

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

4. Representations:

To date 214 objections and comments have been received to the application, including objections from Cllr. Barker and Cllr. Campbell. These objections also include one from Cllr Winter, received prior to becoming a Councillor. The main issues raised are as follows:

- Access would be onto a very busy and fast road. Difficult to turn out of development and likely to cause accidents.
- If road was closed due to accident, how would people access the development.
- Development would cause traffic congestion on Acorn Way and local roads.
- Local schools can't cope with additional pupils.
- High levels of traffic on Acorn Way, which has already had accidents.
- Acorn Way is dangerous and prone to flooding.
- The development would result in the loss of Green Wedge and open space.
- The land is not suitable for development. It is too steep.
- The land is used by the public for walking and recreation.
- The development is likely to worsen flooding in the Lees Brook.
- Sewerage from the development will cause problems for local residents.
- Additional pressure on doctors and other services.
- There would be loss of wildlife and habitat from the site.
- Development should be on brownfield land and empty homes should be re-used.
- The traffic flows from the development would increase CO2 emissions and air pollution.
- The land could be used for food crop production.
- The site has limited access to public transport.
- Loss of amenity for local residents.
- Development would result in increased noise pollution.
- Draft Core Strategy states that Acorn Way would not be used for access to the development.

5. Consultations:

Highways DC:

Existing Highway Network

Acorn Way is a highway maintainable at public expense, which was constructed in the late eighties to provide access to the Oakwood housing development. It is approximately 2.7km long and links the A6005 Derby Road in the south to Morley

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Road in the north. The first 1.5km travelling north from the A6005 lies within the jurisdiction of Derby City Council and the remainder of the route to Morley Road is controlled by Derbyshire County Council. The route is rural in nature with the only existing accesses being to agricultural uses.

Acorn Way has a carriageway width of 7.3m, it is mostly unlit and has no footways along its length. Some lengths of the route have a sub-standard alignment as denoted by the solid single and double white line carriageway marking system on the road. The route is generally subject to the national speed limit with the exception of approximately 660m on the most southerly section within Derby City, which is subject to a 40mph speed limit. The route is subject to a 7.5 T environmental weight limit.

The accident record for the section of Acorn Way within the City covering approximately 150m either side of the proposed access is shown below:

2009	1 slight accident, approximately 150m south of the proposed access location.
2010	2 slight accidents, approximately 35m and 85m south of the proposed access location.
2011	1 slight accident, approximately 20m south of the proposed access location.
2012	1 serious accident, approximately 55m north of the proposed access location.
2013	1 slight accident, approximately 115m south of the proposed access location.
2014	1 serious accident, approximately 45m north of the proposed access location.
2015	No accidents to date
It should also be noted that within the section of Acorn Way controlled by the County Council there was a fatal accident in 2009 approximately 350m north of the proposed access location.	

At paragraph 5.2.4 of the Revised Transport assessment, it explains that the developer recorded the two-way daily flow 9th July 2014 as 15779 vehicles and 85thile measured speeds in the vicinity of the proposed junction, as Southbound **53.4mph** (86kph) and Northbound **59.7mph** (96kph).

The Proposed Junction on to Acorn Way

The developer is proposing to construct a single lane dualling junction on Acorn Way, which has large solid islands in the centre of the road to provide protection for turning vehicles and prevent overtaking through the junction. Forming this junction involves significantly widening the road to allow a space for the central islands to be formed. Drawing No 9Y1212-SK151 Rev D shows the carriageway on Acorn Way adjacent the proposed access being widened to 15m with a 7m wide central reserve. The developer also proposes to significantly raise the level of Acorn Way i.e. at chainage 100 the level on Drg No 09/14/01216 Rev A, the western side of the road will increase by approximately 1.8m and on the eastern side by 1.3m. This will require a large embankment to be formed to the east of Acorn Way and a smaller to the west of Acorn Way.

The principle of forming an access to Acorn Way

The 'single lane dualling' junction described above is a very unusual form of junction for Derby. Such junctions are more usually seen on rural trunk roads such as the A17 Newark to Kings Lynn.

This site has been considered previously, under application DER/11/13/01284. This application was refused by members on the basis that they felt access to Oregon Way was unsuitable. The applicants appealed the refusal and the Inspector agreed with the applicants and allowed the appeal for the development to be accessed by means of a mini roundabout off Oregon Way.

During discussions regarding this application DER/11/13/01284 the developer asked the Highways Authority (HA) about accessing the development from Acorn Way as an alternative to an access off Oregon Way. The HA made it clear that there would be an objection to the principle of forming an access off Acorn Way.

Derby City Council subscribes to the 7Cs Design Guide, which is the design guide used by the local highway authorities in Derbyshire, Nottinghamshire and Leicestershire and more recently Blackpool.

Paragraphs 1.29 & 1.31, say:

1.29 We will normally apply restrictions on new accesses for vehicles and the increased use of existing accesses on:

- roads with a speed limit above 40 mph (that is 50mph, 60mph or 70mph) or where measured vehicle speeds are in excess of 40mph;*
- roads with a speed limit of 40mph or less which are essentially rural in nature;*

"1.31 If access to a development can be gained off a minor or side road, you should normally consider this option as preferable (with improvements to the junction of the minor side road with the main road as necessary)."

It is acknowledged that these paragraphs sits under a heading of 'Access to A and B roads' and Acorn Way is an unclassified road, however it is considered that the principle of taking access off a lower speed urban road, where possible, remains sound, particularly in this case, where Acorn Way is an unlit rural route where the measured 85thile speeds are very high.

Paragraph 32 of the National Planning Policy Framework (NPPF) says;

"All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- safe and suitable access to the site can be achieved for all people; "*

The HA believes that it is safer and consequently more suitable to serve the above development from Oregon Way, which is a lit urban road subject to a 30mph speed limit and which has no record of accidents along the site frontage, rather than from a high speed section of Acorn Way, which has a history of injury accidents in the vicinity of the proposed junction. Also by forming an access direct to Acorn Way

there is a possibility that pedestrians and cyclists from the site could be encouraged to use Acorn Way which is unlit and has no footways and is therefore considered to be an unsuitable route for these modes of travel.

It is generally acknowledged that accidents occur at junctions/accesses, see extract from TD 41/95 below. It must be sensible to form the safest junction possible to any development i.e. to lower speed roads where any accident which does occur is likely to be less severe than one on a high speed road.

TD 41/95 Vehicular Access to All Purpose Truck Roads says at Para 1.9:

*"Accident records for all roads, as set out in **"The Casualty Report" (Road Accidents in Great Britain 1992)** show that in urban areas 70% of accidents now occur at junctions and accesses, and about 38% of accidents in rural areas. In 1980, when **TA 4/80 (DMRB 6.2)** was published, the figures in **Road Accidents in Great Britain 1980** for accidents at junctions and accesses showed 66% in urban areas and 33% in rural areas. In the intervening 12 years, accidents away from junctions have fallen 14% to just under 90,000 in the year. Accidents at junctions and accesses remain almost constant having reduced by only 2% to 143,000. But on trunk roads in rural areas in 1991 there was a higher proportion of accidents at junctions and accesses, 47% of accidents on dual carriageways and 51% on single carriageway occurring there."*

In respect of the effect of speed on the severity of accidents the Royal Society for the Prevention of Accidents (ROSPA) says:

Higher Speeds Cause More Serious Injuries

Car drivers are much more likely to be injured in collisions where there is a large change in their vehicle's velocity (which occurs when a vehicle is in a collision). Higher speeds lead to higher changes in velocity during the collision, and so are more likely to result in injuries or death.

In respect of Rural Road Safety Rospa say "More deaths occur on rural roads than on Urban ones"

Given the HA's level of concern about the prospect of a junction onto Acorn Way, I sought the views of the Police. Below is an e-mail which was sent to me by Ashley Knott who is the Traffic Management Officer at Derbyshire Police (these comments should not be confused with the crime prevention officer's comments on the planning portal)

It should be noted that the Police would not support the reduction of the speed limit on Acorn Way from 60mph to 40mph.

"I support your comments below on behalf of the HA.

Acorn Way is subject to the NSL –rightly reflecting the nature of this section of the route –as evidenced by your speed survey results.

I have serious concerns given the road safety implications in creating a ghost island/protected right turn into a development access off Acorn Way.

I'm aware of the location and the topography of the road at this point means drivers will approach at higher speeds - in a section where visibility is limited – where both traffic is waiting/potentially queuing to turning right into the development and traffic emerging from it. This increases the risk of high speed rear end collisions and 'pull out' collisions.

I would not support a lowering of the NSL to accommodate such provision because of the immediate enforcement implications where the road layout is not sufficiently 'self-explaining' to convey the reason for any lower limit to a driver. This is a key factor within the speed limit assessment national framework.

Why create this additional access, when as you point out there is a viable access and egress using Oregon Way which does not create such a high road safety risk?

A further access to the development from Acorn Way would introduce avoidable road safety implications along this route and for the reasons outlined above I share the HA's concerns."

The Police Officer maintains his concerns following the change in design of the junction to a single lane dualling proposal:

"The change to single lane dualling does not address the road safety concerns at this proposed junction. Such a layout in my view would be squeezed in given the road width and still not fully address the risks to turning traffic, including right turners crossing traffic and those drivers emerging from the junction and potentially turning right to travel towards Chaddesden.

The topography of the road and reduced visibility within this section plus the traffic volumes, for me, make this a disproportionate and unsafe option.

Why increase risks to road safety when there is a perfectly good access/egress away from this high speed rural road?"

Taking access from Acorn Way rather than Oregon Way also has an additional implication in respect of paragraph 30 of the NPPF, which says, "*Encouragement should be given to solutions which support reductions in greenhouse gas emissions*". By proposing a junction to Acorn Way the developer is not encouraging a solution which supports a reduction in greenhouse gas emissions. The highway network which currently serves the Cherrytree Hill Area is considered adequate to accommodate the traffic from the proposed development. As tested at the recent local inquiry into the refusal of App No DER/11/13/01284. Therefore as Derby lies just to the west of the proposed development it is clear that the City would attract many of the trips generated by the proposed housing development, not only in the peak hours but for all traffic generated by the development. If the trip length from the proposed site to the Sunny Grove/Nottingham Road junction via Ellendale Road and Lexington Road, is compared to a journey to the same point on Nottingham Road via Acorn Way, the journey via Acorn Way is approximately 900m longer (see screen shots at appendix 1). Whilst 900m may not appear very far for a single journey, if this is multiplied by the number of vehicular trips to the City generated by all the occupants from the development over the whole life of the development, it will significantly increase in the generation of greenhouse gas emissions when compared

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to those generated if access was to be taken off Oregon Way, which appears contrary to the aims of NPPF. This is a fairly simple representation of the situation because some journeys would be shorter from the access on Acorn Way. However as the City would be the main destination for trips from the development and the number of trips travelling northwards from the Acorn Way access is likely to be relatively small it is consider it does demonstrate the principle.

Conclusion

The highway authority believes that it is safer to serve the above development from the consent access off Oregon Way than from Acorn Way, because the severity of an accident at the proposed junction on Acorn Way is likely to be worse than at the consented access off Oregon Way.

Recommendation

The HA considers the above application is unacceptable and should be refused for the following reasons:

1. in the interest of highway safety, and;
2. it does not support reductions in greenhouse gas emissions suggested by NPPF.

Derbyshire County Council (Highways):

Due to limited impact on the road network controlled by the County Council, there are no comments on the proposal.

Natural Environment:

There are no trees protected by a Tree Preservation Order (TPO) within the application site. In relation to the proposed access off Acorn Way though, we are responsible for the road embankment to the west of Acorn Way, which contains a number of trees and shrubs.

Following the recommendations made in the Arboricultural Survey Report and Method Statement, as part of any reserved matters, a scaled Tree Protection Plan showing retained trees and their respective Root Protection Areas in relation to the proposed layout is required for approval to ensure the recommendations made in the Report and Statement are carried forward. Standard conditions are also needed to ensure tree protection measures outlined in the Report and Statement, such as protective fencing is in place before and during construction works and, where necessary, an Arboricultural Method Statement detailing the nature of no-dig surfacing solutions is submitted for approval for any works affecting the root protection area of trees to be retained.

Finally, as long as the recommendations made / advice given in the Extended Phase 1 & Protected Species Survey Report in relation to trees is followed, no further comment to make.

There are no recorded public footpaths running over the area covered by this outline planning application. An application for a modification order submitted in May 2013 to add new public footpaths on the site is currently being considered. The developer should incorporate pedestrian and cycling routes into the final housing layout which

adequately connect the development site to the adjacent existing housing, while also meeting the desires of local residents.

Some of the paths being claimed in the modification order application are shown on the Sketch Concept Layout submitted by the developer. This includes a route similar to the proposed walkway/cycleway from Tennessee Road, Chaddesden to Locko Road following Chaddesden and Lees brooks that is included in the City of Derby Local Plan and the Rights of Way Improvement Plan 2014-2017. These paths, as well as the footways alongside the carriageways, should provide good connectivity across the site and between the site and the adjacent housing. The developer should also investigate the establishment of a non-vehicular pedestrian / cycleway link through the small housing development on the western edge of the development site. This would connect in with existing public footpaths off Chapel Lane. The current order application is still been considered, in negotiation with the applicant and is due to be put before the Planning Control Committee in the new year to confirm whether an order should be made for the site.

Land Drainage:

The flood risk from the Lees Brook has been modelled and the flood zones established. The proposal appears to restrict development to within Flood Zone 1 which is acceptable.

The drainage model has excluded all greenfield areas. It will need to be demonstrated how these areas drain such that properties and the highway are not placed at risk. The Flood Risk Assessment (FRA) proposes discharge rates up to the 1 in 100 year greenfield runoff rate. This approach is only acceptable if the requirement for long term storage has been considered. Long term storage provides compensation to the difference between the volume of water discharged pre and post development. If long term storage is not provided then discharge rates should be limited to 2l/sec/Ha for all storm events up to the 1 in 100 plus climate change event.

The NPPF Technical Guidance gives a policy aim for developments in flood zones 1 to 3a as follows:- "In this zone, developers and local authorities should seek opportunities to reduce the overall level of flood risk in the area and beyond through the layout and form of the development and the appropriate application of sustainable drainage systems".

The principles of SuDS should be considered for the development. They have offered permeable paving but little else in the way of source control. It has not been demonstrated that the water treatment proposed will be sufficient to ensure no detriment to the environment. Maintenance access to the Brook does not appear to have been provided all through the development. As the planning permission being sought is outline only, the application is supported subject to conditions to secure details of a surface water drainage scheme, buffer zone along watercourse for maintenance and wildlife corridor and flood defence protection.

Environmental Services (Health – Pollution):

In relation to the submitted Greenhouse Gas Assessment the comments are as follows:

I am unable to comment on the reports assessment of greenhouse gases, although I note the document includes consideration of air pollutant emissions.

The comments made regarding air pollution in the assessment report are not based on any recognised assessment methodology, are factually incorrect and should not be relied upon.

Whilst it is unlikely that traffic from this development alone would result in breaches of EU/national limits at the junction of Acorn Way/Derby Road, any additional traffic using Acorn Way could hinder the objectives of Derby City Council's Air Quality Action Plan for NO₂.

It is not possible to draw any confident conclusions regarding air quality impacts without proper detailed assessment and so the document is of little value.

In regard to site contamination, noise and dust emissions, the same comments are given as on the previous application:

Due to the sensitive nature of the development as residential, conditions are recommended to secure Phase I and if there is potential contamination, Phase II site investigation studies to identify sources of land contamination. Where site contamination is revealed then a remediation strategy and method statement should be required to be agreed and implemented before development commences.

Demolition and building works should be carried out within specified hours to prevent nuisance to neighbours.

Given the scale of the development and/or its proximity to sensitive receptors e.g. residential dwellings, recommend that the applicant prepares and submits a Construction Management Plan for the control of noise and dust throughout the demolition/construction phase of the development.

Resources & Housing (Strategy):

Support the development of the site to provide suitable and affordable homes. Their provision will contribute towards a strategic need within the city.

Environment Agency:

Following submission of the revised access proposals in October and November 2015 for Acorn Way and a further Technical Note assessing the potential flood risk resulting from the works to the Lees Brook flood plain, comments have been provided as follows:

The applicant submitted amended plans regarding the realignment of the proposed access road to connect Acorn Way and the proposed development. The Environment Agency previously objected to these proposals, on the basis of an insufficient assessment of the requirement for compensatory floodplain storage resulting from the raising of existing embankments along Acorn Way. The applicant has now submitted further information as part of a Technical Note, demonstrating that the

proposed embankment works will not incur raising of existing ground levels within the Lees Brook modelled 1 in 100 year plus climate change (1 in 100yr CC) floodplain.

