

## 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:**

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

**Index**  
**Planning Control Committee 23 July 2015**

Item No.	Page No.	Application No.	Address	Proposal	Recommendation
1	1 - 27	04/15/00507	Land at Rolls Royce Plc, Moor Lane and land adjacent Merrill Way, Derby, DE24 8BJ	Construction of new public highway between Merrill Way and Moor Lane and associated works comprising: junction improvement works, cycle and pedestrian route, 3 Metre high noise barrier, drainage measures, removal of buildings, relocation of sports pitch and relocation of changing room facilities and other associated ground works	<b>To grant</b> planning permission with conditions.
2	28 - 66	04/15/00506	Rolls Royce, Victory Road, Derby, DE24 8BJ	Outline application for the creation of a Rolls Royce aerospace campus, comprising research and development, office, supporting staff facilities and landscaping strategy, including closure of section of existing Victory Road and re-provision of sports pitch and pavilion	<b>To grant</b> planning permission with conditions.
3	67 - 74	04/15/00460	20 Portland Close, Mickleover, Derby, DE3 5BQ	Partial demolition of bungalow, demolition of garage and erection of dwelling house	<b>To refuse</b> planning permission.
4	75 - 84	07/12/00915	Site of 453 Burton Road, Derby, DE23 6FL	Demolition of bungalow and erection of 7 dwelling houses	<b>To grant</b> planning permission with conditions.
5	85 - 90	03/15/00397	17 Shardlow Road, Alvaston, Derby, DE24 0JG	Change of use from a taxi hire business (Sui Generis use) to a hot food takeaway (Use Class A5), installation of shop front, extraction/ventilation equipment and external alterations	<b>To grant</b> planning permission with conditions.

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

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

### **1. Application Details**

**Address:** Merrill Way/Moor Lane, Derby

**Ward:** Sinfen

#### **Proposal:**

Construction of new public highway between Merrill Way and Moor Lane and associated works comprising: junction improvement works, cycle and pedestrian route, 3 metre high noise barrier, drainage measures, removal of buildings, relocation of sports pitch and relocation of changing room facilities and other associated ground works

#### **Further Details:**

Link to application:

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal= DERBY DCAPR 98123>

There are two applications relating to the Rolls Royce Sinfen Campus which are to be considered by Members. At the existing Sinfen campus the buildings are no longer fit for purpose and the site is split by Victory Road making efficient working and cohesion across the site difficult. The applicant is seeking this opportunity to create a “new” Rolls Royce Derby Aerospace Campus consisting of a modern workplace that moves away from the traditional industrial appearance of the campus we see today. It is envisaged that the new campus will be set in parkland, enhancing biodiversity and providing ecological opportunities. Two applications have been submitted in order to achieve this vision (1) seeks outline planning permission for the creation of the campus and (2) seeks permission to re-align Victory Road. The two applications have been submitted simultaneously and should be read in conjunction with one another. The new campus will not be realised without the re-alignment of Victory Road therefore this application is submitted in full. A number of recent extensions and developments on site have sought to work towards this cohesive RR vision including the recent extensions to the PTF building on Wilmore Road.

The application site encloses the public highway from Victory Road, adjacent to the HSBC Bank, along Moor Lane, to the Moor Lane offices then runs along the eastern boundary of the Rolls Royce site adjacent to the playing pitches where it runs east to west along Merrill Way incorporating the scrubland to the south of Merrill Way and the traffic island on Wilmore Road. The proposal will result in the demolition of the HSBC building at the junction of Victory Road and Moor Lane. This land is owned by Rolls Royce and leased by HSBC and it is understood that this lease is due to expire within the next 2 years. The proposal will also result in the loss of a football pitch due to the encroachment of the road and this will be replaced on land to the south of Merrill Way as identified within the submission.

The road, in part, will utilise the existing Moor Lane office access that also runs from Merrill Way to Moor Lane on the eastern side of the playing pitches. The proposed road layout has been divided into 5 working areas which clearly identify the proposed works; these are (1) the Moor Lane and Victory Road junction, (2) the new road and Moor Lane junction, (3) the new road, (4) the junction of Merrill Way with Wilmore Road and (5) the new road junction with Merrill Way and the allotments.

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

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

### **General principles of the Road Design**

Cycleway/footways of 3m in width are to be provided on either side of the road. Drainage swales are located where practically possible, at the junction of Moor Lane and the new road, along the main new road and at the junction of the new road with Merrill Way. Two new access points are proposed from the new road providing access to the Moor Lane offices and associated car park. Along the north-eastern side of the road at the back edge of the footway will be a 3 metre high noise/acoustic barrier. Maintenance access is provided to the scrubland behind the noise barrier at several points, and this land will be maintained by Rolls Royce. The new road comprises, predominantly of a single lane carriageway travelling in each direction with the exception of a refuge lanes allowing vehicles to pull clear of the main carriageway when accessing the two Moor Lane office accesses.

As discussed the position of the road will result in the loss of a playing pitch which is identified for replacement on the southern side of Merrill Way. The existing sport pavilion will also be demolished in order to facilitate the new road and two alternative locations for its replacement are identified on the submitted plans. For clarity the Data Centre and Canteen will need to be demolished in order to facilitate the road however these have been granted consent for demolition under code no. DER/06/14/00887.

Cycleway links and crossing points have been incorporated into the design of the road and it is envisaged that these links will integrate with wider cycle schemes in the south of the City.

### **(1) Moor Lane and Victory Road Junction**

The proposal seeks to remove the existing T-junction at Moor Lane and Victory Road and replace this junction with a traffic island comprising of three arms providing access to the RR campus along a new link to the former Victory Road, to Victory Road to the north and to Moor Lane. The new traffic island will take the position of the former HSBC and result in the loss of a small number of car parking spaces on the Victory Road employee car park. This will be a non-signalised junction. Footways of 3m in width are provided along each side of Moor Lane and Victory Road; these terminate along the old Victory Road. Pedestrian refuge points are located on each arm of the island and there are opportunities for landscaping surrounding the junction.

### **(2) New Road and Moor Lane junction**

The proposal will form a new signalised T-junction with an ahead lane and right turn lane from Moor Lane and a left and right turn lane from the new road. The southern side of the road will result in an encroachment to the existing Moor Lane office car park and the Data Centre/Canteen (demolition already consented).

### **(3) New Road**

Towards the centre of the new road is a signalised pedestrian crossing. This area of road encroaches onto the sport pavilion which will be demolished in order to facilitate the development and also the point at which there is encroachment onto an existing playing field. Both are identified within the application for replacement/relocation.

### **(4) Merrill Way/Wilmore Road Junction**

The existing traffic island will be replaced with a 7.5m diameter island. This junction will not be signalised. The new alignment will encroach onto land owned by Rolls

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

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

Royce to the north. The public highway will be stopped up on Victory Road although the exact location of the stopping up is yet to be agreed. An area of overrun is also proposed as part of this traffic island as a result of abnormal loads travelling to and from the RR site.

### **(5) New Road junction with Merrill Way and the Allotments**

The new road junction with Merrill Way is to be located to the west of the existing Moor Lane office access. This is a signalised junction; each road has two lanes to allow increased traffic flows through the junction. The approach from Merrill Way to the junction has been amended to allow additional standing capacity for those cars wanting to turn right into the new road. The allotment access will be moved some 20 metres to the east, towards no. 135 Merrill Way. The new allotment access will allow two cars to pull clear of the public highway whilst opening or closing the security gates. The former access to the allotments will be reinstated and boundary fenced for security. In addition a new 3m cycleway/footway will be implemented on the south side of Merrill Way; currently there is only a grass verge.

Amended plans have been sought through the life of this application, the main amendments relate to the following:

- Improvements to increase capacity and future proof the Merrill Way/New Road Junction
- Abnormal load visibility splay have been incorporated into the junctions,
- Clarification has been sought in respect of the drainage scheme,
- Amendments to the allotments access to ensure two cars can be parked clear of the public highway.

### **Environmental Impact Assessment**

The Council received a formal screening request for this application under The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (As Amended) on 19 January 2015. It was determined by the Council that an Environmental Impact Assessment was not required.

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

DER/06/14/00887 – Demolition of Data Centre and Canteen. – Granted

DER/04/15/00506 – Outline application for the creation of a Rolls Royce aerospace campus, comprising research and development, office, supporting staff facilities and landscaping strategy, including closure of section of existing Victory Road and re-provision of sports pitch and pavilion.

## **3. Publicity:**

### **Pre-Application Consultation**

Prior to the submission of this application the applicant carried out a preliminary consultation exercise, full details of this can be found within the Statement of Community Involvement (SCI), dated April 2015 which accompanies this application. This consultation exercise engaged Internal Rolls Royce Stakeholders and External Stakeholders including local residents, local businesses, local interest groups, elected representatives – Ward Councillors (Sinfin, Boulton and Chellaston Wards)

**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

and MPs and the Derby media. The consultation period ran for 4 weeks from 5 January to 30 January 2015. Internal Stakeholders received communications from Rolls Royce, email briefings and access to a project specific intranet page. External Stakeholders received a leaflet, community letter, Councillor/MP letter, access to the project website and updates within the media. Four exhibitions were also held on 14, 15, 16 and 17 January at various times.

Approximately 335 people attended one of the four information events and a total of 236 representations were received. The main concerns/comments made relate to the following:

- General opposition to the re-alignment of Victory Road
- Impact on existing junctions and traffic impacts
- Alternative re-alignment
- Safety
- Cycling provision
- Impact on existing business and the HSBC Bank
- Impacts on property value and compensation

The applicant has provided comments to these concerns on pages 16 – 17 of the submitted Statement of Community Involvement.

**Statutory Publicity**

**Initial Publicity**

Neighbour Notification Letter sent to 52 local residents on 24 April 2015

Site Notice - 3 site notices displayed on 30 April 2015

Statutory Press Advert published on 1 May 2015

**Second Publicity**

Neighbour Notification Letter sent to 56 local residents on 23 June 2015

Site Notice - 3 site notices displayed on 23 June 2015

**Third Publicity**

Neighbour Notification Letter sent to 56 local residents on 30 June 2015

Site Notice - 3 site notices displayed on 30 June 2015

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

**4. Representations:**

Four letters of representation have been received during the three consultation periods detailed above; these consist of three letters of objection and one letter of comment. These are summarised as follows:

**Comment:**

- What are the plans regarding the allotment access, if the entrance/exit currently proposed were to be moved to the west it would surely be cheaper to implement and simpler?

**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

**Objections:**

- Concerned about the noise barrier, further details regarding its design would be beneficial
- The creation of a campus and movement of Victory Road seems ridiculous and has not taken into consideration any impact on local residents,
- Local residents use this access and this has not been considered
- There is insufficient infrastructure to support this and there will still be queues on the surroundings roads,
- There has been a lack of information to residents about this proposal
- The new junction should be closer to the existing junction with Merrill Way and Wilmore Road where there is sufficient space to enlarge the junction

The following points have been incorporated from the accompanying Rolls Royce Campus application as they are considered relevant to this proposal also:

- The new road link will affect the amenity of adjacent residents
- No overriding objections to the campus or the road in principle but its location is unacceptable adjacent to existing residential properties and their rear boundary
- The properties affected are those on West Green Avenue, West Dene Avenue and Lord Street
- The road will have impacts on privacy and result in increased noise levels, strong odours, airborne pollution, vibration from vehicles, artificial lighting, potential anti-social behaviour
- Recommend the decision maker to consider the Human Rights Act and in particular Protocol 1, Article 1 of the Act
- Recommend and proposal of an alternative road link running across the scrubland on Merrill Way and along the western side of the playing pitches, to the Grey Zone car park, to the Moor Lane offices where it would join the proposed link. The advantages and benefits of this alternative are also detailed within the letter
- There are considered to be inaccuracies within the Transport Assessment with regards to the number of cars queuing on the Moor Lane western arm of the junction
- Concerned that there is no consideration of the traffic generated by T12 and Infinity Park
- Should the application be approved then restrictions should be imposed relating to hours of operation, working hours and ensuring the erection of a noise barrier and retention of trees on the grassland bank

**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

**5. Consultations:**

**Built Environment:**

The proposals would only impact upon a number a number of 20<sup>th</sup> century modern style buildings. The principal office block and computer server building were constructed by the influential practice of Fry, Drew and Partners best known for their work in Africa and India as well as the Pilkington Glass headquarters in St Helens which is grade II listed. A series of pictures of the Rolls Royce buildings was taken at time of completion for the RIBA and can be reviewed on line at the ribapix website and little has changed externally since.

The office block would remain which is to be welcomed. Unfortunately the computer server building is to be demolished. We believe that it has some interest with regards to its architectural design and the development of the site. In addition, although it is not known who designed the pavilion, it shows the development of the architecture from the office block and server building and the social interest of company providing facilities for its work force.

Therefore it is recommended that both the computer server building and the pavilion building be comprehensively recorded and described both externally and internally before demolition.

Recommendation: We would recommend that the computer server building and pavilion be appropriately recorded before they are demolished.

**Highways DC:**

The above road is to be constructed by Derby City Council in its role as highway authority. The purpose of the proposed road is to provide an alternative route to the section of Victory Road which runs from Moor Lane to Wilmore Road. This to allow the section of Victory Road to have its highway rights removed so that Rolls Royce (RR) can form a new secure campus the details of which are shown in a separate planning application No 04/15/00506.

The proposed route consists of the following elements:

1. The realignment of the southern end of Victory Road to join a new roundabout which provides a northern access to the proposed campus;
2. A new set of traffic signals on Moor Lane which is the northern terminal junction of the proposed link road;
3. The proposed link road is approximately 0.64 km of 7.3m wide road (with localised widening for right turning lanes), which links Moor Lane to Merrill Way and provides access to car parks to serve the Campus development;
4. A new set of traffic signals on Merrill Way which is the southern terminal junction of the new link road and which incorporates a revised access to the allotment gardens;
5. An improved roundabout at the junction of Wilmore Way and Merrill Way.



**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

**Traffic Impact**

The realignment of Victory Road has been modelled in the Derby Area Transport Model (DATM) in order to understand the wider implications of moving the road. To see if the realigned road changes the distribution of traffic on the local network and the impacts that this might have on junctions that provide connections to the Rolls Royce industrial area. The Merrill Way/A514 Junction, for example. DATM predicts that the realignment of Victory Road will have limited impact on the wider highway network. Detailed junction modelling has shown that the proposed and improved junctions described above cope well with the predicted traffic flows.

There are no objections to this scheme subject to the use of conditions relating to the closure of the existing Victory Road and continued access to the allotments at all times.

**Natural Environment:**

As long as the advice given / recommendations made in the submitted 'Arboricultural Report' and accompanying 'Tree Protection Plan - sheets 1 to 4' is followed, no further comment to make other than conditioning the provision of an Arboricultural Method Statement to provide guidance where the proposal gives rise to arboricultural impacts on retained trees and how these impacts might be mitigated or compensated for.

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

**Land Contamination**

I note the submission of a *Phase I Desk Study Report* (AECOM, March 2015) to support the application. In addition to providing general environmental information for the site, the study also includes a review of earlier site investigations, primarily relating to the Rolls Royce campus.

The study suggests that the previous ground investigations undertaken within the Campus noted visual and olfactory evidence of contamination.

Section 9.2 of the report provides recommendations for some additional site investigations within the site boundary. However given the proposed use further land contamination investigations are not required.

**Noise**

The proposed realignment has the potential to increase traffic noise levels for some local residential dwellings. This is as a result of bringing the new realigned section of road close to the dwellings.

In order to address these concerns, a *Noise Report* has been completed and submitted in support of the application (AECOM, April 2015). I can comment on the report as follows.

**Noise Report**

The assessment includes a baseline survey and subsequent assessment of both construction and operational noise impacts. The assessment approach is generally sound and follows relevant standards/guidance. Baseline noise monitoring during the day at each location was generally conducted over short periods (3 hours) and so can only be considered 'indicative' of existing daytime noise.

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

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

Baseline noise monitoring durations during the night were variable and probably only properly representative at location M1, which covered the full night-time period (11pm to 7am). A 15 minute measurement was undertaken at location M4, which cannot be considered representative due to the very short duration.

### **Construction Noise**

Based on the limited information known about the construction works at this time, the assessment concludes that there is likely to be a 'major' noise impact upon some local residents during most phases of the construction works.

In order to minimise the expected significant impacts from construction noise, rigorous noise management practices will be required. Should consent be given, I would recommend the submission of a detailed Construction Noise Management Plan to be agreed with the Council via the attachment of a relevant planning condition.

### **Operational Noise**

The assessment compares predicted road traffic noise for the year 2026 based on the current road alignment, with the predicted traffic noise levels based on the proposed realignment. This has been conducted using a computer noise model (SoundPLAN, version 7.3), which incorporates the recognised CRTN/DMRB methodology utilising L(A)10,18hr levels.

The prediction outputs from the model are free-field traffic noise levels at first floor level (4m above ground). It is important to note therefore that the assessment compares the predicted change in noise from traffic noise only and does not consider contributions from other local noise sources.

Using the baseline measurements, the report highlights that the noise traffic predictions may be an under-estimation of the total predicted ambient noise levels by between 2 and 5dB.

Although it is impossible to predict total ambient noise in the future (a point highlighted in the report), based on current ambient noise, the assessment appears to be conservative since the non-traffic related background noise appears to contribute significantly to the overall ambient noise.

This point is discussed in the report in sections 4.2.9 and 4.2.10 and I agree with the report's justification for assessing solely traffic noise.

Based on the results of the modelling, a significant impact from traffic noise (i.e. >5dB increase) is predicted at some residential properties close to the proposed new road. As a result, mitigation options in the form of a noise barrier are presented in the report.

### **Noise Barrier**

A total of 8 barrier design options are presented in the report and judged based on the number of residential dwellings that sit within each impact descriptor category (categories based on DMRB). This appears to be a good approach for barrier options appraisal.

Overall, the best protection is offered by a high barrier located as near to the noise source as possible. Consequently scenario 3A provides the greatest noise attenuation i.e. a 3m barrier at 1.5m set back and 515m in length.

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

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

The report highlights technical, safety and highway issues with a high barrier so close to the carriageway. As a result, the preferred option highlighted in the report is option scenario 4A i.e. a 3m barrier at 3.5m set back and 515m in length, which the report states provides the “*best compromise in terms of acoustic performance and set back from the carriageway*”.

### **Conclusions and Recommendations on Noise**

The noise assessment is robust and highlights potential impacts from noise for future residents. Consequently, mitigation in the form of a noise barrier is recommended.

Based on the barrier options appraisal, it is evident that the preferred option is scenario 3A (a 3m barrier at 1.5m set back and 515m in length), based solely on noise grounds.

I do however note the report's concerns regarding the practicality of locating a barrier so close to the carriageway and acknowledge the developer's preferred option to incorporate scenario 4A (a 3m barrier at 3.5m set back and 515m in length).

Based on the information provided in the report, the 3m barrier set at 3.5m from the road still appears to afford a good degree of protection for residential dwellings adjacent to the proposed realigned section of road. Consequently, I have no objections to this proposal on noise amenity grounds.

I would recommend that the proposed barrier is made a requirement of any planning permission, to be secured by condition. The agreed barrier design should be incorporated into the development in full before the road is opened.

### **Lighting**

It is likely that new street lighting will be required along the new section of road. Consequently, adjacent residential dwellings could be exposed to light nuisance if not correctly designed and installed.

I would recommend that a condition is attached to any consent, to ensure that proposed road lighting is designed and installed in such a manner so as to avoid amenity impacts upon adjacent residential dwellings to the new road.

### **Air Quality**

The proposed road realignment will bring new receptors (residential dwellings) within close proximity of a new road.

I note that as part of the planning application an Air Quality Impact Assessment has been submitted (AECOM, 13th April 2015). I can comment on the report as follows.

The assessment considers impacts from both construction and operational phases of the development.

### **Construction Emissions**

A qualitative assessment of construction-related emissions is included in the report. I would recommend that a detailed dust management plan is required for submission and approval before construction works commence.

The statement will need to provide detailed proposals for the control of dust and other air emissions from the site, having regard to relevant guidance, for example guidance produced by the Greater London Authority (GLA, 2006), or the Institute of Air Quality Management (IAQM, 2012).

**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

**Operational Impacts**

The report includes a detailed modelling exercise to assess the potential impact on local air quality from the road realignment. The methodology, input criteria and verification exercise all appear suitable.

The reason for increases in traffic predicted in 2026 is the construction of the T12 Link Road in Chellaston. This road already has planning permission and the air quality impacts from the road have already been assessed.

The results of the assessment demonstrate that there will be an increase in pollutant levels for properties located adjacent to the new road realignment (e.g. Lord Street, Westdene Avenue and Westgreen Avenue); however the overall pollutant levels at these receptors are predicted to remain well below national/EU objective levels.

The assessment demonstrates that there is no basis for objection to the application on air quality grounds and no mitigation is required, with the exception of construction effects (see comments in 31 and 32 above).

**DCC Archaeologist:**

The general archaeological background and potential of this area are examined in some detail in my substantive comments on the outline application for an aerospace campus (DER/04/15/00506). In general the proposed road alignment will impact previously developed land within an area of generally low archaeological potential. I advise therefore that significant archaeological impacts are very unlikely.

In terms of built heritage, the proposals involve demolition of a 1960s 'pavilion' building. While this building does not merit a historic building record in isolation, if considered to be of local significance it could be included in the more general scheme of historic building recording conditioned on the main planning consent.

**Derbyshire Wildlife Trust:**

Our comments needed to be informed by the results of the additional survey work that was required, which was undertaken in early June and the report subsequently submitted to the City Council (report Bat Survey Summary - June 2015). I have now had an opportunity to consider this along with other information submitted with the application;

- Ecological Impact Assessment Report (Aecom April 2015)
- Confidential Badger Report
- Bat Survey Summary (Aecom June 2015)
- Site Plan drawings in particular sheet 2 (dwg no 47064903-700-PL-1002)

I have the following comments to make, under the terms of the Service Level Agreement we have with the City Council;

- I note the contents of the ecological Reports and their results. The surveys have been undertaken outside the normal optimal survey period (February/March). However, given the nature of the features on the site and impacted by the proposal, this constraint does not invalidate the survey results.
- The additional survey work in respect to bat roosting potential (June 2015) appears to have used appropriate survey methodology and adequate personnel

**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

and represents reasonable effort to assess features and species protected by the Habitats Regulations (2010).

- We concur with the findings of the surveys and the impact analysis, with the key ecological receptors being:-
  - Bat roosting potential in the Roundhouse pavilion and one tree to be felled (labelled TN on the Habitat Survey Plan - Appendix A; Fig 2 and Table A.1).
  - Other potential bat roosting features (labelled trees TN5 & TN6 and bat box TN8 on the Habitat Plan) are considered outside the zone of impacts and were not considered further. This is acceptable; however, should it become apparent that work is required to these trees additional survey work would be necessary.
  - The southern boundary along Elm Wood LNR and Local Wildlife Site. Although it would appear that the LNR will not be impacted, there are some concerns which are discussed below.
- No further survey work or assessment is required at this time. However, the Report indicates that if the building and tree TN4 have not been demolished or felled within two years (2017) then a further reassessment for bats will be required. A condition to this effect should be placed on any permission if granted.
- Although sufficient work has been undertaken to assess the bat potential, these European Species may be unexpectedly encountered at any time. The legal protection means that an offence might be caused even if the disturbance is a result of an otherwise lawful activity, such as a planning permission. If bats are unexpectedly encountered then all work should cease until appropriate specialist advice is sought and implemented from a suitably licensed bat ecologist. As a matter of good practice construction staff should be advised of the location of potential high risk features and have an appropriate protocol with contact numbers should be available as part of the site office construction parameters plan/procedures.
- Although no active badger setts were observed during the survey, two old (inactive setts) were recorded (TN9 & TN10).
- As this is a highly mobile species it is recommended that a pre-commencement survey is undertaken and submitted to the City in order to ensure that the provisions of the Badger Protection Act 1991 are not infringed.
- This survey can be conditioned on any permission.
- The Report indicates that in order to ameliorate for the slight increase in disturbance at Elm Wood by car lights as they traverse the new road a new close-board fence will be erected along the boundary between the road and the LNR. We would recommend that the detail of this should be conditioned for future submission & implementation and should include:-
  - The fence should be located outside of the current LNR fence line

**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

- The boundary of the LNR and the tree protection zones should be protected with temporary high visibility fencing during the period of construction
- The specification of the fence should include a ‘mammal gap’ of 10cm under a significant proportion of the fence.
- The specification of the new hedgerow planting should be locally native species and include some elm which should be allowed to become standard trees within the maturing hedge.
- Any vegetation clearance including tree, scrub and low growing bramble should occur outside the bird breeding season (March – August inclusive) unless it can be demonstrated by the submission of a breeding bird inspection undertaken by a suitably qualified person that no nesting is present. This should be implemented via a condition.
- The site plans (e.g. 47064903-700-PL-1002) show the surface water drainage details including swales. We would recommend that the City consult its own internal drainage team on the hydrological functioning of this element of the proposal.
- We would recommend that the specification of any planting/grass seeding of the swales supports a mix of grass with wildflowers (locally native). We would suggest that this be agreed via any landscape condition.

In summary and conclusion, we would advise that;

- Sufficient information has been provided to the LPA in order that they can determine the application.
- The impacts of the scheme have been identified and where necessary proposals have been suggested to ameliorate these.
- We have recommended a number of conditions be attached to any permission – if granted – to ensure that biodiversity is adequately protected and mitigated for during the construction and operation of the new road.

**Sport England:**

Further to my letter of 18 June 2015 and our meeting of 1 July 2015, I am writing to provide updated comments on the above applications.

The main issues to address in respect of both of the planning applications in order to accord with National Planning Policy Framework (NPPF) Paragraph 74 and Sport England’s playing fields policy are:

- Securing compensatory sports provision to offset the loss of playing field and ancillary facilities resulting from the development;
- Ensuring that the delivery of the permanent replacement/compensatory facilities is secured prior to the loss of the existing facilities or, strictly subject to robust interim measures being approved and put in place to maintain continuity of provision for users, to an alternative agreed timescale the rationale for which is clearly justified by a detailed phasing and implementation plan;

**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

- Ensuring that any impact on residual playing field retained following the development is satisfactorily mitigated and any damage caused during development works suitably remediated.

In addition to the above, it would also be important to ensure that there was no temporary or long term impact on the use and availability of facilities at the neighbouring Moorways sports complex that lies to the east of the application site. I have reviewed the submitted details again, and given that the road realignment works would appear to immediately adjoin the edge of the playing fields, and in particular the artificial grass pitch (AGP) that runs close up to this boundary, then whilst there does not appear to be any overriding reason why the treatment of the boundary between the new public highway works and the AGP could not be designed and implemented in such a way as to mitigate any potential negative impact on the AGP, a safeguarding condition would be required to cover this, should the Council be minded to approve the application.

Based on the on-going discussions and the content of the respective planning applications, it is recognised that there is a clear commitment to offset the impact of the project on the playing field and changing rooms at the application site and to address the above issues in line with the relevant policy requirements. This was also reaffirmed in a subsequent discussion I had earlier this week with a Rolls Royce representative

However, at this stage there still remains some uncertainty about the phasing of the different stages of the overall scheme of campus reconfiguration and the associated road realignment, how this would link in with the timing of delivery of the permanent compensatory sports provision, and also the potential need for any suitable interim arrangements to maintain continuity for users. Also, although land has been identified as available to accommodate the new playing field and pavilion within the 'red line' boundaries of each application site, the proposed detailed design, layout, technical specification, means of access and ancillary parking for the new playing field and the new pavilion/changing facility has yet to be submitted.

As set out in my earlier response, whilst the precise design and details for all elements of the compensatory sports provision would not need to be drawn up prior to the respective decisions being issued, the feasibility of delivery and parameters of the re-provision need to be established with sufficient certainty and clarity to demonstrate that policy requirements could be met through imposition and subsequent discharge of planning conditions.

Looking at the layout plans and the areas identified for accommodating new playing field and changing facilities, there does not appear to be any overriding reason why a Sport England, sufficient quantity and quality of new playing field and ancillary changing/parking facilities could not be achieved within the scope of each planning application area to meet the requirements of Exception 4 of Sport England's playing fields policy and NPPF Paragraph 74. I have looked again at the detached area of land proposed for the new playing field provision, and noted that although overhead power lines cross the western part of the site, it would still appear to be possible to deliver playing field of a sufficient size to accommodate a full sized football pitch, albeit in a different configuration to that shown on the illustrative site masterplan.

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

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

In conclusion, given that the project offers scope to deliver compensatory provision in line with policy requirements and there is a clear stated commitment to doing so, then Sport England would not wish to maintain an objection to the proposals, subject to the conditions specified below being imposed in relation to the respective applications, should the Local Planning Authority be minded to approve the applications. Because there is overlap between the application boundaries in respect of the scheme elements relating to the loss of playing field and pavilion as well as the proposed new provision, it is judged to be necessary to include the same conditions on both applications.