The proposed development will only meet the requirements of the National Planning Policy Framework if measures as detailed in the Flood Risk Assessment submitted with this application are implemented and secured by way of a planning condition on any planning permission.

There are no objections in principle to the proposed development but recommends that any planning permission should be subject to conditions to secure details of a surface water drainage scheme, to ensure development is carried out in accordance with the Flood Risk Assessment and ensure no development within 8 metres of a watercourse.

Derbyshire Wildlife Trust:

The revisions to the plan are noted, in respect to access to Acorn Way. The material change in terms of biodiversity is that the new access road bisects additional hedgerows on the site. Previous comments in relation to retaining features of biodiversity value within any reserved matters application should apply to these features and they should be protected from construction activity and any losses should be compensated for elsewhere in the scheme's landscape and biodiversity management plan. From an ecological perspective the application does not represent a substantive change in relation to its impacts on biodiversity and therefore its consideration under the NPPF and Local Plan policy.

The previous comments therefore still stand, with the inclusion of the protection, enhancement and compensation for the losses of hedgerow associated with the revised access.

Police Liaison Officer:

The detail of the scheme should include design features which are known to aid community safety

- secure private garden space
- outward looking aspects on all building elevations facing open space or the public realm
- in curtilage parking
- well viewed and shared movement networks
- centrally located and well supervised public open space

The following features are avoided

- blank building elevations facing any public space and private parking areas
- detached rear garden access
- remote public footpaths
- parking courts not viewed by at least two active building elevations or where there is no visual connection between owner and vehicle.

Natural England:

Same advice as on the previous application;

The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. Natural England would encourage the incorporation of GI into this development.

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature.

No objections to the proposal.

Severn Trent Water:

No objection to the proposal subject to condition to secure details of a surface water drainage and foul sewerage scheme for the development.

DC Archaeologist:

The site was subject to geophysical survey and archaeological trial trenching as part of the previous planning application, due to an Historic Event Record of a large apparently rectangular earthwork in the central field and in pursuance of the aims of NPPF para 128. The earthwork structure was however found by evaluation to be natural in origin, deriving either from glacial processes or from colluvial slippage associated with the slopes south of the brook. The site was consequently found to have no archaeological potential, and there is consequently no need to place any further archaeological requirement upon the applicant.

Children and Young People (Education):

The proposed housing development at the former Brook Farm site, Chaddesden will generate an estimated 77 primary school aged pupils and 55 secondary aged pupils based on 275 new houses. The development falls within the catchment areas of Chaddesden Park Primary School for primary school provision and Lees Brook Academy for secondary school provision. It should be noted that Lees Brook Academy is independent of Derby City Council.

At present, there are some surplus places available within the schools. However, pupil numbers are increasing significantly, particularly within Derby's primary schools. There has been an unprecedented level of growth in numbers over recent years and projections are indicating a continuation of this trend. This increase in pupil numbers is being experienced both nationally and locally. The higher primary pupil numbers will feed through to secondary schools in future years.

Derby City Council has a statutory obligation to ensure sufficient school places for pupils residing within its administrative boundary. It is therefore considered important that an assessment of pupil numbers is taken in relation to catchment area schools on commencement of the development in order to calculate the education Section 106 funding contribution.

Erewash Borough Council:

We have no particular comments to make regarding the very limited highway works that are proposed to take place on Acorn Way (within Erewash) if these are felt necessary by the Highways Authority.

Policy E16 (Development Near to Important Open Land) of the adopted Derby Local Plan Review relates to development near to important open land (such as the Green Belt in Erewash which is located to the north of this proposal to the west of Acorn Way) and requires that adequate landscaping is provided to ensure that the visual amenities and special character of these open spaces is not adversely affected. It is acknowledged that the application site excludes land immediately to the west of Acorn Way (Green Wedge) and this should help to separate the development from the Green Belt to the north. The site also contains various hedges and has a corridor of woodland along the Lees Brook banks which are indicated as being suitable landscape features which can form part of a landscaped buffer with open land to the north and east of the development.

Policy E16 should also be taken into account in respect to the new principal access road which is proposed to go through the land that has been excluded from the development site and effectively breaks through the landscaped buffer to the east of the main development blocks.

We would also like to make the point that development in this location could place more pressure in the future for development in the Nottingham-Derby Green Belt. Nottinghamshire and Derbyshire County Councils undertook a review of the Green Belt in 2006 providing guidance as to the relative importance of different Green Belt purposes around the whole of Greater Nottingham. It highlighted the area between Nottingham and Derby, mostly located throughout Erewash Borough, as having the most sensitive area of Green Belt in relation to the purposes of Green Belt set out in government policy. Erewash would oppose development in its Green Belt as we have a recently adopted Core Strategy which contains a special strategy of urban concentration with regeneration. This makes the most of existing infrastructure, takes account of the significant regeneration challenges faced by Ilkeston, and recognises the importance of protecting the openness of the Green Belt between Nottingham and Derby.

6. Relevant Policies: *Saved CDLPR policies*

GD1	Social Inclusion
GD2	Protection of the environment
GD3	Flood Risk
GD4	Design and the urban environment
GD5	Amenity
GD8	Infrastructure
H11	Affordable Housing
H12	Lifetime Homes
H13	Residential development (general criteria)
E2	Green Wedge
E4	Nature Conservation
E5	Biodiversity
E6	Wildlife Corridors
E7	Protection of habitats
E9	Trees
E10	Renewable Energy
E16	Development near to important open land
E17	Landscaping schemes
E21	Archaeology
E23	Design
L2	Public Open Space Standards
L3	Public Open Space requirements for new developments
L4	New or extended public open space
T1	Transport Implications
T4	Access, parking and servicing
T6	Provision for pedestrians
T7	Provision for cyclists
T8	Provision for public transport
T10	Access for disabled people
T15	Protection of footpath, cycleways and routes for horse riders

The above is a list of the main policies that are relevant. Members should refer to their copy of the CDLPR for the full version or access the web-link.

<http://www.cartogold.co.uk/DerbyLocalPlan/text/00cont.htm>

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.

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.

- Policy Principles
- Green Wedge and open space
- Traffic implications and access
- Urban Design and amenity
- Environmental Impacts

Policy Principles

This outline proposal for residential development relates to open fields on a steeply sloping site, which are located to the east of Chaddesden and amount to a narrow green space between residential areas of the suburb. The north boundary of the site has Lees Brook, running in an east / west direction, which is a Site of Importance for Nature Conservation (SINC), a designated local wildlife site.

The application site lies within the Lees Brook Valley Green Wedge which is defined in the adopted Local Plan Review, under Policy E2. The site is also within an area designated as proposed public open space, identified as a proposed Neighbourhood Park in Policy L4(10). The site lies on the eastern edge of the urban area and is a narrow strip of the wedge which separates the two residential areas of Oakwood to the north and Chaddesden to the west and south. To the north and east the Green Wedge opens out to Acorn Way and the countryside beyond.

The adopted Local Plan also seeks to implement a new route for pedestrians and cyclists across the site, under Policy T15(13) forming a link between Tennessee Road and Acorn Way and then continuing further towards Locko Park outside the city.

A significant factor in determining the application is how much weight to give to various local and national policy documents and material considerations. These include the National Planning Policy Framework, the adopted City of Derby Local Plan Review (CDLPR), the City Council's Core Strategy and the Council's 5 year housing land supply position.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 and has made significant changes to government guidance on planning decision making which are very relevant in the case of this application.

The golden thread which runs through the NPPF (paragraph 14) is a "presumption in favour of sustainable development". Paragraph 47 also sets out the Government's objective to "boost significantly the supply of housing". Both of these objectives are clearly relevant in determining the application.

In terms of decision taking the "presumption" is defined as:

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**Type: Outline (with
means of access)**

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - a) 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; or
 - b) specific policies in this Framework indicate development should be restricted.

It is important to remember that the NPPF provides a policy framework for a whole range of planning related issues and not just housing. The thread of 'Sustainable Development' is embedded in these policies and is therefore probably the most important factor in decision making.

It is considered that the saved policies of the CDLPR have a high level of consistency with the NPPF and should, therefore, continue to be the starting point for all decisions and given a significant amount of weight in this and any other application.

A further key issue for this application resulting from the NPPF is set out in paragraph 48. This sets out a requirement for local authorities to maintain a supply of deliverable housing sites to meet needs for at least 5 years. It states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. It is important to note that in such cases, only policies relevant to the supply of housing are considered out of date. Policies other than those related to housing supply will still be relevant.

The NPPF therefore requires that local authorities identify and maintain enough deliverable housing sites for 5 years. The definition of 'deliverable' means that they are in a suitable location for housing, that the land is available for development and that development would be economically viable.

Housing Land Supply

The City Council cannot currently demonstrate a 5 year supply of deliverable housing sites and is seeking to identify its housing needs and meet them through the Core Strategy process. Until the Core Strategy is formally adopted many of the sites identified in the Plan cannot be counted in the five year supply.

This lack of deliverable sites is not necessarily down to the availability of land. It is also influenced by the fact that it is not currently viable for developers to build on certain housing sites because of economic and market conditions. However as mentioned above, in the event that an authority cannot demonstrate a 5 year housing supply the NPPF states that it should grant planning permission for residential developments unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the NPPF indicate the development should be restricted.

Derby City Local Plan Part 1: Core Strategy

On 26 November 2014, Full Council approved the amendments to the Core Strategy and undertook a final “pre-submission” consultation of the Draft Plan before submission to the Secretary of State to be examined by an Independent Planning Inspector. The Core Strategy was submitted for examination on the 18 December 2015 and will be considered at an Examination in Public early in 2016.

Now that the Core Strategy has reached this stage, it can be given weight in decision making according to the stage of preparation of the Plan, the extent of any unresolved objections to relevant policies and the degree of consistency with the NPPF.

The emerging Core Strategy has been submitted to the Secretary of State and is considered to be highly consistent with the NPPF. However, there is an outstanding objection to the Brook Farm allocation on the grounds that a safe vehicular access can be formed onto Acorn Way. The weight that can therefore be afforded the policy in relation to the proposed access on Acorn Way is limited.

The Plan identifies the application site at the former Brook Farm as one of a number of strategic sites which are proposed to meet housing requirements for the city. The Brook Farm site, which is allocated under Policy AC25, for 275 dwellings, includes a criterion which states that no access will be taken from the site to Acorn Way or Tennessee Road. This criterion was included in the Plan based on advice from the Highways Development Control team, due to their opinion that an acceptable access to Acorn Way could not be provided.

Although the previous planning application for this site was refused, the reason for refusal related to the specific access arrangements which were proposed in that application. The reasons for refusal did not relate to the principle of development on the site. The Inspectors decision on the appeal for the site, which was allowed, has regard for Core Strategy and the consistent allocation of the site for housing since 2012. The Inspector noted that the evidence base does not “suggest that there is a wide choice of alternatives to the appeal site” to address the city's housing need.

The Core Strategy uses an up-to-date evidence base and the findings of previous consultations to set proposed targets for housing delivery in the city. The evidence supporting the Plan indicates that Derby's housing needs are significant and it will not be possible to meet those needs within the city. The evidence base which supports the Plan is also a material consideration and has been used in the determination of other recent planning applications. This evidence includes the Green Wedge Review, an assessment of housing needs and a Strategic Housing Land Availability Assessment (SHLAA) among other things. The Green Wedge Review has been given weight by Planning Inspectors at recent appeals, including the Brook Farm appeal, which relate to housing development in the Green Wedge. The Inspector's decision for the Brook Farm proposal makes reference to the Green Wedge Review, in relation to the assessment of the Lees Brook Green Wedge. He notes that the Review identifies the benefits of the wedge in terms of defining the urban area and providing links to the countryside, but also acknowledges that, “this particular wedge is less effective at performing the other functions envisaged for such areas”. The

Review is therefore relevant in the determination of this application, which is similar to the previous approved proposal in respect to its impact on the Green Wedge.

It can be considered that subject to amendments being made following the examination, this is the Plan, which the Council considers to be sound and legal and based on up-to date and robust information.

Green Wedge Review

As part of the process of preparing the Draft Core Strategy, the Council produced a Green Wedge Review (GWR) in 2012. The purpose of the GWR was to determine the role and function of all of the green wedges in the city and to assess whether there was any opportunity to change their boundaries to accommodate new housing development.

In the case of the Lees Brook Valley Green Wedge, the GWR considered the potential impacts of housing development in the proposed location, as a site had been promoted to the Council for residential development at that time. The GWR states that “development of this area of the site for housing would clearly reduce the penetrating effect of the Green Wedge, reducing the proximity of built development and open countryside. Development in this area may be visible from the north due to the topography of the land and would be intrusive within the Green Wedge. It would also erode the rural character.”

The GWR goes on to state that “this area of Green Wedge makes very little contribution towards separating different areas of the city due to the narrowness of the western end of the Green Wedge. Therefore development of the site would not have a significant impact in terms of reducing the separation or leading to coalescence. Development would be well related to the existing urban area and would not impact upon the mouth of the Green Wedge. On this basis the site may have some development potential.”

The findings of the GWR as well as other considerations including the need to meet housing requirements, have led to part of the Lees Brook Valley Green Wedge being identified in the Core Strategy as a proposed housing allocation. The site which is identified in the Core Strategy broadly matches that of the application site and is identified to deliver up to 275 new homes.

Saved City of Derby Local Plan Review policies (CDLPR)

The site forms part of an area of Green Wedge, which penetrates Chaddesden to the east of the city, allocated under Policy E2. Under this policy, development would only be appropriate in very restricted circumstances and the proposed housing development would not be permitted. The proposal is therefore contrary to the policy. However, the findings of the GWR in relation to this part of the Green Wedge, have led to its allocation for housing in the Core Strategy. The absence of a five year supply of deliverable housing sites is also a material consideration in assessing whether the principle of housing on this site is appropriate.

The Inspector's decision on the Brook Farm appeal considered that in relation to the development plan policies, which are relevant to this proposal, a policy objection

would hang on Policy E2, which does not permit housing development on Green Wedges.

The application site is also in an area identified as proposed public open space under Policy L4 (10) of the CDLPR. The adopted Local Plan identifies the site as forming an extension to Oregon Way Recreation Ground in order to form a new Neighbourhood Park. However, the proposed open space allocation has never been implemented and there is no foreseeable mechanism for the site being brought forward as public open space. Therefore, whilst the development of the site would be contrary to this policy, there is no likelihood currently that the proposed Neighbourhood Park will be brought forward.

The planned Neighbour Park is considered by the Planning Inspector for the Brook Farm appeal. He notes that circumstances have changed with regard to the potential delivery of the park, since the Local Plan was adopted, due to the land being in private ownership and the absence of a delivery plan for funding an implementing the use of the land as a park. He takes the view that there is "very little prospect of the park coming to fruition" and on this basis "Policy L4 must now be considered out of date, in so far as it relates to the appeal site."

Policy H13 relates to the general criteria by which to assess residential development proposals. The policy seeks to ensure that a satisfactory form of development is provided, which safeguards residential amenities and forms high quality living environment, achieves appropriate housing densities and interesting urban forms and townscape design.

The submitted indicative masterplan demonstrates that the application site could accommodate a quality townscape and residential layout. The number of units proposed is a maximum but would achieve a suitable density and scale of development for this site, which is considered acceptable, in line with H13.

Policy H11 requires affordable housing to be provided for the scale of this development, to meet a housing need in the local area. It is intended that the affordable element of the scheme will be provided on the site, although the type and tenure of accommodation has not been specified under this application. The affordable housing element is agreed in principle with the applicant and this is to be secured via the Section 106 Agreement. The form and layout of the affordable accommodation would be submitted under a reserved matters application.

In regard to the provision of adequate school places to meet the estimated need generated by up to 275 dwellings, there is considered to be capacity at the present time at both primary and secondary level to deal with the proposed scale of the housing development on this site. However, with the current trend of increasing demand for school places in the city, the capacity of local schools is likely to reduce over time. It is therefore considered appropriate for an assessment of education capacity to be undertaken at submission of reserved matters stage. In the event that there is insufficient capacity, a contribution towards increasing school places at primary and/or secondary level will be required. This mechanism is to be

incorporated into the Section 106 Agreement to ensure that education provision is secured at reserved matters, if necessary.

The General Development policies, GD1, GD2, GD3, GD4 and GD5 relate to issues including protection of the environment, flood protection, urban design and amenity. In order to be acceptable the form, scale and layout of the development should seek satisfy all of these policies.

Summary of Policy Considerations

The proposal would be contrary to specific saved policies of the adopted CDLPR, in particular Policies E2 and L4(10).

However the Council cannot currently demonstrate a five year supply of deliverable housing sites as required by the NPPF. The NPPF therefore requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF as a whole or if specific policies in the framework indicate that development should be restricted. However, the lack of a five year supply does not mean that the impact of the Green Wedge cannot be carefully considered.

The recently submitted Core Strategy identifies the site as a proposed housing allocation and this has been endorsed by Full Council. Furthermore, in regard to the previous application, the principle of housing on the site was accepted by the committee and supported by the Planning Inspector, in allowing the appeal. The application was refused only on a point of detail and not principle. The point of detail was in respect to the highway safety implications of the proposed access onto Oregon Way. The benefits of delivering 275 dwellings on the site are significant and would contribute towards meeting the city's Objectively Assessed Housing Needs as well as contributing to the five year supply of deliverable housing land. The main issue to be considered is whether the adverse impacts of forming a different access arrangement to the site from Acorn Way would significantly and demonstrably outweigh the benefits of the development of the site for housing.

Green Wedge and Open Space

An important land use issue for consideration in determining this application is that the whole of the site is in a Green Wedge. The site is identified in the adopted CDLPR as Green Wedge under Policy E2, and consideration of the impacts of the development in regard to Policy E2 of the Local Plan is therefore required. The site forms a substantial part of the Lees Brook Green Wedge, which extends into the built up area along the Lees Brook and also incorporates Lees Brook School

Policy E2 is still relevant to the determination of the application, even though the Council does not have a five year supply of deliverable housing sites, because it is not a policy relevant to the supply of housing. This position has been endorsed in other housing appeals, relating to Green Wedge sites, including the appeal for Brook Farm. It should therefore be given weight as a relevant saved policy of the adopted Local Plan. In this context the proposal to develop the site for housing is contrary to the provisions of Policy E2.

The proposal is contrary to this policy which seeks to maintain Green Wedges as open and undeveloped. The policy offers limited scope for built development in Green Wedges and the proposal goes far beyond what would be justified. If the development was to be approved and implemented the open character of this part of the wedge would be lost and the land would no longer continue to function as part of the Wedge. Indeed, the remaining land, some of which included the Lees Brook School, may cease to create a viable wedge.

Whilst the loss of the part of the Green Wedge would result in a narrowing of the remaining wedge at this point, the Council's 2012 Green Wedge Review of concluded that the application site performed a limited function in separating the urban areas of Chaddesden, Oakwood and Spondon and that there may be scope for development at the western extent of the wedge. The findings of the Green Wedge Review in regard to this part of the wedge, have led to the site being allocated for housing in the Core Strategy, under Policy AC25. The Brook Farm appeal decision gives weight to Policy E2 and the Green Wedge Review and balances the green wedge policy, "against the significant shortfall in the city's housing land supply".

Some of the representations made in response to the current application refer to the Green Wedge, which includes this site as having being used for recreational purposes. The site is privately owned land which is within the curtilage of the planning unit of the former Brook Farm and as such, its historical use is one of agricultural activities. There has been no formal change to the use of the site and so agricultural use remains the established use of the land. Any recreational activities carried out on the site have been allowed because the land owner has not prohibited or intervened in them. The land has been promoted for housing development previously (under the Local Plan Review Inquiry in 2005) and it is clear that a developer with an interest has had a long term intention of seeking its release to deliver new homes. The use of the land by some local people for informal recreation does not, therefore, lead to the land becoming public open space. It has only been allowed by the landowner pending a planning permission being given to develop the site for housing.

Because of the proximity of the site to the Green Belt, which is beyond the city boundary in Erewash and the Green Belt and Green Wedge to the East of Acorn Way, consideration of Policy E16 (Development Near to Important Open Land) is required. This policy relates to development near to important open land and requires that adequate landscaping is provided to ensure that the visual amenities and special character of these open spaces is not adversely affected.

Policy E16 is particularly important in this case because of the topography of the site. The site has a significant slope down to the north and therefore development on it is likely to have a greater visual impact from the Green Belt to the north and north east. It is very important that the appropriate landscaping/screening and buffers are put in place to satisfy Policy E16. The site also contains various hedges and has a corridor of woodland along the Lees Brook banks which are indicated as being suitable landscape features which can form part of a landscaped buffer with open land to the north and east of the development. The proposed access road onto Acorn Way

would involve an engineered road solution, incorporating embankments and the removal of a substantial area of the tree buffer alongside the highway, to form the embankments for the elevated carriageway and the visibility splays for the access. This would have a substantial urbanising effect on the rural character of the road and the surrounding open countryside. This inevitably would result in a detrimental impact on the openness of the adjacent Green Belt and the Green Wedge and on the rural and open character of the landscape in this location, contrary to the provisions of Policy E16 and also E1 and E2.

Policy L3 sets out requirements for public open spaces in new developments. The provision of both on-site and off-site new open space is a matter for agreement with the applicant to be secured via the Section 106 agreement. However there are several factors which give weight to the importance of providing high quality open spaces within the site, as well as off site. These include the loss of openness of the Green Wedge by developing the site, the sloping topography of the site and its visual prominence, particularly from the north and east, the fact that the site is identified as proposed public open space as a new Neighbourhood Park in Policy L4 and the requirement to meet Policy L3 itself and provide new open space to meet the needs of the new development.

The indicative masterplan shows provision of public open space in the development, which would link with existing landscape features and would be capable of providing suitable open space on site to meet the standards in Policy L2.

The area to the east of the development site, up to Acorn Way is in control of the applicant and is to remain as open land, which would become major open space for the development to fulfil requirement of L2 and L3. However, the vehicular access road to the development is proposed to cross this land to a junction onto Acorn Way. This would result in the open space being sub-divided into two smaller areas by the proposed access road, which is to be supported by substantial embankments. This would be an unfortunate splitting of the area into two unconnected areas of open space, although this would still accord with Policies L2 and L3.

Traffic implications and access

The current application differs significantly from the scheme previously refused and then allowed on appeal, in regard to the proposals for means of access to the development. Means of access is a matter to be determined at this stage and the proposals in this application are therefore a key consideration to be assessed. The proposed formation of a vehicular access onto Acorn Way, rather than Oregon Way, as proposed previously, is not consistent with the Core Strategy and significant highway safety concerns have been raised by the Highways Officer, to the proposed design and layout of the access design as submitted with the application.

Paragraph 6.25.4 of the emerging Core Strategy is clear that access should not be taken off Acorn Way to this development site. However, there are outstanding unresolved objections to this paragraph and so in accordance with paragraph 216 of the NPPF this emerging policy provision cannot be given significant weight at this stage.

A revised principal access design is now being proposed in order to address the highway safety issues arising from the previous junction arrangement. As shown on the General Arrangement design drawing No. 9Y1212 – SK151 Rev D, this would involve the formation of a single lane dualling type junction arrangement, which has raised kerb islands on either side of the access. The junction design would also require the raising of the overall road level of Acorn Way for a short stretch of the highway where it crosses Lees Brook for a distance of about 240 metres. The proposed access position has been moved in association with changes to the access design, in order to achieve the industry standards for the design of new roads and junctions. The revised proposal also includes the provision of a new footway along both sides of access junction and along a short stretch of Acorn Way. However, these do not extend into the development site.

The approved outline scheme, which was allowed on appeal, included a vehicular access to be provided for the development onto Oregon Way, via a mini-roundabout. The advice of Highways Development Control is that this access proposal is the preferred means of access for the development site, due to the lower traffic speeds which are evident on Oregon Way and the local road network, thereby resulting in a safer means of access to the development site.

Acorn Way is essentially a rural link road between Oakwood and Chaddesden. There are currently no other formal junctions onto Acorn Way, other than agricultural accesses and the road does not currently have a pedestrian footway alongside it. There is also no street lighting along most of the route, including the site of the proposed access.

I note from the Highways Officer's comment that part of the road is sub-standard in its alignment and this stretch of Acorn Way has average traffic speeds of between 50 and 60 mph in both directions and an accident record on this stretch of the road, which includes a fatality.

The proposed access junction is to be positioned on a section of Acorn Way which currently slopes down to Lees Brook and bends in either direction, such that visibility from the proposed access point is at present, relatively limited in both directions. Visibility for drivers is also somewhat obscured by dense groups of trees, which have been planted alongside the highway and contribute to the rural character of the road. In order to form the required visibility splays a large group of roadside trees would need to be removed, on both sides of the proposed junction. Existing vegetation alongside the route would also be taken out in order to undertake the earth works around the access and raise the carriageway level by the required amount.

The Highways Officer has raised significant concerns about the safety of the proposed access onto Acorn Way. Discussions between the Highways Officer and the applicant's highways consultant have been taking place during the course of the application, in regard to the proposed access design and layout and the works to Acorn Way. The second revision to the proposed access, which was for a ghost island junction, was submitted in October 2015 and the third revision was received in November, to form a single lane dualling arrangement. The applicant's highways consultant considers that the most recent revised design and layout of the junction

and visibility splays would accord with the recognised highways design DMRB standards and is therefore a safe access design. The Highways Officer maintains his concerns that the revised access solution still raises significant highway safety implications for drivers using Acorn Way, due to the alignment and design of the overall road and the measured traffic speeds on the road, which are at 50 to 60 mph. The Highways Officer has also raised specific technical issues with the applicant in regard to the proposed visibility splays and design of the junction. These have been queried due to concerns about the impact of the junction on the highway safety of road users on Acorn Way. Those discussions are on-going and an update from the Highways Officer will be provided for Members at the meeting. However, regardless of whether the proposed access would accord with the DMRB standards, there is an in-principle concern about the siting and layout of a single lane dualling junction onto this section of Acorn Way. This is due to both the character and form of the existing road layout of Acorn Way and the measured traffic speeds on the highway, which are known to be around the national speed limit of 60mph. Even with the proposed raised carriageway level and junction, which are intended to improve visibility on the highway, the alignment and nature of the road in this locality would remain substandard, with high vehicle speeds in the vicinity of the access. There is an existing record of traffic accidents in the area around the access, which include a number of serious incidents. It is known that these types of junction can cause accidents, where traffic speeds are high and drivers collide with the raised kerb islands. The applicant's highways consultant has not satisfactorily demonstrated that the new access would not potentially exacerbate the accident situation in this location.

In regard to the Highways Officer's concerns about potential greenhouse gas emissions from traffic using the proposed Acorn Way access, as opposed to accessing the site from Oregon Way, the applicant has submitted a Greenhouse Gas Assessment in order to demonstrate that the vehicle emissions from the proposed access arrangement would not result in higher levels of air pollution on the local road network. It is possible that there would be longer trips for vehicles going to and from the city from Acorn Way, however, the Council's Environmental Health Officer does not raise concerns about the levels of pollutants which may arise from vehicles using the Acorn Way access. His opinion on the submitted assessment of greenhouse gases is that the report does not properly assess the implications for pollution levels and air quality on the road network. Having said that there are not considered to be significant air quality impacts on any sensitive air quality areas of the city's road network resulting from the proposed use of Acorn Way to serve the development. The NPPF policies on greenhouse gas emissions also do not give sufficient weight to resisting development due to a possible increase in traffic pollution resulting from additional distance travelled for vehicular trips, particularly without a substantive evidence base to demonstrate a significant increase in emissions. I am therefore not convinced that the potential traffic emissions from an access on Acorn Way, rather than Oregon Way provides a reasonable ground for refusing the application.

In respect to the potential transport implications of the proposed 275 dwellings on the development site, a Transport Assessment has been submitted in support of the application, which adequately demonstrates that traffic generation arising from the proposal would not have a detrimental impact on the wider road network, notwithstanding the highway safety issues arising from the proposed access.

Designated pedestrian and cycle accesses to the development are to be formed onto both Oregon Way and Tennessee Road, which would also serve as emergency access points. These accesses would provide for links to local bus services in the area and access to the District Centre and the nearby schools and community facilities. I understand that there is not intended to be an access through to Chapel Lane to the west of the site. The location of the intended pedestrian and cycle accesses would enable suitable accessibility for residents to the local area and I am satisfied that this meets with the requirements of Policies T6 and T7.

Policy T14 relating to Public Rights of Way states that planning permission will not be granted for development proposals which would sever Public Rights of Way or prejudice access to these routes by pedestrians, cyclists or horse riders unless an alternative route or routes can be secured as part of the development that is at least as safe, convenient and attractive as those being replaced. There is on-going work at present by the Council, via a submitted Modification Order, to identify the status of informal pathways crossing the site. These investigations are separate from the planning process, although they are running in parallel with the current application and if public rights of way do become formally established through the site through the Council's consideration of the Modification application, then these paths would need to be retained or diverted as part of the layout of the future housing development, determined under any reserved matters application. This Modification application is still being considered and due to a decision in the new year. It does not impact on the consideration of the planning application by this committee.

Policy T15(13) seeks the implementation of a cycleway/walkway along the Chaddesden and Lees Brook towards Locko Park. The proposed development of the application site would offer an opportunity to deliver this aspiration and a suggested pedestrian/ cycle route running west to east alongside the Lees Brook in the submitted masterplan could meet this objective, also included as part of any reserved matters proposals.

The access proposed onto Acorn Way would, so we are advised, meet the applicable design standards for the observed speeds of traffic on the road. This may well be the case. However, it is also clear that Acorn Way has an accident history which suggests that it is a dangerous road even where design standards are met. In the circumstances the Council's Highways officers are keen not to add further traffic movements to the road even where the new junction would meet formal design standards. This is not simply because there is an approved alternative safer access, but because they believe, as a point of principle, that it would be poor spatial planning to do so.

The applicant argues that the fact that there is an alternative access off Oregon Way should play no part in this decision – instead they insist that the simple question is whether the proposed access is safe.

My conclusion and planning judgment on this issue is that the proposed access arrangement, by formation of a junction onto Acorn Way would not be safe. It may meet the applicable DMRB design standards, but the use of Acorn Way by drivers is clearly causing accidents at present and to add a new junction, to serve up to 275 dwellings, would give rise to the potential for further conflict and accidents. The proposed access is therefore considered to be unacceptable and contrary to the requirements of Policy T4.

Urban Design and Amenity

The character of the surrounding townscape to the north and south of the site is generally suburban, made up of post-war housing. This comprises mainly two storey dwellings with modest gardens. Chapel Lane at the western end of the site is part of historic Chaddesden and has a mix of traditional house types, including the former farmhouse to Brook Farm. This location is therefore appropriate for a housing layout, of mainly two storey dwellings, which is envisaged in the Design and Access Statement, with the application. The residential development would be positioned across the length of the site and towards the southern edge of the site, which abuts up to the existing housing areas of Oregon Way and Tennessee Road. The northern boundary of the site, which runs alongside Lees Brook, would have a greener more open character. This would be in keeping with the general character of the surrounding residential area and references the more open and rural feel of the adjacent Green Wedge and Green Belt.

The southern edge of the site is at an elevated level relative to the surrounding area and has views to the north over the open countryside. The steeply sloping nature of the site presents challenges in term of providing a high quality housing layout and road network. However, this is an outline application with layout and design reserved for a detailed scheme. The sloping site does not inhibit the formation of a good quality living environment and an interesting urban design.

Overall I am satisfied that a good quality residential layout and design can be accommodated on the site, subject to a detailed scheme being submitted under reserved matters, and as such the proposal would be in line with Local Plan Policies GD4, H13 and E23.

Environmental Impacts

The majority of the site, due to its elevated nature is at a low risk of flooding (Flood Zone 1), with a narrow strip alongside Lees Brook, being in Flood Zones 2 and 3, and therefore at medium to high risk of flooding. The areas alongside the Lees Brook are shown on the indicative masterplan as being primarily for existing bank side habitat and open space. The development of housing and roads are identified mainly for the higher ground in Zone 1 and would therefore be at a low risk of flooding in a 1 in 100 year plus climate change event.

I note that some third parties have expressed concerns about existing flooding problems associated with the Lees Brook. The development of this site is required to consider the flood risk implications and mitigation arising from the proposal and to ensure that the situation is not made worse for existing properties in the vicinity of the site. Current flood risk issues should be dealt with via a separate flood management solution.