An additional condition is also specified in respect of DER/04/15/00507. If the details required within this condition or other alternative clarification made available prior to a decision being issued, then this condition could potentially be omitted.

### **Historic England:**

Having read the submitted heritage impact assessment produced by AECOM, we understand the proposed realignment will result in the impact on part of the significance derived from its setting of the Rolls-Royce Moor Lane offices and associated buildings, the demolition of the computer server centre, and demolition of the sports pavilion. These buildings have been identified in the submission as non-designated heritage assets:

- Moor lane offices designed by Fry, Drew and Partners between 1961-1968 consisting of four monumental red brick structures with interlinking steel framed and glazed connecting structure, with concrete entrances canopies.
- Moor lane computer serve centre - purpose built, early examples designed by Frank Knight of Fry, Drew and Partners. Steel framed and glazed structures with chamfered edges and corners supported by a non-structural black brick plinth, with concrete entrance canopies to the adjacent offices. (*Further information can be sought from relevant pages within The Architecture of Edwin Maxwell Fry and Jane Drew, by Iain Jackson & Jessica Holland, published by Ashgate.*)
- Sports pavilion consisting of a single store circular concrete structure with covered viewing gallery overlooking playing fields to the south, within its recreational setting.

The heritage statement describes the Moor Lane offices and adjacent computer server centre were designed to function together within a wider setting including the surrounding recreational grounds to the SW from which it was possible to appreciate the monumental qualities of the architecture within the landscape. The positioning of the buildings also created a prominence on approach along Victory Road and Merrill Way. These aspects of the buildings setting made a positive contribution to the aesthetic value of the offices and the importance of Rolls Royce.

The supporting heritage statement provides a good basis for further understanding and recording of these structures in relation to their historic and architectural contribution to the development of Rolls Royce and its national and international significance. Whilst we welcome recording and the principle of redevelopment/regeneration of the Rolls Royce campus in light of the wider



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

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

economic benefits, and with improved highway structure; the response to the historic environment it represents would benefit from reconsideration and further clarification.

We believe the structures highlighted are non-designated heritage assets relating to the historic and technological advancements with architectural merit, are non-designated heritage assets and may be of national significance. We therefore strongly encourage a dialogue between your authority and Rolls Royce to explore options for retention and reuse.

The option of applying for a Certificate of Immunity for all these structures is a possible way forward to seek clarity on their heritage significance at a national level and would provide the applicant with certainty. However irrespective of whether any designations at the national level were ultimately considered appropriate by the Secretary of State, these structures have value and merit retention - an option which would also enrich the wider townscape, reflecting Government guidance in the NPPF regarding local character and distinctiveness. (para 131)

Your authority should seek specialist archaeological advice in respect to the need to assess the archaeological potential of the development site and potential impact on treatment of, and mitigation of impact on undesignated archaeological remains.

### **Policy Context**

In determining this application we remind your authority of Government policy contained within the NPPF, paragraphs 128, 129 and 135: *the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*

Paragraph 131 of the NPPF advises that local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.
- In line with the NPPF, your authority will also aim to achieve the objective of sustainable development, which in this context means guiding the development towards a solution which achieves economic, social and environmental gains - and this includes the conservation of the historic environment, one of the twelve core principles of sustainable development (para 8, NPPF).

### **Recommendation**

In light of the potential for this application to be revised to include positive proposals for the historic environment, we would encourage your authority to discuss these issues further with the applicant and seek such revisions. We remain willing to provide further advice if this is considered helpful.

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

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

### **DCC Regeneration:**

This proposal by the City Council will provide a better route as mitigation for traffic using the new road linking Holmleigh Way with Wilmore Road which will be of overall community benefit.

It also will provide a better strategic route for the business and local community which is using the new 'T12 link road' which avoids the route through the industrial site of Rolls Royce.

The new alignment will facilitate the development of a campus at Rolls Royce which with that firm's investment in the site will provide high quality jobs in Derby and be of considerable benefit to the UK.

### **Land Drainage:**

There are no objections to the scheme however a condition is recommended in relation to land drainage.

### **Sport, Leisure and Parks:**

No comments received.

### **DCC Allotment Officer:**

Various conditions have been requested in respect of timings, ensuring the security of the allotments and materials to be used for the construction of the new access. These have been set out in Section 8 of this report.

## **6. Relevant Policies: *Saved CDLPR policies***

GD1	Social Inclusion
GD2	Protection of the Environment
GD3	Flood Protection
GD4	Design and the Urban Environment
GD5	Amenity
GD6	Safeguarding Development Potential
GD7	Comprehensive Development
GD8	Infrastructure
GD9	Implementation
EP1	Land South of Wilmore Road, Sinfen
EP10	Major Office Development
EP11	Development in Existing Business and Industrial Areas
S1	Shopping Hierarchy
S2	Retail Location Criteria
S9	Range of Goods and Alterations to Retail Units
E2	Green Wedges
E4	Nature Conservation
E6	Wildlife Corridors
E12	Pollution
E13	Contaminated Land
E14	Development in Proximity to Existing Operations
E16	Development Close to Important Open Land
E17	Landscaping Schemes
E19	Listed Buildings and Buildings of Local Importance
E23	Design

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

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

L4	New or Extended Public Open Space
L6	Sport Pitches and Playing Fields
L8	Leisure and Entertainment Facilities
T1	Transport Implications of New Development
T4	Access, Parking and Servicing
T6	Provision for Pedestrians
T7	Provision for Cyclists
T8	Provision for Public Transport
T12	New Road between Sinfen and Chellaston
T13	Protection of Former Railway Lines and Canal Routes
T15	Protection of Footpaths, Cycleways and Routes for Horseriders

*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:**

- Principle of Development
- Highway Impacts
- Residential Amenity

#### **Principle of Development**

The proposed route will take traffic around the back of the existing RR office complex on Moor Lane, close to Elm Wood and then head south along the edge of the existing playing field / Green Wedge (GW) before joining Merrill Way. This will remove traffic from the main Campus area between the Moor Lane and Wilmore Road junctions, facilitating the creation of the proposed Campus (DER/04/15/00506). The proposed route roughly follows the line of an existing access road (allocated as EP11) that runs along the eastern perimeter of the playing field, just outside of the GW / playing field designation. However, importantly the new alignment does encroach into the adjacent GW.

GWs are a long standing policy principle in Derby. They are characteristically open and undeveloped areas of land that penetrate the urban area from the open countryside. Their role enhances and defines the urban structure of the city and contributes to local distinctiveness. In addition to these functions, the Sinfen / Allenton GW also provide an amenity buffer between the residential areas to the east and the more industrial areas to the west. Whilst not specifically mentioned in the NPPF, GW principles have recently been tested at appeal and have been found to be in conformity with the provisions of the NPPF, predominantly due to their relationship with character and local distinctiveness.

The Council has assessed the role and function of each of the GWs in the City through the Green Wedge Review (2012). The Review identifies the main function of

**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

the Allenton / Sinfin GW as defining the edge of Chellaston and Shelton Lock and providing an amenity buffer between these residential areas and the existing and proposed employment development to the west. The Review also assessed the impacts of promoted development sites within GWs. No land in the Allenton / Sinfin GW was specifically assessed as no sites or proposals were promoted for development at the time of writing the review.

Policy E2 of the CDLPR seeks to restrict built development within GWs in order to maintain their essential characteristics and protect their functions. In doing so, E2 specifically limits acceptable uses within GWs to uses that are generally open in nature such as agriculture, forestry, nature conservation areas and cemeteries. However, E2 does allow for 'public utilities' – where it can be shown that a suitable site outside of the GW is not available. Unfortunately, the supporting text of the Policy does not provide any guidance on what constitutes a 'public utility'.

Whilst there is likely to be a conflict with E2 to some degree, it should be considered that the principle of new roads crossing through GWs is not entirely unprecedented. For example, the T12 link and the A6 Derby Spur both cross through established GWs, although both of these routes were defined through the Plan making process. However, the presence of these existing routes demonstrates that infrastructure provision within GWs is not completely out of the question, particularly where there are clear wider benefits to outweigh the impacts. This balance is addressed below.

Despite the initial conflict with E2, it is still necessary to consider what impact the proposed road could have on the GW, in terms of essential characteristics and function. This will enable impacts to be weighed against the benefits of the project when considered as a whole.

In cases where proposed uses are acceptable in terms of E2, the policy seeks to ensure that proposals do not endanger the open and undeveloped character of the GW, its links with open countryside and natural history value. Built development associated with acceptable uses should be small scale, essential and ancillary to the operation of the main use. E2 goes even further and seeks to ensure that proposals would not detract from an area where the open character of the GW is particularly vulnerable and would not lead to an excessive increase in the numbers of people, traffic or noise.

A typical cross section of the proposed highway is likely to be a 7.3m carriageway; flanked by 3-3.5m landscape strip or combined pedestrian / cycle way. There is then likely to be a 5m swale on one side and a 3m high sound barrier on the other. The western side of the swale is likely to be separated from the RR land by another fence.

The alignment of the new highway would in essence narrow the width of the GW to the north of Merrill Way by approximately 10-15m at the southern extent, increasing to around 20-25m towards the northern extent of the GW. The alignment would remove a 0.5ha (approx.) 'strip' of land from the GW designation.

The location and shape of the land that will be lost from the GW means that the impact of narrowing would not prejudice countryside from penetrating the City. However, it would slightly reduce the extent to which the GW provides a structural role of separating the distinct industrial and residential area, purely through the reduction in the amount of open and undeveloped land.

**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

The narrowing of the GW would reduce its function in terms of providing an amenity buffer to the properties on Lord Street. The road proposal would also introduce additional noise and disturbance to the rear of these properties. Whilst this is not desirable, it should be noted that there is already an existing access route in this location and a small area identified as EP11, which provide a baseline position in terms of potential for noise and disturbance in this area. Theoretically, business development would be acceptable in principle in the area behind the properties on Lord Street, which would technically undermine the separating / amenity buffer role of the GW to some extent. The impact of the road in amenity terms is discussed later within this report.

Narrowing of the GW in this location is less than ideal from a policy perspective, but I am not convinced that the extent of the narrowing caused by the proposal will undermine the separating / structural function of the GW, particularly when considering the presence of the existing access road and EP11 allocation.

The actual carriageway in itself is unlikely to have a major impact upon the openness and undeveloped character of the GW, its links with open countryside or detract from an area that is already vulnerable. However, the proposed use will undoubtedly lead to a significant increase in the amount of traffic and noise within the GW, which does conflict with the objections of policy E2, though is unavoidable in terms of what is being proposed.

The structures associated with the new carriageway, such as lighting columns, traffic signals, signage and fencing are more likely to detract from the openness and undeveloped character of the GW, compared to the impact of the carriageway itself. This is due to the urbanising impact of the associated structures. However, the structures will be restricted to a relatively small area of the GW, meaning that the open and undeveloped character of the majority of the GW in this area will be maintained. The associated road structures are an essential requirement for the safe operation of the road but will be implemented in order to minimise the urbanising impact on the remaining GW.

Ultimately, the ancillary structures associated with the new road will have some detrimental impact on the open and undeveloped character of the GW, even if they are designed in such a way to minimise impacts. The increase in noise levels and traffic will also have a detrimental impact upon the character of the GW. However, subject to appropriate mitigation being secured through condition, the impacts will be limited to a relatively small area of the GW and are unlikely to be significantly adverse in terms of magnitude, when compared to the baseline position. The significance of the benefits of the wider proposals outweighs the relatively limited impact on the role and the function of the GW.

Policy E16 also enables us to consider the impact of proposals that are near to important open land such as GWs and seeks to ensure that adequate landscaping is provided to protect the special character of the open land.

**Green Wedge – Changing Facilities:**

Both applications, the RR Campus and the realignment of Victory Road make reference to the relocation of changing room facilities and identify two potential locations for the new 'pavilion'. However it is only the road application that results in

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

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

the loss of the changing facilities. The land identified as a potential location is located within the GW.

In terms of the principle, E2 allows for the construction of essential ancillary buildings that are related to outdoor sport and recreational uses. As already noted, E2 seeks to ensure that built development related to such primary uses is small scale and is designed in such a way to not endanger the open and undeveloped character of the GW, its links with open countryside and natural history value.

The general locations for the replacement changing facilities are located on the edges of the GW and therefore are unlikely to have a significant impact on the setting and open character of the GW. That being said any future applications relating to the design of the pavilion will need to be small scale and utilise materials and landscape treatments that minimise impacts upon the GW.

### **Playing Pitches and Open Space:**

In addition to being part of the GW, the land north of Merrill Way also includes playing pitches and can also be considered as 'open space', as defined by the NPPF.

Paragraph 74 of the NPPF states that existing open space; sports and recreational buildings and land, including playing fields should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

In terms of playing pitches, the narrowing of the GW will prejudice the use of a single football pitch. The pitch is privately owned and is used by RR employees. Policy L6 allows for the loss of sports pitches where alternative provision of another site of the same or better facilities in terms of community benefit is implemented prior to the commencement of development. Both applications make reference to the replacement of the sports pitch on land to the south of Merrill Way – thus satisfying L6 and the requirements of the NPPF. The replacement pitch will be secured by way of condition under this application.

The replacement pitch, through agreement with Sport England will be secured under an agreed timescale – the replacement pitch is unlikely to be secured prior to the loss of the existing pitch which is accepted by Sport England. This position is only accepted due to the timescales involved in respect of creating a pitch, the wider benefits and that this is a private facility and not publicly accessible. The same position may not be accepted on other facilities.

The NPPF defines Open Space as, '*all open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity*'.

Based on the NPPF definition, the land north of Merrill Way (that will be lost due to the road) is open space of public value as it offers opportunities for sport and

**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

recreation, although only available to RR employees and the land has some visual amenity, although this is mainly afforded to those residents on Lord Street where properties back on to the open land. Paragraph 74 of the NPPF will still apply, however.

In terms of determining whether the land is surplus or will be adequately replaced it is important to firstly consider what function the open space being lost currently has. The primary function of the open space to be lost is sport and recreation, forming part of RRs playing fields. The land is limited in terms of secondary functions as it forms part of an industrial area and is not open to the public. However, it does provide an amenity buffer for properties on Lord Street, as discussed in relation to GW.

In relation to the primary function of the open space, I am satisfied that this will be adequately replaced to the south of Merrill Way through the provision of a new sports pitch. Whilst the area to the south of Merrill Way could already be classed as open space, it has very limited function and therefore the laying out of a sports pitch will provide a qualitative improvement to the area, replacing the function of the open space lost to the north.

Residents living in this area of the City have access to various forms of open space in the local vicinity. Loss of the area in question will not change this conclusion as the land is not used by the public. Taking account of the limited function of the open space, the fact that the primary function will be replaced, the fact that the open space is not available for public use and is only visible from a handful of properties on Lord Street, then I am not convinced that the relatively small quantitative loss of open space is a significant issue in this specific case. The arguments that can be made relating to the different functions of the open space being either replaced or surplus, in our opinion, satisfies the requirements of the NPPF.

I am aware that there is an intention to provide significant areas of new open space and landscaping as part of the wider campus proposals. From the indicative masterplan, I would envisage that there will actually be a net gain in overall open space provision in the campus area as a whole and therefore there is likely to be wider benefits as a result of the whole project.

**Highway Impacts**

The realignment of Victory Road has been modelled in the Derby Area Transport Model (DATM) in order to understand the wider implications of moving the road. To see if the realigned road changes affect the distribution of traffic on the local network and the impacts that this might have on junctions that provide connections to the Rolls Royce industrial area, this includes the Merrill Way/A514 Junction. The conclusions of the DATM predict that the formation of the realignment of Victory Road will have a limited impact on the wider highway network. Further detailed modelling of each junction indicates that the improved junction will cope well with predicted traffic flows.

The DATM takes into consideration committed development; to the south of the City this includes T12 and Infinity Park, amongst others.

The scheme seeks to integrate with and make provision for cycle links to and across the RR site towards T12 and Infinity Park, this provision is welcomed.

**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

The applicant has sought to work with the Merrill Way Allotments taking into consideration, where practically possible, their requests. There are no concerns raised from the Allotments Officer and there are no objections to this scheme subject to the use of conditions relating to the closure of the existing Victory Road and continued access to the allotments at all times.

**Residential Amenity**

The realignment of Victory Road will introduce a public highway to the rear boundary of those properties on Lord Street, West Green Avenue and Westdene Avenue. Presently to the rear of these boundaries is an area of scrubland and an access route to Moor Lane. That being said the access is well used by RR employees, albeit at peak times.

The application is accompanied by a noise assessment the conclusions of which recommend the installation of an acoustic fence. The position of this fence is at the back edge of the footpath/cycleway with a height of 3m an area of scrubland is retained to the rear of the fence. This will afford a good degree of protection to those residential properties and no objections have been sustained from the Council's Environmental Health Officer.

Different positions for the acoustic fence have been proposed in the submitted noise assessment however these have been discounted. Other positions included closer to the road however this could have a potential impact on highway safety. Bringing the fence closer to the residential properties would require the fence to be increased from 3 to 4 metres; this is likely to have more of an impact on those residential properties and also would have an impact on the setting of the Green Wedge. Therefore these options were discounted and it was felt, as there are no objections from the specialist consultee that this is the most appropriate solution. The exact design and finish of the barrier will be secured by way of a condition.

Conditions have been recommended relating to lighting and the splay of lighting. Further conditions are also recommended in respect of construction management.

The application has attracted three letters of objection which have been summarised. A further letter of objection which was submitted in respect of the RR Campus application has also been summarised.. Concerns have been raised regarding the availability of information to residents regarding this proposal, as detailed above this application has been subject to three rounds of public consultation and the applicant carried out pre-application submission consultation. There is also a web-page related to the development along with 4 exhibitions being held at the pre-application stage. Therefore I consider that there has been sufficient publicity for this application and the wider project.

One letter of objection has suggested an alternative location for the realignment of Victory Road. Alternative routes for the road have been considered by the applicant and it was felt by the applicant that this current proposal was the most suitable. Moving the road in a westerly direction would have greater impacts on the Green Wedge, its character and openness and would also result in the loss of a greater number of playing pitches and open space. Therefore this route was discounted as an alternative.



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

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

### **Environmental Implications**

Concerns have been raised by Historic England regarding the impact the proposal will have on the Moor Lane Offices and the Data Centre. For clarity, the Moor Lane offices will not be demolished as part of this application. The access to the adjacent car park will be re-routed. The proposed road takes the alignment of the existing Moor Lane office access and therefore there is established vehicular movement in this location. Whilst the proposal is a more engineered solution than the existing highway I am confident that through the agreement of a landscaping scheme the setting of the Moor Lane offices will be improved as a result of this proposal. In respect of the Data Centre/ Computer Server Centre Rolls Royce have previously applied for its demolition as this was granted. Photographic recordings of this building, along with the sports pavilion will be secured through condition. These buildings are non-designated heritage assessments which are towards the end of their life span with little contribution to the public realm. That being said the re-positioning of the road has been considered if the road were to be moved towards the west, this would result in further erosion of the Green Wedge and the further loss of playing pitches. Therefore this was discounted as an alternative.

No overriding objections have been sustained from DWT who largely support the application subject to conditions. The recommended conditions relate to further fencing to protect Elm Wood from car lights; site clearance shall only being carried out outside of the bird breeding season and the provision of a landscaping plan particularly for the areas identified as swales. A further badger survey is required prior to any development being carried out due to this species being highly mobile. The application will result in a loss of highway trees, of concern are those on Merrill Way adjacent to the allotment. These are highway trees and therefore can be removed by the Highways Authority at any given time. The loss of any tree is always regrettable however I am confident that there will be wider planting to mitigate this loss; this will be secured by way of a landscaping scheme. The application is broadly compliant with relevant environmental and ecological planning policies and it is felt that there will be betterment as a result of the overall scheme.

The proposal incorporates a sustainable drainage scheme which is welcomed in policy terms. In order to ensure its implementation a drainage condition is recommended.

### **Summary**

The realignment of Victory Road will help to realise the proposed RR Campus and the wider benefits this proposal will bring. However this application would be able to stand-alone in terms of acceptability and mitigating its own impacts. Given the detailed consideration of this application, the benefits and impacts and weighing these in the balance I feel this is an acceptable proposal that can be adequately mitigated.

Whilst there is an encroachment onto the Green Wedge this impact can be mitigated through sufficient landscaping and consideration of the highway features. Furthermore, this encroachment is relatively minor and it is felt that the overall proposal would not detrimentally affect the open character of this area. The role and function of the GW in this location can be maintained. Any loss of GW needs careful consideration and there are clearly elements of the proposal that might be

**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

considered contrary to E2. However, these impacts need to be weighed against the overall benefits of the proposal to the City.

Whilst there will be a material change for those residents to the east of the application site it is felt the installation of the noise barrier, suitable construction management and a sensitive lighting scheme will adequately protect the amenity of these residents.

Through the formation of the re-alignment of the road it is felt that betterment can be achieved in respect of ecology, biodiversity and land drainage through compliance with recommended conditions. I feel, on balance, that the wider benefits of the road outweigh the potential negative impacts and recommend planning permission is granted subject to conditions.

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

**To grant** planning permission with conditions.

**Summary of reasons:**

In the opinion of the Local Planning Authority, the principle of realigning Victory Road onto a similar alignment to the Moor Lane office access in this designated employment and industrial location is acceptable. The proposal therefore broadly accords with the City of Derby Local Plan and the emerging Core Strategy. Suitable mitigation can be provided to limit impacts on the established Green Wedge. Furthermore mitigation can be provided to limit impacts on those neighbouring residents. The proposal will result in an overall betterment in respect of sustainable drainage, ecology and biodiversity. The proposal broadly accords with National and Local Planning Policy and is therefore considered to be an acceptable form of development.

**Conditions:**

1. Standard condition time limit
2. Standard condition approved plans
3. Condition requiring details of demolition
4. Condition requiring photographic recording of the site and buildings to be demolished
5. Condition ensuring Victory Road is not stopped up until the new and improved junctions have been implemented and are open and the allotments access has been relocated and is available.
6. Condition ensuring the allotment access is maintained during construction and the former access reinstated including the boundary.
7. Condition requiring the submission of an Arboricultural Method Statement and ensuing all works are in accordance with the recommendations within the Arboricultural Statement.
8. Condition requiring the submission of a construction management plan that will consider dust, noise and odour implications of the development along with traffic management.

**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

9. Condition requiring details of the noise barrier to be submitted and agreed. The barrier shall be implemented prior to the road becoming operational.
10. Condition requiring a lighting scheme, this will consider the impacts of lights on adjacent residents and Elm Wood.
11. Condition requiring a further bat survey if works have not taken place within 2 years of this consent.
12. Conditions requiring a badger survey prior to development.
13. Condition ensuring there is no site clearance during bird breeding seasons.
14. Condition requiring a landscaping scheme. The scheme shall take account of any trees lost as a result of the proposal.
15. Condition ensuring the maintenance of the landscaping scheme.
16. Condition requiring continued use of planning pitches during construction, including details of any interim facilities.
17. Condition requiring details of the replacement facilities including playing pitch, changing rooms and ancillary car parking facilities.
18. Condition ensuring any damage to retained pitches shall be restored.
19. Condition requiring a drainage scheme to be submitted to and agreed.
20. Condition requiring the submission of a boundary scheme.
21. Condition requiring details of the boundary fencing/noise barrier adjacent to the Moorways All Weather Pitch

**Reasons:**

1. Standard reason E56
2. Standard reason E04
3. Standard reason protecting amenity.. GD5
4. Standard reason for recording above ground heritage .. E19
5. Standard reason for road safety and acceptable highway impacts... T4
6. Standard reason for road safety and acceptable highway impacts... T4
7. Standard reason for preserving trees .. E9
8. Standard reason for preserving amenity .. GD5
9. Reason for preserving residential amenity .. GD5
10. Reason for preserving residential amenity and ecology .. GD5, E4, E7
11. Reason for preserving ecology.. E4, E7
12. Reason for preserving ecology.. E4, E7
13. Reason for preserving ecology.. E4, E7
14. Standard reason for preserving amenity .. GD5
15. Standard reason for preserving amenity .. GD5

**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**

16. Reason for ensuring no quantitative loss of playing pitches or facilities.. L6
17. Reason for ensuring no quantitative loss of playing pitches or facilities.. L6
18. Reason for ensuring no impact on the usability of playing pitches .. L6
19. Standard reason for ensuring a suitable drainage strategy ... GD3
20. Standard reason for preserving amenity .. GD5
21. Reason for ensuring no detrimental impact on the existing playing pitch

**Informative Notes:**

1. The section of Victory Road between Moor Lane and Wilmore Road, shall be 'stopped up' using the provision in S247 Planning Act 1990 (as amended);
2. The exact extent of the stopping up of Victory Road has yet to be agreed. If the extent of the stopping up at the southern end of Victory Road is not to be immediately adjacent the improved roundabout at the junction of Victory Road and Wilmore Road, a turning head (in accordance with 6CS) will be required to be provided.

**S106 requirements where appropriate:**

There is no Section 106 requirement for this development.

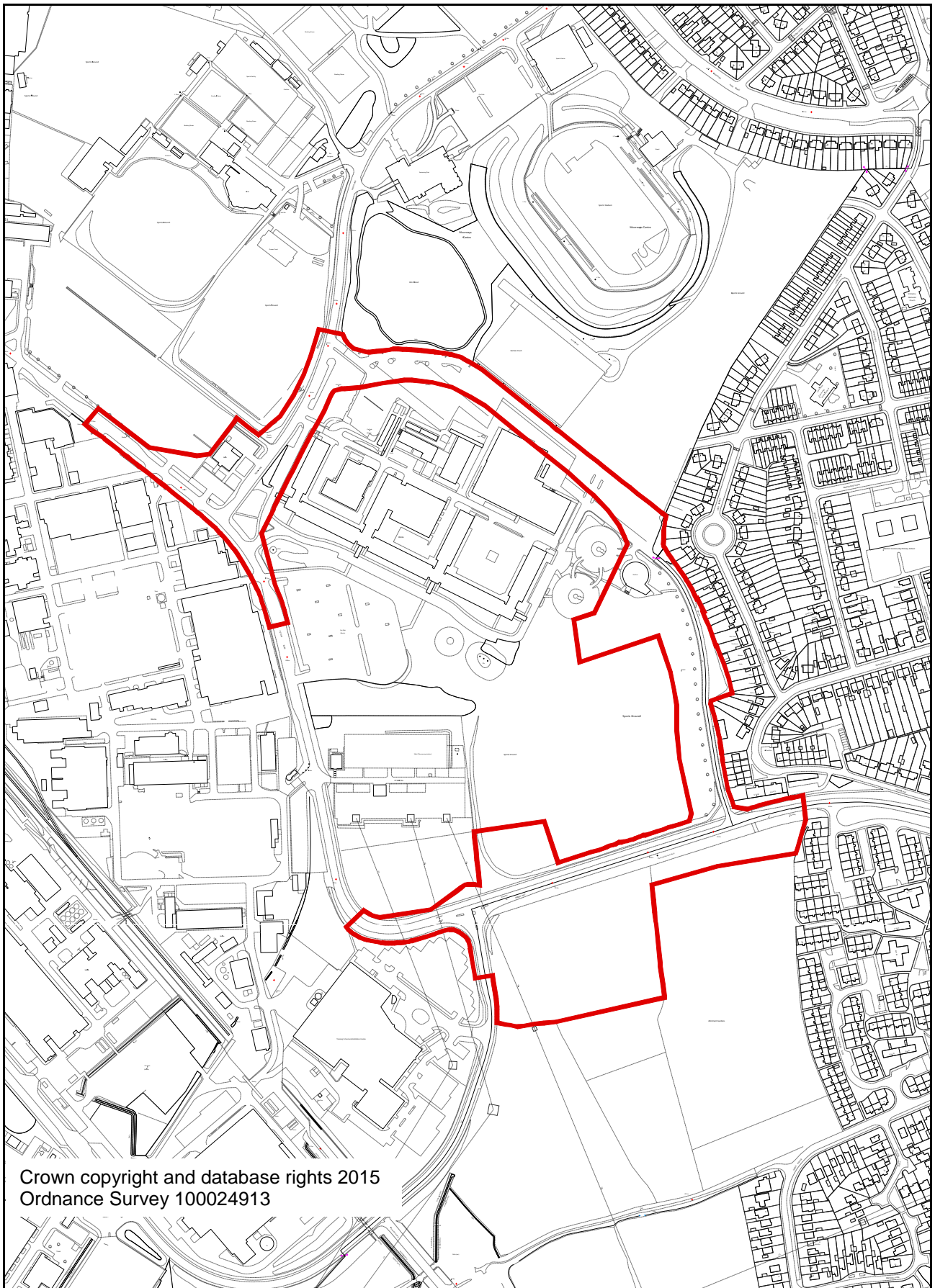
**Application timescale:**

The application is brought before committee as a result of its strategic nature. The application target for determination has lapsed and the application is subject to an extension of time agreement until 31 July 2015.