Whilst most of the site is not a significant flood risk, it is important that land drainage and flooding matters are considered and a Flood Risk Assessment was submitted with the application which incorporates some details of sustainable drainage (SuDS) and flood protection/mitigation proposals into the scheme. This includes recommendations for on-site balancing ponds for water attenuation and finished floor levels above the 1 in 100 year flood risk level. The development of the site for housing is not expected to be subject to significant flood risk and would also not result in increased flood risk elsewhere in the local area, subject to an appropriate SuDS and flood mitigation strategy being incorporated into the development. Both the Land Drainage Officer and Environment Agency have not raised significant concerns about the proposal on flood risk or drainage grounds, subject to conditions being imposed to secure suitable SuDS and flood protection/ mitigation measures within the development. The proposal is therefore considered to satisfactorily meet the tests of Policy GD3 and the NPPF.

Policy E4 (27) identifies the Lees Brook and its margins as a Site of Importance for Nature Conservation. It will be important that an adequate buffer is provided between the built development and the brook in order to preserve the ecological value of the wildlife site.

A Protected Species Survey was submitted in support of the application to assess the habitat and presence of protected species on and around the site. An Arboricultural Survey was also submitted which made an assessment of the quality of the woodland areas and hedgerows on the site. The Lees Brook corridor wildlife site is a narrow strip of woodland and waterside habitat, which is of local significance to wildlife and the woodland group of trees are identified as being of a high quality and value, including amenity value. The Lees Brook corridor is not proposed to be developed and would be maintained as green space alongside the development. The wildlife site should be protected and safeguarded during and post construction and this can be secured by means of planning conditions. There are a number of hedgerows across the site, which are assumed to be former field boundaries but are now unmanaged and overgrown. They are identified as being priority habitats of local importance to wildlife and the Arboricultural Survey identifies their condition as being of moderate quality. Most of the hedgerows are indicated on the master plan as being retained as part of the development. The proposed retention of these landscape features and habitats is welcome and allows for potential enhancement of their wildlife interest and ecological value, within the scheme. This would also provide some mitigation for the loss of the Green Wedge in this location.

Subject to protection of the retained habitats, by means of suitable planning conditions, the proposal is therefore considered acceptable in line with Policies E4, E5, E6, E7 and E9.

In terms of archaeological interest, the site and its surroundings are considered to be a heritage asset of local significance, due to evidence of various historic features, which have previously been found on or near to the application site. An archaeological desk-based assessment and subsequent trial trenching report have been submitted in support of the application. The potential for historic evidence of medieval remains to be found on the site was identified however, the site investigation carried out in January 2014, in the form of a number of trenches, revealed no archaeological evidence of medieval or any other activity. As such, no further archaeological investigation is required on the site and the County Archaeologist has no objection to the site being developed as proposed, therefore Policy E21 is satisfactorily met.

Conclusion

In the consideration of the previous application on this site, the loss of Green Wedge and the proposed Neighbourhood Park was accepted in principle, in order to allow the strategic delivery of housing for the city. This was confirmed by the appeal decision to allow the development, which considered that the need to protect the Green Wedge in this particular context and having regard for Policy E2, was outweighed by the absence of a five year supply and the benefits of delivering new housing on the site.

The refusal of the previous application was solely on the grounds of concerns over the highway safety of the proposed access on Oregon Way. The current application raises similar policy principle issues in terms of loss of Green Wedge and provision of potential open space. The main difference is in regard to how the site would be accessed, which for vehicular traffic would be off Acorn Way. The emerging Core Strategy does not support access to this site from Acorn Way but this is a material consideration to which little weight can be given at this stage. There are also significant highway safety concerns in regard to the formation of the proposed access onto Acorn Way, due to the relatively high average traffic speeds on the highway and the accident history in the vicinity. I accept the Highways Officers conclusions that the proposed vehicular access arrangements for this site would be significantly detrimental to highway safety on the local road network and therefore unacceptable on the grounds of the access being contrary to Local Plan Policy T4.

Whilst the national and local planning policy principles in regard to developing this site for housing are still considered acceptable, as a means of securing a contribution towards the Council's five year supply of deliverable housing, the highway safety concerns about the proposed Acorn Way access are considered to be a significant adverse impact, which significantly and demonstrably outweigh the benefits of the proposed development.

The proposal is therefore recommended for refusal.

8. Recommended decision and summary of reasons:

To refuse planning permission.

Reasons:

1. In the opinion of the Local Planning Authority, the proposed vehicular access arrangement to serve the development site, in the form of a junction onto Acorn Way, would be significantly detrimental to highway safety by reason of the high average traffic speeds on the existing highway and the accident history in the vicinity. The development fails to make a safe and appropriate provision for access to the site, by vehicular traffic. Accordingly, the proposal is contrary to saved Policy T4 of the adopted City of Derby Local Plan Review and NPPF paragraph 32.

In the circumstances the adverse impacts of the development significantly and demonstrably outweigh the benefits of granting permission. Paragraph 14 of the NPPF indicates that permission should be refused.

S106 requirements where appropriate:

Draft Heads of Terms are as follows:

- Affordable Housing and lifetime homes
- On-site layout and maintenance of incidental open space
- Layout and maintenance of major open space on adjacent land in ownership of applicant
- Layout and maintenance of play areas
- Public art
- Assessment of contribution towards education capacity for primary and secondary school places
- Improvements to public transport, cycling and pedestrian facilities within A52 Nottingham Road corridor
- Contribution towards improvements to Chaddesden Hall Community Centre and/or Chesapeake Community Centre
- Contribution towards improvements to Springwood Leisure Centre
- Contribution towards improvements to health facilities reasonably capable of serving the application site

Application timescale:

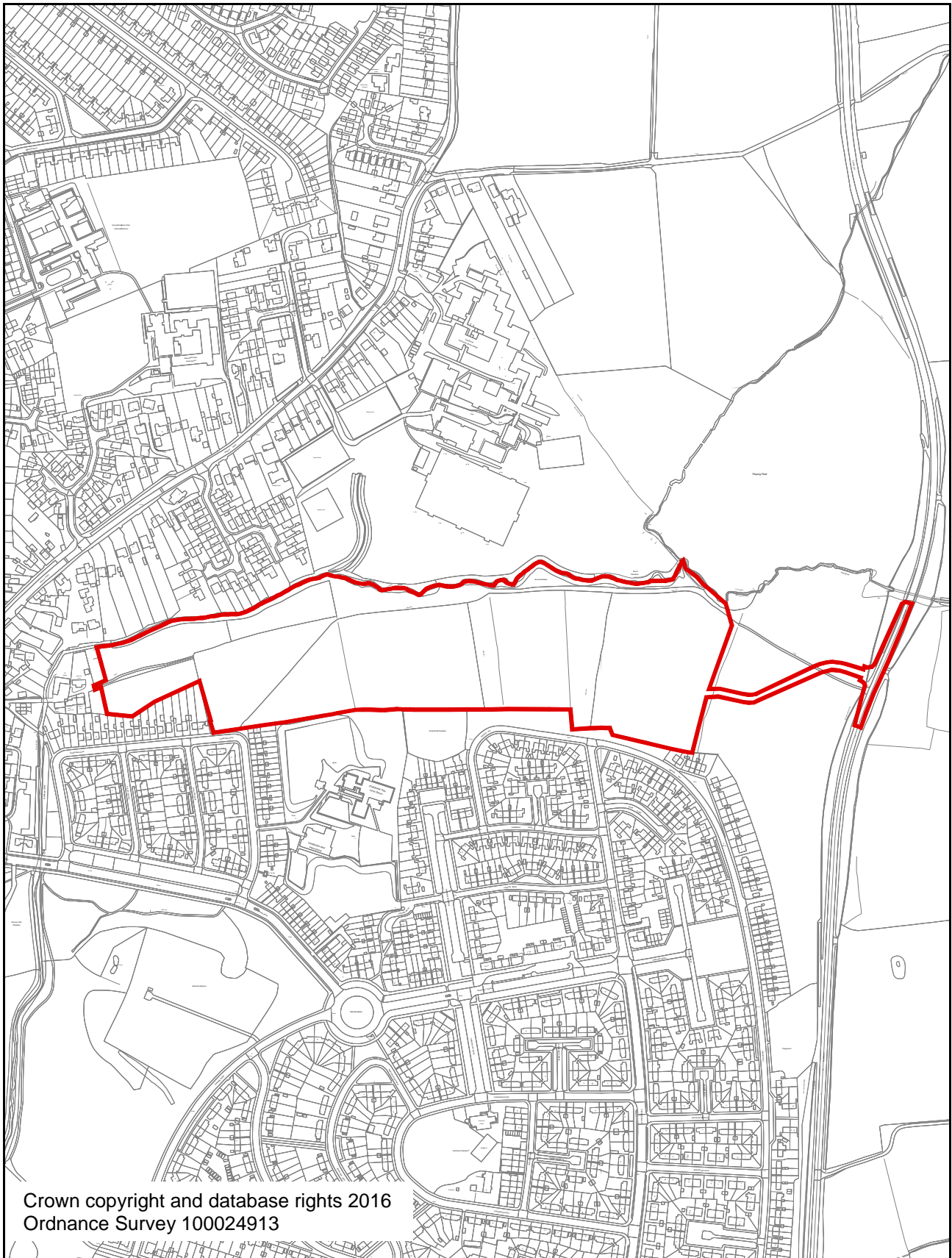
The target date for determination of the application was the 8 December 2014 and is brought to committee as a strategic housing site in the city with a high level of public interest. An extension of time has been agreed with the applicant until 15 January 2016 to accommodate the decision making process.

Classification: OFFICIAL

Committee Report Item No: 1

Application No: DER/09/14/01216

**Type: Outline (with
means of access)**



Classification: OFFICIAL

Committee Report Item No: 2

Application No: DER/06/15/00842

Type: Outline (with means of access and layout)

1. Application Details

Address: Site of 'Lindenwood', 39 Penny Long Lane.

Ward: Darley

Proposal:

Demolition of dwelling house and residential development (up to three dwellings)

Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= DERBY DCAPR 98478>

Brief description

Outline planning permission is sought for the demolition of a detached dwelling at 39 Penny Long Lane (Lindenwood) and erection of three dwellings within the curtilage of the current dwelling. The site accommodates a residential property on the corner of Penny Long Lane and Broadway. The existing dwelling fronts onto Penny Long Lane, with two accesses serving the property. There is also a redundant access to the rear of the site, which is served off Broadway. The curtilage which runs alongside the Broadway frontage, with a mature hedge and trees, is behind a boarded fence along the Broadway boundary. There are also some trees within the rear garden of the site. The existing dwelling is a large, modern, detached house and is one of a group of three similar houses in a row on this part of Penny Long Lane.

The site lies opposite the Leylands Conservation Area, which is to the west of Penny Long Lane.

The outline proposal seeks permission for means of access and layout, with all other matters reserved for future approval. The development is for three detached dwellings, two of which have garages. Two of the dwellings would front onto Penny Long Lane, using the existing accesses to form a driveway with parking and turning area. The third dwelling is to be sited at the rear of the plot fronting onto Broadway, utilising a previous access from Broadway. The submitted layout plan indicates that some trees on the site are to be retained as part of the development.

The application is accompanied by an Ecological Appraisal for Bats, to survey the existing dwelling for potential to support roosting bats and an Arboricultural Assessment, in respect of the trees on the site.

2. Relevant Planning History:

Application No: 02/13/00194

Type: Outline Planning Permission

Location: Land to rear of 39 Penny Long Lane

Status: Refused

Date: 25/04/2013

Description: Residential development (detached bungalow)

Link: <https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= DERBY DCAPR 94341>

Reasons for refusal:

1. The proposed residential development, by reason of its layout, siting, modest size of the plot and prominent location on Broadway would result in loss of vegetation and tree cover to accommodate a dwelling close to the highway boundary and an inadequate area of private amenity space for future occupants. The development thereby fails to reflect the urban fabric and grain of the locality and would appear as a somewhat cramped addition to the streetscene, out of keeping with the general character of the surrounding residential area and significantly detrimental to the visual amenities and appearance of the local area. Accordingly the proposal is contrary to saved Policies H13, E23 and GD4 of the adopted City of Derby Local Plan Review.
2. The proposed means of access and parking for the proposed residential development, as shown on drawing no. 11048.01 does not afford turning facilities within the site or visibility splays onto the highway, which would lead to reversing onto Broadway, a classified road and detrimental to highway safety for road users. Accordingly the proposal is contrary to saved Policy T4 of the adopted City of Derby Local Plan Review.

3. Publicity:

Neighbour Notification Letter – 10 letters

Site Notice - Yes

Discretionary Press Advert - Yes

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

4. Representations:

Twenty objections have been received to the application, including one from Cllr. Stanton. The main issues raised are as follows:

- The density and appearance of the proposed housing is not in keeping with the character of the surrounding area
- Penny Long Lane is not suitable for the additional traffic from the proposed dwellings
- The increase in traffic will cause highway danger on Penny Long Lane
- The dwellings would not follow the building line on Penny Long Lane
- The loss of trees is unacceptable
- The development would be overbearing and plots are too small
- The garden of Plot 3 would be too shallow
- The development would harm residential amenities of nearby properties

5. Consultations:

Highways DC:

Penny Long Lane and Broadway are adopted highways. There are on street parking restrictions, double yellow lines, pay and display bays on Broadway. The site is also in proximity to cycle routes.

The existing property has four parking spaces; it is proposed to provide 12 spaces for the three properties which are considered acceptable.

Access drives for Plots 1 and 2 are from Penny Long Lane, which use existing drives; Plot 3 will use a redundant access to the rear of the existing property. This drive on Broadway will need to be resurfaced and new concrete edgings provided.

Pedestrian visibility splays of 2.0 metres x 2.0 metres will need to be provided on each side of the proposed vehicle accesses on Penny Long Lane and Broadway.

Recycling and refuge bins have not been shown on any plans or detail. Recycling and refuge bins need to be within 25 metres of the carriageway.

Should planning permission be granted, I would recommend conditions to secure pedestrian visibility splays, hard surfacing of parking and turning areas, surface drainage of driveways to prevent discharge onto the highway.

Natural Environment:

There are no Tree Preservation Orders (TPOs) within the curtilage of 39 Penny Long Lane and the property is not in a conservation area. The Leylands Estate Conservation Area though does adjoin the property, its boundary being down the centre of Penny Long Lane. The trees along the highway verge off Broadway are the responsibility of the Council.

It is noted in the submitted Planning Statement for the proposed demolition of dwelling house and residential development (three dwellings) that 'existing trees and vegetation will be retained on the boundaries where possible and that 'the applicant seeks to work in a positive and constructive manner to ensure the most important trees are retained. Also, that the submitted BS 5837:2012 pre-development tree survey identifies trees 1, 3, 5, 9 and 11 as a 'B' category (trees of moderate quality and value), with the remaining trees categorised 'C' (low quality and value).

If the principle of the proposed development is acceptable, I would recommend as part of reserved matters that the final layout should be supported by an Arboricultural Impact Assessment (AIA) to demonstrate that the trees being retained are not at risk from the implementation of the proposed development. Where there are potential conflicts, an Arboricultural Method Statement should be included detailing specific tree protection measures to overcome the identified potential conflicts.

I would recommend that the proposed final layout should show the retention of tree group 1 to 5 and trees 9 and 11, with as many of the trees along the boundary to Broadway retained, where possible.

Derbyshire Wildlife Trust:

Initial comments:

The survey report presents the results of a daytime preliminary assessment of the interior and exterior of the building to determine the building's potential to support roosting bats. From the assessment the building was considered to have low potential for roosting bats.

Although no evidence of bats was found during the inspection, in line with current guidance, if a building is considered to have low likelihood of use by bats it is recommended that one dusk emergence at an appropriate time of year is carried out to provide confidence in a negative survey result. The results of a single dusk emergence survey are lacking and need to be provided prior to the determination of the application to enable the Local Planning Authority to reach an informed planning decision in line with the requirements of the Habitats Regulations.

We are also aware of a small pond in the rear garden of the property. No reference is made to the presence of the pond in any of the supporting documentation.

In the absence of further survey information in respect of both bats and amphibian use of the pond we would advise the Council that the application is not accompanied by sufficient information to demonstrate the presence or otherwise of protected species and the extent that they may be affected by the proposed development.

The tree report identifies the presence of Japanese Knotweed on the site. We would therefore advise that if the Council is minded to grant permission a condition to secure the removal of the species is attached to any permission.

Further comments received in November 2015, following discussions with the agent and ecologist:

In section 8.3.4 of Bat Conservation Trust's Bat Surveys: Good Practice Guidelines 2nd edition 2012 it clearly states that ***"If a building or built structure is considered to have a low likelihood of use by bats, one dusk emergence survey at an appropriate time of year, together with a pre-dawn re-entry survey or automated survey, is recommended to provide confidence in a negative result."***

We note that Dr. Bodnar has provided sections 5.3.2 and 5.3.3 from the BCT guidance as extracts in support of his reasoning for not recommending further survey work but section 5.3.2 states that ***"it can be difficult to be certain that a feature has low value for bats, and, if there is any doubt, further surveys (e.g., roost and activity surveys) should be recommended in the preliminary ecological appraisal."***

With reference to section 5.3.2 it is only when a site has very little or no potential for bats that no further surveys should be proposed. We accept that the application is accompanied by a bat survey report undertaken by a very experienced and knowledgeable bat surveyor which concludes that the buildings have a low probability of bat interest from which it has then been interpreted that an emergence survey is not required in this case. However, this is not in accordance with current guidance. We therefore maintain the view that, to accord with current guidance, at

least a single emergence survey should have been undertaken to provide confidence in the negative survey result.

We would therefore advise that in this particular case, given the outline nature of the application and an acknowledgement that any impacts are likely to be of a low magnitude that could be easily be mitigated within the final design of the development, we would advise that the undertaking of the further survey work in line with guidance could be left to coverage by a planning condition to avoid any further delays.

We maintain the view that the presence of the small garden pond should have been clearly visible to the ecologist while carrying out both the bat and tree surveys on the site and it is therefore somewhat surprising that no consideration was given to the presence of this feature to assess its suitability for use by amphibians.

Again, we fully appreciate that any impact as a result of the loss of the pond to facilitate the development is likely to be of low magnitude and that suitable mitigation could be incorporated within the final scheme. However, we remain of the view that, at this stage, the use of the pond by amphibians cannot be totally ruled out and in line with the objectives of the National Planning Policy Framework there should be no net loss of biodiversity as a result of the proposed development.

We would therefore recommend that, in the interests of biodiversity, a condition be attached to secure a single dusk emergence survey for bats and a survey of potential amphibian use of the pond on the site.

6. Relevant Policies: *Saved CDLPR policies*

GD2	Protection of the Environment
GD4	Design and the Urban Environment
GD5	Amenity
H13	Residential development – general criteria
E5	Biodiversity
E7	Protection of Habitats
E9	Trees
E18	Conservation Areas
E23	Design
T4	Access and servicing

The above is a list of the main policies that are relevant. Members should refer to their copy of the CDLPR for the full version or access the web-link.

<http://www.cartogold.co.uk/DerbyLocalPlan/text/00cont.htm>

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.

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.

- Policy context
- Residential amenity
- Visual amenity and streetscene
- Highway implications
- Trees and ecology

Policy Context

This proposal for residential development seeks outline permission for the principle of re-developing this existing residential property for a more intensive form of housing scheme. The site currently has a single dwelling within a generous curtilage and it is located in an established residential area of the city, which is characterised by a variety of housing styles. There has previously been development of rear gardens, fronting onto Broadway, near to the site, with new dwellings. The NPPF requires Local Authorities to provide for the development of new housing and paragraph 14 gives a presumption in favour of sustainable development, unless the benefits are outweighed by significant and demonstrable harm which would result from the development. The proposed site is in a sustainable location within the urban area and is located in a residential setting. The principle of developing the site for residential development would be consistent with the NPPF, provided there is no significant harm arising from the proposal, in terms of any adverse impacts on amenity, environmental features or highway safety.

Policy H13 in the adopted CDLPR requires residential development to meet specific objectives, including the creation of a satisfactory form of development, which relates to the surrounding townscape and a high quality living environment. The principle of new housing in this location is considered acceptable, subject to compliance with the requirements of H13 and the design policies GD4 and E23, to demonstrate that a high standard of urban design and layout can be achieved.

The site lies opposite the Leylands Conservation Area, which is to the west of Penny Long Lane. Policy E18 does not allow for development which would be detrimental to the special character of the Conservation Area, including views into and out of them.

A previous refusal for development of one bungalow on the site (DER/02/13/00194), related to erection of a dwelling in part of the rear garden of the plot. The existing dwelling would have been retained under that proposal. This scheme raised concerns due to the small size and depth of the proposed plot and the provision of an inadequate area for parking and turning of vehicles within the site. The current application proposes a different form and layout of development, because it would involve the demolition of the existing dwelling and reconfiguration of the plot layout

within the site. The issues which arose under the earlier application are not so relevant to the current scheme.

Residential Amenity

The proposed redevelopment of the existing residential property would include the siting of two new dwellings to replace the current detached house fronting Penny Long Lane. They would be set forward of the footprint of the existing dwelling by approximately 8 metres, between front elevations. The front of Plot 2 would be staggered forward of the front elevation of the adjacent dwelling at No. 37 by approximately 2.5 metres from the most forward part of that neighbouring dwelling. The proposed layout shows a garage on the side nearest to the neighbouring dwelling, which is set forward approximately 2.8 metres from the front of that property. Subject to details of scale and design, which are to be agreed under a reserved matters scheme, the layout of Plots 1 and 2 would not result in an unreasonable massing impact or loss of light to the adjacent dwelling at No. 37 Penny Long Lane. To the rear of the site Plot 3 would front onto Broadway and is a relatively wide plot and shallow in depth. The proposed layout has been amended in relation to this plot during the course of the application to provide a longer garden depth to the rear of the dwelling. An approximate 9 metre distance between the rear elevation and the shared boundary with No.37 is now proposed, to reduce the impact on the neighbouring property in terms of potential overlooking and shadowing of the rear garden. There is opportunity in the layout of Plot 3 to orientate principal windows, particularly at first floor away from the elevation facing No. 37 and more towards Broadway and the parking area. This would form part of the detailed scheme at reserved matters stage. Overall, I am satisfied that the amenities and living environment of the occupants of 37 Penny Long Lane would not be significantly harmed by the proposed development. Other nearby properties on Broadway and the Leylands Estate would be sufficiently distant from the development not to be adversely affected by the proposal.

The proposed layout demonstrates that a good quality living environment could also be formed for future occupants of the new dwellings. There is sufficient space on the site to comfortably accommodate three detached dwellings with private amenity space and on-site parking and turning areas. The development is therefore considered to satisfactorily meet the amenity requirements of saved policies H13 and GD5.

Visual amenity and streetscene

The development relates to a corner plot, which has frontages onto both Penny Long Lane and Broadway. It is currently screened from Broadway by a dense hedge boundary and fence. There are also street trees on Broadway which also partially obscure the site from the public realm. The proposal would be for a more intensive form of residential development on the site, with three dwellings replacing a single dwelling, associated accesses and parking provision. The existing dwelling is sited towards the centre of the site and is not prominent from either of the street frontages. The proposed housing scheme would extend closer to the highway boundaries, which means that it would have a greater visual impact on the local streetscene than the existing building. The impact on visual amenity is not considered to be

unacceptable in this location, bearing in mind the recent housing development along the north side of Broadway in the rear gardens of other properties on Penny Long Lane. The proposed scheme would be comparable in regard to house types, provision of garages and their relationship with Broadway. Plots 1 and 2 would be in a staggered alignment with the neighbouring dwellings at Nos. 35 and 37 Penny Long Lane. Plots 1 and 3 are to be sited close to the Broadway frontage, although they would not appear overly dominant from the streetscene, particularly given the wide verge and street trees fronting the site, which would provide an element of screening for the new dwellings.

The layout of the proposed plots would afford a reasonable amount of amenity space, parking and turning area within each plot and provides adequate space about the dwellings to form a good quality living environment for future occupants.

The development would impact on views into and out of the Leylands Conservation Area which is adjacent to the site. I note the comments of the Council's Conservation Officer, which raises a concern about the scale of the development, being out of keeping with the character of the surrounding area. However, since the proposal is to replace a two storey dwelling with three comparable dwellings, in terms of scale and layout, I am not convinced that there would be a detrimental effect on the character and appearance of the Conservation Area, subject to a suitable design and palette of materials being agreed at reserved matters stage.

Overall, the proposed development would largely respect the character of the surrounding residential area, both in terms of layout and footprint of the dwellings. The amount of development proposed is not considered to be excessive for the size of the plot and a satisfactory form of development can be achieved on the site, which would preserve the character of the nearby Conservation Area and maintain the visual amenities of the streetscene in this location, in accordance with saved policies GD4, H13, E18 and E23.

Highway implications

Means of access is to be determined as part of this application and access for each of the three plots would utilise an existing access point onto the public highway. Plots 1 and 2 would use the two accesses off Penny Long Lane, which serve the existing dwelling. Plot 3 would be accessed via a redundant driveway to the rear of the site from Broadway.

Tracking and parking details have been provided at the request of the Highways Officer to clarify the proposed access and parking arrangements for the development. These are considered satisfactory to ensure that vehicles can access and egress the plots in a forward direction. Parking for a minimum of two vehicles can also be provided within each of the plots. The Highways Officer has not raised any concerns in relation to the highway safety implications for the development. Sufficient parking and turning provision would be provided on the site to serve the new dwellings, with surfacing and pedestrian visibility adequately controlled by means of planning conditions. The proposed addition of two dwellings on the site would not therefore have an adverse highways impact on the local road network and the scheme is considered to be in line with the requirements of saved policy T4.

Trees and Ecology

There are various trees within the site and within the hedge along the southern boundary with Broadway, although none are covered by a Tree Preservation Order. The trees are also of insufficient amenity value and quality to be made the subject of an Order. The Arboricultural Assessment identifies most of the trees as being Category C, of low quality. These include those in the hedge, which have clearly been heavily pruned to limit their spread. Two groups of trees on the north boundary and fronting Penny Long Lane are Category B, of moderate quality and these are shown for retention on the proposed layout plan. These trees could be reasonably accommodated within the development subject to appropriate protection measures and construction details, being agreed as part of a reserved matters submission. Whilst the hedge and trees along the southern boundary, currently provide a strong boundary to the site, they are not of sufficient quality to secure retention within the development. There would be opportunity for replacement hedge planting along the boundaries and tree planting as part of a landscaping scheme, for the development which would form part of a reserved matters approval. The impacts of the proposal on trees within the site would be acceptable, subject to appropriate tree protection and mitigation planting, in line with the requirements of saved policies GD2 and E9.

An Ecological Appraisal of the building for the potential to support roosting bats was carried out, which found no evidence of bats during the survey and a low potential for bats to occupy the building. Derbyshire Wildlife Trust (DWT) have advised that under the current guidance, where there is a low likelihood of bats being present then one dusk emergence survey should also be undertaken. An emergence survey has not been carried out for this site and the applicant's ecologist disagrees with DWT's advice, that one is necessary. The comments from DWT were received in October, which is outside of the active season for bats and a further survey cannot be carried out on the site until April 2016. Additional comments were sought from DWT in response to concerns raised by the applicant's agent. DWT has concluded that due to the scheme being in outline and the impacts on bats likely to be low, it is reasonable in this case for a planning condition to be attached to address the requirement for an emergence survey to be carried out. The condition would require the survey work to be done and the results submitted to accompany submission of any reserved matters application(s).

DWT have also agreed to a similar approach being used to assess the potential for amphibians being present in a garden pond within the site. The pond was not surveyed as part of the ecological appraisal and an assessment should be undertaken to ascertain if there would be an impact from the development. This could be dealt with by a similar condition to be attached to the outline permission. This is considered to be an acceptable approach in this particular case and would satisfactorily fulfil the requirement of the Habitat Regulations and the NPPF to properly assess the impact of the development on any protected species affected by the proposal. The objectives of saved policies E5 and E7 would also be satisfactorily met.

In conclusion, this is a small scale residential development on an existing residential plot and the principle is considered to be acceptable in this location. The site is

capable of accommodating a further two dwellings and, in my opinion, there would be no significant impacts on residential amenity, highway safety or the character of the surrounding area. The proposal accords with the NPPF and the relevant policies in the adopted Local Plan.

8. Recommended decision and summary of reasons:

To grant planning permission with conditions.

Summary of reasons:

The residential development is appropriate in principle in this location and would form a satisfactory form of development and high quality living environment. There would not be significant adverse impacts on residential amenity, highway safety and the development would be generally in keeping with the character and appearance of the surrounding area and preserve the character of the nearby conservation area. The development would not result in adverse environmental impacts on trees or protected species in the local area, subject to compliance with planning conditions.

Conditions:

1. Standard condition 01 (Outline permission with matters reserved, except for access and layout)
2. Standard condition 02 (Time limit for outline permission – 3 years)
3. Hard surfacing of the parking and driveway areas to be required, within 5 metres of the public highway.
4. Surface water drainage of driveways to prevent discharge onto the public highway.
5. Pedestrian visibility splays 2 metres x 2 metres to be formed to the private driveway access to the highway.
6. A tree protection scheme for retained trees, vegetation and hedgerows, in accordance with BS 5837:2012 to be submitted and agreed and implemented during construction.
7. A dusk emergence survey for potential roosts for bats of the building and a survey of a pond on site, for potential amphibians to be carried out before a reserved matters submission and the survey report to be submitted in support of a first reserved matters application and prior to any demolition or ground clearance work taking place on the site.
8. The details of design, scale and appearance for Plot 3 of the development shall not include the insertion of habitable room openings in the first floor, north elevation of the dwelling, facing 37 Penny Long Lane, unless it can be demonstrated that there not be overlooking of that adjacent property.

Reasons:

1. As required by Sections 91-92 of the Town and Country Planning Act 1990
2. As required by Sections 91-92 of the Town and Country Planning Act 1990
3. In the interests of traffic safety – Policy T4

Classification: OFFICIAL

Committee Report Item No: 2

Application No: DER/06/15/00842

Type: Outline (with means of access and layout)

4. In the interests of traffic safety – Policy T4
5. In the interests of pedestrian safety – Policy T4
6. To protect trees and other vegetation on and adjoining the site during the course of construction works in order to preserve the character and amenity of the area – Policies GD2 & E9
7. To safeguard any protected species which may be present on the site in the interests of biodiversity – Policies E5 & E7
8. To protect the amenities and privacy of adjacent residential properties – Policy GD5

Application timescale:

The target date for determination was the 21 August 2015 and an agreed extension of time for decision is on 15 January 2016. The application is being considered by committee due to the number of objections.