**Committee Report Item No: 1**

**Application No: DER/04/15/00507**

**Type: Full Planning  
Permission**



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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

### **1. Application Details**

**Address:** Rolls Royce, Victory Road, Derby

**Ward:** Sinfin

#### **Proposal:**

Outline application for the creation of a Rolls Royce aerospace campus, comprising research and development, office, supporting staff facilities and landscaping strategy, including closure of section of existing Victory Road and re-provision of sports pitch and pavilion

#### **Further Details:**

Link to application:

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal= DERBY DCAPR 98122>

There are two applications relating to the Rolls Royce Sinfin Campus which are to be considered by Members. At the existing Sinfin campus the buildings are no longer fit for purpose and the site is split by Victory Road making efficient working and cohesion across the site difficult. The applicant is seeking this opportunity to create a “new” Rolls Royce (RR) Derby Aerospace Campus consisting of a modern workplace that moves away from the traditional industrial appearance of the campus we see today. It is envisaged that the new campus will be set in parkland, enhancing biodiversity and ecological opportunities. Two applications have been submitted in order to achieve this vision (1) seeks outline planning permission for the creation of the campus and (2) seeks permission to re-align Victory Road. The two applications have been submitted simultaneously and should be read in conjunction with one another. The new campus will not be realised without the re-alignment of Victory Road. Therefore that application is submitted in full and is presented to members as a separate item on this agenda.

A number of recent extensions and developments on site have sought to work towards this cohesive RR vision including the recent extensions to the PTF building on Wilmore Road.

This report relates to the outline planning application which seeks planning permission for the creation of the Derby Aerospace Campus. The application area encompasses the majority of buildings on the existing site with all other land highlighted in blue – delineating Rolls Royce’s extent of land ownership. The area extends across approximately 56 hectares and is bounded to the north by Moorways and Osmaston Park, to the east by undeveloped land, RR playing pitches and beyond residential properties. To the south is the Wilmore Road junction with ‘T12’ construction of which is nearly complete, other RR buildings and to the west of the site is the Sinfin Golf Course. The main features of this site are the existing RR buildings which are of varying ages, scales and designs, Victory Road, a branch of HSBC and the large areas of car parking.

The Grade II Listed Statute of Frederick Henry Royce is located within the application site and is likely to be re-located as part of the creation of the campus. Listed Building Consent will be required to achieve the relocation of the statue. Please note Listed Building Consent has not been applied for at this stage but the need to obtain the

**Committee Report Item No: 2**

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

correct permissions have been highlighted with the applicant. The final location of the statue is also yet to be determined. It is envisaged that the statue will be located in close proximity to the proposed visitor centre, as identified on the submitted masterplan.

Within the application site there are two designed Local Nature Reserves; Wilmore Road Meadow Local Nature Reserve and Rolls Royce Local Nature Reserve. Elm Wood Local Nature Reserve is located outside of the application area but is just to the east of the site.

Buildings of particular note on this site include the Altitude Test Facility, test beds and the Oil Engine Division Building. The Altitude Test Facility Exhauster Station (ATF) is designated under BH6 on the heritage assets plan within the heritage statement and was built in 1958. The ATF is centrally located within the RR site to the south-west of Victory Road and to the south-east of the Railway line. The building is of architectural interest and housed ground breaking technology. A number of early test beds these are identified as DF33, DF40, DF41 and DF42 on the site plan within the heritage statement, these are no longer used for their original purpose now accommodating workshop studios, offices and services and a fuel pump. The Oil Engine Division Building (OED) is known locally as Sinfin B and was constructed from 1950 onwards. It is identified as BH5 on the heritage assets plan and is located on the northern side of Victory Road and is visible along Victory Road on the approach to the Osmaston Park Road junction. It has simplified Art Deco style but was constructed after this time. Additional information has been submitted during the life of this application in relation to these specific buildings. It is envisaged that these buildings will be demolished in order facilitate the masterplan. That being said, the applicant, through the life of this application has recognised the importance of the Oil Engine Division building and has subsequently withdrawn proposals related to its demolition. The applicant has provided the following statement... 'we would like to clarify that the outline planning application does not include a proposal to demolish the OED building so for the purposes of this application and as indicated by the illustrative masterplan, the OED building should be read as remaining 'as existing' at this stage. Rolls-Royce is reviewing its longer term strategy on the building's future status and will continue to work with Derby City Council on this'.

An existing playing pitch and existing changing facilities will be displaced as a result of the re-alignment of Victory Road; the playing pitch will be mitigated for under that application however there needs to be consideration for the loss of the changing facilities under this application as their relocation will play a part in the master planning of this site. At present two locations are proposed for the relocation of the changing facilities (1) is located adjacent to Merrill Way close to the junction with Wilmore Road and (2) is to the north of the existing Merrill Way/Moor Lane playing pitches.

The application is in outline format with all matters reserved at this stage. That being said the application is accompanied by an indicative masterplan that seeks to illustrate how the site could be laid out accommodating the floor uses as set out below, landscaping and biodiversity enhancements and car parking. Access to the site will also be addressed through reserved matters applications most likely resulting in a reduction in the number of access points into the site.

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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

The application seeks to demolish and clear the majority of buildings on the existing site and overtime redevelop the site with modern, fit for purpose buildings that integrate through colour, finish, design and scale. The application seeks to secure permission for total of 80,500 sqm consisting of:

- Office B1(a) – 50, 000 sqm
- Research and Development B1(b) – 26,500 sqm
- Playing fields and changing facilities (re-provision of)
- Ancillary uses include – 4,000 sqm
  - Canteen/dining
  - Medical/Occupational Health/fitness
  - Retail and services
  - Exhibition space
  - Reception/security and storage
- Visitors Centre – 1,000 sqm

The proposal would see an overall reduction in floor space by some 13,600 sqm as existing footprints are replaced with more efficient buildings.

The campus proposals are long term with a phasing plan identified within the submission. It is envisaged that phase 1 could be brought forward within the next 5 years most likely consisting of the new engineering centre, 1-2 office buildings and ancillary uses with landscaping and replacement sports facilities lost as a result of the Victory Road re-alignment.

The application has been accompanied by site location plan, land use parameters plan, building parameter plan and drainage plan along with a Design and Access Statement, updated Planning Statement, Socio-Economic Benefits Statement,, Statement of Community Involvement, Ecology Impact Assessment, Heritage Statement and supplementary Heritage information, Land Contamination Phase 1 Assessment and Outline Landscaping Strategy.

### **Environmental Impact Assessment**

The Council received a formal screening request for this application under The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (As Amended). It was determined by the Council that an Environmental Impact Assessment was not required.

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

Various applications relating to operational development on the Sinfin site but no application of this nature

DER/04/15/00507 – Land at Rolls Royce Plc, Moor Lane and land adjacent Merrill Way, Derby - Construction of new public highway between Merrill Way and Moor Lane and associated works comprising: junction improvement works, cycle and pedestrian route, 3m high noise barrier, drainage measures, removal of buildings,



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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

relocation of sports pitch and relocation of changing room facilities and other associated ground works

### **3. Publicity:**

#### **Pre-submission Publicity by the Applicant:**

Prior to the submission of this application the applicant carried out a preliminary consultation exercise, full details of this can be found within the Statement of Community Involvement (SCI), dated April 2015 which accompanies this application. This consultation exercise engaged Internal Rolls Royce Stakeholders and External Stakeholders including local residents, local businesses, local interest groups, elected representatives – Ward Councillors (Sinfen, Boulton and Chellaston Wards) and MPs and the Derby media. The consultation period ran for 4 weeks from 5 January to 30 January 2015. Internal Stakeholders received communications from Rolls Royce, email briefings and access to a project specific intranet page. External Stakeholders received a leaflet, community letter, Councillor/MP letter, access to the project website and updates within the media. Four exhibitions were also held on 14, 15, 16 and 17 January at various times.

236 letters of representation were received and 335 people attended one of the 4 exhibition events. The main points raised relate to the following:

- General support for the need to re-develop this site
- Pedestrian access across the site and the need for improvements
- Future plans for the train station
- Improving inter Rolls Royce site and public transport
- A need to improve on site amenities such as canteens, conferencing facilities, convenience services etc.
- Improve parking and electric charge charging point,
- Enhancement of the environment
- Concerns about the future of the HSBC bank and food vans
- Improved cycling facilities/links
- A need to improve safety on the site particularly due to increased traffic levels from T12
- Concerns over pollution
- Clarity on the implication on traffic generation from T12

The submitted SCI provides details on pages 22 - 23 on how these comments have been taken into consideration into the final preparation of this planning application.

#### **Statutory Publicity**

##### **Initial Publicity – 21 Days**

Neighbour Notification Letter sent to 22 local residents

Site Notice – 3 displayed on 30 April 2015

Statutory Press Advert – published 1 May 2015

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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

Second Publicity – 14 Days

Neighbour Notification Letter sent to 25 local residents

Site Notice – 3 displayed on 23 June 2015

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

### **4. Representations:**

Three letters of representation have been received during the two consultation process detailed above; these consist of two letters of objection and one letter of support. These are summarised as follows:

#### Support

- Agrees with the Design and Access Plan and Campus Masterplan
- Supports the redevelopment of a large Brownfield site and the creation of green open space within the development
- The opportunity existing for landmark architecture inspired by Rolls Royce heritage

#### Objection

- Loss of the HSBC Bank as this is a local branch for this area
- How will customers gain access to HSBC in its new/current location
- The new road link will affect the amenity of adjacent residents
- No overriding objections to the campus or the road in principle but its location is unacceptable adjacent to existing residential properties and their rear boundary
- The properties affected are those on West Green Avenue, West Dene Avenue and Lord Street
- The road will have impacts on privacy and result in increased noise levels, strong odours, airborne pollution, vibration from vehicles, artificial lighting, and potential for anti-social behaviour
- Recommend the decision maker to consider the Human Rights Act and in particular Protocol 1, Article 1 of the Act
- Recommend and proposal of an alternative road link running across the scrubland on Merrill Way and along the western side of the playing pitches, to the Grey Zone car park, to the Moor Lane offices where it would join the proposed link. The advantages and benefits of this alternative are also detailed within the letter
- There are considered to be inaccuracies within the Transport Assessment with regards to the number of cars queuing on the Moor Lane western arm of the junction
- Concerned that there is no consideration of the traffic generated by T12 and Infinity Park

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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

- Should the application be approved then restrictions should be imposed relating to hours of operation, working hours and ensuring the erection of a noise barrier and retention of trees on the grassland bank
- The land should be tested for contaminants, given its previous uses,
- Any trees should be preserved and any tree removal shall take place outside of the bird breeding season,
- Further details of any fencing, pedestrian routes and barriers should be made available.

A number of objections raised above are in relation to the re-alignment of Victory Road, under code no. DER/04/15/00507 and do not relate to this application. These objections have been replicated and considered under the road re-alignment application also.

### **5. Consultations:**

#### **Historic England:**

##### **Summary**

This planning application is an outline proposal by Rolls Royce for a new aerospace campus, facilitated by the closure of the section of the existing Victory Road that bisects the site. Total demolition and clearance of the site is proposed and new buildings constructed to house research, engineering and office activity. Historic England has been consulted on another related planning application (04/15/00507) for a new route for Victory Road between Moor Lane and Merrill Way. We note both applications have been submitted simultaneously and whilst we do not intend to comment in detail on the proposed new route, this advice letter relates to both applications.

Our advice is given in line with the Planning (Listed Building and Conservation Areas Act) 1990, Government policy guidance contained within the NPPF, the Planning Practice Guidance, and the recently published Historic Environment Good Practice Advice in Planning - notes 1-3. We have focused our assessment and advice on the potential impact on the Grade II listed statue which is proposed for relocation, and we also provide specialist advice on the non-designated heritage assets located on this site - this is intended to assist your authority in understanding the historic and architectural importance of the site, reflected through the survival of structures and buildings, and the potential impact of the scheme on this significance. We believe there is scope for retention of some of the key surviving buildings on the site and we encourage your authority to open a dialogue with the applicant to pursue both this option and to establish the heritage significance of some of the key structures.

In its current form we believe the proposals miss important opportunities to preserve and enhance the historic environment, whilst the proposals for the Grade II listed statue should not be approved in this form.

##### **The proposal**

The development site covers 56 hectares and the proposal is for a phased redevelopment and rationalisation of the Sinfin and Moor Lane sites that will result in the eventual replacement of the majority of the buildings within the application site and their replacement with modern structures to meet the needs and aspirations of

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

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

Rolls-Royce. The proposal will incorporate a series of pavilion style office and research and production buildings, each with its own formal landscaped setting. Each of the new buildings will be a maximum of up to three or four storeys tall. The detailed design is the subject of reserved matters, though notional building plots have been indicated on the masterplan. The proposal also includes the re-siting of the grade II listed statue of Sir Frederick Henry Royce and we understand discussions have taken place with your authority's officers to determine a suitable new location. We assume a separate listed building consent application will be made for this proposal.

### **Significance of the site and impact on significance - designated and non-designated heritage assets**

The Grade II Statue of Sir Frederick Henry Royce is located within the site by the junction between Moor Lane and Victory Road - it is understood this is not its original location. This statue was commissioned in 1923 by the shareholders of Rolls-Royce from the sculptor Derwent Wood to commemorate Sir Frederick's role in establishing the company and the contributions that it made to the First World War. This consisted of life size bronze figure and showed Royce in a relatively informal pose with hands in pocket. The figure was fixed to a granite plinth onto which was set an inscription.

Though the submitted information refers to the statue not in its original location, the proposed re-siting may have an impact on the significance of the statue and will require robust justification. At this stage we are unable to comment fully on this proposal until a more detailed understanding of the contribution, if any, of its current setting to the statue's significance is provided. Firm proposals for the new siting will also be required as in our view, it would not be appropriate to grant any consent until an appropriate new siting is established together with a method statement for the resiting.

In respect of the surviving structures on the site, Sinfin A, B and C contain a large number of purpose building brick workshops, laboratories, test facilities and associated plant. Many of the buildings were constructed from 1948 onwards and are generally 2 and 3 storeys, constructed as a series of test beds and hangers to house and develop engines. Within Sinfin A buildings are generally red brick with metal framed windows.

The submitted Heritage Impact Assessment produced by AECOM identifies a cluster of early test bed structures from the late 1940s, 33 (BH3), 42 (BH4), and 40 & 41 (BH3) - identified in part by the use of roller shutters which would be opened and exhaust gases from the engine expelled directly out of the building.

The development of the test bed started during the 1920s and fundamentally consisted of a functional shed in which an engine cradle was located with all the required services to run an engine. In Derby, these test beds were first located at the Nightingale Road Main Works site before being established at Sinfin from 1946 onwards. Following the Second World War, the Sinfin site was to become the focus of research and testing facilities for the aerospace division of Rolls Royce from the 1960s onwards.

From the report and Bing air photos the test beds 33 (BH3), 42 (BH4), and 40 & 41 (BH3) appear to be substantially in their original configurations, or could be stripped back to their original form. One archive photograph shows a Nene engine being

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

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

tested. In the late 40s this was the most powerful jet engine of its day and the transfer of its technology to the US and USSR kick started their jet engine industries. In recognition of this significant technological development, the slightly earlier Whittle associated aero-engine test beds at Lutterworth are statutory listed. Its role in the development of this technology clearly establishes its position. The association of early test beds at Sinfin with the Nene and subsequent engines may have national significance and in terms of the diffusion of technology international significance.

Besides the UK at this date similar facilities may only have existed in the US and Russia - possibly France. Their workman-like, form follows function; quality is typical of this era of 'austerity' and 'utility' standards. It is important to understand that few if any test beds will retain their original kit, as they were constantly adapted or abandoned. Example of statutory designation include the grade II\* listed late 1940s rocket test beds at Westcott, and the late 1950s and early 1950s facilities at Spadeadam and Orford Ness, where essentially the concrete shells are now statutory protected. Their value is in the evidential value of late 1940s test procedures and historical associations with the engines that were developed in the test facilities. Here and in contrast to other research sites, it seems possible to link the test structures with named engine development programmes. This is based on the fact that in the late 1940s there were only a few engines in development and other we know were associated with a particular project.

The submitted Heritage Impact Assessment produced by AECOM usefully summaries the main technical developments at Sinfin, and explains in part, the historical and technical significance of the site in its national context. These include

- The development of turboprop engines, linked to the name of its chief designer, Lionel Haworth, and the Dart engine;
- Development of the Oil Engine Division following the end of the Second World War with production moved to Sinfin B site with a range of offices built facing Victory Road;
- Precision casting development;

Altitude Test Facility at Sinfin C; the ATF exhaust building and DF 69 survives as the most significance component of this facility within Sinfin C. Also building 84 appears to be part of the original Altitude Test Facility (ATF); Building 84 representing the business end with the test chamber, wind tunnel and associated plant (see diagram p23), and as such a more significant structure than the Exhauster Building 69, although the latter is a more striking building. The ATF is probably the most innovative and at the time world leading test facility. It also marks Rolls Royce's move into the modern large commercial jet engine market and in turn one of the defining features of our modern world.

- RZ engine and Blue Streak - development of intercontinental missile capable of delivering a nuclear warhead until its abandonment in 1960;
- reheat technology development to reheat the exhaust of a jet engine to achieve additional thrust which had commenced towards end of WWII to counter the threat of German V1 flying bombs. Whilst this programme was also abandoned, Rolls Royce continued this development;

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

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

- Turbofan / bypass engines which led to the development of the RB211 which was the precursor to the current range of Trent engines, for the range of large long-haul commercial aircraft - buildings surviving within Sinfin C .

Of the surviving structures on site, we believe the test beds, of which examples have been given, are of particular interest. These were purposefully utilitarian in character and form and related to the development of the Rolls Royce range of jet engines. Their evidential value helps place this site with others at the forefront of jet engine development through the 20<sup>th</sup> and into the 21<sup>st</sup> century. Here the contribution of Rolls Royce to the development of military aircraft post WWII, through the Cold War and commercial development, is of high significance in terms of their historic, evidential and technological value and association with both military and commercial aircraft development.

We believe the Oil Division HQ - the OED office building - is an attractive building with architectural merit, and would provide architectural interest to any future development. Here the 1950s 2 storey red brick office building with stone cornice and dressing and decorative balcony surmounted by the RR emblem, is of some architectural merit with a townscape presence onto the road. It is important to understand this building was constructed during a time of building material rationing, and thus the use of materials emphasises the national importance and investment of Rolls Royce, in part to lead the post-war export drive. This building appears adaptable to modern standards and we can see no justification for its demolition.

We also consider there are opportunities to reuse and retain the best examples of the former test sheds from the earliest structures through to the larger structures within Sinfin C. There are international examples where utilitarian buildings dating from this period are valued, and adapted for 21<sup>st</sup> century re-use. This includes the former airfield at Adlershof, Germany. Exploring the potential of this, combined with innovative new build, could enliven the proposed campus, adding richness and a depth of history to the new site. To ultimately clear the site and start again, in our view, is a missed opportunity and one which fails to see the benefit and heritage value of the site and its legacy for Britain and indeed the world.

The supporting heritage statement is considered a good basis for further recording and greater understanding of the contribution of this site and remaining built form within.

We welcome the possible involvement of the RR Heritage Trust in documenting this site. Studies of the history of the technology of development and their associated infrastructure are relatively rare. Given the significance of this site, a programme of oral testimony recording, combined with analytical building recording and documentary research would be a valuable contribution to the engineering history of post-war Britain. The RR Heritage Trust might also be a suitable repository for selected associated photographs, plant drawing, technical manuals, and artefacts.

### **Policy Context**

In determining this application we remind your authority of Government policy contained within the NPPF, paragraphs 128, 129 and 135: the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly

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

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

on designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 131 of the NPPF advises that local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness

In line with the NPPF, your authority will also aim to achieve the objective of sustainable development, which in this context means guiding the development towards a solution which achieves economic, social and environmental gains - and this includes the conservation of the historic environment, one of the twelve core principles of sustainable development (para 8, NPPF).

### **Position**

The principle of redevelopment of this site is clearly to be welcomed in light of the wider economic benefits this offers; however the response to the historic environment it represents would benefit from reconsideration and further clarification.

In our view further information is required to fully assess the re-siting of the grade II listed statue which should include firm proposals for a new location. The proposals for re-siting the statue should not be approved as currently submitted.

We believe structures on the site relating to the historic and technological advancements by Rolls Royce are non-designated heritage assets and in some cases may be of national significance. We therefore strongly encourage a dialogue between your authority and Rolls Royce to explore options for retention and reuse of key structures with appropriate recording of others.

The option of applying for a Certificate of Immunity for the structures on the site is a possible way forward to seek clarity on their heritage significance at a national level and would provide the applicant with certainty. However irrespective of whether any designations at the national level were ultimately considered appropriate by the Secretary of State certain structures on the site are still clearly of value and merit retention, an option which would also enrich the quality of the proposed new campus, reflecting Government guidance in the NPPF regarding local character and distinctiveness (para 131).

Your authority should seek specialist archaeological advice in respect to the need to assess the archaeological potential of the development site, and potential impact on, treatment of and mitigation of impact on undesignated archaeological remains.

### **Recommendation**

In light of the potential for this application to be revised to include positive proposals for the historic environment we would encourage your authority to discuss these issues further with the applicant and seek such revisions.

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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

### **CAAC:**

Did not wish to see the application.

### **Highways DC:**

The above application is seeking outline planning consent with all matters reserved for consideration at a later date. However, the information supplied with the application indicates that the amount of overall floor area on the site will be reduced by 13,600sqm (see non-residential floor space amended information). The majority of this change will be 59,000sqm of generally industry being replaced by 46,000 sqm of research and development, office uses and a small amount of ancillary uses. As reserved matters applications come forward and the form of development becomes clearer, including the location of car parks and revised access locations etc. The traffic impact of each phase will need to be tested against the surrounding highway infrastructure (including the new link road and junctions).

Conditions are requested requiring the submission of a Transport Assessment with each reserved matters submission and requiring the submission of a travel plan prior to any development commencing on site.

### **Natural Environment:**

#### **Trees**

It is acknowledged that this outline application for the creation of a Rolls Royce aerospace campus will take place over the next 20 years, as detailed in the Design and Access Statement. Therefore, in relation to trees, hedgerows and landscaping, as long as the advice given / recommendations made in the submitted, Design and Access Statement, Ecological Impact Assessment Report, Outline Landscape Strategy and Planning Statement. The advice and recommendations within these documents should be following in respect of trees, hedgerows and landscaping conditioned as part of reserved matters, no further comment to make in relation to the details submitted.

#### **Rights of way**

The outline planning application boundary includes part of Public Footpath – Sinfin Moor 7, between Sinfin Central Station and Wilmore Road.

Rolls Royce has applied for this public footpath to be closed, but the Council has yet to agree to this request.

### **Environmental Services (Health – Pollution):**

#### **Land Contamination**

I note that the application seeks to significantly increase the degree of soft landscaped land within the existing industrial Rolls Royce site. Given that the land may be contaminated as a result of its industrial use, the increase in soft landscaping has the potential to increase human health risks on site.

In light of potential increased risks on site, a Phase I Desk Study (AECOM, March 2015) has been submitted with the application. I can offer the following comments on the report.

Please note that the following comments do not seek to interpret or discuss the suitability, or otherwise, of any of the geotechnical aspects of the site investigation, other than in a land contamination context.



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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

All comments provided by the EP Team relate to human health risks. I would refer you to the Environment Agency for their comments on any conclusions made in the report surrounding risks that may exist to controlled waters, since the Local Authority cannot comment on these aspects.

### **Phase I Desk Study**

The report follows relevant guidance, has considered relevant contamination sources and provides a suitable conceptual site model, in line with CLR11.

The report includes a review of a large series of Phase I and Phase II studies, totalling 13 studies between 2002 and 2013, which have been conducted previously on a selection of sub-sites within the application site.

The previous investigations have confirmed the presence of significant contamination in a number of areas across the development site, particularly within the Sinfin A and C sites.

Only limited ground gas monitoring has been conducted on site and many areas of the site have not benefited from any ground gas analysis.

There appears to be groundwater contamination on site relating to chlorinated solvents. I would strongly recommend that the Environment Agency is consulted regarding the report.

The report recognises gaps in data needed to properly assess risks in a number of areas of the site and recommends a requirement for further site investigations and I would recommend that such investigations are required via the attachment of conditions to the planning consent, should it be given.

I would recommend further phase land contamination conditions.

### **Noise**

There are numerous existing noise sources on site, in particular a series of engine test beds which have historically generated complaints from local residents. At this outline stage, the specific details of the potential future layout and design of the site are unclear and so it is not possible to accurately judge future noise impacts from the development.

It is likely that any significant amendment to the current design and layout of the site has the potential to affect the overall noise climate within the area, which could be positively or negatively, depending upon the location.

It is also likely that old equipment/machinery will be replaced as part of the development which may increase noise levels if moved closer to sensitive receptors, but also has the potential to reduce noise levels as a result of newer equipment being more efficient and technologically advanced to the existing equipment.

Given the significant uncertainties surrounding noise impacts at this stage, I would recommend that a condition is attached to any planning consent that may be granted, requesting a noise impact assessment and any mitigation measures as a result of this assessment.

### **Air Quality**

The National Planning Policy Framework (NPPF) clearly states in its core planning principles that the planning system should “*contribute to reducing pollution*”. With

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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

respect to air quality, this is particularly pertinent in light of the now well-known number of deaths caused each year in the UK as a direct result of poor air quality.

No details have been submitted with the application regarding air quality and so I would recommend that it may be prudent to request details from the developer as to how the development aims to conform to this principle, in the form of an air quality improvement strategy or low emissions strategy for the site. I would recommend a condition is attached to any consent requiring this.

### **Construction**

Given the scale of the Development, I would 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, to be secured by planning condition.

The statement will need to provide detailed proposals for the control of dust and other air emissions from the site, having regard to relevant guidance, for example guidance produced by the Greater London Authority (GLA, 2006), or the Institute of Air Quality Management (IAQM, 2012).

Noise management procedures should have regard to the guidelines described in BS5228, or other agreed guidance/standards.

The Plan should be submitted to the Council and approved before construction activities commence. The agreed Plan should be complied with fully throughout all construction/demolition phases of the development.

### **DCC Archaeologist: Initial Comments – 6 May 2015**

#### **Below-ground archaeology**

The heritage impact assessment identifies a number of possible archaeological receptors in and around the site, the majority of which however are of negligible significance or will be unaffected by the development proposals.

The proposal site in general lies in an area of low archaeological potential, where late-glacial lake deposits produced a landscape which was not widely exploited until around the 19<sup>th</sup> century. Archaeological evaluation of the wider Chellaston Business Park/Infinity Park/T12 Link Road sites to the south did not identify any archaeological or palaeo-environmental targets, being dominated by lacustrine deposits. The eastern edge of the lake, corresponding to a balancing pond associated with the T12 road, was identified as a potential focus of Palaeolithic activity, but archaeological investigation did not identify any remains here (approximately 250m south of the current development boundary).

A more closely settled prehistoric/Romano-British landscape might be expected where the lacustrine deposits interface with the edge of the gravel terrace, and this is indicated by a scatter of stray finds of prehistoric and Romano-British date, located in the area north of the development boundary within Osmaston Park and the developed area of Allenton. This finds distribution corresponds neatly with the edge of the Allenton Terrace deposits, shown by BGS approx. 400m north and north-east of the proposal boundary. This suggests that the Rolls-Royce site itself lies in an area of lower potential, associated with glacial till (clay) and – further south – lacustrine geology, with higher potential associated with the gravel terrace to the north.

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

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

The current development proposals, although extensive (c53ha), impact the previously-developed Rolls-Royce site, with substantial industrial buildings and test-beds interspersed with open landscaped areas. The only area of previously undeveloped ground is the new sports provision at the south-east corner of the site (c2ha). In general, open areas of the site are likely to have experienced moderate to substantial ground disturbance from levelling, landscaping and in some cases from clearance of earlier buildings. Combined with the overall low potential for previously undiscovered archaeology at the site I advise on balance that the potential for encountering early (i.e. pre-industrial) archaeological remains during the groundworks is extremely low.