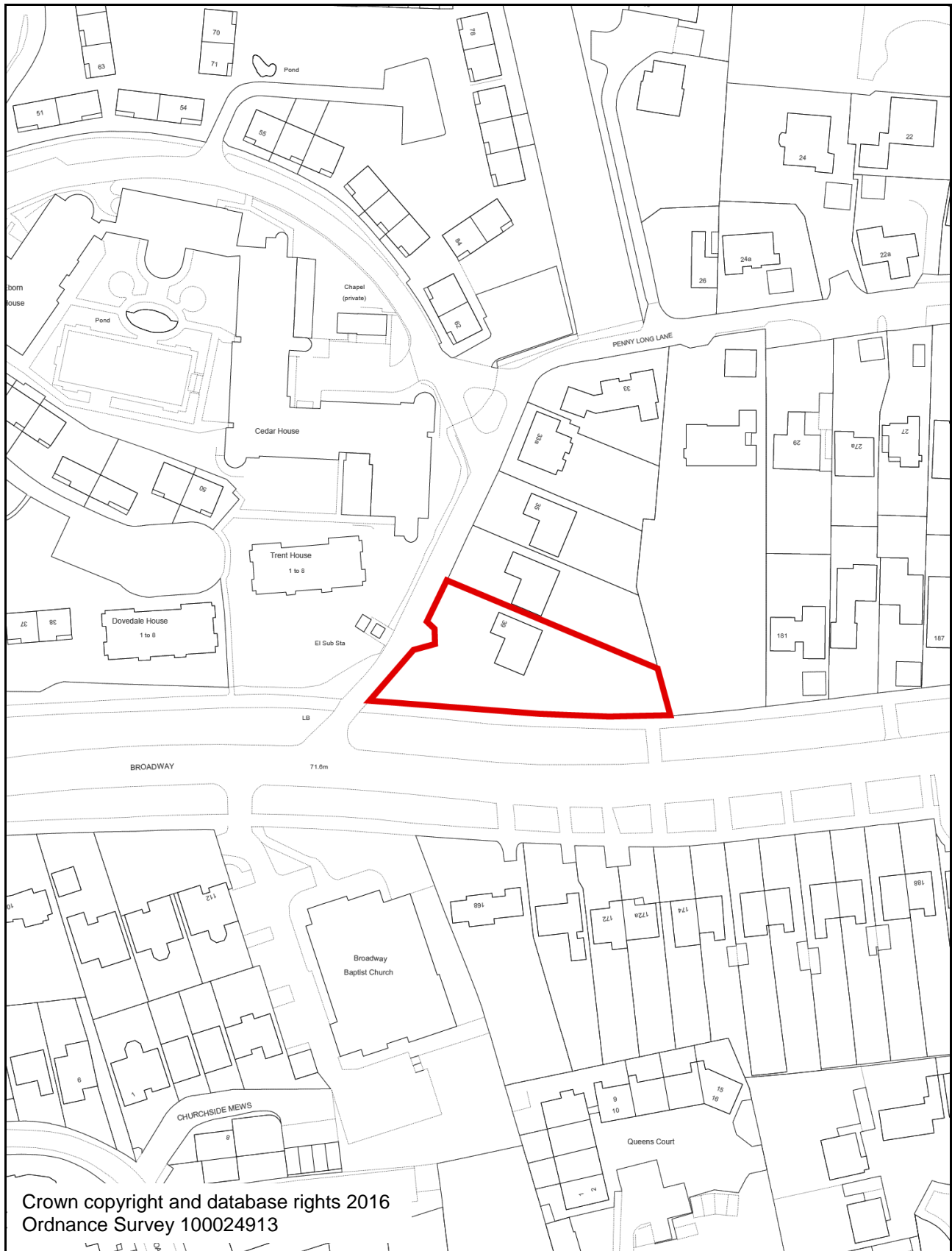
Classification: OFFICIAL

Classification: OFFICIAL

Committee Report Item No: 2

Application No: DER/06/15/00842

Type: Outline (with means of access and layout)



Classification: OFFICIAL

1. Application Details

Address: Greyhound Hotel, Village Street

Ward: Normanton

Proposal:

Change of use from public house (Use Class A4) to place of religious worship (Use Class D1)

Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= DERBY DCAPR 98876>

Brief description

The application site is located within a residential location at the junction of Village Street and Derby Lane. To the immediate north of the site are mixed house types forming Derby Lane, beyond which is the A5111 ring road. To the east is further housing and the end of Derby Lane, with an A1 convenience store directly opposite the site. To the south are period properties and St Giles Church and Hall. To the west of the site are further semi-detached properties, with a small residents' only car park area off Ashopton Avenue. The rear and side curtilages of surrounding properties (74 Derby Lane, 194 Village Street, 9 and 10 Ashopton Avenue) back onto the application site. The Norman Arms Public House is situated some 200m east along Village Street and Evington Social Club some 150m to the west.

There are a number of trees located on the street frontages near to the site, but not very close or within the site itself. Directly adjacent to the main entrance are existing dropped kerbs and traffic calming speed humps within the highway. On street parking is unrestricted along this part of Village Street and is single yellow lined along Derby Lane.

The existing application site can be described as follows. Initially it ought to be noted that the Public House has only become vacant since September this year and was operating until that time. The building itself is situated to the southern end of the site, which fronts Village Street. The architecture of the building appears more historic, whereas it is indicated that the brewery commissioned and purpose built it during the 1970s. The building remains largely unaltered from when it was constructed. The internal layout centres around the bar area with a large function room and W.C. facilities all at ground floor. The first and second floor levels are comprised of an office and living accommodation. A hard-stand parking area exists to the frontage, with the former beer garden area to the rear of the building. Curtilage boundaries are formed by stone walling to the east and south perimeters and timber fencing forming the north and west boundaries. Land levels slope very gradually in a south to north direction.

Committee Report Item No: 3

Application No: DER/09/15/01221

Type: Full

Proposal

Full planning permission is sought for the change of use to a place of religious worship (Use Class D1). The proposed use involves the conversion of the building to be used as a Mosque for a place of religious teaching, meetings and prayer. The indicative internal layout as shown on the plan drawing is as follows:

- Basement level – Four rooms, with two used for storage
- Ground floor – Two main prayer hall areas at the front and rear, with offices, storage and W.C. facilities across the ground floor.
- First floor - The indicative first floor level contains four classrooms, office, kitchen and dining area.

The rear area beyond the building would be converted to form a car park area for site users. A total of 23 vehicle spaces would be formally created, with each space measuring 2.4m by 4.8m. In addition, two disabled spaces are denoted to the front of the building, with the remainder of the hard surface area used as part of the main entrance to the building. The proposed vehicular access route runs from the front alongside the building to reach the car park to the rear, as denoted on the block plan. The construction of the car park will necessitate the part removal of the eastern boundary wall and integral fencing which runs parallel to Derby Lane.

There are no external changes proposed to the building itself. The internal alterations do not require planning permission, yet are highlighted on the floor plan.

2. Relevant Planning History:

Application No: 01/80/00068/00

Type: Full Planning Permission

Status: Granted conditionally

Date: 10/03/1980

Description: Extension to public house (childrens room)

3. Publicity:

Neighbour Notification Letters sent to properties surrounding the application site

Site Notice displayed on street furniture

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

4. Representations:

A total of 77 letters of support and 39 letters of objection have been received. The main points raised include:

Letters of support

- There is a need for a mosque and Islamic education centre
- It will make the area feel more multicultural and inclusive
- This will create many jobs
- It is local and children will be able to attend in a convenient walking distance
- Good for the community

- As a multi- cultural society there is a need to understand each other and therefore this mosque will allow that to happen.
- Many will walk and there is room for off road parking
- it provides essential and valued education to the Muslim youth
- Will help reduce traffic at peak times elsewhere in the city
- The Muslim community has a need that is not being met locally
- A place of worship is a quiet place and will be a significant drop in noise disturbance from the previous public house
- This project is very community friendly and needs full support and engagement

Letters of objection

- This should listed as an asset of community value
- It will not serve the local community's needs
- Increased drainage / flood problems
- The building and site is retained for the benefit of the local community in view of its prominent location and appearance
- Lack of public consultation
- Concern that the current planning application does not reflect the limit of the intentions to use the site in the future
- Significantly increased traffic leading to congestion, safety and parking problems
- At different times, especially on Fridays and Sundays, there is already an issue with parking on this part of Village Street through the activities of church, Village Primary School, Al Akram Trust Normanton House School and the Islamic Outreach Centre.
- Too many mosques
- An excess of parked cars competing for spaces will prove to be very detrimental to the historic character and appearance, the tranquillity, the accessibility and the civic pride of this neighbourhood
- It will only serve one section of the community
- Noise from the mosque, particularly call to prayer, will be unacceptable for other community dwellers
- Given the size of building, we anticipate that its use will involve far greater numbers of visitors than the figure of 60 members.
- Drainage problems could be intensified by parking area
- Didn't like the trouble from the greyhound - cars being vandalised and drunken people in the street.

Committee Report Item No: 3

Application No: DER/09/15/01221

Type: Full

- The site would be better employed as a business that would give multiple employment
- No need for another Mosque in Derby
- Object because it is an iconic Public House

5. Consultations:

Highways DC:

No objection subject to various conditions (see section 8)

Environmental Services (Health – Pollution):

No comments to make on the application

Crime Prevention Design Team:

No objections to the proposed change of use or alterations connected to the scheme

6. Relevant Policies: *Saved CDLPR policies and Submitted Derby City Local Plan Part 1- Core Strategy*

CP21	Community Facilities
GD1	Social Inclusion
GD5	Amenity
E24	Community Safety
L11	New Community Facilities
T4	Access, Parking and Servicing
T10	Access for Disabled People

The above is a list of the main policies that are relevant. Members should refer to their copy of the CDLPR for the full version or access the web-link.

<http://www.cartogold.co.uk/DerbyLocalPlan/text/00cont.htm>

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.

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.

- The principle of the change of use to a D1 Use Class
- Impacts on residential amenity associated with the change of use
- Highway implications associated with the change of use

Principle of use

The site is primarily within a residential context and is not allocated for any specific use in the adopted CDLPR. Therefore, as always, each case should be assessed on its merits in line with current national and local policies. The existing saved

policies within the adopted CDLPR are still fit for purpose even though the Authority has now submitted their Local Plan Core Strategy Part 1. Policy CP21 allows community facilities provided that they are located where there is a choice of travel options, be designed to be in keeping with the general scale, character and levels of activity in the surrounding area and to provide satisfactory levels of amenity for users and those in surrounding areas. CDLPR policy L11 is relevant in that the policy allows for new community facilities, including places of worship provided that the proposal is well related to the population it is intended to serve; takes proper account in design terms of the character of its location; allows for adequate access and servicing facilities. Based on the above, the principle of the development in this location is considered to be entirely acceptable.

The issue of the loss of a community asset, the Greyhound Public House itself, is a point of objection which carries little weight, in my opinion. This is because the established 'Norman Arms' PH is situated approximately 150m-200m further east along Village Street: an alternative community asset available to those who wish to use such a facility.

Furthermore, the presence of other faith based community uses in the near vicinity (Al Akram Trust Normanton House School and the Islamic Outreach Centre) has no bearing on the acceptability of this planning application.

Residential amenity impacts

It is very common for places of worship to exist within residential locations. There are Church's, Temples and Mosques around the City of Derby which assimilate well in various residential contexts. Indeed, there is a longstanding church and hall directly opposite the application site (St Giles Church) which co-exists as a religious institution within this residential vicinity. Places of worship contain levels of activity which differs from other D1 (non-residential institution) uses. Accordingly, the starting point for the assessment of this application must be that the site currently benefits from an A4 Use Class – Public House. That use has its own impacts upon the surrounding dwellings and immediate area. Thus, Members ought to consider what implications the proposed use would have against the existing situation and effects of the Public House, in this location. For example, the existing use allows late opening of the premises during the week and weekends, private functions/gatherings, use of an external beer garden area, live/recorded music amplification and televised commercial events.

The submitted floor plan drawing shows an indicative layout at ground and first floor. The ground floor would contain two main prayer halls, with offices, storage and W.C. facilities. The first floor would contain mainly classrooms and kitchen and dining area.

The function and use of the proposed Mosque is set out briefly in the supporting Design and Access Statement. In summary, the statement advises: the new Mosque has been designed to accommodate around 60 people during peak times. The proposal is intended to meet the needs of its existing users as well as providing improved and additional facilities to meet the religious needs of the local Muslim population in the area.

The size of the building and complimentary uses that will take place within, for religious and educational purposes, is likely to create a convergence of people on the building at intervals through the day and evening. The general comings and goings of people, whether for worship, education or drop off / collection is likely to be dispersed throughout the day and evening. While there is likely to be a higher number of attendees during congregational prayer held every Friday in the afternoon, the higher level of activity at this time would not be continuous and is to all intents and purposes throughout weekday working hours. On certain occasions this may result in a degree of noise and nuisance to neighbouring residents, by way of general comings and goings. Therefore, one of the noise sensitive aspects of the proposal which cannot be conditioned or mitigated against is the anticipated movements of people entering and leaving the site and any resultant significant noise and nuisance.

While this element cannot be quantified or anticipated with accuracy, it should be borne in mind that the intensification of use of the building and land is relatively proportionate to the size of building. While a figure of up to 60 congregation members is stated in the application, the maximum capacity may differ according to intake and growth in attendance – the same could be said of any religious institution. Moreover, the proposed closing time of 22:00, as opposed to the Public House which is licensed to a later closing time means late night activity at the application site would be curbed by the proposed development. In that respect the proposed change of use would not present significant amenity issues any worse than amenity issues associated with an A4 Use.

In terms of potential externally emitted sources of pollution, the proposed use of the building and its activities within a residential location ought to minimise the adverse impact of noise levels both within the building itself and by discouraging external group gatherings etc. around the building. Given how the building would be used compared to that of a Public House, the proposal is likely to be less of a source of noise and nuisance. On that basis the proposal would not adversely affect the living conditions of nearby residents, because noise and disturbance emanating from the proposed development would be minimal.

There a number of side and rear curtilage boundaries backing onto the site, namely 74 Derby Lane, 194 Village Street and 10 Ashopton Avenue. The adjoining property to the immediate north is No.74 Derby Lane which contains a large blank brick gable end running 17metres along the northern boundary, adjoining the proposed car parking area, with a 2m close board fence comprises the remainder of the northern boundary. Because of the proximity of the parking bays to the side of No.74, the applicant has agreed to install a dwarf along the northern boundary to ensure vehicles do not damage the neighbouring property (subject to condition). The rear amenity area of No.10 Ashopton Avenue also backs onto the proposed car park area. The side curtilage of 194 Village Street runs parallel to the west boundary, close to the west side of the building.

The amenity impacts associated with the rear car park area is a material consideration. Both 74 Derby Lane and 10 Ashopton Avenue would experience some degree of disturbance through vehicle lights, motor engines running and closing of

vehicle doors. Yet the existence of suitable boundary treatment - a solid 2m high brick wall and deciduous tree forming the west boundary and 1.8m – 2.0m close board fencing to the north-west corner is sufficient to minimise disturbances to those properties. Undoubtedly, the intensification of use to this part of the site is greater than that of the former beer garden area, but given the varied number and frequency of vehicles using the car park area, its use should not result in significant harm to the amenities of adjoining residents. With regard to 194 Village Street, much of the west side flank of the application building runs along the common boundary and the car park beyond the rear boundary of their garden. The extent of impact here would be through the overall activity of the place of worship, due to the close proximity of this residential property. Once again, it should be re-iterated, the overall level of activity associated with the proposal is likely to be less, in terms of noise, nuisance and disturbance than the existing Public House use. So, on those grounds, the proposed development would not, in my opinion, be detrimental.

As explained above, the proposal would not result in significant adverse harm in terms of residential amenity and it is therefore considered compliant against saved policy GD5 of the adopted City of Derby Local Plan Review.

Highway implications

There is little information within the submitted application quantifying the additional trips associated with the proposed Mosque and the expected rise in attendance through the daytime, early evening and weekend. While the catchment area is primarily within Normanton / Sunnyhill fringes, no information has been provided on where congregation members would arrive from and by what means of transport. In reality, it is likely to be mix of people attending by walking, by driving to the site and some being dropped off. One of the main pressures on car parking at the application site would be when worshippers arrive for prayer on a Friday, since many could well attend during the lunch hour from places of work, alongside those living nearby. There is the prospect of a greater number of people arriving and departing to attend services which may lead to some on-street parking in the locality, if the car park area is full.

A number of objectors have raised the issue that congregation members will end up competing for on-street parking spaces along with a host of other people wishing to park in the locality. One objector comments:

“There is already an issue with traffic congestion and parking in the vicinity of the Greyhound on Village Street, Derby Lane and Browning Street due to the existing local amenities, including St Giles' Church, the Islamic Primary School and the Islamic Outreach Centre. Traffic congestion and parking in the area is particularly high during Church services, weddings, funerals, at the beginning and end of the school day and when activities take place at the school and at the centre. These issues will be greatly exacerbated if these plans are allowed to go ahead”.

The above is worthy of quotation as it neatly summarises the perceived fears of parking and congestion, if the scheme goes ahead. Firstly, the location of the application site is situated between the busy through road of Village Street which links between the A5111 Ring Road and Stenson Road (a principal route to the

southern part of the city) and the A5111 Ring Road. All of these roads attract volumes of traffic in themselves and geographically the road layout results in Derby Lane being a cut through to the Ring Road. Critically, the proposed car park area would accommodate a minimum of 23 vehicle spaces – a good amount of off-street parking provision for a development of this scale. The existing Public House provides minimal parking to the building frontage, off Village Street and so the proposal could be argued to improve the existing parking situation in the locality. Hence, it is difficult to argue that the presence of a Mosque will inevitably mean increased levels of traffic and congestion in Village Street and the immediate area, given the context of where the application site is located, the nearby road network and provision for off-street parking.

The point of access to the side of the building would be satisfactory in highway terms, subject to the removal of an internal wall, kerb stones and railing features to facilitate the required 4.2m – 4.5m width. A number of highway related conditions would be applied, which includes further details of the side access to ensure a satisfactory layout. A condition will also be attached requiring the car park surface is laid out with permeable surfacing materials and soak-away areas within the site. This is to ensure and minimise any land drainage effects.

I am drawn to conclude that the form of redevelopment proposed would not be likely to generate a level of additional traffic that would result in an unacceptable effect on the road network, on-street parking in the immediate and surrounding locality and would not be detrimental to highway or pedestrian safety, thereby according with saved policies T1 and T4.