Other receptors identified in the heritage assessment lie outside the development boundary, such as the possible ancient woodland at Elms Wood (A3), and the medieval and potential Saxon remains at Sinfin Golf Course/Cottons Farm, and will not be impacted by these proposals. Post-medieval farm remains at Glebe Farm and Merrill Farm (A5) are of low significance and unlikely to survive within the Rolls-Royce site. The only below-ground resource of potential significance is the WW2 air raid shelters within Site D, identified as site A8 in the heritage assessment. The exact location of these remains is not clarified in the heritage assessment, but appears to be on the fringe of the development site, in an area shown as landscaping by the masterplan. The air-raid shelters could potentially be of medium (county/regional) significance as an example of large-scale communal/industrial shelters which are relatively rare (cf similar shelters at Stanton Ironworks, Ilkeston), and should ideally be preserved *in situ* where encountered, or subject to archaeological/building recording if their significance is outweighed by other factors.

### **Built Heritage:**

The heritage study provides a detailed study of built heritage significance within the site, and in general I concur with the findings therein, although I support the suggestion of the local planning authority's conservation officer that the applicant may wish to pursue a Certificate of Immunity from listing of key structures. I also feel that the OED office building is of county/regional significance as an undesignated heritage asset and has an architectural/historic value – making a similar iconic architectural statement to the listed 'Marble Hall' building on the Osmaston site. I recommend that this building should be retained within the scheme, as its loss does not seem to be dictated by viability factors.

Where the loss of the existing 20<sup>th</sup> century Rolls-Royce buildings on the site is considered justified by the local planning authority under the policies at NPPF chapter 12, I recommend that a comprehensive scheme of historic building recording is carried out before demolition, to create a record of these buildings in line with NPPF para 141. The building recording must be carried out to professional standards, and professionally led, although with this caveat I support the applicant's suggestion that the Rolls Royce Heritage Trust could be involved in the recording process (heritage assessment 5.1.8).

### **Recommendations**

The local planning authority should seek retention of the OED office building – and any other buildings judged of national importance – within the detailed scheme for the site.

**Committee Report Item No: 2**

**Application No: 04/15/00506**

**Type: Outline Planning Application**

Historic building recording – and any archaeological work necessary to secure preservation *in situ* or recording of the air raid shelters on Site D – should be secured by planning conditions in line with NPPF para 141.

**Supplementary Comments - 2 July 2015**

In relation to below-ground archaeology no additional information has been presented and my previous comments therefore still apply (attached).

With regard to built heritage I concur with the comments from Historic England, that the redevelopment of the site offers opportunities for the retention and reinterpretation of historic buildings, and that the local planning authority should encourage the applicant to explore these possibilities, in pursuance of the aims of NPPF para 131. From the tenor of Historic England's comments it seems possible that some of the historic buildings on site could prove to be of national importance (i.e listable, and therefore subject to determination under NPPF paras 132-4 for designated heritage assets). It is difficult therefore for the local planning authority to determine the application in relation to these buildings without further guidance on which NPPF policies to apply (para 135 for undesignated assets or paras 132-4 for designated).

As previously suggested by both Neil Robertson and Historic England, a Certificate of Immunity process would provide a degree of certainty in establishing whether individual buildings are listable or not, and enabling the local planning authority to apply appropriate policy in determining the application. I would encourage the applicant to pursue this course of action. Another option would be for the local planning authority to bring the relevant buildings forward for consideration by Historic England's designations team.

**Environment Agency:**

Raise no objections to the proposal but recommend conditions.

**Derbyshire Wildlife Trust:**

Comments Received - 28 May 2015

Further to your recent consultation I have now had an opportunity to consider the above application and the associated documents;

- Ecological Impact Assessment Report (EclA - Aecom April 2015)
- Outline Landscape Strategy (Aecom April 2015)
- Drainage Strategy Plan 47064903

I have the following comments to make under the terms of the SLA we have with the authority;

**Reptiles (Wildlife & Countryside Act 1981 - protection of animals & UK Biodiversity Action Plan Priority Species Section 41 NERC 2006 - wider habitat)**

- Identification of areas potentially suitable for reptiles has rightly been acknowledged throughout the document (paras 3.2.27, 5.3.8 & 6.6.1). However, we would strongly recommend that the area of semi-improved grassland to the north of the site is added to the potentially suitable sites.
- The DWT Officer (Trevor Taylor) has identified from his earlier work associated with the current construction site that these habitats within the Rolls Royce

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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

campus were similar in character to those which had previously been present on the construction site.

- Identifying and incorporating this area – adjacent to the railway corridor – further strengthens the ecological connectivity within the site.
- I note the need for further assessment (para 10.2.1) of vegetative habitats for reptiles as work on each phase on or adjacent to the identified potential reptile habitat comes forward at Reserved Matters. The EclA acknowledges the need for this to be conditioned.
- I would suggest that the **condition** attached to any permission if granted is worded to state 'a **minimum** of 12 months prior to commencement of works' in order that there is sufficient time to assess impacts, undertake necessary survey work and implement a clearance strategy if necessary. Timing of works associated with reptiles is extremely seasonally dependant and clearance strategies if required can be lengthy.

### **Bats (European Protected Species Habitats Regulations 2010)**

- It would appear that reasonable effort has been used to assess the built structures on site for their potential to support bat roosts (Appendix B), which has resulted in the identification of structures with low (24 buildings) and moderate potential(1 building) for bats. The majority of features observed were external (lifted barge boards etc) with some potential for crevice dwelling species to access cavity walls.
- I will await the submission of the addendum to the EclA with the further results of the activity surveys.
- I would strongly recommend that as part of the additional bat work (10.1.1) that in addition to the activity surveys that internal inspection is undertaken of B16b.
- It should be confirmed with Rolls Royce facilities management that buildings do not have roof voids (for example but exclusively B23, B37, B42, B45, B51, B61, B74). Although many of these structures are of low or negligible potential, it would be reasonable to consider that there may be potential for access points into roof voids from higher elevations that could not be observed on flat roofs from the initial inspection.
- Section 9.1.2 identifies that if at any stage bats are found then there will be a need for mitigation and potentially a European Protected Species Licence. We would recommend that a **condition** be attached to any permission if granted to ensure the implementation of any additional pre-commencement works, demolition protocol and submission of information to the LPA of any European Protected Species Licence application – should it be necessary.
- The EclA identified that a major factor in the suitability of the site for bats, was the current security and other lighting of the site. As part of the enhancements that could be achieved (para 9.1.3) we would strongly recommend that a **condition** be used to implement a more bat sensitive lighting regime, which would probably also be more sustainable.

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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

- I would suggest that as each phase of development comes forward with Reserved Matters that a lighting scheme is produced which has regard for the Landscape Management Strategy with a consistent approach to illumination and specifications for lighting elements (eg hoods, directional and low level features or timed).
- I would suggest that the first Reserved Matters lighting plan presents an overarching master plan showing how the illumination of the site will achieve the appropriate levels of illumination necessary in key areas. For example identifying key points that require security lights, pedestrian access, personnel safety illumination and vehicle road/car park illumination and wildlife friendly 'dark' corridors and the methods/specifications to light each type of area.
- As bats are a European Protected Species I would suggest that the **officer's report** or delegated powers notice refers to the Habitats Regulations tests for derogation in terms of the planning tests of Imperative Reasons of Over-riding Public Importance and no satisfactory alternatives. The favourable conservation status test can be dealt with as appropriate and necessary as each Phase is brought forward.

### **Additional Potential Protected Species Interest**

- The only target noted point of the EclA (TN1) is the reports of the presence of nesting owls in building 12.
- I would strongly recommend that a **condition** be placed on any permission to ensure that this issue is investigated thoroughly by appropriate survey and mitigation proposed prior to the submission of the RM application which would require the demolition of this structure.
- Although the site is highly industrial, I have had experience of barn owl nesting in similar conditions from previous work at the Trafford Centre in Greater Manchester. *Barn owls are a Schedule 1 bird (Wildlife & Countryside Act 1981)* and if this species is found to be present in an unplanned manner could cause significant delays to the implementation of the proposal.

### **Habitats (Local Wildlife Sites and other Habitats for UKBAP species)**

- The EclA indicates that a Management Plan for Wilmore Road Meadows LWS is required under a condition for a previous proposal (para 6.3.2). I am unaware of this document's submission to discharge this condition and I would strongly recommend that the LPA clarify the timescale for its production.
- I would strongly recommend that given the current application that this management plan reflects the principals and objectives of the Outline Landscape Strategy (see comments below).
- I am unclear how this can be incorporated via condition or other planning tool, but perhaps would suggest that a note or **informative** on any approval may be a way forward with this?

### **NPPF Biodiversity Gain and Enhancement**

- As acknowledged in the EclA (para 9.1.3) there is significant potential for the proposal to provide biodiversity enhancements and this principal has been incorporated into the Outline Landscape Strategy (see below), however the

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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

EclA seems to have overlooked a number of elements which could drive future landscaping and estate management.

- I would suggest that 9.1.3 also included consideration of the wetlands for the site and opportunities for and biodiversity management of the wider estate including the railway line, semi improved grassland at the north of the site and Rolls Royce land LWS.
- The **conditions** necessary to achieve the biodiversity gain will be encompassed in the conditions suggested below regarding the Landscape Strategy.

### **Landscape Strategy**

- We very much welcome the overall ethos and ecological approach that has been incorporated into the Outline Landscape Strategy (OLS), with the identification of the Meadow Parkland concept (page 24 of OLS) and recognition of reptiles and their habitats which could provide one ecological driver for on-going estate management, along with the rehabilitation and appropriate management of Wilmore Road meadows LWS and newly created Parklands.
- I would suggest that the identification of the ecological receptors (section 02 page 16 point H) and the Figure 3.3 identify both the railway and the semi-improved grassland to the north as part of the ecological landscape resource. This would provide consistency between the findings of the EclA and the OLS.
- I note and welcome the principles of sustainable drainage (section 03) but am a little unclear as to how it fits with the Drainage Strategy (plan 47064903). I would strongly suggest that **clarification is sought** as to how the applicant sees the two elements combining. I would suggest that a condition be applied to ensure that each RM application is supported by sufficient information on the design of the surface water drainage and the SuDS elements of the scheme.
- I would recommend that **two conditions** are implemented on the proposal should it receive permission which;
  - Identify the need for each RM application is submitted with full details and specification of landscape planting and ecological landscape creation/rehabilitation.
  - Require the production of a Landscape Ecological Management Plan for the whole estate – including all vegetated areas within the application boundary, including the railway line and amenity grasslands and wetlands both for SuDS and wildlife.
- In planning terms I am uncertain as to when would be appropriate to expect the production of the LEMP, but I would anticipate given the timescale of the build out of the proposal that the condition should require this early in the development's implementation.

### **In summary and conclusion**

I would advise;

- The application if implemented to a high standard and following/addressing the principals of the EclA and the Outline Landscape Strategy should provide protection for the existing biodiversity interest and could provide good biodiversity gains.

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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

- I have suggested a number of additional considerations in relation to reptile habitat, use of buildings by owls and bats to help ensure that the high quality outcome can be achieved.
- I suggest that additional clarification is sought on the integration of the Drainage Strategy and the Outline Landscape Strategy's recommendations for the use of SuDS.
- I have recommended a number of conditions to guide the implementation of additional pre-commencement biodiversity surveys where necessary and to ensure that Reserved Matters applications carry through the outline's principals.

### **Police Liaison Officer:**

As the enabling application 04/15/00507 for the realigned Moor Lane to Merrill Way route forms part of the redevelopment masterplan, general comments can additionally be taken as a response to that proposal.

The masterplan for the overall site is seen as an opportunity to tackle the community safety issues which piecemeal development of the Rolls Royce campus has introduced.

These issues are summarised as:-

- Poor definition between public and private space, particularly in respect of movement routes through the site.
- Large unsecured areas of parking.
- Poor connectivity between buildings and peripheral open spaces.
- Disconnected parking provision.
- A disjointed approach to and effectiveness of fencing.
- An over reliance on formal surveillance for security provision.

Security provision is addressed at part 7.2 of the supporting design and access statement, but unsurprisingly at this stage not in great depth.

The overarching principle of rationalising the site into a more cohesive layout will benefit community safety and crime reduction.

It would be hoped that the detailed design of future planning will respond to the above points in respect of building elevational treatment and orientation and an effective and robust approach to boundary treatment and access points, together with integrated formal security management provision and management practices.

With the above principles in mind, the existing footpath which connects Whittington Street and Moor Lane runs through large areas of staff parking with no separation or definition and (for example) is an area which would require separation and control of access, whilst keeping foot and vehicle access routes safe and supervised.

### **DCC Regeneration:**

The creation of a campus for Rolls Royce will enable the company to invest in an improved site facility with more modern buildings reflecting modern industrial and office needs in a more appropriate environment. This investment by the company will enable the continued provision of high quality jobs in the Derby area and East



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

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

Midlands region with social and economic benefits to the local and national economy and to community well-being.

**Built Environment:** 22 May 2015

We would be broadly supportive of the redevelopment of the site. However there are a number of issues that we believe should be further explored.

### **Oil Engine Division Office Building**

We believe that this building makes an important contribution to the site and wider area and would be considered a heritage asset. It adds to the wider architectural interest of the city and was presumably one of the first major post war developments in the city/county. Further investigation with regards to the architect and early plans would be most useful. The OED makes a positive contribution to the streetscape, is of its period and has features of interest. Although built in the 1950's it is more typical of the designs seen in the 1930s of a pared down classical style in brick with stone detailing. There are some modern style architectural details such as the entry to the south. Internally from the photographs it would appear to have similar roof structure to the Nightingale Road building and there are features of interest such as the panelled room. It would appear to be of a similar scale to the former headquarters building on Nightingale Road which is currently being converted into office/nursery and other uses. Given this we believe that it has significance and should be retained as part of the wider redevelopment of the site. This is noted in paragraph 4.3.2 page 40 of the heritage impact assessment submitted with the application which suggests that it should be retained. On examination of the proposed landscaping plan retaining the OED would have a limited impact on the site and the substantial building to the rear could be relocated slightly to the north to ensure its retention. We would not object to this being a substantial rear extension to this building. It should be noted that there appears to be a set of gates, lamps and a wall on a diagonally opposite side of Victory Road. It might be beneficial to relocate adjacent to this building as part of a landscaping scheme. These would appear to match what was previously on this part of the site and can be seen in plate 7 on page 20.

### **With regards to the various test beds we would comment as follows:**

There are clearly some buildings of interest within the complex and these have been identified by the heritage assessment. Of particular interest would appear to be the ATF exhaustor station and hangers for the development of the RB211 identified on P32-34 of the heritage assessment. This was ground breaking technology when constructed and of interesting architectural design which makes a strong statement within the complex. There are also some early surviving test beds which would appear to be of some interest DF 33, DF40, DF41 and DF42. We still continue to believe that a Certificate of Immunity should be applied for in relation to this element of the scheme. This is to ensure that the status is known before work progresses too far with regards to the redevelopment of this part of the site.

We therefore believe that it would be beneficial to retain an early test bay. We believe that the ATF exhaustor station and the ATF test beds should be retained as these are particularly striking modern design, first of its type in the world and acknowledged as such in the heritage report.

If these were to be demolished it should be fully recorded as should other buildings across the site. We would support the use of the heritage trust to record the site.

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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

We note the grade II statue has moved previously and would not object to its relocation elsewhere on the site provided that the relevant listed building consent is applied for. We would recommend that any application includes a method statement for demolition, transportation and rebuilding.

In relation to the identified K6 phone box we would welcome its retention and relocation to another location within the site as proposed within the heritage report conclusions.

We would continue to recommend that a Certificate of Immunity be applied for to have clarity on the heritage merits of the important structures within the site.

### **Recommendation:**

We are broadly supportive of the proposals however would recommend that they be revised in light of the above. In particular that the OED building be retained, detailed recording be undertaken on the site and ideally features such as the lamps and K6 phonebox relocated on the site. We would not object to the statue moving provided that a suitable method statement was submitted with the listed building application to do this.

Members will note that during the life of this application negotiations have been on-going with RR and a commitment has been secured to re-assess the value of the OED building and, at this stage, the building is not scheduled for demolition.

### **Land Drainage:**

There are concerns, from the applicant relating to the previously recommended conditions. A brief strategy has been sought that establishes outfall locations and discharge rates for each phase. The idea being that reasonable efforts are made to direct as much of the development to surface water outfalls rather than using the combined sewer network which is known to be under severe pressure in the area and causing significant pollution in Cuttle Brook. It is essential that this strategy is developed at an early stage to prevent the drainage being provided in a piecemeal fashion and providing a clear method of draining the whole site. It is not the intention to stop all surface water connections to the combined sewer but to substantially reduce the discharge to the combined system, to reduce flood risk to the wider area and reduce pollution; all planning principles. This requirement for a drainage strategy is a normal requirement for a large outline application.

The discharge rate comes from the principle of trying to reduce flood risk to the wider area in accordance with the NPPF. Current guidance recommends reducing discharge from brownfield sites to as close as possible to greenfield runoff rates for the 1 in 1 and the 1 in 100 year events and must not be more than the pre-existing discharge rate (see link to National SuDS standards below). It also imposes an additional requirement to not increase volumetric discharge rates from the site. This can be difficult to demonstrate. To keep the condition concise it was proposed to reduce runoff rate to the pre-existing 1 in 2 year event. It is believed this will probably be less onerous than that now proposed by the SuDS standards. However to remove any concerns the proposed drainage condition has been worded to require the submission of a surface water scheme with each phase of development.

**Committee Report Item No: 2**

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

**Sport England:**

Further to my letter of 18 June 2015 and our meeting of 1 July 2015, I am writing to provide updated comments on the above applications.

The main issues to address in respect of both of the planning applications in order to accord with National Planning Policy Framework (NPPF) Paragraph 74 and Sport England's playing fields policy are:

- Securing compensatory sports provision to offset the loss of playing field and ancillary facilities resulting from the development;
- Ensuring that the delivery of the permanent replacement/compensatory facilities is secured prior to the loss of the existing facilities or, strictly subject to robust interim measures being approved and put in place to maintain continuity of provision for users, to an alternative agreed timescale the rationale for which is clearly justified by a detailed phasing and implementation plan;
- Ensuring that any impact on residual playing field retained following the development is satisfactorily mitigated and any damage caused during development works suitably remediated.

In addition to the above, it would also be important to ensure that there was no temporary or long term impact on the use and availability of facilities at the neighbouring Moorways sports complex that lies to the east of the application site. I have reviewed the submitted details again, and given that the road realignment works would appear to immediately adjoin the edge of the playing fields, and in particular the artificial grass pitch (AGP) that runs close up to this boundary, then whilst there does not appear to be any overriding reason why the treatment of the boundary between the new public highway works and the AGP could not be designed and implemented in such a way as to mitigate any potential negative impact on the AGP, a safeguarding condition would be required to cover this, should the Council be minded to approve the application.

Based on our discussion when we met last week and the content of the respective planning applications, it is recognised that there is a clear commitment to offset the impact of the project on the playing field and changing rooms at the application site and to address the above issues in line with the relevant policy requirements. This was also reaffirmed in a subsequent discussion I had earlier this week with the Rolls Royce representative whose details you provided to me after our meeting.

However, at this stage there still remains some uncertainty about the phasing of the different stages of the overall scheme of campus reconfiguration and the associated road realignment, how this would link in with the timing of delivery of the permanent compensatory sports provision, and also the potential need for any suitable interim arrangements to maintain continuity for users. Also, although land has been identified as available to accommodate the new playing field and pavilion within the 'red line' boundaries of each application site, the proposed detailed design, layout, technical specification, means of access and ancillary parking for the new playing field and the new pavilion/changing facility has yet to be submitted.

As set out in my earlier response, whilst the precise design and details for all elements of the compensatory sports provision would not need to be drawn up prior to the respective decisions being issued, the feasibility of delivery and parameters of

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

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

the re-provision need to be established with sufficient certainty and clarity to demonstrate that policy requirements could be met through imposition and subsequent discharge of planning conditions.

Looking at the layout plans and the areas identified for accommodating new playing field and changing facilities, there does not appear to be any overriding reason why a Sport England, sufficient quantity and quality of new playing field and ancillary changing/parking facilities could not be achieved within the scope of each planning application area to meet the requirements of Exception 4 of Sport England's playing fields policy and NPPF Paragraph 74. I have looked again at the detached area of land proposed for the new playing field provision, and noted that although overhead power lines cross the western part of the site, it would still appear to be possible to deliver playing field of a sufficient size to accommodate a full sized football pitch, albeit in a different configuration to that shown on the illustrative site masterplan.

In conclusion, given that the project offers scope to deliver compensatory provision in line with policy requirements and there is a clear stated commitment to doing so, then Sport England would not wish to maintain an objection to the proposals, subject to the conditions specified below being imposed in relation to the respective applications, should the Local Planning Authority be minded to approve the applications. Because there is overlap between the application boundaries in respect of the scheme elements relating to the loss of playing field and pavilion as well as the proposed new provision, it is judged to be necessary to include the same conditions on both applications.

An additional condition is also specified in respect of DER/04/15/00507. If the details required within this condition or other alternative clarification made available prior to a decision being issued, then this condition could potentially be omitted.

### **6. Relevant Policies: *Saved CDLPR policies***

GD1	Social Inclusion
GD2	Protection of the Environment
GD3	Flood Protection
GD4	Design and the Urban Environment
GD5	Amenity
GD6	Safeguarding Development Potential
GD7	Comprehensive Development
GD8	Infrastructure
GD9	Implementation
EP1	Land South of Wilmore Road, Sinfin
EP10	Major Office Development
EP11	Development in Existing Business and Industrial Areas
S1	Shopping Hierarchy
S2	Retail Location Criteria
S9	Range of Goods and Alterations to Retail Units
E2	Green Wedges
E4	Nature Conservation
E6	Wildlife Corridors
E12	Pollution
E13	Contaminated Land

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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

E14	Development in Proximity to Existing Operations
E16	Development Close to Important Open Land
E17	Landscaping Schemes
E19	Listed Buildings and Buildings of Local Importance
E23	Design
L4	New or Extended Public Open Space
L6	Sport Pitches and Playing Fields
L8	Leisure and Entertainment Facilities
T1	Transport Implications of New Development
T4	Access, Parking and Servicing
T6	Provision for Pedestrians
T7	Provision for Cyclists
T8	Provision for Public Transport
T12	New Road between Sinfin and Chellaston
T13	Protection of Former Railway Lines and Canal Routes
T15	Protection of Footpaths, Cycleways and Routes for Horseriders

*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:**

- Principle of Development
- Heritage Impacts
- Environmental Implications
- Highway and Access

#### **Principle of Development**

The proposed demolition and replacement of floorspace within the Campus area would involve the loss of 32,000sqm of B1a, 59,000sqm of B2, 3000sqm of 'ancillary / complementary' uses and 100sqm of A2 (HSBC Bank). The proposal is to replace this with 50,000sqm of B1a, 26,500 of B1b and 4,000sqm of ancillary / complementary uses such as retail, leisure and food and drink. The new buildings will be set within landscaped surroundings and will be delivered by RR on a phased basis in line with business needs and funding opportunities.

The underpinning objective behind the proposals is to ensure that the Sinfin site maintains a competitive edge in a global market. The age and layout of some of the buildings is making it difficult for RR to operate in an efficient and agile manner, which are key requirements in modern industry. There is now an opportunity for RR to potentially make significant investments into the Sinfin site to create a modern workplace of the highest quality that will properly reflect the RR approach to 21<sup>st</sup> century business.

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

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

The general principles underpinning the proposals set out in the two applications are in general conformity with the provisions of emerging Policy AC16, as set out in the Council's Draft Core Strategy (2013). AC16 is a bespoke policy specifically aimed at supporting RRs aims and objectives in this area. The emerging policy supports the rationalisation and enhancement of existing facilities and encourages the creation of a new revitalised Campus. The emerging policy also makes reference to supporting the provision of complementary uses and identifies the principle of potentially realigning the Allenton / Sinfen Green Wedge (GW) through the Local Plan Part 2. However, it does not identify a preferred alignment for the new road. Although the emerging Core Strategy cannot be afforded any significant weight, the emerging Policy has been agreed by Council Cabinet and Full Council and therefore provides an indication of the Council's aspirations for this area.

Policy AC16 in the draft Core Strategy emerged following many years of discussions between the Council and RR, during which time the issues surrounding the principle of realigning Victory Road were discussed, including realignment through the eastern extent of the GW.

Ensuring that the Sinfen site remains competitive, attracting highly skilled workers and future investment is a key priority for the Council and is fundamental to securing the health and well-being of the local and regional economy. Whilst the benefits of these proposals (when considered as a whole) are clear, there are a number of policy areas that require more detailed assessment, as discussed in more detail below.

### **Economy:**

#### **Employment Land:**

The area covered by the proposals is predominantly allocated under EP11 of the Local Plan. Within established business and industrial areas such as this, EP11 allows for the development of B1, B2 and B8 uses. All of the new B1 (a&b) and 'ancillary' floorspace would be in line with the provisions of EP11.

In total the changes would equate to a loss of in the region of 13,600sqm of employment floorspace. Whilst the proposals will lead to an overall net loss in floorspace, there will not be a loss in the gross amount of land dedicated to employment uses. Importantly, the proposals do not relate to any loss of B sector jobs, which land and floorspace are proxy indicators of. Therefore, the criteria for loss set out in EP11 do not need to be satisfied.

As discussed later in this report, it's not totally clear as to whether all of the floorspace identified as 'other' can be regarded as ancillary. Any non-B uses, not considered as ancillary are likely to be complementary and would technically equate to a loss of employment land. However, the scale of any complementary uses are likely to be insignificant in comparison to the scale of employment uses they will support. Therefore, theoretical losses of employment land due to the provision of complementary uses are not considered to be a significant issue. Existing uses on this site must also be considered, currently existing ancillary uses on this site equate to 3000sqm.

### **Offices - Sequential Test:**

The NPPF and Policy EP10 of the CDLPR require proposals for new office development (that are not in an existing centre and are not in accordance with an up to date Local Plan) to demonstrate a sequential approach to site selection. Policy

**Committee Report Item No: 2**

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

EP10 only applies to proposals in excess of 2,500sqm, whereas the NPPF does not set a threshold.

In addition, the NPPF also requires consideration of the impact of town centre uses, including offices, when proposed in out-of-centre locations. An impact assessment should be provided (if over 2,500sqm), including an assessment of the impact on investment in centres and the impact of the proposal on town centre vitality and viability.

In terms of the sequential test, the applicant has not submitted any evidence to demonstrate that alternative locations have been considered. Despite this, in this specific case I'm not actually convinced that it is logical or productive to ask the applicant to consider alternative sites in preferable locations. This is because the whole ethos behind the Campus proposals is to focus RR activities around their existing research and manufacturing facilities in Sinfin. The style and scale of the proposed offices (campus) would also be very difficult to locate in a sequentially preferable location such as the city centre, where sites are generally appropriate for multi-tenanted or standalone HQ style developments. The offices, as proposed, would therefore not be able to serve the same function if they were located in the city centre for example. On this basis, it is logical to conclude that the proposed office floorspace is compliant with the provisions of the sequential test, due to the specific locational / functional requirements of the applicant and the 'need' they are expected to meet.

In terms of the impact test, the net additional office floorspace is likely to be in the region of 18,000sqm and therefore we could request an impact assessment in line with the NPPF. Once again, no impact assessment has been submitted by the applicant and the issue has not been addressed in their submission. However, the reality of the situation is that the new floorspace is only ever likely to be occupied by RR, who do not have an existing City Centre presence and clearly wish to consolidate their position in Sinfin. Therefore, office proposals related to RR activities in the Sinfin area are unlikely to undermine city centre vitality and viability or prejudice investment in the city centre.

There is some logic and sustainability benefits in trying to create a 'hub' of advanced engineering activities in the Wilmore Road area. This idea ties in with the vision for the Infinity Park area which sits adjacent to the Campus and is being actively promoted by the Council. Any potential impacts on the city centre in terms of vitality and viability and diverting investment are likely to be largely outweighed by the benefits of sustaining thousands of jobs in the Sinfin area and the creation of a hub of supply chain industries.

**Other Uses:**

**Ancillary and Complementary:**

The applicant is proposing that up to 4,000sqm of complementary / ancillary uses will be provided as part of the overall remodelling of the site and drive to improve working conditions for employees. This would be an increase of approximately 1,000sqm compared to what will be lost through demolition. The applicant has provided very little information relating to the nature and extent of 'other' uses that could be provided, other than acknowledging that,

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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

*'Other uses, which may be included as the scheme develops to detailed stage and are therefore to be determined at Reserved Matters stage are, though not limited to:*

- *Canteen / dining;*
- *Medical / occupational health / fitness;*
- *Retail and services;*
- *Exhibition space; and*
- *Reception, security and storage*

*These uses are expected to be of an ancillary nature, serving employees only, rather than separate uses in their own right'.*

Whilst the text above suggests that the 'ancillary' uses will be determined at reserved matters stage, the outline application to be determined makes allowance for 4,000sqm of 'other' uses. Therefore, the principle of allowing 4,000sqm of 'other' or employee welfare type uses needs to be considered now, although the exact nature and extent of each individual use will be determined at a later stage.