Community Safety

The increased pedestrian activity will certainly be beneficial to the area to reduce the opportunities for crime and anti-social behaviour by providing increased guardianship when the building is being used. In this regard, the proposal complies with saved policy E24.

Summary

Members will no doubt be aware that there is significant local community support for the development to go ahead in its proposed form. The need for such a place of worship and educational facility is made very explicit in many of the letters of support. There are also a significant number of objections from both local residents and from people living further afield. New or improved community facilities are very important resources for local people. Adopted Council policy, therefore, welcomes in principle proposals for such facilities within or near to the community they are intended to serve. Based on the assessment given above, a recommendation to grant planning permission is given.

8. Recommended decision and summary of reasons:

To grant planning permission with conditions.

Summary of reasons:

The proposed change of use would be acceptable in amenity, highway, policy and environmental terms based on the full assessment given in section 7 of this report.

Conditions:

1. Standard condition 04 (time limit)
2. Standard condition 100 (approved plans)
3. Standard condition 1 (closing hours 22:00)
4. Unique condition 2 (development to accord to parking layout plan 020)
5. Unique condition 3 (driveway access constructed of hard bound material)
6. Unique condition 4 (permeable surface material for car park)
7. Unique condition 5 (means of enclosure to the northern boundary)
8. Unique condition 6 (car park area laid out and operational prior to the first use / to remain as designated parking area for the life of the development)
9. Unique condition 7 (This use within the D1 Use Class only)
10. Unique condition 8 (further details of side vehicular access driveway)

Reasons:

1. Standard reason E56 (time limit)
2. Standard reason E04 (avoidance of doubt)
3. Standard reason E07 (preserve residential amenities)
4. Standard reason E04 (avoidance of doubt)
5. Standard reason E19 (traffic safety)
6. Standard reason E21 (satisfactory drainage)
7. Standard reason E07 (preserve residential amenities)
8. Standard reason E09 (ensure satisfactory development)
9. Standard reason E04 (for avoidance of doubt)
10. Standard reason E16 (accommodate parking an manoeuvring)

Application timescale:

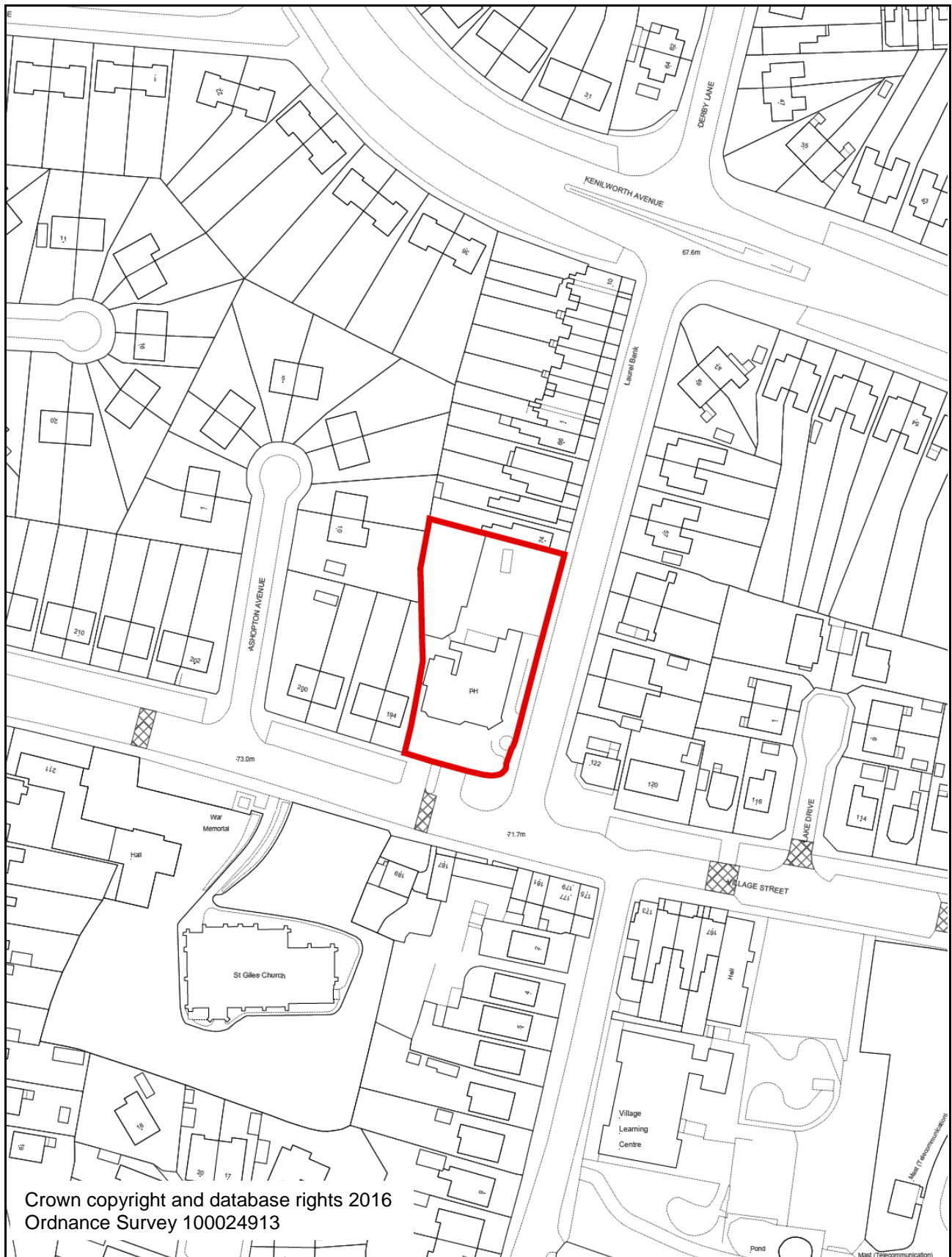
The 8 week target date for determination was 25 November 2015. An extension of time has been agreed to 26 January 2016.

Classification: OFFICIAL

Committee Report Item No: 3

Application No: DER/09/15/01221

Type: Full



Classification: OFFICIAL

Committee Report Item No: 4

Application No: DER/06/15/00782

Type: Full

1. Application Details

Address: 23 Horwood Avenue, Littleover.

Ward: Abbey

Proposal:

Planning permission is sought for a single storey rear extension to accommodate 3 bedrooms. The extension would adjoin the existing annexe which itself projects 19 metres from the rear of the main body of the house. The extension would have a roughly rectangular footprint of approximately 113 sqm and a pitched roof rising to a maximum height of approximately 4 metres from an eaves height of approximately 2.4 metres.

Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= DERBY DCAPR 98415>

The application relates to a large detached two-storey house with rooms in the roof space situated on the north-eastern side of Horwood Avenue. The surrounding housing on Horwood Avenue is generally large, particularly towards Burton Road, and there are many examples of later extensions to be seen in the vicinity including on the application site (see following part 2 of this report). Land levels slope downwards roughly from north to south. The house stands in a large plot and the rear garden, which is about 67 metres deep, backs onto bungalows on The Close. The rear garden contains a number of mature trees which are protected by Tree Preservation Orders (TPOs) 325 and 280. The site is also associated with a Historic Event Record relating to "19th century parkland/garden associated with Fairfield House, now built over".

2. Relevant Planning History:

Application No:	12/06/01936	Type:	Full Planning Permission
Status:	Granted conditionally	Date:	27/03/2007
Description:	Demolition of dwelling & construction of dwelling with annex		
Link:	https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= DERBY DCAPR 82864		
Application No:	08/02/01097	Type:	Full Planning Permission
Status:	Granted conditionally	Date:	07/10/2002
Description:	Erection of dwelling house		
Application No:	02/02/00205	Type:	Outline Planning Permission
Status:	Refused	Date:	31/05/2002
Description:	Demolition of existing house and garage and erection of dwelling house with detached double garage		

3. Publicity:

Neighbour Notification Letter – 7 letters

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

4. Representations:

One third party objection has been received. The points of objection are that:

- The size and scale of the proposal would result in loss of amenity to neighbouring occupiers
- The extension would be likely to result in increased activity with corresponding implications for parking and noise.

5. Consultations:

Natural Environment (Tree Officer):

Within the curtilage of 23 Horwood Avenue there are two Tree Preservation Orders (TPOs), TPO 325 and TPO 280. The property is not in a Conservation Area.

As long as the advice given / recommendations made in the submitted 'BS 5837:2012 Tree Survey', 'Arboricultural Method Statement', 'Tree Protection Plan' and 'Root Protection Plan' are followed, no further comment to make other than the usual standard conditions to ensure tree protection measures, such as protective fencing is in place before and during construction works and, where necessary, no dig solutions are implemented in the root protection area of trees to be retained.

DCC Archaeologist:

I advise that the proposals will have no archaeological impact.

6. Relevant Policies: *Saved CDLPR policies:*

E23	Design
GD4	Design and the Urban Environment
GD5	Amenity
H16	Housing Extensions
E9	Trees

The above is a list of the main policies that are relevant. Members should refer to their copy of the CDLPR for the full version or access the web-link.

<http://www.cartogold.co.uk/DerbyLocalPlan/text/00cont.htm>

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.

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.

- Amenity
- Design

Amenity

As regards the likely implications of the proposal for surrounding residential amenity: The proposed extension would stand approximately 3 metres from the site's south-eastern boundary with the neighbouring property at 25 Horwood Avenue. The extension would present an 8 metre long wall to this property and, due to the slope of the land downward from roughly north to south; the application site is elevated slightly relative to the neighbouring property, thereby increasing the presence of the proposal in relation to this property. However, an eaves height of approximately 2.4 metres 3 metres distant from the boundary, rising via a shallow roof slope to a maximum height of 4 metres at a distance of 7 metres from the boundary would not, in my opinion, create a significant enough visual presence to warrant a refusal of planning permission, even when taking the difference in land levels into account. The existence of a single storey annexe adjacent to the common boundary on the neighbouring side would further reduce the visual presence of the proposed extension when viewed from 25 Horwood Avenue.

In conjunction with the existing rear single storey annex, the proposal would present a brick wall along 28.5 m of the boundary with the neighbouring dwelling on the north side, (21 Horwood Road). Although this would result in a considerable amount of enclosure to that property I still consider the relationship to be acceptable. The higher garden and floor level of 21 Horwood Avenue would reduce the relative height of the wall. Added to that is the fact that there is an existing dense evergreen Laurel hedge over approximately 3 metres high running along much of the boundary with number 21 which already encloses the outlook from that property and shades much of the garden. I consider that the proposal would have a similar effect to the hedge and that the impact on the neighbouring property would be comparable to that which currently exists.

It is possible that the additional bedrooms would result in increased human activity on the site and additional vehicular movements although these effects would not be significant enough to warrant a refusal of planning permission, in my opinion.

Design

It is true that the proposed extension is substantial in terms of scale. However, the plot in question is very large and even if the proposed structure were in situ, 38 metres of rear garden area would remain. The proposal would not be visible from the public realm and would have no presence in the street scene. As noted above, the works should include appropriate measures to protect the trees which form TPOs 325 and 280. A condition is recommended to control this.

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

To grant planning permission with conditions.

Summary of reasons:

Although substantial in scale when combined with the existing rear extension at the host dwelling, due to its relatively secluded location, the proposed extension would be within acceptable limits of scale and proportion and would be unlikely to result in significant harm to surrounding residential or visual amenity. It would therefore be an appropriate development in this location and context.

Conditions:

1. Standard condition 3 (3 Year Expiry)
2. Standard condition 100 (Approved Plans)
3. Standard condition 101 (Trees and Construction)

Reasons:

1. Standard reason E56 (Time Limit Reason)
2. Standard reason E04 (Avoidance of Doubt)
3. Standard reason E11 (Protection of Trees)

Application timescale:

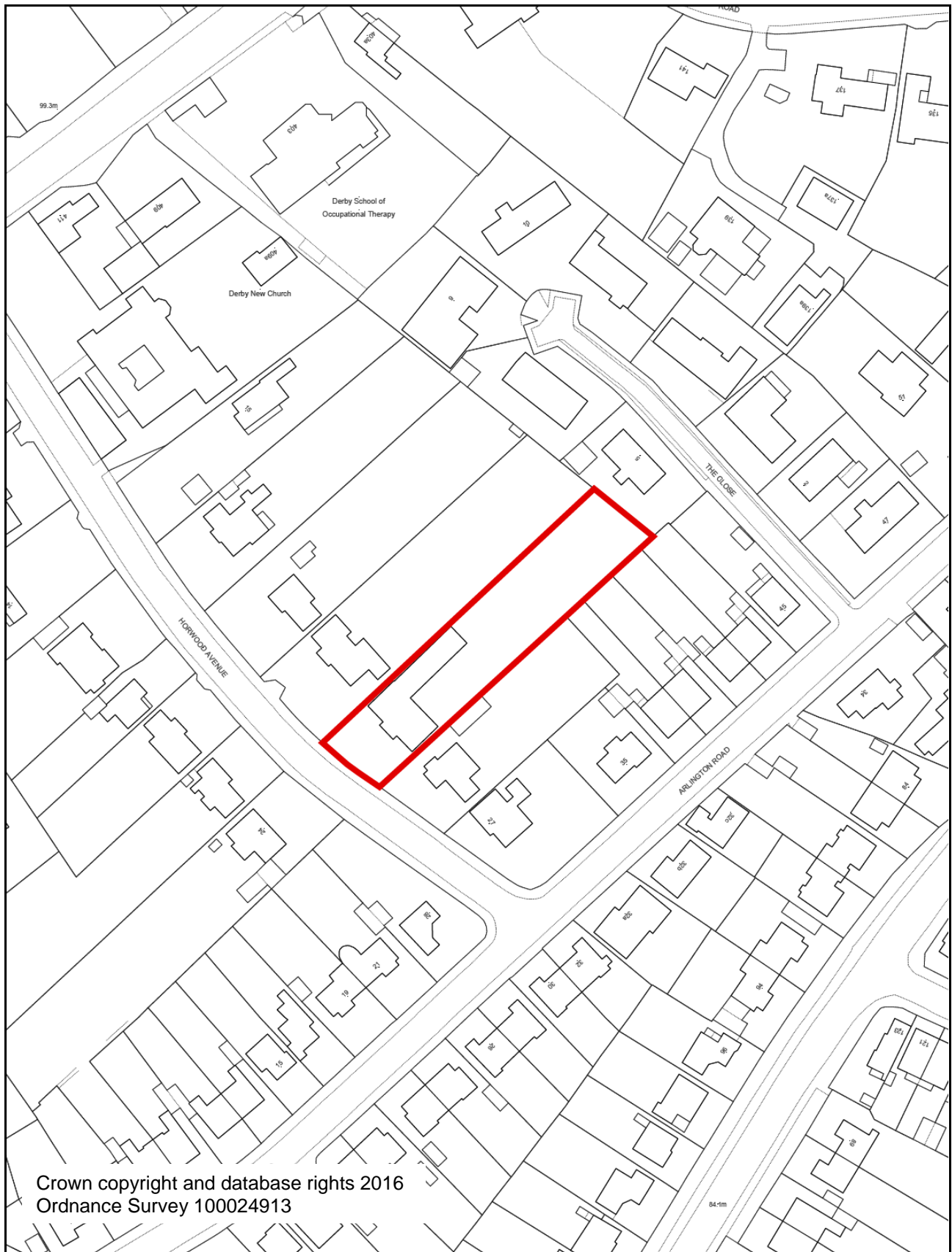
The application expired on 30 October and the agent has agreed an extension of time until 22 January 2016. Whilst the Council's Constitution provides officers with the ability to deal with this application under delegated powers it was felt that members should consider the application due to the nature of the objection received and the scale of development proposed.