Although the majority of the suggested 'other' uses are clearly ancillary, uses such as gyms and retail could be considered more 'complementary' as they're not strictly essential to the operation of the primary uses. Whilst these complementary uses would not normally be considered appropriate in this location, as a stand-alone facility, they are complementary to a much wider employment site and as such will not be accessible by the public. Therefore the introduction of these complementary uses will not be destinations in their own right and as such do not raise concern, in policy terms.

On the basis that all of the ancillary and complementary floorspace has been detailed under the heading of 'other', I am recommending a condition to ensure that all of the uses within the 4,000sqm threshold are only available for use by people using the Campus and are not open to the public is imposed. This will ensure that the floorspace remains ancillary / complementary to the wider operation of the site. An open ended permission that permits 4,000sqm of ancillary / complementary facilities, without any restrictions may raise concerns in terms of leisure and shopping policy.

### **Sequential and Impact Tests:**

If considered as standalone uses, the retail and leisure floorspace would normally need to address the sequential and impact tests as specified by Policy S2, L8 and the NPPF. In terms of the sequential test, there is clearly a case to say that the complementary floorspace is directly related to the operation of the primary uses, particularly as the uses will not be open to the public.

The issue of impact is slightly different as the scale of individual complementary uses has not been specifically defined. Uses such as retail, leisure and food and drink can have the potential to become destinations in their own right if open to the wider public and could have wider implications for the highway network and in-centre vitality and viability. This risk will be controlled by the condition suggested above.

The biggest risk in terms of impact would be if all 4,000sqm of the 'other' floorspace was used for A1 development. Whilst this might be highly unlikely, this scale of A1 floorspace could actually lead to adverse impacts (due to trade diversion) on shops in



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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

the surrounding area. This could include shops located within centres – particularly if the new store was of a scale that enabled employees to carry out anything more than a ‘top up’ shop. Therefore, I am recommending a further condition on the amount of ‘other’ floorspace that can be used for A1 use to 400 sqm net. This is a reasonable scale to serve the ‘local’ need generated by the campus itself. The range of goods sold from any A1 on this site should also be restricted in accordance with Policy S9, to restrict the types of goods that can be sold. This will provide comfort that the scale and nature of any retail floorspace is appropriate.

Assuming compliance with the recommended conditions; restricting retail floor space and the range of goods that can be sold from these uses, then there are no concerns with the principle of providing additional facilities for use by employees.

### **Green Wedge**

The impact on the Green Wedge (GW) is one of those entwined issues; in order to facilitate the re-development of the RR campus the re-alignment of Victory Road needs to take place. The new alignment of the road is where there is an impact on the Green Wedge. Whilst this issue will be discussed in more detail within the road application report it is important to acknowledge that there is an impact on the Green Wedge as a result of this overall project.

Both applications make reference to the relocation of changing room facilities and identify a potential location for the new 'pavilion', in the south west corner of the playing fields to the north of Merrill Way. The land identified as a potential location is located within the GW and forms part of this outline planning application and thus the principle will be secured under this application.

In terms of principle, E2 allows for the construction of essential ancillary buildings that are related to outdoor sport and recreational uses. E2 seeks to ensure that built development related to such primary uses is small scale and is designed in such a way to not endanger the open and undeveloped character of the GW, its links with open countryside and natural history value.

The general location of the proposed potential sites are in the corners of part of the GW (1) to the north of Merrill Way and (2) to the south the Moor Lane offices and therefore a small scale changing facility in this area would be unlikely to impact upon the primary function of the GW. Future applications relating to the design of the pavilion will need to be small scale and utilise materials and landscape treatments that minimise impacts upon the GW.

### **Comprehensiveness**

Policy GD7 of the CDLPR seeks to ensure that proposals take a comprehensive and coordinated approach to development and that timescales for providing necessary infrastructure are closely related to needs generated by the development and occupants.

The adverse policy impacts associated with these proposals, when considered as a whole project, are almost entirely related to the road application, as opposed to the Campus application, which provides the most of the benefits. Without linking the implementation of the two applications there is a risk that the road realignment proposals could be implemented and then the Campus proposals are delayed or at worst are never implemented. As the applications have been submitted separately by

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

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

different applicants it is felt that this is a risk that we have to accept without mitigation at this stage.

There are a number of development proposals in the Sinfin / Chellaston area, including the applications being considered in this response, T12, Infinity Park, allocated employment land south of Sinfin Moor Lane and various housing proposals in Stenson Fields and Chellaston. The impacts of these developments, where they are committed development have been considered in transport modelling and it is felt that this application would not prejudice other development sites.

### **Heritage Impacts**

The creation of the campus will, in time, seek to re-position the Grade II Statue of Sir Frederick Henry Royce, from its current position at the junction of Moor Lane and Victory Road. The new location is likely to be close to the proposed visitor's centre, as illustrated on the indicative masterplan. However until such a time as the master-planning of the campus has concluded the exact new location of the statue will not be known. It is also important to note that the statues current location was not its original therefore there is precedent for this statue being moved. The applicant is aware that they will need to seek Listed Building Consent to re-position the statue and will apply for this in due course.

Concerns have been raised from Historic England and the Council's Conservation Officer regarding the potential impact the proposed campus may have on a number of buildings; the OED Building, the ATF Exhauster and test beds. The applicant has sought to address these concerns through the submission of a Heritage note on viability for the OED and ATF buildings. It is also important to note that these buildings are not locally or statutory listed.

The ATF building is located within the main complex with limited views afforded from the street scene. If this building were to be retained it would render a large proportion of the campus un-usable. There are also limited opportunities for re-use of this building due to its bulk and scale. The applicant does not consider that this building is of such a heritage value to warrant its retention nor does the applicant feel that its retention can be built into the aspirations of the master plan and aerospace campus. Furthermore, following the buildings decommission it is felt that the historical significance and integrity of this building has been substantially reduced. It is felt that parts of this building can be recorded and removed, preserved and displayed within the RR heritage collection. In respect of the test beds these have been internally stripped and modified leaving limited evidence of the activities that once took place in them.

The OED building is located on the Victory Road frontage and therefore does have an impact on the street scene, with views appreciated from various points along the public highway. The building is of an art deco style but was not constructed during the periods art deco flourished. It was constructed in the 1950's and was only used briefly for its intended use as the Oil Engine Division moved to Shrewsbury in the 1950's. It is not felt by the applicant that this building is of exceptional architectural interest and does not really portray RR as its original origin, despite the Rolls Royce signage to the frontage.

Historic England feel that this building should be retained as it is an attractive building with architectural merit. It could also add value to the re-development of the wider site

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

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

as it does appear adaptable and they can see no justification for its demolition. Furthermore, there are examples where past innovation has sat harmoniously with new innovation, particularly in Europe. Historic England also feels that the test beds could be adapted for re-use. The Councils Conservation Officer feels that the OED makes an important contribution to the site and the wider area and should be retained. It is felt that its retention wouldn't have a detrimental impact on the delivery of the campus as it sits outside of the campus perimeter. The full comments of these consultees are set out above.

The NPPF, paragraphs 128, 129 and 135: *the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly to indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*

The Council are aware of the importance of these buildings and the contribution they make to the wider Rolls Royce site and the technological advances made at this site. The importance, setting and future of these buildings has been known and discussed since the preliminary application discussions.

The Council has explored the retention of these buildings with Rolls Royce and positive comments about retention of the OED building have been secured. Both Historic England and the Council's Conservation Officer have recommended the applicant applies for a Certificate of Immunity (Col); this would consider the importance of these buildings at a National level and also direct Rolls Royce in respect of the future of these buildings. Rolls Royce has not applied for a Col for the following reason:

*"Rolls-Royce does not wish to apply to Historic England for a Certificate of Immunity (Col) on the grounds that sufficient information has been submitted to enable the local planning authority to come to an informed decision both in relation to the heritage interest of these non-designated assets and scheme effects on these assets. Our heritage consultants have provided a detailed historic and physical analysis of the buildings and have made an assessment of their heritage value. Rolls-Royce would also reiterate that a recent local listing exercise undertaken by the Council did not identify any interest in these buildings and it would therefore seem right to us that these buildings be identified as non-designated assets. However in recognition that the scheme will be harmful to heritage values our historic buildings consultants have proposed that the buildings be recorded to an appropriate level in accordance with Historic England standards. Rolls-Royce would therefore respectfully ask that this application be determined on its merits and in accordance with NPPF policies applicable to heritage assets."*

The loss of any engineering heritage is always regrettable however as technologies improve we find historical building are no longer fit for purpose. Furthermore in locations such as this, in an industrial area, there are limitations for re-use. I do accept that the retention of the AFT and test beds would have significant implications for the realisation of the campus vision furthermore they are not appreciated from the

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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

public domain. A condition is recommended to ensure the applicant revisits the re-use of these assets prior to considering their demolition.

In respect of the OED building, this building has been internally modified to incorporate alternative modern uses and therefore has shown its versatility. Furthermore, the building is located on the periphery of the campus and red edge of the application boundary. Therefore its retention is unlikely to have significant implications on the realisation of the campus.

Whilst this application does not seek permission for demolition it is understood that these assets will need to be lost in order to facilitate the campus.

During the life of the application the applicant has recognised the historic value of the OED building and has subsequently withdrawn any intentions to demolish this building. The Council during each reserved matters application will continue to work with the applicant in respect of the historical assets on this site.

In respect of the above I have sought to impose a condition, confirming that this application does not consent to any demolition. A further condition is recommended seeking further consideration of these buildings, their retention and re-use. The conclusions of these findings will need to be submitted to and agreed by the Council prior to the consideration of any future applications.

Both the Councils Conservation Officer and Historic England have suggested that the applicant apply for a Certificate of Immunity for these structures as this will provide clarity on their heritage significance at a national level and provide certainty for the applicant in respect of their future. In terms of public benefits the introduction of the Aerospace Campus would bring wider public benefits; the long term secure of Rolls Royce in the City bringing with it economic improvements and security, betterment to existing highway junctions and to road safety.

### **Environmental Implications**

The formation of a campus on this site brings a wealth of opportunities to improve the ecology of the area through the provision of a landscaping strategy and parkland areas. The comments of the Derbyshire Wildlife Trust are detailed above in this report and I support the conclusions and recommended conditions.

In respect of the Habitats Regulations test I am confident that this is the only site capable of accommodating this campus given this is an existing site and RR will be looking to continue operations during the formation of the new campus. Furthermore I am confident that suitable mitigation can be provided over the life of the campus to limit any impacts on protected species. As detailed within this report, there are socio-economic benefits brought forward as a result of this proposal including the restoration of confidence in Derby's economy, improvement to highway and pedestrian safety along with improved cycle and pedestrian connections. There are also opportunities to improve ecology and biodiversity due to the proposed campus which would not be realised without the campus.

There are no Environmental Health objections as a result of the proposal subject to the use of recommended conditions relating to noise, contaminated land and construction. The proposal is therefore in line with local and national policy.

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

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

The application is accompanied by a drainage strategy which is largely supported by colleagues in the Councils Land Drainage Team. The precise drainage solution for each phase will be secured by way of condition but will broadly accord with the overall drainage strategy which follows sustainable drainage principles and brings environmental benefits.

Whilst no objections have been raised from colleagues in the land drainage team conditions have been recommended that firstly require the submission of a brief strategy for drainage across the site and the submission of a full drainage scheme with each phase of development. It is felt that a brief strategy is required to ensure the drainage scheme is holistic and there is a clear understanding and method for drainage across this large site. The proposal, subject to compliance with the recommended conditions, is considered to be acceptable in policy terms.

### **Highway and Access**

The application is in outline format with all matters reserved at this stage, there is to be a reduction in overall floorspace and as such there is unlikely to be any significant impacts on the highway network as employees of the site will remain unchanged. In order to ensure that there are no significant implications on the highway network, particularly given the timescales for implementing the campus, a traffic impact assessment will be secured by condition. This will provide the necessary opportunities for considering mitigation.

The vision of the campus is to improve pedestrian safety between the different RR sites, this is welcomed. Car parking and cycle parking will be considered under each reserved matters application as the applicant is seeking to rationalise car parking across the site.

There is a designated footpath from Wilmore Road to the Railway Station, located within the RR Campus. This is no longer a passenger station and has not been used since the mid-1990's. The footpath at present is a dead-end where it reaches the secure boundary of the site. Thus only employees can benefit from the path. Rolls Royce has an application with the Council's Rights of Way Officer in order to close this link however a decision has not yet been reached.

Concerns have been raised by local resident that the impacts of the T12 link have not been considered within this submission. For clarity, as the T12 link road is committed development it remains within the Derby Area Traffic Model (DATM) and therefore is considered each time a proposal is run in the model. Therefore the impacts of T12 and the re-alignment of Victory Road have been assessed together.

Detailed matters relating to the provision of cycle parking, parking layouts etc. will be dealt with under each reserved matters application. Therefore there are no conditions relating to these aspects.

### **Design and Amenity**

The application is in outline format with all matters reserved at this stage that being said the application is accompanied by a land use plan which identifies the broad locations of the different uses. The main campus uses are to be located within the perimeters of the existing site with the sports grounds and Moor Lane offices still providing a buffer between the residents to the north and north-east therefore there is unlikely to be any significant change to the amenity of those neighbouring residents.

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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

This is the same position for building heights according to the submitted building heights plan. The closest form of development, in this application, to the nearby residents in Westdene Avenue are the two locations proposed for the replacement sports changing facilities, the building heights of this structure will be no more than 10 metres.

At this stage I cannot comments on the design of the proposal as matters relative to scale; external appearance and layout have been reserved at this stage. I note the application does provide illustrative 3D visuals and draws reference from other Rolls Royce sites across the World which shows all buildings finished in RR colours with a clear focus on the environment in which they are placed. If this principle is followed then this will be a welcomed finish in this location.

Three letters of representation have been received following the 2 consultation periods of this application, those representations have been summarised above. In respect of the objections received a number of the issues raised relate to the road application and therefore are not, entirely, relevant to this application these include the alternative route for the road, the loss of the HSBC Bank, impacts associated with the road and reference to the Human Rights Act.

### **Summary**

The realisation of the proposed Aerospace Campus will be an enormous vote of confidence in Derby's economy and should help to secure the presence of Rolls Royce in the City in the long term. The Campus proposals are therefore welcomed and supported in principle, as highlighted by emerging policy AC16 in the Council's draft Core Strategy.

In terms of ancillary / complementary uses, there is certainly a case for the provision of new facilities specifically for use by RR employees. However, very little information has been provided in relation to these uses as no decisions have been made as to the exact uses that will be required. In the absence of more information a condition is recommended to ensure that the 4,000sqm of 'other' uses are only accessible to RR employees and are not open to the public and we should seek to limit the scale of any retail facilities to 400sqm net sales area and impose a range of goods condition.

It is important to note that we are in a position where there are currently no certainties that the campus will be delivered or in what timeframe it will be delivered. This is in contrast to the proposals for the road re-alignment, where detailed proposals have been submitted and delivery is being progressed in partnership with the Council. There is, therefore, a risk that the road is delivered without the associated benefits related to the campus proposals. This is a risk that we should accept in trying to secure the long term presence of Rolls Royce in Derby, at this site as ultimately the potential benefits associated with these proposals when considered comprehensively will undoubtedly outweigh all of the impacts and conflicts outlined. Recommended conditions will assist in mitigating the impact of this development and assist in reducing this risk, where possible.

Concerns have been raised by Historic England and the Council's Conservation Officer in respect of the loss of certain buildings on this site and recommend that further work is undertaken in order to try and retain these buildings. These buildings are not designated assets and only one has a presence on the street scene. Through the development of each phase of development the Council will continue to work with

**Committee Report Item No: 2**

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

the applicant to discuss the long term retention of these buildings however I do feel that their long term retention is unlikely to be secured given the implications that their retention would have on the masterplan vision for the campus.

Through the development of this site betterment can be achieved in respect of ecology, biodiversity and land drainage through compliance with recommended conditions. As each phase is developed its impact on the highway network will be re-assessed ensuring that there is not a negative impact on the local road network. Having taken into account all comments received from third parties and consultees whilst there are concerns with regards to the loss of certain non-designated assets on this site I feel that, on balance, the benefits of the proposed campus outweigh the potential negative impacts and recommend planning permission is granted subject to conditions.

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

**To grant** planning permission with conditions.

**Summary of reasons:**

In the opinion of the Local Planning Authority, the principle of a campus development on this existing and designated employment and industrial site therefore these uses are well established in this location. The proposal therefore broadly accords with the City of Derby Local Plan and the emerging Core Strategy. The floor space uses as proposed are broadly acceptable and subject to conditions are acceptable. The proposal will result in an overall betterment in respect of sustainable drainage, ecology and biodiversity. Further consideration will need to be given to the non-designated heritage assets on-site along with the design, external appearance and layout of the site. That being said, the proposal broadly accords with National and Local Planning Policy and is therefore considered to be an acceptable form of development.

**Conditions:**

1. Standard condition 100 (approved plans)
2. Standard condition requiring the submission of reserved matters within 10 years and development to commence within 15 years
3. Standard Condition – requiring the submission of all reserve matters
4. Condition setting the quantum of floor spaces
5. Condition relating to archaeology
6. Condition requiring further reptile survey work in accordance with the Ecological Impact Assessment
7. Condition requiring further bat activity survey work in accordance with the Ecological Impact Assessment
8. Condition requiring the submission of a lighting scheme that is sensitive to ecology
9. Condition requiring further nesting owl survey work in accordance with the Ecological Impact Assessment

**Committee Report Item No: 2**

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

10. Condition requiring the submission of a landscaping scheme in respect of ecological enhancements
11. Standard condition 22 (condition 3 and condition 9) landscaping maintenance
12. Condition requiring the submission of a landscape ecological management plan
13. Condition requiring the submission of a Phase II land contamination report
14. Condition requiring the submission of a remediation report
15. Condition requiring the submission of a validation report
16. Condition requiring the submission of a noise assessment with each reserve matters application
17. Condition requiring that all agreed noise mitigation measures must be incorporated into the development before occupation.
18. Condition requiring the submission of an air quality improvement strategy
19. Condition requiring the submission of a construction management plan
20. Condition requiring the consideration of risk from contaminants to water courses
21. Condition requiring the submission of a remediation strategy and verification report in respect of contaminants and water courses
22. Condition addressing surface water drainage and impact on controlled waters
23. Condition addressing the treatment and removal of suspended solids from surface water run-off during construction works
24. Condition requiring the submission of a foul and surface water drainage scheme for each phase
25. Condition requiring that the retail, A1 floorspace, be restricted to a maximum of 400 sqm across the campus.
26. Condition restricting the sale of goods from the A1 use
27. Condition requesting further consideration of the OED, ATF and test beds
28. Condition requiring photographic recording of the site prior to demolition in conjunction with the RR Heritage Trust
29. Condition requiring the relocation of specific heritage features including the lamps, K6 phonebox and features within the ATF building and test beds.
30. Condition requiring the submission of an Transport Assessment with each phase of development
31. Condition requiring the submission of a travel plan with each phase of development
32. Submission of a brief overall drainage strategy
33. Submission of a drainage scheme with each phase of development
34. Condition requiring continued use of planning pitches during construction, including details of any interim facilities.



**Committee Report Item No: 2**

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

35. Condition requiring details of the replacement facilities including playing pitch, changing rooms and ancillary car parking facilities.
36. Condition ensuring any damage to retained pitches shall be restored.

**Reasons:**

1. Standard reason E04
2. Standard reason E56
3. Standard reason E01
4. For the avoidance of doubt and as the application and submitted information has been based on these floorspaces in accordance with saved policies T1, T4 and EP11.
5. In order to preserve below ground and above ground archaeology. This work is needed to take place prior to any development taking place due to the nature of recording needed. This is in accordance with policy E19 of the adopted City of Derby Local Plan Review.
6. In order to preserve ecology on this site and in accordance with saved policies E4, E6 and E7 of the adopted City of Derby Local Plan Review. This survey work is required to establish any reptile habitats within the location of the development that may be affected during construction.
7. In order to preserve ecology on this site and in accordance with saved policies E4, E6 and E7 of the adopted City of Derby Local Plan Review. This survey work is required to establish any bat habitats within the location of the development that may be affected during construction.
8. In order to preserve ecology on this site and in accordance with saved policies GD4, GD5, E4, E6 and E7 of the adopted City of Derby Local Plan Review.
9. In order to preserve ecology on this site and in accordance with saved policies E4, E6 and E7 of the adopted City of Derby Local Plan Review. This survey work is required to establish any owl habitats within the location of the development that may be affected during construction.
10. In order to secure ecological enhancements and in accordance with saved policies E4, E6, E7 and E17 of the adopted City of Derby Local Plan. The landscaping scheme is required prior to construction as it will incorporate rehabilitation measures.
11. In order to secure ecological enhancements and in accordance with saved policies E4, E6, E7 and E17 of the adopted City of Derby Local Plan. The landscaping scheme is required prior to construction as it will incorporate rehabilitation measures.
12. In order to ensure long-term management of these ecological areas and in accordance with saved policies E4, E6, E7 and E17 of the adopted City of Derby Local Plan Review.
13. Standard Reason E49
14. Standard Reason E49

**Committee Report Item No: 2**

**Application No: 04/15/00506**

**Type: Outline Planning  
Application**

15. Standard Reason E49
16. Standard Reason E49
17. Standard Reason E49
18. Standard Reason E49
19. Standard Reason E49
20. The Phase 1 report we have reviewed as part of the planning application (AECOM, March 2015) makes recommendations for intrusive site investigation to be undertaken to supplement previous investigations that have been undertaken at this site. Recommendations for further investigation are based on the findings of previous investigations and findings of the more recent Phase 1 Report. We agree with this approach in order to ensure the protection of controlled waters.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

21. To ensure that any remediation is undertaken in line with the approved strategy, in order to protect controlled waters.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

22. Following any remediation that is required at this site it is likely that there may be residual contamination that remains on site. To ensure the protection of controlled waters, no discharge of surface water should be made into areas of the site impacted by contamination.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

23. To prevent silt pollution of the Cuttle Brook and in accordance with policy GD3 of the adopted City of Derby Local Plan Review.
24. To prevent silt pollution of the Cuttle Brook and in accordance with policy GD3 of the adopted City of Derby Local Plan Review.

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

**Application No: 04/15/00506**

**Type: Outline Planning Application**

25. In order to preserve the vitality and viability of nearby district and neighbourhood centres and to ensure this is an ancillary use to the employment site. This is in accordance with policies EP11 and S1 of the adopted City of Derby Local Plan Review.
26. In order to preserve the vitality and viability of nearby district and neighbourhood centres and to ensure this is an ancillary use to the employment site. This is in accordance with policies EP11 and S1 of the adopted City of Derby Local Plan Review.
27. In order to record the uses and buildings on this site of industrial importance and in accordance with saved policies E20 and E21 of the City of Derby Local Plan Review.
28. In order to record the uses and buildings on this site of industrial importance and in accordance with saved policies E20 and E21 of the City of Derby Local Plan Review.
29. In order to record the uses and buildings on this site of industrial importance and in accordance with saved policies E20 and E21 of the City of Derby Local Plan Review.
30. To ensure free and safe flow of traffic on the highway .. T4
31. To ensure free and safe flow of traffic on the highway .. T4
32. In order to prevent flood risk and ensure suitable drainage ... GD3
33. In order to prevent flood risk and ensure suitable drainage ... GD3
34. To ensure adequate playing pitch provision during construction ... L6
35. To ensure adequate playing pitch provision and facilities ... L6
36. To ensure the playing pitches are restored for use ... L6

### **Informative Notes:**

When applying to discharge condition 5 you are advised that this should take place 12 months prior to you wishing to carry out any development on site as clearance strategies can be lengthy to implement.

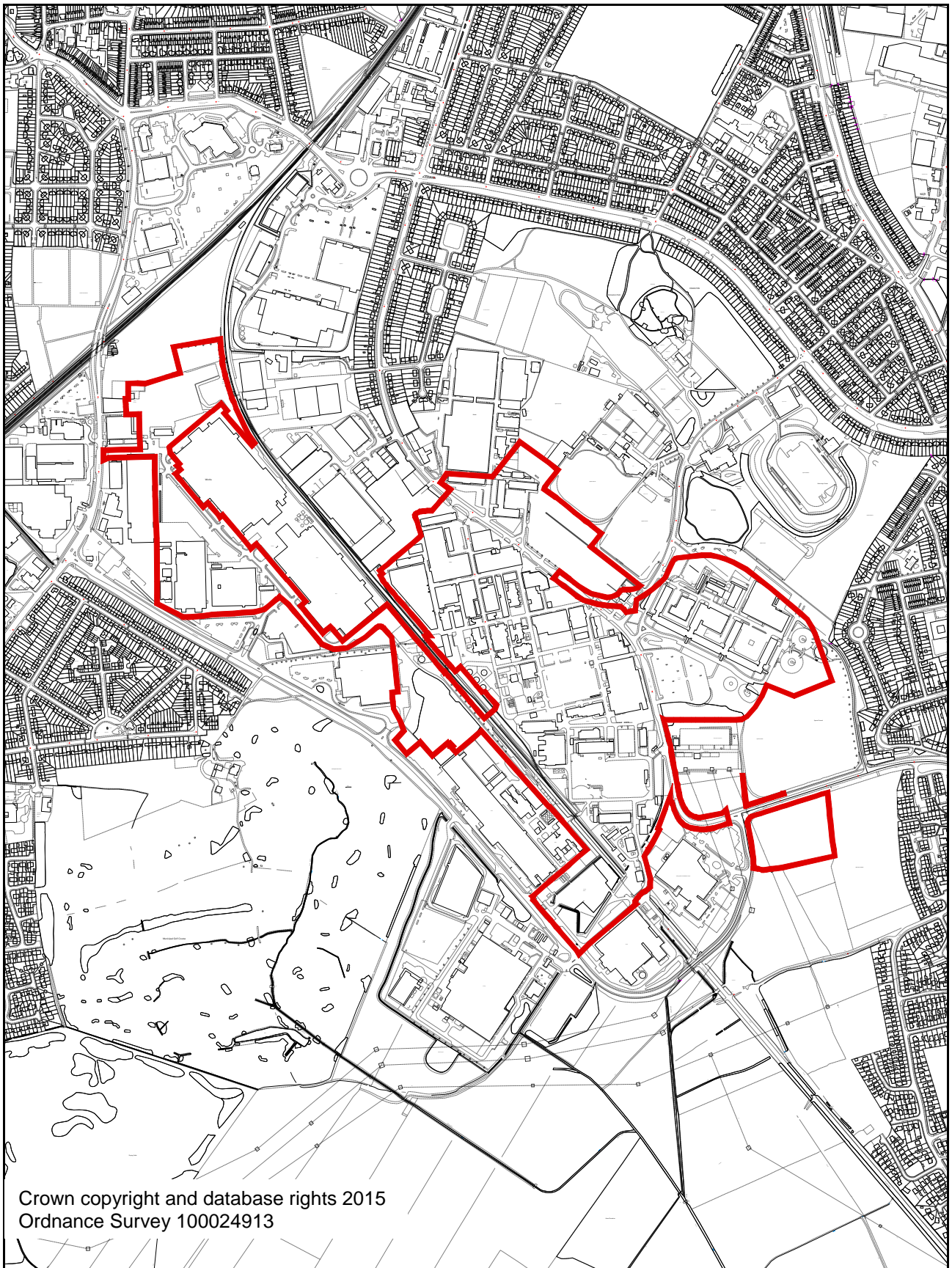
The applicant is advised that a Management Plan is still required for the Wilmore Road Meadows LWS.

### **S106 requirements where appropriate:**

As the application would result in a decrease in floor area there is no Section 106 Agreement associated with this application.

### **Application timescale:**

The application is brought before committee due to its strategic nature. The target date for determination for this application expired 20 July 2015. The application is also subject to an Extension of Time until 31 July 2015.



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

**Application No: DER/04/15/00460**

**Type: Full**

### **1. Application Details**

**Address:** 20 Portland Close, Mickleover.

**Ward:** Mickleover

#### **Proposal:**

Partial demolition of bungalow, demolition of garage and erection of dwelling house

#### **Further Details:**

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal= DERBY DCAPR 98073>

This application relates to a detached bungalow located on the north side of Portland Close in a quiet residential cul-de-sac in Mickleover. The surrounding area comprises entirely of residential dwellings with the majority of houses being bungalows of very similar design and size. Some two storey dwellings exist to the eastern edge of Portland Close. The front building line facing Portland Close is generally staggered with part hard surfaced / grassed areas forming the property frontages. The form, scale and architecture of the surrounding properties is consistent with pitched roof profiles, ridge heights and principal elevations replicated on both sides of the street toward this western section of Portland Close.