Classification: OFFICIAL

Committee Report Item No: 4

Application No: DER/06/15/00782

Type: Full



Classification: OFFICIAL

Derby City Council

Delegated decisions made between 01/11/2015 and 30/11/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
09/14/01258/PRI	Full Planning Permission	Land at 25 Underhill Close, Derby, DE23 7RH (former William Caxton Public House)	Erection of 5 dwelling houses with associated car parking	Granted Conditionally	30/11/2015
10/14/01372/PRI	Prior Approval - Offices to Resi	The Coach House, 29 Kedleston Road, Derby, DE22 1FL	Change of use of first floor from office (Use Class B1) to residential (Use Class C3)	Prior Approval Approved	27/11/2015
11/14/01590/PRI	Full Planning Permission	Block B, New Normanton Mills, Stanhope Street, Derby, DE23 6QJ	Change of use from general industrial (Use Class B2) to MOT Testing Station (Sui Generis Use)	Granted Conditionally	12/11/2015
03/15/00299/PRI	Full Planning Permission	Unit 30, Former Draka UK Limited Site, Alfreton Road, Derby, DE21 4AE	Single storey extension to industrial unit (wash down area and workshop)	Granted Conditionally	27/11/2015
03/15/00426/PRI	Full Planning Permission	58 Gerard Street North, Derby, DE1 1PA	Conversion of dwelling house to form eight studio flats (Use Class C3) including installation of additional windows	Granted Conditionally	19/11/2015
04/15/00441/PRI	Full Planning Permission	Highway verge adjacent junction of Pastures Hill and Chain Lane, Littleover, Derby, DE23 4YL	Erection of 20m high monopole, 3 antennae, 2 equipment cabinets and ancillary development	Granted Conditionally	13/11/2015
04/15/00498/PRI	Full Planning Permission	The Little Shed, 3 Park Lane, Allestree, Derby, DE22 2DR	Single storey side and front extension to shop (tea room)	Granted Conditionally	19/11/2015
04/15/00558/PRI	Full Planning Permission	St. Andrews House, 201 London Road, Derby, DE1 2TZ	Formation of 25 car parking bays	Granted Conditionally	27/11/2015
05/15/00650/PRI	Variation/Waive of condition(s)	Land adjacent to 30 The Hollow, Mickleover, Derby, DE3 5DH	Variation of condition 2 of previously approved planning application Code No. DER/12/14/01732/PRI - Erection of dwelling house and garage and formation of vehicular access - to amend the approved plans	Granted Conditionally	19/11/2015
06/15/00731/PRI	Listed Building Consent - alterations	28-32 Iron Gate, Derby, DE1 3GL (The Standing Order PH)	Refurbishment of staff room and installation of frosted film to two windows	Granted Conditionally	24/11/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
06/15/00779/PRI	Full Planning Permission	19 Ashover Road, Allestree, Derby, DE22 2PZ	Two storey side and rear extensions to dwelling house (store, shower room, utility room, bedroom and enlargement of kitchen and bedroom)	Granted Conditionally	09/11/2015
06/15/00792/PRI	Full Planning Permission	148 Abbey Street, Derby, DE22 3SS	Change of use from car tyres and exhaust depot (sui generis use) to industrial (use class B2), installation of extraction unit, alterations to the elevations to include cladding, alterations to brickwork, new windows, roller shutter door, canopies and installation of boundary wall, railings and gates	Granted Conditionally	17/11/2015
07/15/00886/PRI	Advertisement consent	2 Siddals Road, Derby, DE1 2PB	Display of internally illuminated free standing sign	Refuse Planning Permission	24/11/2015
07/15/00902/PRI	Reserved Matters	Derbyshire Royal Infirmary, London Road, Derby, DE1 2QY	Re-development of former Derbyshire Royal Infirmary site to form mixed use development comprising retail (use class A1), cafe/restaurant (use class A3), public house (use class A4), offices (use class B1), residential (use class C3) and formation of associated car parking. Approval of reserved matters of layout, appearance, and landscaping on Zone 5 of previously approved planning permission Code No. DER/11/10/01429/PRI	Granted Conditionally	27/11/2015
07/15/00949/PRI	Full Planning Permission	10 Elms Drive, Littleover, Derby, DE23 6FF	Two storey rear and single storey side and rear extensions to dwelling house (utility room, conservatory, study, shower room, garage and enlargement of kitchen and two bedrooms)	Granted Conditionally	19/11/2015
07/15/00974/PRI	Full Planning Permission	2 Greenwood Avenue, Chaddesden, Derby, DE21 4HY	Erection of 1.8 metre high boundary gates	Granted Conditionally	05/11/2015
07/15/00981/PRI	Full Planning Permission	40 Walbrook Road, Derby, DE23 8RY	Change of use from dwelling house to two apartments (use class C3)	Granted Conditionally	30/11/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
07/15/00982/PRI	Variation/Waive of condition(s)	Derbyshire County Cricket Club, Nottingham Road, Derby, DE21 6DA	Erection of marquee and seating area - Removal of condition 3 of previously approved permission Code No. DER/02/10/00220 to allow siting of Marquee on a permanent basis	Granted	23/11/2015
08/15/00997/PRI	Full Planning Permission	42 Devonshire Avenue, Allestree, Derby, DE22 2AT	Two storey side extensions to dwelling house (garage, utility room, three bedrooms, two en-suites, bathroom and enlargement of kitchen)	Granted Conditionally	23/11/2015
08/15/01043/PRI	Full Planning Permission	238 Burton Road, Derby, DE23 6AA	Retention of wooden structure and fencing forming outside dining area	Granted Conditionally	13/11/2015
08/15/01049/PRI	Full Planning Permission	9 Redmires Drive, Chellaston, Derby, DE73 1XF	Single storey side extension to dwelling (lounge, bedroom and en-suite)	Granted Conditionally	30/11/2015
08/15/01057/PRI	Prior Approval - Offices to Resi	1-7 St. James Chambers, St. James Street, Derby	Change of use from offices (use class B1) to 22 residential units (use class C3) on first, second and third floors	Prior Approval Approved	10/11/2015
08/15/01084/PRI	Outline Planning Permission	37 North Street, Littleover, Derby, DE23 6BJ	Residential development (one dwelling)	Granted Conditionally	19/11/2015
09/15/01109/PRI	Full Planning Permission	130A Reginald Road South, Chaddesden, Derby, DE21 6NH	Single storey side extension to dwelling (two bedrooms with en-suites and dressing room)	Granted Conditionally	02/11/2015
09/15/01112/PRI	Full Planning Permission	20 Otter Street, Derby, DE1 3FB	Single storey rear extension to dwelling house (enlargement of kitchen/dining area)	Granted Conditionally	05/11/2015
09/15/01118/PRI	Full Planning Permission	14 Muirfield Drive, Mickleover, Derby, DE3 5YA	Installation of pitched roof over bay window on the front elevation	Granted Conditionally	05/11/2015
09/15/01119/PRI	Full Planning Permission	69 Bretton Avenue, Littleover, Derby, DE23 6EE	Installation of a brick outer skin to the existing dwelling	Granted Conditionally	17/11/2015
09/15/01120/PRI	Full Planning Permission	6 Birdcage Walk, Mackworth, Derby, DE22 4LA	First floor and two storey extensions to dwelling house (creation of ground floor covered way and first floor bedroom and enlargement of bathroom)	Refuse Planning Permission	17/11/2015
09/15/01128/PRI	Full Application - Article 4	96 Arthur Street, Derby, DE1 3EH	Installation of replacement windows and door to the front elevation	Granted Conditionally	04/11/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
09/15/01131/PRI	Full Planning Permission	50-52 Green Lane, Derby, DE1 1RP	Refurbishment of roof and installation of new shop front	Granted Conditionally	04/11/2015
09/15/01137/PRI	Variation/Waive of condition(s)	Site of builders yard and land to west of Wincanton Close, Derby (former Robinsons Construction)	Variation of conditions 1 and 13 of previously approved planning permission Code No. DER/12/13/01492/PRI to reconfigure the site layout	Granted Conditionally	12/11/2015
09/15/01149/PRI	Full Planning Permission	96-98 St. Peters Street, Derby, DE1 1SR	Erection of covered smoking area over rear yard	Granted Conditionally	05/11/2015
09/15/01154/PRI	Full Planning Permission	5 Freeman Avenue, Sunnyhill, Derby, DE23 7JU	Two storey and single storey side and rear extensions to dwelling house (kitchen, dining room, utility room, sitting room, shower room and master bedroom with en-suite)	Granted Conditionally	13/11/2015
09/15/01156/PRI	Full Application - disabled People	15 Hardwick Avenue, Allestree, Derby, DE22 2LN	Single storey side extension to dwelling house (utility room, shower room and garage)	Granted Conditionally	05/11/2015
09/15/01157/PRI	Full Planning Permission	13 Bridgeness Road, Littleover, Derby, DE23 7UJ	Two storey extension to dwelling house (store, lounge, bedroom and en-suite)	Granted Conditionally	10/11/2015
09/15/01168/PRI	Full Planning Permission	40 Gravel Pit Lane, Spondon, Derby, DE21 7DB	Single storey and two storey front, side and rear extensions to dwelling house (porch, car port, dining/day room, three bedrooms, bathroom and enlargement of kitchen)	Granted Conditionally	16/11/2015
09/15/01173/PRI	Full Planning Permission	108 Buxton Road, Chaddesden, Derby, DE21 4JN	Single storey rear extension to dwelling house (lounge, bedroom, lobby and en-suite)	Granted Conditionally	09/11/2015
09/15/01181/PRI	Full Planning Permission	3 Bonsall Avenue, Derby, DE23 6JX	Erection of boundary fence	Refuse Planning Permission	10/11/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
09/15/01182/PRI	Full Application - Article 4	5-7 Cornhill, Allestree, Derby, DE22 2GG	Installation of replacement windows with slate cills and headers, re-positioning of rainwater pipe, reinstatement of storm porch and brick arch to doorway and installation of render to the front elevation	Granted Conditionally	30/11/2015
09/15/01186/PRI	Full Planning Permission	246 Duffield Road, Derby, DE22 1BL	Two storey side and single storey rear extensions to dwelling house (office/study, utility room, w.c., dining room, bedroom and en-suite) and formation of vehicular access	Granted Conditionally	17/11/2015
09/15/01190/PRI	Full Application - disabled People	7 Corby Close, Alvaston, Derby, DE24 0BJ	Single storey side and rear extension to dwelling house (bedroom and shower room)	Granted Conditionally	23/11/2015
09/15/01194/PRI	Full Planning Permission	139 Manor Road, Derby, DE23 6BU	First floor extension to dwelling (bedroom), installation of two front dormer windows and new window to the side elevation	Granted Conditionally	13/11/2015
09/15/01197/PRI	Local Council own development Reg 3	Arboretum House, Morleston Street, Derby	Change of use of ground floor from residential care home (use class C2) to day care centre (use class D1)	Granted Conditionally	13/11/2015
09/15/01198/PRI	Advertisement consent	Unit 5, Southgate Retail Park, Normanton, Derby, DE23 6UQ	Display of one internally illuminated fascia sign and one non-illuminated fascia sign	Granted Conditionally	17/11/2015
09/15/01199/PRI	Advertisement consent	The Woodpecker Public House, 1 Woodford Road, Derby, DE22 4EF	Display of various signage	Granted Conditionally	23/11/2015
09/15/01200/PRI	Advertisement consent	The Robin Public House, 71 Devonshire Drive, Mickleover, Derby, DE3 5HD	Display of various signage	Granted Conditionally	23/11/2015
09/15/01203/PRI	Full Planning Permission	St Giles Church, Village Street, Derby, DE23 8DE	Extension to church (entrance/reception area)	Granted Conditionally	19/11/2015
09/15/01204/PRI	Works to Trees in a Conservation Area	Trees at All Saints Church, Etwall Road, Mickleover, Derby	Pollarding of 6 Lime Trees within the Mickleover Conservation Area	Raise No Objection	05/11/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
09/15/01209/PRI	Prior Approval - PV on Non-Domestic	SOS Wholesale Ltd, Stores Road, Derby, DE21 4BD	Installation of 249.895 kW PV system. (The system will be mounted on the roof and not have more glare than the existing roof surface. 210kW of the system will be above 13m and not visible from ground level. 39.22kW will be visible from stores road, but will only reflect an image of another building).	Prior Approval Approved	17/11/2015
09/15/01211/PRI	Full Planning Permission	Former Driving Test Centre, Sinfin Lane, Sinfin, Derby, DE24 9GL	Change of use from driving test centre (Sui Generis use) to car sales showroom (Sui Generis use)	Granted Conditionally	18/11/2015
09/15/01212/PRI	Full Planning Permission	1 Rochley Close, Oakwood, Derby, DE21 2AU	Single storey side extension to dwelling (garage) and erection of detached garage	Granted Conditionally	13/11/2015
09/15/01220/PRI	Works to Trees in a Conservation Area	31 Kedleston Road, Derby, DE22 1FL	Crown reduction by 3 metres, removal of two scaffold limbs and further pruning to attain a clearance of 2 metres to the overhead power cable and adjacent roof	Raise No Objection	17/11/2015
09/15/01224/PRI	Advertisement consent	32-34 Corn Market, Derby, DE1 2DG	Display of one externally illuminated fascia sign	Granted Conditionally	13/11/2015
09/15/01225/PRI	Demolition-Prior Notification	Northridge House, Raynesway, Derby, DE24 0DW	Demolition of all buildings on site	Raise No Objection	05/11/2015
09/15/01227/PRI	Full Planning Permission	18 Mayfield Road, Chaddesden, Derby, DE21 6FW	Alterations to roof from hipped to gable with installation of a rear dormer	Granted Conditionally	13/11/2015
10/15/01232/PRI	Full Planning Permission	Land at the rear of 53 Bedford Street, Derby, DE22 3PD	Erection of two dwelling houses	Refuse Planning Permission	30/11/2015
10/15/01236/PRI	Local Council own development Reg 3	24 Ripon Crescent, Chaddesden, Derby, DE21 4LN	Single storey side extension to dwelling house (bathroom and store)	Granted Conditionally	13/11/2015
10/15/01241/PRI	Works to Trees in a Conservation Area	36 St. Marys Gate, Derby, DE1 3JZ	Felling of lime tree (T2) and re-pollard lime tree (T1) back to previous pollard points within the City Centre Conservation Area	Raise No Objection	16/11/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
10/15/01244/PRI	Full Planning Permission	29 Chatteris Drive, Derby, DE21 4SF	First floor side and two storey rear extension to dwelling house (bedroom, bathroom and enlargement of kitchen)	Granted Conditionally	19/11/2015
10/15/01256/PRI	Full Planning Permission	9 Briarwood Way, Littleover, Derby, DE23 7TA	Single storey front and rear extensions to dwelling (entrance lobby, w.c., wet room and dining room) and installation of two bay windows to the front elevation	Granted Conditionally	19/11/2015
10/15/01260/PRI	Demolition-Prior Notification	Hut 6 and office block, Roll Royce Works, Elton Road, Derby, DE24	Demolition of Hut 6 and office block south	Raise No Objection	17/11/2015
10/15/01276/PRI	Demolition-Prior Notification	Unit 47-49, Rolls-Royce Plc, Sinfin A, Victory Road, Derby, DE24 8BJ	Demolition of 47-49 test beds. 50 to be maintained	Raise No Objection	18/11/2015
10/15/01291/PRI	Full Planning Permission	6 Chester Avenue, Allestree, Derby, DE22 2FE	Two storey and single storey side extension and single storey rear extension to dwelling house (sitting room, utility room, cloak room, bedroom and, en-suite and enlargement of kitchen and lounge)	Granted Conditionally	19/11/2015
10/15/01298/PRI	Full Planning Permission	James Wyatt PH, Keldholme Lane, Alvaston, Derby, DE24 0RY	Erection of smoking shelter and formation of external seating area	Granted Conditionally	23/11/2015
10/15/01317/PRI	Full Planning Permission	16 Scarsdale Avenue, Allestree, Derby, DE22 2JZ	Single storey rear extension to dwelling house (lounge, dining/kitchen with bedroom over) - amendments to previously approved planning permission Code No. DER/03/15/00431/PRI	Granted Conditionally	19/11/2015
10/15/01319/PRI	Variation/Waive of condition(s)	Site of builders yard and land to west of Wincanton Close, Derby (former Robinsons Construction)	Variation of conditions 1 and 5 of planning permission Code No. DER/09/15/01137/PRI (alterations to access) - (originally numbered conditions 1 and 6 of planning permission Code No. DER/12/13/01492)	Granted Conditionally	30/11/2015
10/15/01327/PRI	Non-material amendment	Site of former 1 - 5 Railway Cottages, Sinfin Lane, Sinfin, Derby	Erection of Substation and Transformer with associated Compound - Non-material amendment to previously approved planning permission DER/06/15/00800 to amend the footprint and location of the substation, transformer and compound within the site	Granted	24/11/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
10/15/01331/PRI	Prior Approval - Householder	30 Haydn Road, Chaddesden, Derby, DE21 4HR	Single storey rear extension (projecting beyond the rear wall of the original house by 6m, maximum height 3.47m, height to eaves 2.59m) to dwelling house	Prior Approval Not required	19/11/2015