The plot is rectangular in shape with the existing dwelling sited centrally within the site, in line with the immediate neighbouring property at No.22. To the front is a hard surfaced area which extends the full width of the plot with a 0.6m high boundary wall and to the rear is a grassed amenity area, bordered by close boarded timber fencing. The rear garden is at an incline sloping upwards to the rear boundary. The existing bungalow measures 12.2m in width, 7m in depth and 5.5m in height. It is eaves fronted with a pitched roof and small single storey section upon its west side. The bungalow is sited 14m from the public highway.

#### **Proposal**

Full planning permission is sought for the part demolition of the existing bungalow and the rebuilding of a 1.5 storey, 5 bedroom bungalow to occupy almost the full width of the plot. The building footprint would measure 14.2m in width, by 16m in depth. The building to ridge level would measure up to a height of 6.4m. A number of first floor dormer windows are shown upon the front and rear elevation with numerous rooflight windows upon the side elevations. The roof profile shows a large flat roof expanse, upon a part hipped roofline. Some of the windows are shown as obscure glazed. Some windows would have heads and cills and a brick corbel detailing across the line of the eaves. Two off-street parking spaces are indicated to the property frontage.

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

DER/12/14/01733 – Partial demolition of bungalow and erection of dwelling house. This application was formally withdrawn by the applicant on 9 February 2015.

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal= DERBY DCAPR 97579>



**Committee Report Item No: 3**

**Application No: DER/04/15/00460**

**Type: Full**

**3. Publicity:**

41 Neighbour Notification Letters to nearby properties

Site Notice on nearby street furniture

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

**4. Representations:**

47 letters of support and 24 letters of objection have been received, with 1 petition in favour of the application. The petition of support bears 227 signatures. Councillor Keith also raises an objection, which is on the grounds of an adverse effect on the street scene and over intensive development.

The main points of objection include:

- The applicant has changed application slightly to avoid previous objections
- Vehicular access to the property would not be possible in the turning head
- The house would stand out like a sore thumb and be an eye-sore
- It would change, for the worse, the character of this lovely Close
- It would set a precedent for other bungalows to be converted into large dwellings
- This will compromise neighbours privacy both front and rear
- This will reduce the housing stock of bungalows for people who wish to downsize
- Inappropriate build for Portland Close
- The property should remain as a bungalow
- Building floor area appears increased by 500%
- The site has deteriorated under the current ownership
- Number of vehicles associated with such a large building would create parking problems in the turning head
- Negative impact on the local community and area
- The symmetry of the area will be disturbed and become unbalanced

The main points of support include:

- Re-modernising the dilapidated property can only be in favour for the area
- The bungalow dereliction has attracted vandalism
- Most other properties have had some sort of conversions by their owners over the years

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

**Application No: DER/04/15/00460**

**Type: Full**

- The existing bungalow would be greatly improved, refining the look and appearance of the Close
- Applicants have thoughtfully looked at all aspects of the plan to maintain the existing character of the Close
- Proposed changes would bring property into a wonderful and beautiful dwelling
- Proposed changes would not infringe upon anyone's privacy
- Plans should be approved to enable applicants to start work to build their ideal dream home
- The property respects local context and street pattern
- The plans are sympathetic to the surrounding Close
- The site access proposals are in accordance with acceptable planning standards
- The plans are perfect to lend itself to a comfortable home
- The applicants wish to turn this into a functional property for their growing family

#### **5. Consultations:**

##### **Highways DC:**

The bungalow is situated adjacent to a turning head with a dropped kerb access to a double gated driveway that does not appear to be used regularly. This application is for the conversion by partial demolition of the current bungalow into a dwelling house, with provision being made for the parking of two vehicles at the front of the property. There is no Design and Access Statement within the current documents and all relevant information is taken from the agents letter and application form.

The application form states that that there will be no change to the access to the property for vehicular access and the design of the new parking facility will not cause any problems, the turning head area is tight, however, from the revised plan provided a dropped kerb access has been provided to the new parking spaces.

Subject to conditions, no objection raised.

##### **Derbyshire Wildlife Trust:**

I note that the application is not supported by an assessment of the building to support roosting bats. I note the content of the email (23.12.14) from Mr S Raju, who indicates in his opinion that a bat survey is not required as the roof space is open to the roofing felt. However, he also indicates that bats like spaces which are dark and hidden. Although I have not had an opportunity to inspect the building it is clear that it has boxed soffits, lead flashing and a tiled roof with ridge tiles. Crevice dwelling bats (eg Pipistrelle species) can utilise all these features and in our opinion this property should be assessed for its potential to support roosting bats.

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

**Application No: DER/04/15/00460**

**Type: Full**

All UK species are protected by the Habitats Regulations 2015 and roosts – even when unoccupied – are protected under the terms of the legislation. Although it is outside the bat activity season a suitably qualified and licensed bat worker will be able to provide a proper preliminary assessment of the potential of the structure to support bat roosts. Given that the partial demolition appears to remove all the existing structure except the rear wall all currently available roost spaces would be lost to the proposal.

At the current time there is insufficient information in relation to the presence of a European Protected Species and that determination should not be undertaken until such time as a suitable assessment has been provided.

### **6. Relevant Policies: *Saved CDLPR policies***

GD4	Design and the Urban Environment
GD5	Amenity
H13	Residential Development – general criteria
E5	Protected Species
E23	Design
T4	Access, Parking 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.

- The impact of the design of the replacement dwelling upon the character and appearance of the street scene.
- The effect on residential amenity as a direct result of the proposed development
- Ecological impacts

#### **The impact of the design of the replacement dwelling upon the character and appearance of the street scene**

The application property is situated midway along Portland Close in amongst a group of bungalows on the northern side of the street. The immediate neighbouring properties are No.18 and No.22 Portland Close – both detached bungalows. When viewing the surrounding locality, on both sides of the street, the large majority of dwellings are detached bungalows. These dwellings consist of both gable fronted and eaves fronted principal elevations. Moreover, the simple brick, window and (uncluttered) roof plane detailing to the main façade is also replicated throughout, resulting in a strong consistency in layout, architectural style and form.



**Committee Report Item No: 3**

**Application No: DER/04/15/00460**

**Type: Full**

In general terms, the street scene is relatively unchanged with only No.10 exhibiting a small dormer window upon the principal roof plane in otherwise unaltered and original composition to this part of the street. Because of the architectural consistency displayed along this section of Portland Close, on both sides of the street, any substantive change to the scale and appearance of dwellings as seen from the public realm would have a significant impact on the wider character of the street scene.

The proposed development would be entirely disproportionate to the context in which the application site is located. This is because increasing the volume and mass, compared to the existing dwelling, by 2.5m increase in width, 8.7m additional depth, 1m additional height, together with the proposed elevational treatment, would significantly alter the visual appearance and scale of the proposed dwelling in an unacceptable fashion. The proposed development would consume almost the entire width of the plot with only 1m margins to the east and west common boundaries. In itself, this is not unreasonable, but not when consideration is given to the overall built form in terms of mass and volume of the proposed dwelling. Without doubt, the proposal is excessively large given the dimensions and scale and is essentially a two storey dwelling.

It is important to note, the increase in roof mass would be substantial and highly prominent in the street scene, not only because of the 1.5 storey nature of it, but the large expanse of flat roof and part hipped roof that would be entirely alien to the established character and appearance of Portland Close. This visual intrusion is compounded by the increase in roof height, the expanse of the roof plane, the design of the roof itself and the sheer extent of building in width and depth. The two side elevations would also be prominent from the street frontage and out of keeping with the streetscape, with their squat hipped side profiles and an array of roof light windows.

Essentially, the design and size of dwelling would be incongruous in the streetscene when viewed in context of the immediate neighbouring bungalows, No's 18 and 22 as well as the architectural uniformity of the street generally. Although the front building line would be re-positioned some 3.8m further forward than the existing bungalow, there is already something of a staggered building line upon the northern side of the street between No's 14 and 20. However, by moving the front building line further forward would only serve to increase the prominence of the dwelling, to the detriment to the consistent character and appearance of this part of Portland Close.

With regard to the rear element of the proposal, the design follows through to create a large rear aspect with nearly all the ground floor fully glazed and 4 pitched roof dormer windows in the roof plane. There is scope to expand toward the rear of the site, which the applicant has sought to do. Because the rear part of the site is not appreciable from the public realm, there are no street scene implications to the format and design type to the rear aspect.

Against the policies as listed in section 6 of the report, it can be asserted that the proposal would be atypical and contrived resulting in a visually incongruous element in the street scene. Based on the assessment given above, the proposal would create an intrusive and overly prominent form of development, which would be detrimental to the visual amenity of the locality and established character of this part of Portland Close.

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

**Application No: DER/04/15/00460**

**Type: Full**

### **The effect on residential amenity as a direct result of the proposed development**

The proposed replacement dwelling would extend almost the full width of the plot, with just a 1metre margin on both the east and west common boundaries, adjacent to No.18 and 22. Indeed, the main amenity impacts are upon the occupiers of these two neighbouring properties. There are no amenity issues prevalent to the properties beyond the northern boundary, due to distance from the application site and extent of trees and vegetation screening the northern boundary. Turning first to No.18, it is evident that a modest single storey side extension and integral garage form the side elevation to No.18 adjacent to the development. While the height and depth of the replacement dwelling would envelop much of the west side up to No.18, there are no principal habitable room windows on this adjacent bungalow facing the site. The two nearest roof light windows appear to be on a later extension to the property and thereby carry limited weight in assessing amenity impact. Also, the depth of the development beyond the rear building line of No.18 measures approximately 6metres, but it would not unacceptably impose over the rear garden area to No.18. Some degree of massing would occur to the rear garden area of No.18, though the development would not result in significant adverse harm.

In respect of No.22 Portland Close, the side elevation opposite the proposal contains two small 'portal' windows which appear to be secondary room windows. The side elevation of the proposal would have a massing impact on the adjacent No.22, although it would not be overbearing. Overall it is considered that there would not be a demonstrably harmful effect upon the amenities of No.22.

### **Ecological impacts**

Due to the proposal involving the demolition of most of the building, there is a requirement for a habitat survey in order that we can ascertain the presence or otherwise of any bat activity at the site. The application as submitted is not accompanied by sufficient information in order to demonstrate the presence or otherwise of protected species and the extent that they may be affected by the proposed development. Derbyshire Wildlife Trust were consulted and in their opinion this property should be assessed for it's potential to support roosting bats. In the absence of sufficient information to confirm the presence of bats in the building, the proposal is considered to be contrary to policy E5, for the protection of protected species and biodiversity.

### **Highway impacts**

The development includes the provision for two off-street parking spaces to the property frontage, accessed off Portland Close. The position and number of car parking spaces is acceptable and the Highways Officer raises no objection.

### **Summary**

The applicant and architect have been engaged in extensive correspondence with Officers, in regard to the design and scale of the proposal. The lengthy negotiations have not resulted in the submission of an acceptable scheme for this site. Following the withdrawal of the first application, revisions to the proposed dwelling were suggested. Unfortunately, the current application does not take on board the Officer's recommended changes it has not been possible through the life of the application to achieve an appropriate form of development, through negotiation, which would preserve the character of the local streetscene. Thus the recommendation is to refuse planning permission, as detailed below.

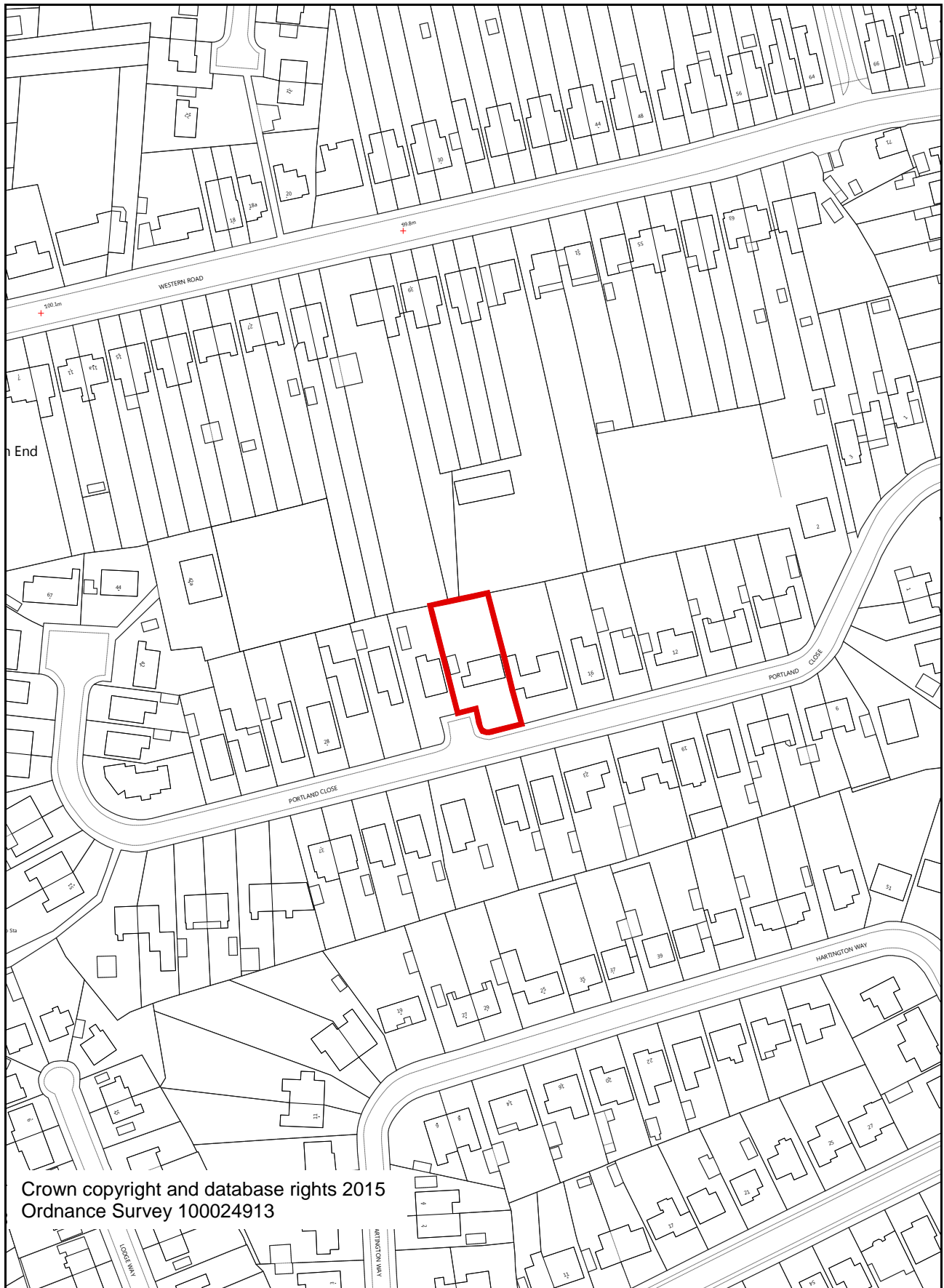
**8. Recommended decision and summary of reasons:**

**To refuse planning permission**

1. In the opinion of the Local Planning Authority, insufficient information has been provided regarding protected species (bats) in relation to the demolition of the bungalow on-site. The application therefore fails to meet the aims of saved policy E5 of the City of Derby Local Plan Review and associated legislation and best practice in the context of protected species and the development process.
2. In the opinion of the Local Planning Authority the proposed development, by virtue of its design, size, massing and appearance, fails to reflect the consistent character and appearance of this part of Portland Close. In particular, the overall height and profile of the roof, elevational treatment of the principal elevation, introduction of numerous dormers and rooflights and the overall mass and scale of the proposed development would create an intrusive and overly prominent form of development, which would be detrimental to the visual amenity of the locality and established character of this street scene. Accordingly, the proposal is considered to be contrary Policies H13, E23 and GD4 of the adopted City of Derby Local Plan Review.

**Application timescale:**

The application 8 week target date expired 4 June 2015.



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

**Application No: 07/12/00915**

**Type: Full**

### **1. Application Details**

**Address:** Site of 453 Burton Road, Littleover.

**Ward:** Littleover

**Proposal:**

Demolition of bungalow and erection of 7 dwelling houses

**Further Details:**

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal= DERBY DCAPR 93457>

The application site is a rectangular piece of land situated on the southern side of Burton Road. It covers an area of approximately 0.18ha. The site is occupied by a large detached dormer bungalow, a residential property which provides supported housing for up to 6 disabled residents. It is served by an existing vehicle access from Burton Road.

The bungalow is set back approx. 17m from Burton Road behind a parking and turning area. It is partially screened from the highway by high level boundary treatment, vegetation and a detached garage which is used as an office. To the rear of the bungalow is a raised patio and a large mature garden, the majority of which is laid to lawn. The southern portion of the garden is overgrown and underused. The land levels across the application site drop considerably from Burton Road towards the properties on Lime Walk. The fall across the site as a whole is approximately 6m.

The area surrounding the application site is predominately residential in character. Number 451 Burton Road, located to the northeast of the site, is a Georgian-style 2/3 storey building which has been subdivided into apartments. To the rear of this building are a row of modern two-storey houses which front onto Lime Gate Mews, a private drive accessed from Lime Walk. To the southwest of the site is number 455 Burton Road, an individually designed two-storey dwelling dating from the 1970's. The southern site boundary abuts the gardens of two-storey houses along Lime Walk.

The trees within the grounds of number 451 and the houses along Lime Gate Mews are covered by a group Tree Preservation Order (Number: 336).

**The Proposal:**

Planning permission is sought to demolish the existing bungalow on the site and erect 7 dwellings. The development would be arranged in two 'blocks' of development across the site.

Block A would be situated approximately 19m back from the site frontage. It would comprise a terrace of 3 No. 4-bedroomed houses with accommodation over two floors to the front elevation and three floors to the rear. Each property would be served by two parking spaces. Block B would be sited to the rear of the site approximately 53m from the site frontage. It would be comprised of two pairs of semi-detached houses. The dwellings would be 3 bedroomed properties providing accommodation over two floors. They would be served by a parking and turning area

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

**Application No: 07/12/00915**

**Type: Full**

located centrally within the site. There is an existing vehicle access into the site which would be relocated towards the western boundary.

The application is accompanied by a Design and Access Statement, A Tree Survey, a Bat Survey and a Drainage Scheme.

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

DER/12/07/02352 – Demolition of bungalow and erection of residential care home and associated parking – Granted Conditionally - 14/03/2008

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal= DERBY DCAPR 85418>

DER/07/07/01266 – Demolition of bungalow and erection of care home – Refused - 28/09/2007

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal= DERBY DCAPR 84309>

### **3. Publicity:**

38 Neighbour Notification Letters

Site Notice

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

### **4. Representations:**

15 objections have been received in response to the proposals. The issues raised within the objection letters/emails are summarised below:

- The houses are not in keeping with the surroundings, in terms of its scale, siting or design and 3 storeys would tower over other properties in the area.
- The new building is set nearer to Burton Road than the existing one and will dominate the road scene.
- Loss of privacy and loss of light to neighbouring properties.
- The scale of the development and massing on adjoining properties, especially those on Lime Walk and 451 Burton Road. Because of the change in levels of Burton Road and Lime Walk Houses on Lime Walk will be overlooked severely.
- Additional buildings, tarmac and changes in land levels would increase the possibility of flooding in the area.
- Concerns about the ability of the proposed pumping system to cope with sewerage.
- Nearby protected trees have not been shown accurately on the plans.
- Removal of shrubs and trees will mean the destruction of local habitat.
- Impact of construction works in terms of noise and dust.
- Lack of off street parking resulting in on street parking and increased congestion on local roads.

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

**Application No: 07/12/00915**

**Type: Full**

- Highway safety issues due to the dangerous vehicle access.
- Security concerns.
- Impact upon protected species - bats have been seen in the locality.
- Over-intensive use of the plot.
- Loss of views.

### **Responses following re-consultation**

- Concerns about increase in runoff levels
- Parking concerns - the removal of the garages provides even less car parking
- No details of surface water or foul drainage
- Excavations on the site will impact on existing pipes under the garden area and put adjoining properties at risk.
- Impact of the development on bats and foraging birds

## **5. Consultations:**

### **Highways DC:**

Parking for both blocks is now allocated spaces. It is understood that there is 200% parking for Block A and 100% parking for Block B. 200% parking would be a more favourable option for both Blocks, however, the proposal is in a sustainable location on a bus route and therefore the parking level is acceptable

Revised plans have been submitted to address previous concerns in relation to the vehicle access and bin storage facilities. These details are now considered to be acceptable.

Conditions relating to surfacing materials, details of surface water drainage, the provision of a dropped vehicular footway crossing, closure of the existing site access and visibility splays are recommended.

### **Highways - Land Drainage:**

The developer has now provided further details to resolve some of my original concerns with the application as follows:-

1. A tank is now proposed and calculations have been provided to demonstrate how flood flows could be managed. Environment Agency standing advice recommends that a 1 in 100 year storm plus a suitable allowance for climate change be design for. Climate change has not been considered in the calculations however this could be resolved by an increase in the tank size, and therefore could be covered by a suitable condition.
2. A suitable discharge rate has now been set for the site from a flood defence point of view.
3. Sustainable drainage has now been addressed more fully by the proposal to use permeable block paving and the provision of water butts.
4. It is now proposed that the pipe system be offered to the Severn Trent Water (STW) for adoption which is welcomed as this will ensure that full provision is made for future maintenance.

**Committee Report Item No: 4**

**Application No: 07/12/00915**

**Type: Full**

Reservations are raised in regard to the operation of the proposed pumped drainage system, in the event of failure and the potential connection to the public foul and surface water network. These matters will be dealt with as part of the construction process via Building Regulations and via the adoption process by Severn Trent Water, as the statutory undertaker.

**Derbyshire Wildlife Trust:**

Following the receipt of additional supporting information the Trust advises that the proposed development is unlikely to have an adverse impact upon roosting bats. No further surveys are required.

The Trust is also satisfied that the greenhouse/summerhouse and none of the trees on the site provide suitable opportunities for roosting bats.

It is likely that the assessment that has been undertaken for bats meets Government guidance within Circular 06/2005 and, as such, sufficient information regarding these protected species has been supplied to enable the Council to make an informed decision in accordance with the guidelines and determine the application.

The submission of the finalised report and the additional information now gives the Council confidence that a planning decision can be made having fully taken European Protected Species into account and that the Council has given regard to their obligations as set out within the Habitats Regulations 2012. No evidence of bats or nesting birds was found and accordingly there should be no ecological constraints associated with the proposal.

The Trust supports the recommendations of the Bat Report during the the striping of roof materials and recommends that these recommendations are secured by condition.

The rear garden area provides good foraging habitat for bats and therefore the Trust advises that as many of the perimeter trees and shrubs should be retained as possible and that a number of bat boxes should be incorporated into the design of the new buildings to enhance the local bat population.

Any site clearance work, including vegetation removal, needs to take into account the potential presence of nesting birds.

**6. Relevant Policies: *Saved CDLPR policies***

GD3	Flood Protection
GD4	Design and the Urban Environment
GD5	Amenity
H13	Residential Development – General Criteria
E7	Protection of Habitats
E9	Trees
E10	Renewable Energy
E23	Design
T4	Access, Parking and Servicing
T7	Provision for Cyclists
T10	Access for Disabled People
E17	Landscaping Schemes



**Committee Report Item No: 4**

**Application No: 07/12/00915**

**Type: Full**

*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 residential development
- Design/Impact upon the character of the streetscene
- Provision of a satisfactory living environment and Impact upon the amenity of neighbours
- Trees/Ecology
- Highways Issues
- Drainage Issues

**The principle of residential use:**

The application site is located within an existing residential area which is well served by public transport and situated close to shops and other amenities, in view of this the site is considered to be a suitable and sustainable location for new residential development within the City. There are no overriding concerns with the demolition of the existing bungalow which is considered to be of insufficient architectural merit to warrant its retention.

**Design/impact upon the character of the streetscene**

There is a mix of existing residential properties in the locality, including apartments. I am happy that the introduction of the short terrace of three dwellings on the site frontage would be visually acceptable. Block A would occupy a similar position within the site to the existing bungalow, which is considered to be acceptable given the varied building line along this side of the road. The erection of appropriate boundary treatment along the site frontage can be controlled through condition, as can the provision of suitable landscaping to screen the proposed parking/turning area.

The 'Blocks' of development have a fairly simple design and they take reference from number 451 Burton Road with the use of hipped roofs, deep eaves overhang, horizontal banding and sash style vertical windows. Externally the dwellings would be finished with painted render, which is found on a number of dwellings within the locality. Details such as the arched doorway and tall chimney stacks add visual interest to the proposed dwellings. Taking into account the range of architectural styles present within the vicinity, the design of the proposed dwellings are not considered to be out of keeping architecturally.

During the course of the application the overall height of Block A on the site frontage has been reduced from 10.7m to 7.7m. Whilst this block would provide 3 storeys of

**Committee Report Item No: 4**

**Application No: 07/12/00915**

**Type: Full**

accommodation, the fall in land levels within this area of the site mean the terrace appears to be two-storeys when viewed from Burton Road. Although larger in scale than the existing bungalow on the site, taking into consideration the fall of the land away from Burton Road and the lowered land levels proposed, I am satisfied that the development would not appear unduly prominent when viewed from the highway. The scale of the houses would be comparable with surrounding buildings and, as shown from the site sections, the development on the site frontage would be significantly lower than the tallest element of the neighbouring apartment building at 451 Burton Road.

As a result of the existing vegetation and surrounding built development the houses within Block B located to the rear of the site would be well screened from public views and surrounding streetscene. In view of this it would be difficult to argue that this element of the proposed development would have a significant adverse effect upon the visual amenities of the locality as a result of its backland position. The introduction of such a large parking area is not ideal, but again this area would be well screened and the provision of some landscaping and suitable surfacing can be controlled through condition. The site sections demonstrate that the height of Block B, as amended, would be a similar height to the dwellings located along Lime Gate Mews. Ultimately I feel it would be difficult to argue that the backland development, in this context, would be harmful to the character or visual amenities of area, particularly as it would sit adjacent a number of other examples of similar backland developments along Lime Gate Mews.

Overall it is considered that the proposed development, as amended, would be acceptable in terms of its siting, scale and visual appearance and would not detract significantly from the overall character of the area. The revised scheme is considered to reasonably meet with the requirements of saved Policies GD4, E23 and H13.

**Provision of a satisfactory living environment and impact upon the amenity of neighbours:**

The proposed development would provide approximately 21m between the rear elevations of the dwellings in Block A and the front elevations of Block B and would also allow for a distance of approximately 23m between the rear elevations of dwellings within Block B and the rear elevations of the houses located along Lime Walk. Garden depths within the development would be in the region of 10m. These distances are considered to be sufficient to ensure there is no significant adverse effect through overlooking. No side facing windows are proposed and, whilst some views of neighbouring gardens would be afforded, the orientation the blocks of development are such that views would only be at an oblique angle.

The impact of the development in terms of loss of light and general massing has also been fully assessed and is considered to be satisfactory. Whilst there would be some massing impact upon the garden area of properties within Lime Gate Mews, the depth of their gardens is such that this impact would not be significant. The impact on no.455 Burton Road is also considered to be tolerable, given the degree of separation.

In order to minimise the impact on properties along Lime Walk the height of the rear elevations of properties within Block B have been reduced. Here rather than having a full height two-storey elevation the rear elevations have been reduced to 3.5m at

**Committee Report Item No: 4**

**Application No: 07/12/00915**

**Type: Full**

eaves level. Taking into account these revisions and the degree of separation between the rear of Block B and the properties on Lime Walk, the impact in terms of massing/loss of light on these properties is now considered to be acceptable. Regard has been given to the elevated position of the site compared with some neighbours.

Whilst the siting of Block A at the front of the site would just cut into the 45 degree angle take from the ground floor habitable room within the front elevation of the apartment within no. 451 Burton Road, it should be noted that the existing bungalow already had an impact upon light entering this window. In view of this, I consider the relationship between the proposed terrace on the frontage and the apartments within no. 451 Burton Road to be tolerable.

Overall the development, as amended, would reasonably comply with the requirements of policies H13 and GD5 in respect of neighbour amenity. I am also satisfied that the proposal would create an acceptable living environment for future occupiers in terms of both the internal and external spaces provided.

**Trees/Ecology:**

The proposal would result in the loss of trees on the application site (16 in total). However these trees are not protected and do not offer sufficient visual amenity value within the surrounding streetscene to warrant a Tree Preservation Order being made. In view of this it is considered that refusal of the application on the grounds of the loss of these trees would be difficult to sustain.

The application is accompanied by a Tree Report which assesses the health and amenity value of the trees and the impact of the development on visually significant trees, including the protected trees located within the garden of no. 451 Burton Road. In particular the Report highlights the visually important Lime tree situated close to the north-eastern corner of the site within the front garden area of no. 451 Burton Road, but advises that if due care is taken to avoid disturbance or damage to the roots in this area the development should not have a detrimental impact on the health of the tree.

Subject to tree protection conditions, it is considered that the development can be carried out without causing harm to the visually significant trees, particularly those on the site frontage at no. 451 Burton Road. Submission of a full tree protection plan and arboricultural method statement should be conditioned. Accordingly the proposed development is considered to reasonably comply with policy E9.

Derbyshire Wildlife Trust has confirmed that the proposed development is unlikely to have an adverse impact upon roosting bats. It is recommended that as many perimeter trees and shrubs should be retained as possible and that a number of bat boxes should be incorporated into the design of the new buildings to enhance the local bat population.

**Highways Issues:**

Given the sustainable location of the proposed development the parking levels provide for each of the block (200% for Block A and 100% for Block B) are considered to be acceptable and the layout of the development would provide sufficient turning space to ensure vehicles can access and egress the site in a forward gear. The proposal would involve the relocation of the existing vehicle access

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

**Application No: 07/12/00915**

**Type: Full**

along Burton Road but, subject to appropriate conditions, the Highways Officer is satisfied with the location of the new vehicle access and satisfactory pedestrian visibility either side of the site access can be controlled through condition. In view of this the proposal is considered to comply with the City Council's adopted parking standards and the general requirements of saved Policy T4.

### **Drainage Issue:**

Discussions regarding surface water drainage have been on-going during the life of the application. In order to address the issues raised by the Land Drainage Officer a surface water drainage scheme for the site has been drawn up by the applicant, which involved the use of underground storage tanks. To overcome the fall in land level across the site a pumping station is proposed to deal with excess surface water. The position of the 4 dwellings at the rear of the site has also been amended to provide a gap between the two pairs of dwellings to form an easement for the piped drainage system, access to the rear gardens so the drainage system can be maintained and a route for flood flows. The pumping station would have monitored alarm systems, maintenance and back up to minimise the likelihood of failure.

### **Conclusion**

The application site is situated within a sustainable location and is considered to be an acceptable form of residential development in this area. The application, as amended, is considered to be acceptable in terms of its design and impact on the character and appearance of the area, neighbour amenity, impact on protected trees, drainage, parking and highway safety.

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

**To grant** planning permission with conditions.

### **Summary of reasons:**

The proposal, as amended, is considered to be acceptable in terms of land use, its design and impact on the character and appearance of the area, neighbour amenity, impact on protected trees, drainage, parking and highway safety.

### **Conditions:**

1. Standard 3 year time limit
2. Approved plan reference condition
3. Condition requiring details of external materials to be submitted and the approved details implemented
4. Condition requiring details of boundary treatments to be submitted and the approved details implemented
5. Condition requiring hard surfacing materials to parking and access areas and surface drainage
6. Condition requiring submission of a landscaping scheme for the site
7. Condition requiring the implementation of the approved landscaping scheme within 12 months of completion of development, or the first planting season, whichever is the sooner
8. Condition requiring surface water drainage scheme to be submitted and agreed

**Committee Report Item No: 4**

**Application No: 07/12/00915**

**Type: Full**

9. Condition requiring mitigation measures for provision of roosting for bats and for the development to be carried out in accordance with the recommendations of the submitted Bat Assessment Report.
10. Condition requiring a tree and vegetation protection/ arboricultural method statement under BS5837.
11. Condition requiring details of finished floor levels and changes to site levels
12. Condition to require construction of dropped vehicular crossing to site and permanent closure of existing redundant access
13. Condition to require visibility splays of 2 metres x 2 metres at the access to be kept free of obstruction.

**Reasons:**

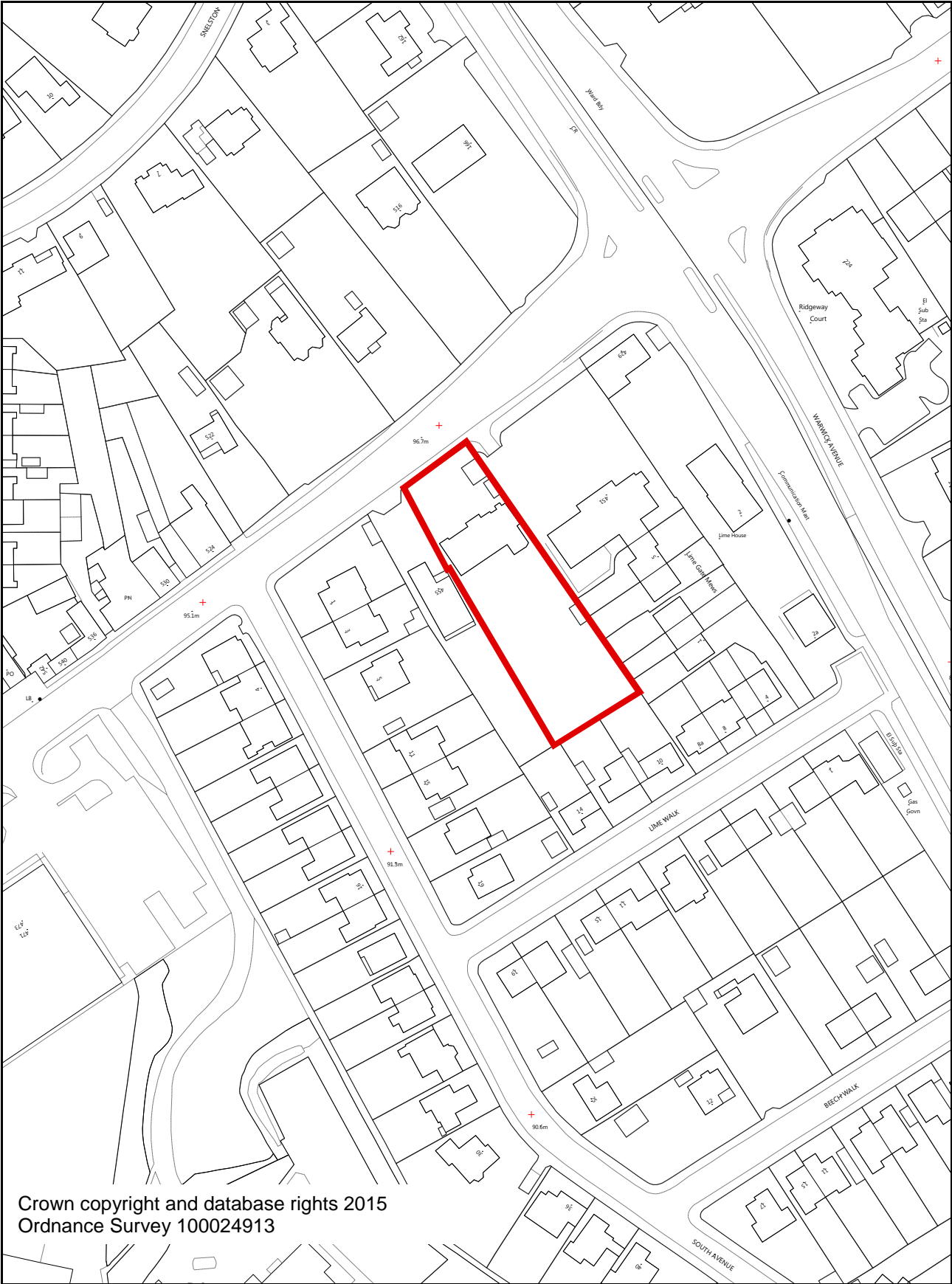
1. Standard reason for time limit
2. For the avoidance of doubt
3. To safeguard visual amenities.....policies GD4 and E23
4. To safeguard visual amenities and the residential amenity of neighbours.....policies GD4, GD5 and E23
5. To ensure the provision of satisfactory drainage arrangements...policy GD3
6. To safeguard and enhance the visual amenities of the area...policy E17
7. To safeguard and enhance the visual amenities of the area...policy E17
8. To ensure the provision of satisfactory drainage arrangements...policy GD3
9. To enhance biodiversity in the interests of nature conservation – Policy E5
10. To ensure protection of trees in interests of amenity – Policy E9
11. To safeguard visual amenities and the residential amenity of neighbours.....policies GD4, GD5 and E23
12. In the interests of highway safety – Policy T4
13. In the interests of highway safety – Policy T4

**Informative Notes:**

None

**Application timescale:**

The target date for determination of the application was 19 November 2012, and is brought to committee due to the number of third party objections.



## **Committee Report Item No: 5**

**Application No:** DER/03/15/00397

**Type:** Full

### **1. Application Details**

**Address:** 17 Shardlow Road, Alvaston, Derby

**Ward:** Alvaston,

**Proposal:**

Change of use from a taxi hire business (Sui Generis) to a hot food takeaway (Class A5), installation of a new shopfront, extraction/ ventilation equipment and external alterations.

**Further Details:**

Link to application:

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal= DERBY DCAPR 98008>

The application site is located on the eastern side of Shardlow Road within the Alvaston District Centre. The unit is currently occupied by a taxi hire business, a Sui Generis use. The unit is located within terraced block of 10 two storey units; two of which are vacant and the rest comprise of a Post Office, Betting Shop, and 5 A1 shops, with ancillary storage and residential at first floor. There are public parking bays located to the frontage of the shopping parade and a servicing area located to the rear of the units. To the rear of the application unit is a yard and store.

The application seeks permission to change the use of the taxi unit, to an A5 (hot food) use with proposed opening hours of 1100 to 2300 seven days a week with up to 35 part time members of staff.

The proposal also includes the installation of new extraction /ventilation equipment and the installation of a new shopfront. The proposed ventilation equipment, includes the insertion of two extract grilles and the installation of an air conditioning unit on the single storey extension to the rear of the building. The new shop front would be fully glazed, with the entrance door relocated to the centre of the unit.

For Members information, this application is linked to a separate current application for 3 Shardlow Road, ref: DER/02/15/00256, for change of use of A1 (Post Office) unit to taxi office (Sui Generis). The applicant for that application is seeking to relocate their taxi business from this unit, 17 Shardlow Road, to 3 Shardlow Road, subject to permission being granted for the change of use. The application for 3 Shardlow Road is due to come to a future committee meeting for Members to determine.

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

DER/02/15/00256 – 3 Shardlow Road, Change of use of Post Office (A1 use) to Taxi office (Sui Generis), current application.

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal= DERBY DCAPR 97862>

DER/02/13/00145 – Change of use from office to hot food shop – Granted

DER/03/13/00235 – Change from bank to taxi office – Granted

**Committee Report Item No: 5**

**Application No: DER/03/15/00397**

**Type: Full**

**3. Publicity:**

Neighbour Notification Letters – 18

Site Notice yes

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

**4. Representations:**

27 objections have been received, including objections from Alvaston Residents Association, Councillor Bayliss, Councillor Graves, Councillor Martin, Councillor Banwait and Councillor Jackson. In summary the grounds for objections are:

- Over concentration of hot-food takeaways in the area
- The provision of another takeaway would result in the loss of space for A1 retail
- Opening hours of takeaway would create dead frontage during the day
- Increased noise, traffic, pollution, litter and odour
- Health issues of fast food
- Affect the viability of Alvaston District Centre
- Introduction of another A5 unit will impact on nearby retail units
- District centre has reached saturation in regards hot food shops, any more will negatively affect the viability of the centre
- Further hot food shops give an appearance of a closed shopping centre during the day
- Will attract litter and people hanging around outside the premises
- Increase in litter, traffic, impact on car parking spaces
- Issue with the taxi operators and an on-going parking issues not being adhered to. Impose parking restriction condition to rectify the problem.

**5. Consultations:**

**Highways DC:**

To the frontage of the units there is approximately 21 parking bays, all of which restrict parking to a maximum of 30 minutes. This restriction is in place to allow for a good turnover of short stay parking for visitors wishing to use the shops within the District Centre.

I don't believe that this proposal will present any problems regarding parking, congestion or safety as many of its customers will be arriving at off peak times.

No significant highway implications, and no objections.

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

I have reviewed the application and I have no comments to make.



## **Committee Report Item No: 5**

**Application No: DER/03/15/00397**

**Type: Full**

### **6. Relevant Policies: *Saved CDLPR policies***

E24	Community Safety
GD5	Amenity
H13	Residential Development – General Criteria
S3	District and Neighbourhood Centres
S12	Financial and Professional Services and Food and Drink Uses
T4	Access, Car 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 considerations which are dealt with in detail in this section:

- Impact on Vitality and Viability of the Retail Centre
- Impact on Highway Safety
- Impact on Amenities

#### **Impact on Vitality and Viability of the Retail Centre**

The site of the proposal is in a District Centre where Policy S3 allows for shops and other complimentary uses serving a local need, provided that the proposal is compatible with the general scale, nature and function of the centre, would not detract from its vitality and viability, including by reducing the proportion of existing or committed ground floor frontage in A1 use. Wherever practical a shop front should be maintained.

The proposed A5 aspect of the proposal is also subject to Policy S12. This Policy permits A5 uses within identified retail centres provided that the development would not lead to a concentration of such uses likely to undermine the vitality and viability of the Centre. Clearly, the Centre has the ability to sustain and provide varied shopping facilities and services, commensurate with the character and scale of this District Centre. Against this Policy S12 also states that in all areas, planning permission will not be granted for A5 proposals which would cause unacceptable harm to the amenity of nearby areas.

On this basis the vitality and viability of the District Centre would not be lost through the removal of a shopping function, since the unit is currently in a sui generis use. The implementation of the proposed use would not have any impact upon the proportion of units in non- A1 use as the existing use is a taxi office, which is already outside the A1 use class.

## **Committee Report Item No: 5**

**Application No: DER/03/15/00397**

**Type: Full**

Within the parade of 10 units on Shardlow Road, in which the application site sits, the existing uses currently comprise of 2 vacant units, 6 units in A1 shop use, a single A2 bookmakers and the taxi office, which is a Sui Generis use. Taking the District Centre as a whole there are 69 units in total and of those 35 units are currently in A1 use (50%), 8 units in A5 use (11%) and there are currently 13 (18%) vacant units. One of those vacant units, (1248 London Road) is undergoing work and has permission to change its use to either A3 or A5. There is also a current application for an A1 shop at 31 Shardlow Road for a change of use to A5, which is pending a decision. Even if these A5 uses are implemented, the proportion of non- A1 uses, across the whole centre would still be less than 50% of the total. The existing mix of retail and complementary uses serving a local need suggests there is an intrinsic vitality to the Centre. Overall, Alvaston District Centre remains in a healthy state and I am satisfied that the proposed A5 use for 17 Shardlow Road, would not undermine the vitality and viability of the Centre. The proposal would not in my opinion lead to an overconcentration of hot food and drink uses in the District Centre and the provisions of Policies S3 and S12 on this occasion would be satisfactorily met.

### **Impact on Highway Safety implications**

In terms of parking and servicing issues, currently there are 21 off- street car parking bays to the front of the parade of units, all of which restrict parking to a maximum of 30 minutes. It must be noted, that within peak times the car parking spaces are heavily utilised however the flow of traffic movements is controlled by parking restrictions. Some third parties have commented that the proposed change of use would add to parking congestion in the parking bays to the front of the units, but there is little evidence this proposed development would create/or add to this problem, since an existing taxi office, which generates parking issues in the centre, is to be replaced with a hot food use, which generally attracts vehicular trips in the evening period. Members will be aware that there is an on-going issue with taxis parking in the public bays, associated with the existing taxi operator at 17 Shardlow Road. The Highway Authority are currently involved in enforcement of the parking restrictions in this area, associated with taxis operating from the application unit. The Highways Officer has not raised any objection to the proposed change of use of the taxi office to a hot food use on the basis that this proposal has no adverse highway safety or parking implications. The proposed use is therefore considered to accord with the requirement of Policy T4.

### **Impact on Amenity**

There is residential accommodation directly above the proposed hot food takeaway and as such there a potential for noise disturbance to future residents. However, I note that the Environmental Health Officer has not raised any concerns in regard to the impact of the hot food use on resident's living conditions. The layout and siting of the ventilation and extraction flue and equipment have been submitted with the application and these indicate that the equipment would egress the building to the rear elevation of the single storey extension, which is an adequate distance from the first floor flat to minimise any disturbance from odours, noise and smells. Conditions requiring precise details of the proposed ventilation/ extraction system can be imposed to mitigate for any potential adverse impacts on residents amenity and these would address the requirements of Policy S12 and GD5.

**Committee Report Item No: 5**

**Application No: DER/03/15/00397**

**Type: Full**

I am drawn to conclude that the impact of the proposal on the amenities of residents, and on the vitality and viability of the District Centre would be acceptable and that the criteria of relevant policies from the adopted City of Derby Local Plan Review would be adequately met.

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

**To grant** planning permission with conditions.

**Summary of reasons:**

The proposal has been considered against the relevant policies of the adopted City of Derby Local Plan Review and all other material considerations, and it is considered that the proposed use as a hot food take-away and residential accommodation is an appropriate use within the Alvaston District Centre.

**Conditions:**

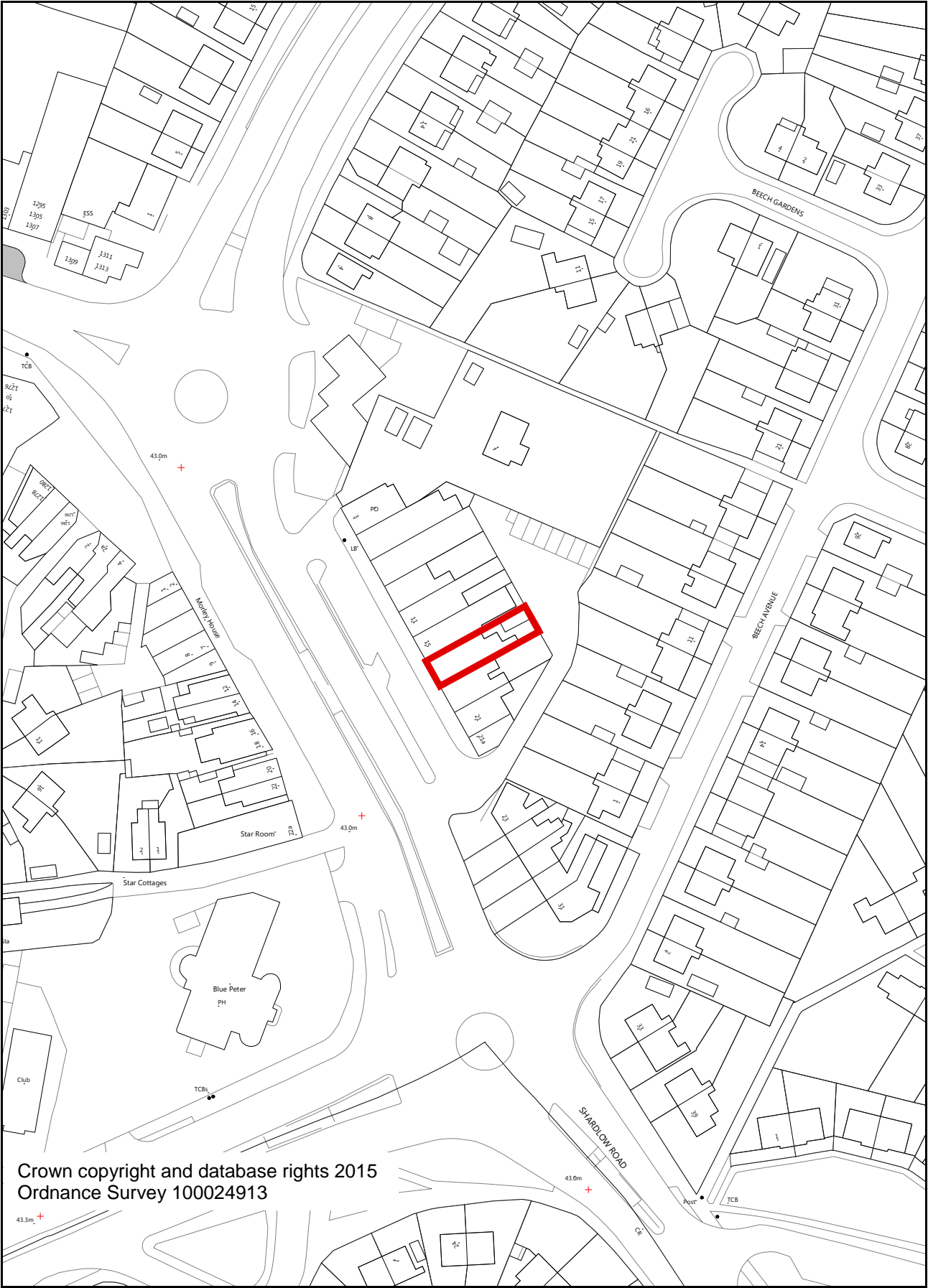
1. Standard condition 03...(3 year expiry)
2. Standard condition 100...(approved plans)
3. Standard condition 47....(details of fume extraction / ventilation)

**Reasons:**

1. Standard reason E56...(time limit for planning permissions)
2. Standard reason E04...(for the avoidance of doubt)
3. Standard reason E25...(residential and environmental amenity) of policy GD5

**Application timescale:**

The application target expiry date was 19 May 2015 and is brought to committee at the request of Cllr Bayliss and due to the number of objections.



## Derby City Council

Delegated decisions made between 01/06/2015 and 30/06/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
06/14/00878/PRI	Works to Trees under TPO	Silecroft, 2 Friars Close, Darley Abbey, Derby, DE22 1FD	Felling of tree protected by Tree Preservation Order no.154	Finally disposed of	04/06/2015
07/14/00961/PRI	Full Planning Permission	497-499 Nottingham Road, Derby, DE21 6NA (Co-op Store)	Installation of replacement refrigeration plant at the rear of the store	Granted Conditionally	26/06/2015
07/14/01013/PRI	Full Planning Permission	Site of former Beaconsfield Club, 1 Wilson Street and land to rear 2-4 Wilson Street, Derby, DE1 1PG	Change of use from social club (Use Class D2) to form 14 apartments (Use Class C3), extension to form ramped access, erection of gates and bin store and formation of associated parking	Granted Conditionally	05/06/2015
09/14/01292/PRI	Advertisement consent	11, 11A & 12 Friar Gate, Derby (former Graze restaurant)	Display of various externally and internally illuminated signage	Granted Conditionally	19/06/2015
09/14/01295/PRI	Listed Building Consent - alterations	11, 11A & 12 Friar Gate, Derby (former Graze restaurant)	Display of various externally and internally illuminated signage	Granted Conditionally	19/06/2015
10/14/01449/PRI	Full Planning Permission	The Coach House, Mill Street, rear of 64 Friar Gate, Derby, DE1 1DY	Change of use from offices (Use Class B1) to 3 apartments (Use Class C3) together with two storey extension	Granted	05/06/2015
10/14/01450/PRI	Listed Building Consent - alterations	The Coach House, Mill Street, Rear of 64 Friar Gate, Derby, DE1 1DJ	Change of use from offices (Use Class B1) to 3 apartments (Use Class C3) together with two storey extension	Granted Conditionally	05/06/2015
11/14/01517/PRI	Full Planning Permission	Land west of Belmore Way, Alvaston, Derby, DE21 7AY	Erection of industrial units and associated infrastructure	Granted Conditionally	26/06/2015
11/14/01543/PRI	Full Planning Permission	Markeaton Primary School, Bromley Street, Derby, DE22 1HL	Installation of domed canopy	Granted Conditionally	12/06/2015
12/14/01621/PRI	Full Planning Permission	415 Burton Road, Derby, DE23 6AN	Single storey rear extension to dental surgery (decontamination room, store, rest room and surgery)	Granted Conditionally	10/06/2015
12/14/01631/DCC	Advertisement consent	Riverside Chambers, Full Street, Derby, DE1 3AF (Former Magistrates Court)	Display of two non- illuminated fascia signs	Granted Conditionally	17/06/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
12/14/01632/DCC	Listed Building Consent - alterations	Riverside Chambers, Full Street, Derby, DE1 3AF (Former Magistrates Court)	Display of signage	Granted Conditionally	18/06/2015
12/14/01653/PRI	Full Planning Permission	657 London Road, Derby, DE24 8UQ	Single storey rear extension to shop (enlarged stock room and garage)	Granted Conditionally	10/06/2015
12/14/01723/PRI	Full Planning Permission	18 Chatteris Drive, Derby, DE21 4SF	Extensions to dwelling house (garden room, bedroom, bathroom and enlargement of kitchen)	Granted Conditionally	04/06/2015
12/14/01740/PRI	Full Planning Permission	Chaddesden Park Junior & Infant School, Tennessee Road, Chaddesden, Derby, DE21 6LF	Demolition of primary school. Erection of primary school, nursery and associated external hard and soft landscaping.	Granted Conditionally	05/06/2015
	Pre-Application	IPro Stadium, Pride Park, Derby, DE24 8XL	Extensions below concourse to provide further hospitality facilities		11/06/2015
01/15/00044/PRI	Full Planning Permission	9 Enfield Road, Derby, DE22 4DG	Erection of dwelling house	Granted Conditionally	12/06/2015
01/15/00098/PRI	Full Planning Permission	97 King Street, Derby, DE1 3EE (Seven Stars PH)	Demolition of outbuilding and timber shelter and alterations including installation of walls, railings, gates and canopy, alterations to steps and surfacing to form external drinking area	Granted Conditionally	18/06/2015
01/15/00099/PRI	L B C alterations and demolition	97 King Street, Derby, DE1 3EE (Seven Stars PH)	Demolition of timber shelter and alterations including installation of walls, railings, gates and canopy, alterations to steps and surfacing to form external drinking area	Granted Conditionally	18/06/2015
02/15/00142/PRI	Full Planning Permission	Land at side of 172 Prince Charles Avenue, Mackworth, Derby, DE22 4LQ	Erection of dwelling house	Granted Conditionally	18/06/2015
02/15/00143/PRI	Full Planning Permission	Unit 11, Stoney Cross Industrial Park, Stoney Gate Road, Spondon, Derby, DE21 7RX (Accrofab)	Installation of external fire escape	Granted Conditionally	12/06/2015
02/15/00175/PRI	Advertisement consent	BT Kiosks adjacent St Peter's Way, junction with, St. Peters Street, Derby, DE1 2PL	Display of internally illuminated panel sign on reverse of replacement BT Payphone kiosk	Granted Conditionally	26/06/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
02/15/00177/DC5	Advertisement consent	BT Kiosks adjacent Crown Walk entrance to Intu, East Street, Derby	Display of internally illuminated panel sign on reverse of replacement BT Payphone kiosk	Granted Conditionally	26/06/2015
02/15/00194/PRI	Outline Planning Permission	Former Mackworth College Site, Normanton Road, Derby	Erection of 4 retail units (Use Classes A1/A2/A3/A5 and D2) and formation of associated car parking	Granted Conditionally	09/06/2015
02/15/00214/PRI	Full Planning Permission	69 Allestree Lane, Derby, DE22 2HQ	Single storey rear extension to dwelling house (lobby and enlargement of kitchen)	Granted Conditionally	04/06/2015
02/15/00216/PRI	Full Planning Permission	2 Cardigan Street, Derby, DE21 6DW	Erection of detached outbuilding (garage and store)	Granted Conditionally	08/06/2015
02/15/00226/PRI	Full Planning Permission	209 Duffield Road, Derby, DE22 1JE	Two storey rear extension to dwelling house (garden room, bedroom, en-suite and balcony)	Granted Conditionally	09/06/2015
02/15/00228/PRI	Full Planning Permission	141 Pastures Hill, Littleover, Derby, DE23 7AZ	Front extension to dwelling (sitting room and porch) and alterations to roof to form additional storey (4 bedrooms, bathroom and en-suite) - amendments to previously approved application Code No. DER/01/13/00043/PRI to include an attached garage to the front elevation and installation of a rear dormer	Granted Conditionally	04/06/2015
02/15/00230/PRI	Full Planning Permission	Sterne House, Lodge Lane, Derby	Demolition of two storey extension and erection of four storey glazed extension to offices (staircase, lift shaft and w.c. blocks)	Granted Conditionally	24/06/2015
02/15/00247/PRI	Full Planning Permission	4 Saxondale Avenue, Mickleover, Derby, DE3 5SF	Two storey front and single storey rear extensions to dwelling house (covered seating area and enlargement of hall, kitchen and bedroom)	Granted Conditionally	12/06/2015
02/15/00249/PRI	Full Planning Permission	161-163 Chaddesden Lane, Derby, DE21 6LJ	Change of use of ground floor from veterinary surgery (use class D1) to office (use class B1)	Granted Conditionally	04/06/2015
02/15/00252/DCC	Local Council own development Reg 3	St. Chads C of E Nursery and Infant School, Gordon Road, Derby, DE23 6WR	Formation of multi-use games area	Granted Conditionally	04/06/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
02/15/00254/PRI	Full Planning Permission	6 Becket Street, Derby, DE1 1HT	Change of use from Car Hire (Sui Generis use) to Music Studios with ancillary cafe (Sui Generis use)	Granted Conditionally	26/06/2015
02/15/00263/PRI	Full Planning Permission	185 Sinfin Avenue, Shelton Lock, Derby, DE24 9QB	Two storey side extension to dwelling house (garage, utility room, en-suite and enlargement of two bedrooms)	Granted Conditionally	18/06/2015
02/15/00274/PRI	Full Planning Permission	20 Longford Close, Allestree, Derby, DE22 2RG	Single storey side extension to dwelling (hall, w.c. and dining room) and enlargement of existing dormer (bedroom, bathroom and enlargement of bedroom)	Granted Conditionally	16/06/2015
03/15/00335/PRI	Full Planning Permission	Land at 1 Croydon Walk and adjacent to 67 Finchley Avenue, Derby, DE22 4EU	Erection of dwelling house	Granted Conditionally	12/06/2015
03/15/00350/PRI	Full Planning Permission	145 Pastures Hill, Littleover, Derby, DE23 7AZ	First floor side extension to dwelling house (bedroom, en-suite and enlargement of bedroom) including enlargement of rear dormer and installation of front dormer window	Granted Conditionally	04/06/2015
03/15/00352/PRI	Full Planning Permission	4 Station Close, Chellaston, Derby, DE73 1SZ	Single storey side extension, single storey front extension (porch) and formation of rooms in roof space	Granted Conditionally	15/06/2015
03/15/00355/PRI	Full Planning Permission	8 St. Matthews Walk, Darley Abbey, Derby, DE22 1FF	Erection of single storey side extension to dwelling (dining room and porch) and erection of stepped pedestrian access	Granted Conditionally	04/06/2015
03/15/00366/PRI	Full Planning Permission	6 Fernhill Court, Chellaston, Derby, DE73 1PJ	Two storey side extension to dwelling house (bin store, utility room, w.c. and enlargement of two bedrooms)	Granted Conditionally	15/06/2015
03/15/00368/PRI	Full Planning Permission	20 Short Avenue, Allestree, Derby, DE22 2EH	Two storey side extension to dwelling house (study, utility room, bedroom, dressing room, en-suite and enlargement of kitchen and bathroom) and erection of detached garage	Granted Conditionally	04/06/2015



Application No.	Application Type	Location	Proposal	Decision	Decision Date
03/15/00370/PRI	Full Planning Permission	4 Farnborough Gardens, Allestree, Derby, DE22 2UU	Erection of detached garage	Refuse Planning Permission	09/06/2015
03/15/00371/PRI	Full Planning Permission	128 Dale Road, Spondon, Derby, DE21 7DH	Two storey side extension to dwelling house (bedroom, bathroom and covered way)	Granted Conditionally	12/06/2015
03/15/00373/PRI	Full Planning Permission	28 Goodwood Drive, Alvaston, Derby, DE24 0SQ	Two storey side extension to dwelling house (dining room, hall, sitting room and two bedrooms)	Granted Conditionally	04/06/2015
03/15/00374/PRI	Full Planning Permission	2 Armscote Close, Oakwood, Derby, DE21 2QF	Erection of single storey side and rear extension to dwelling house (store, w.c, utility room and dining room)	Granted Conditionally	05/06/2015
03/15/00377/PRI	Full Planning Permission	70 Marjorie Road, Chaddesden, Derby, DE21 4HN	Two storey side and single storey rear extension to dwelling house (carport, enlargement of kitchen, bedroom and shower room)	Granted Conditionally	19/06/2015
03/15/00389/PRI	Full Planning Permission	3 Vernon Street, Derby, DE1 1FR	Change of Use from Training and Consultancy rooms (Use Class D1) to Residential (Use Class C3)	Granted Conditionally	04/06/2015
03/15/00393/PRI	Full Planning Permission	36 Portreath Drive, Allestree, Derby, DE22 2RZ	Erection of boundary fence	Granted Conditionally	04/06/2015
03/15/00396/PRI	Full Planning Permission	Total Service Station, Uttoxeter Road, Mickleover, Derby, DE3 5GE	Demolition of forecourt shop building and erection of replacement forecourt shop building with associated compound area and additional parking spaces	Granted Conditionally	02/06/2015
03/15/00400/PRI	Full Planning Permission	118 Balfour Road, Derby, DE23 8UQ	Two storey front and single storey rear extensions to dwelling house (porch, bathroom, bedroom and enlargement of kitchen)	Granted Conditionally	15/06/2015
03/15/00404/PRI	Non-material amendment	J Sainsbury Plc, Kingsway Retail Park, Derby, DE22 3FA	Extension to supermarket and alterations to car park layout and service yard - Non-material amendments to previously approved permission DER/09/14/01245. Changes to canopy, car park and ATM pod.	Granted	04/06/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
03/15/00405/PRI	Full Planning Permission	5 Steeple Close, Oakwood, Derby, DE21 2DE	First floor side extension to dwelling house (bedroom and enlargement of bathroom)	Granted Conditionally	02/06/2015
03/15/00407/PRI	Full Planning Permission	Shaw Group UK Ltd, Stores Road, Derby, DE21 4BG	Erection of 2.1m high boundary fence	Granted Conditionally	09/06/2015
03/15/00420/PRI	Full Planning Permission	33 The Chase, Sinfen, Derby, DE24 9PD	Two storey side and single storey rear extensions to dwelling house (store, utility, w.c, kitchen, dining room, bedroom and enlargement of bedroom)	Granted Conditionally	02/06/2015
03/15/00421/DCC	Local Council own development Reg 3	Highway verge in front of 198 - 200 Osmaston Park Road, Derby, DE24 8EY	Formation of four parking bays	Granted Conditionally	04/06/2015
03/15/00423/PRI	Full Planning Permission	475 Burton Road, Derby, DE23 6FQ (Jet Filling Station)	First floor extension to fuel filling station kiosk and shop (storage, office, kitchen and w.c.) and alterations to elevations at ground floor level	Granted Conditionally	04/06/2015
03/15/00424/PRI	Full Planning Permission	19 Newbold Close, Chellaston, Derby, DE73 1RY	Single storey side extension to dwelling house (garage and dining room)	Granted Conditionally	15/06/2015
03/15/00428/PRI	Full Planning Permission	24-26 Monk Street, Derby, DE22 3QB	First floor extension to restaurant (storage area) and alterations to include raising the fascia line and roof height of No. 24, installation of new windows, door, external staircase and re-location of extraction flue	Granted Conditionally	05/06/2015
03/15/00429/PRI	Full Planning Permission	29 Willson Avenue, Littleover, Derby, DE23 7DB	Single storey rear extension to dwelling (lounge, kitchen/dining room, utility room, hall, wardrobe and en-suite) and alterations to front porch	Granted Conditionally	01/06/2015
03/15/00435/PRI	Full Planning Permission	Former Chesapeake Community Centre, Chesapeake Road, Chaddesden, Derby, DE21 6RD	Installation of replacement windows and doors with roller shutters to the rear windows, steps and canopy along with erection of bin store and fencing to form playground enclosure	Granted Conditionally	05/06/2015
03/15/00438/PRI	Local Council own development Reg 3	27 Marina Drive, Allenton, Derby, DE24 9DS	Single storey rear extension to dwelling house (lobby, bedroom and shower room)	Granted Conditionally	15/06/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
03/15/00440/PRI	Full Planning Permission	Mackworth College Derby, Prince Charles Avenue, Mackworth, Derby, DE22 4LR	Amendment to previously approved residential development, Code no. DER/03/14/00307/PRI, to include two additional plots (plots 42 & 223)	Granted Conditionally	08/06/2015
04/15/00445/PRI	Certificate of Lawfulness Proposed Use	Ashleigh House, Ashleigh Drive, Chellaston, Derby, DE73 1RG	Single storey side extension to dwelling house (kitchen)	Granted	09/06/2015
04/15/00446/PRI	L B C alterations and demolition	7 New Road, Darley Abbey, Derby, DE22 1DR	Part removal of boundary wall and erection of new wall to match existing and erection of boundary fence	Granted Conditionally	10/06/2015
04/15/00455/PRI	Local Council own development Reg 3	Highway verge in front of 4 - 6 Ennis Close, Chaddesden, Derby, DE21 6UF	Formation of three parking bays	Granted Conditionally	09/06/2015
04/15/00457/PRI	Prior Approval - Offices to Resi	Roman House, Friar Gate, Derby, DE1 1XB	Change of use from offices (use class B1) to 120 apartments (use class C3)	Prior Approval Not required	02/06/2015
04/15/00462/PRI	Listed Building Consent - alterations	North Mill, Darley Abbey Mills, Darley Abbey, Derby, DE22 1DZ	Internal alterations to North Mill, including removal of partition walls, floor covering and kitchen units, cleaning of internal brickwork and floor tiles, installation of kitchenette and erection of partition wall	Granted Conditionally	12/06/2015
04/15/00465/PRI	Full Planning Permission	153 Swarkestone Road, Chellaston, Derby, DE73 1UD	Single storey rear and side extension to dwelling house (kitchen, dining room, games room and wetroom)	Granted Conditionally	04/06/2015
04/15/00469/	Works to Trees under TPO	193 Broadway, Derby, DE22 1BP	Reduction in height of Willow tree protected by Tree Preservation Order No. 462	Granted Conditionally	10/06/2015
04/15/00476/PRI	Full Planning Permission	5 Whiston Street, Derby, DE23 8GL	Reconfiguration of parking layout to provide separate access and egress and formation of additional parking spaces and erection of boundary railings	Granted Conditionally	16/06/2015
04/15/00477/PRI	Full Planning Permission	The Hawthorns, 89 Derby Road, Chellaston, Derby, DE73 5SB	Single storey rear extension to dwelling house (enlargement of kitchen)	Granted Conditionally	04/06/2015
04/15/00480/PRI	Full Planning Permission	2 Becket Street, Derby, DE1 1HT	Change of use from Offices (use class B1) to Training Centre (use class D1)	Granted Conditionally	04/06/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
04/15/00483/PRI	Full Planning Permission	33 Kintyre Drive, Sinfen, Derby, DE24 3JZ	Erection of two storey side extension to dwelling house (enlargement of kitchen, lounge and 2 bedrooms)	Refuse Planning Permission	04/06/2015
04/15/00484/PRI	Full Planning Permission	74 Chester Green Road, Derby, DE1 3SF	Installation of replacement windows and door to the front elevation	Granted Conditionally	17/06/2015
04/15/00487/PRI	Full Planning Permission	52 Silverburn Drive, Oakwood, Derby, DE21 2JJ	Single storey side and rear extension to dwelling house (enlargement of kitchen)	Granted Conditionally	30/06/2015
04/15/00489/PRI	Full Planning Permission	4 Cleveland Avenue, Chaddesden, Derby, DE21 6SA	Single storey side and rear extensions to dwelling house (sun lounge, kitchen, w.c and covered porch)	Granted Conditionally	04/06/2015
04/15/00492/PRI	Works to Trees under TPO	21A Kings Croft, Allestree, Derby, DE22 2FP	Crown reduction by 2-3m of Oak tree protected by Tree Preservation Order No 100	Granted Conditionally	10/06/2015
04/15/00493/PRI	Local Council own development Reg 3	7 New Road, Darley Abbey, Derby, DE22 1DR	Part removal of boundary wall and erection of new wall to match existing and erection of boundary fence	Granted Conditionally	10/06/2015
04/15/00494/PRI	Listed Building Consent - alterations	2 Becket Street, Derby, DE1 1HT	Change of use from offices (use class B1) to educational establishment (use class D1) and internal alterations to remove stud partition walls	Granted Conditionally	04/06/2015
04/15/00497/PRI	Works to Trees under TPO	11 Redstart Close, Spondon, Derby, DE21 7TH	Reduction of branches overhanging curtilage of 11 Redstart Close only to give 3 metres clearance of the house, with a 3 metres crown reduction of remaining canopy overhanging the house, with the exception of a 2 metres crown reduction and 20% crown thin of branches towards shed/greenhouse, plus removal of deadwood from canopy overhanging curtilage of Oak tree protected by TPO number 110	Granted Conditionally	10/06/2015
04/15/00499/PRI	Certificate of Lawfulness Proposed Use	7 Stratford Road, Derby, DE21 4DP	Erection of outbuilding	Granted	11/06/2015
04/15/00501/PRI	Advertisement consent	10-12 Stenson Road, Derby, DE23 7JA	Display of internally illuminated projecting sign and two internally illuminated fascia signs	Granted Conditionally	04/06/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
04/15/00509/PRI	Full Planning Permission	18 Princes Drive, Littleover, Derby, DE23 6DW	Two storey side and single storey rear extension to dwelling house (garage, enlargement of family room and bedroom)	Granted Conditionally	04/06/2015
04/15/00511/PRI	Full Planning Permission	12 Evans Avenue, Allestree, Derby, DE22 2EJ	Single storey front and side extension to dwelling house (porch and enlargement of kitchen)	Granted Conditionally	05/06/2015
04/15/00513/PRI	Full Planning Permission	27 Colyear Street, Derby, DE1 1LA (Former Syn Night Club)	Change of use from night club (Sui Generis use) to gym (Use Class D2)	Granted Conditionally	15/06/2015
04/15/00515/PRI	Prior Approval - Householder	12 Yarrow Close, Sinfin, Derby, DE24 3EE	Single storey rear extension (projecting beyond the rear wall of the original house by 5.87m, maximum height 3.65m, height to eaves 2.2m) to dwelling house	Prior Approval Not required	04/06/2015
04/15/00517/PRI	Full Planning Permission	91 Macklin Street, Derby, DE1 1LG	Change of use from retail (Use Class A1) to residential (Use Class C3) including alterations to the front and side elevations	Granted Conditionally	04/06/2015
04/15/00518/PRI	Full Planning Permission	9 Beech Drive, Derby, DE22 1AT	Two storey rear extension to dwelling house (en-suite and enlargement of kitchen, bathroom and bedroom)	Granted Conditionally	09/06/2015
04/15/00519/PRI	Works to Trees under TPO	44 Normanton Lane, Littleover, Derby, DE23 6GQ	Sectional felling of Ash tree to leave 2m stump protected by Tree Preservation Order No. 37	Granted Conditionally	10/06/2015
04/15/00523/PRI	Full Planning Permission	7 Bonnyrigg Drive, Oakwood, Derby, DE21 2ST	Single storey front and two storey side extension to dwelling house (enlargement of living/dining/ kitchen area and enlargement of one bedroom)	Granted Conditionally	24/06/2015
04/15/00524/PRI	Full Planning Permission	18 Otter Street, Derby, DE1 3FB	Single storey rear extension to dwelling house (enlargement of kitchen). Installation of rooflights, dormer window and replacement of existing windows	Granted Conditionally	04/06/2015
04/15/00526/PRI	Full Planning Permission	6 Woodlands Road, Allestree, Derby, DE22 2HE	Installation of bay window in the front elevation	Granted Conditionally	04/06/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
04/15/00527/PRI	Full Planning Permission	25 Stroma Close, Sinfin, Derby, DE24 9LB	Two storey side and single storey front extensions to dwelling house (garage, store, kitchen/dining area, bedroom, lounge, bathroom and enlargement of kitchen, hall and lounge)	Refuse Planning Permission	04/06/2015
04/15/00528/PRI	Prior Approval - Telecommunications	Land at junction of Holbrook Road and Holt Avenue, Alvaston, Derby	Installation of replacement 12m high monopole, one additional equipment cabinet and associated works	Granted	12/06/2015
04/15/00531/PRI	Advertisement consent	Kwik-Fit, Pentagon Island, Chequers Road, West Meadows Industrial Estate, Derby, DE21 6EN	Display of various signage	Granted Conditionally	17/06/2015
04/15/00532/PRI	Full Planning Permission	132 Sancroft Road, Spondon, Derby, DE21 7ES	Demolition of garage. Two storey side extension and single storey rear extensions to dwelling house (garage, w.c., lobby, utility room, bedroom and enlargement of kitchen) - Amendments to previously approved application Code No. DER/01/14/00052/PRI - enlargement of lounge	Granted Conditionally	04/06/2015
04/15/00533/PRI	Full Planning Permission	11 Barden Drive, Allestree, Derby, DE22 2AL	Single storey rear extension to dwelling house (enlargement of kitchen/dining area)	Granted Conditionally	05/06/2015
04/15/00534/PRI	Works to Trees in a Conservation Area	St. Alkmunds Church, 40 Kedleston Road, Derby, DE22 1GU	Various works to trees within the Strutts Park Conservation Area	Raise No Objection	16/06/2015
04/15/00536/PRI	Full Planning Permission	163 Kedleston Road, Derby, DE22 1FT	Single storey rear extension to dwelling house (enlargement of kitchen) - Amendment to roof design of previously approved planning permission Code no. DER/11/14/01522/PRI	Granted Conditionally	05/06/2015
04/15/00537/PRI	Works to Trees in a Conservation Area	24 Gascoigne Drive, Spondon, Derby, DE21 7GL	Felling of Hornbeam tree within the Spondon Conservation Area	Raise No Objection	16/06/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
04/15/00538/PRI	Works to Trees in a Conservation Area	35 Etruria Gardens, Derby, DE1 3RL	Crown clean of deadwood and reduction of lateral branches of two Silver Birch trees to give 2m clearance of property within the Little Chester Conservation Area	Raise No Objection	10/06/2015
04/15/00539/PRI	Full Planning Permission	18 Glen Park Close, Chellaston, Derby, DE73 1NT	Single storey front extension to dwelling house (family room/study)	Granted	09/06/2015
04/15/00541/PRI	Full Planning Permission	193 Stenson Road, Derby, DE23 7JN	Retention of front and side extensions to dwelling house (kitchen, porch and verandah) - amendments to previously approved planning permission Code No. DER/05/12/00645/PRI to regularise the installation of a door at first floor level and the erection of boundary wall and gates	Granted Conditionally	12/06/2015
04/15/00543/PRI	Full Planning Permission	184 Oaklands Avenue, Littleover, Derby, DE23 7QP	Single storey and two storey side and rear extensions to dwelling house (covered way, dining room, sitting room, two bedrooms and enlargement of bedroom)	Granted Conditionally	04/06/2015
04/15/00545/PRI	Full Planning Permission	Itchen House, London Road, Derby, DE24 8UP	Retention of change of use from light industrial (Use Class B1) to hand car wash (Sui Generis use)	Granted Conditionally	18/06/2015
04/15/00548/PRI	Full Planning Permission	29 Margreave Road, Chaddesden, Derby, DE21 6JE	Two storey side extension to dwelling house (garage, utility room, bedroom, dressing room, en-suite and enlargement of dining room)	Granted Conditionally	18/06/2015
04/15/00549/PRI	Full Planning Permission	9 Harrington Street, Pear Tree, Derby, DE23 8PE	Single storey rear extension to dwelling house (bathroom and kitchen) and erection of boundary fence	Granted Conditionally	09/06/2015
04/15/00550/PRI	Full Planning Permission	236 Mansfield Road, Derby, DE1 3RB	Single storey side extension to dwelling house (study, lobby and w.c)	Granted Conditionally	17/06/2015
04/15/00551/PRI	Full Planning Permission	68 Albert Road, Chaddesden, Derby, DE21 6SH	First floor side extension to dwelling house (two bedrooms and en-suite)	Granted Conditionally	04/06/2015
04/15/00552/PRI	Certificate of Lawfulness Proposed Use	Synergy Health, Ascot Drive, Derby, DE24 8HE	Raising of four sections of the roof to accomodate high level equipment	Granted	18/06/2015



Application No.	Application Type	Location	Proposal	Decision	Decision Date
04/15/00554/PRI	Full Planning Permission	52 Hawthorn Street, Derby, DE24 8BD	Change of use of 52 Hawthorn Street from one dwelling to two bedsits (use class C3)	Granted Conditionally	12/06/2015
04/15/00555/PRI	Prior Approval - Offices to Resi	St Peters House, Gower Street, Derby, DE1 1SB	Change of use of first, second, third, fourth, fifth, sixth and seventh floors from office space (Use Class B1) to residential accommodation (Use Class C3) comprising of 147 apartments	Prior Approval Approved	15/06/2015
04/15/00563/PRI	Full Application - disabled People	10 Belvedere Close, Mickleover, Derby, DE3 5RW	Single storey front extension to dwelling house (wet room)	Granted Conditionally	05/06/2015
04/15/00569/PRI	Full Planning Permission	8 The Parade, Mickleover, Derby, DE3 5GB (John Fell Opticians)	Installation of shop front	Granted Conditionally	12/06/2015
05/15/00572/PRI	Prior Approval - Householder	9 Newborough Road, Alvaston, Derby, DE24 0LH	Single storey rear extension (projecting beyond the rear wall of the original house by 3.9m, maximum height 3.7m, height to eaves 2.7m) to dwelling house	Prior Approval Not required	08/06/2015
04/15/00574/PRI	Full Planning Permission	14 Bank View Road, Derby, DE22 1EJ	Two storey side and single storey front extension to dwelling house (living room, kitchen, two bedrooms and enlargement of dining room)	Granted Conditionally	05/06/2015
04/15/00575/PRI	Full Planning Permission	1 Crown Way, Chellaston, Derby, DE73 1NU	Erection of 2.2m high boundary wall	Granted Conditionally	04/06/2015
05/15/00579/PRI	Works to Trees under TPO	512 Kedleston Road, Derby, DE22 2NG	Cutting back of branches by up to 2m, crown thinning by up to 10%, removal of top to balance and deadwooding of Cedar Tree protected by Tree Preservation Order no. 578	Granted Conditionally	15/06/2015
05/15/00580/PRI	Full Planning Permission	80 Laburnum Crescent, Allestree, Derby, DE22 2GS	Front and rear extensions to dwelling (lounge, dining room and bedroom) and formation of rooms in roof space (3 bedrooms and bathroom) - amendments to previously approved planning permission Code No. DER/12/14/01707/PRI to add dormers to the front and side elevations	Granted Conditionally	12/06/2015
05/15/00581/PRI	Works to Trees in a Conservation Area	84 Otter Street, Derby, DE1 3FB	Felling of Silver Birch tree within Strutts Park Conservation Area	Raise No Objection	16/06/2015



Application No.	Application Type	Location	Proposal	Decision	Decision Date
05/15/00585/PRI	Works to Trees under TPO	89B Windmill Hill Lane, Derby, DE22 3BN	Crown thinning by 30%, and crown reduction by 1 metre of Purple Plum tree, crown reduction by 3 metres of Acer tree , crown thinning by 25% and crown reduction by 3 metres of Pear tree, all protected by Tree Preservation Order No.218	Granted Conditionally	15/06/2015
05/15/00590/PRI	Demolition-Prior Notification	Derbyshire Royal Infirmary, London Road, Derby, DE1 2QY	Demolition of former Hospital Buildings	Prior Approval Approved	09/06/2015
05/15/00591/PRI	Advertisement consent	Friary Hotel, Friar Gate, Derby, DE1 1FG	Disply of two externally illuminated hanging signs, one non-illuminated fascia sign and three window vinyls	Withdrawn Application	24/06/2015
05/15/00599/	Full Planning Permission	Littleover Dental Practice, 106 Littleover Lane, Derby, DE23 6JJ	Two storey and single storey extensions to dental surgery (consulting room, education and meeting rooms, storage areas, decontamination room and w.c's.), erection of external staircase and formation of car parking area	Granted Conditionally	17/06/2015
05/15/00600/PRI	Full Planning Permission	Redwood Junior School, Redwood Road, Sinfin, Derby, DE24 9PG	Installation of ventilation system, guard rail and cladding	Granted Conditionally	18/06/2015
05/15/00602/PRI	Prior Approval - Householder	19 West Bank Avenue, Derby, DE22 1AQ	Single storey rear extension (projecting beyond the rear wall of the original house by 5.3m, maximum height 3.95m, height to eaves 2.35m) to dwelling house	Prior Approval Approved	15/06/2015
05/15/00603/PRI	Prior Approval - Householder	69 Rykneld Road, Littleover, Derby, DE23 7BH	Single storey rear extension (projecting beyond the rear wall of the original house by 4m, maximum height 3.8m, height to eaves 2.6m) to dwelling house	Prior Approval Not required	15/06/2015
05/15/00604/PRI	Full Planning Permission	189 Allestree Lane, Derby, DE22 2PG	Extension to dwelling house (utility room, garage/store, bathroom, bedroom and enlargement of kitchen and bedroom) - amendments to previously approved planning permission Code No. DER/03/14/00381/PRI to amend the approved roof design	Granted Conditionally	09/06/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
05/15/00607/PRI	Works to Trees under TPO	Mercy Care Centre, 310 Highfields Park Drive, Derby, DE22 1BW	Various works to trees protected by Tree Preservation Order No. 308	Granted Conditionally	24/06/2015
05/15/00613/PRI	Full Planning Permission	329 Ladybank Road, Mickleover, Derby, DE3 5TW	Single storey side extension to dwelling house (dining room and w.c)	Granted Conditionally	18/06/2015
05/15/00618/PRI	Non-material amendment	Castleward including Siddals Road/Canal Street/John Street/Carrington Street/Copeland Street/New Street/Liversage Street, Derby	Outline application with details of phase 1 to comprise development of Castleward, involving demolition of buildings, residential development (up to 840 dwellings), retail (Use Class A1), restaurant/cafes (Use Class A3), offices (Use Class B1), hotel (Use Class C1), non-residential institutions (Use Class D1), assembly and leisure (Use Class D2), school (Use Class D1), community centre, (Use Class D1), bingo hall (Use Class D2), alterations to vehicular accesses, formation of boulevard and pedestrian crossing and refurbishment of public realm - Non-material amendment to previously approved permission DER/05/12/00563 alterations to elevations	Granted	18/06/2015
05/15/00621/PRI	Works to Trees in a Conservation Area	4 Old Chester Road, Derby, DE1 3SA	Crown reduction by 1-2 metres of Holly Tree and Felling of Ash Tree within Little Chester Conservation Area	Raise No Objection	16/06/2015
05/15/00623/PRI	Prior Approval - Householder	392 Duffield Road, Derby, DE22 1ER	Single storey rear extension (projecting beyond the rear wall of the original house by 4.8m, maximum height 3.9m, height to eaves 2.4m) to dwelling house	Prior Approval Not required	15/06/2015
05/15/00628/PRI	Full Planning Permission	59 Duncan Road, Derby, DE23 8TS	Two storey side and rear extension to dwelling house (kitchen/dining room, 3 bedrooms, en-suite, w.c., and landing - Amendments to previously approved planning permission Code No. DER/10/14/01341/PRI	Granted Conditionally	18/06/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
05/15/00631/PRI	Full Planning Permission	20 Lawn Heads Avenue, Littleover, Derby, DE23 6DQ	Two storey and single storey rear and side extensions to dwelling house (enlargement of kitchen/dining room/family room, two bedrooms and en-suite)	Granted Conditionally	18/06/2015
05/15/00632/PRI	Prior Approval - Householder	451 Stenson Road, Derby, DE23 7LJ	Single storey rear extension (projecting beyond the rear wall of the original house by 4.5m, maximum height 3.3m, height to eaves 3.3m) to dwelling house	Prior Approval Not required	15/06/2015
05/15/00641/PRI	Full Planning Permission	49 Catterick Drive, Mickleover, Derby, DE3 5TY	Two storey side extension to dwelling house (enlargement of kitchen/diner, w.c, bedroom and en-suite)	Granted Conditionally	18/06/2015
05/15/00643/PRI	Full Planning Permission	Breadsall Hilltop Primary School, St. Andrews View, Derby, DE21 4ET	Erection of canopy	Granted Conditionally	18/06/2015
05/15/00651/PRI	Listed Building Consent - alterations	Friary Hotel, Friar Gate, Derby, DE1 1FG	Installation of replacement signage and window vinyls	Withdrawn Application	24/06/2015
05/15/00655/PRI	Full Planning Permission	75 Kings Drive, Littleover, Derby, DE23 6EX	Erection of detached garage	Granted Conditionally	18/06/2015
05/15/00658/PRI	Local Council own development Reg 3	68 Allestree Lane, Derby, DE22 2HR	Single storey rear extension to dwelling house (lobby and shower room)	Granted Conditionally	18/06/2015
05/15/00666/PRI	Full Planning Permission	66 Onslow Road, Mickleover, Derby, DE3 5JG	Erection of single storey rear extension to dwelling house (utility room and enlargement of kitchen/diner) and erection of pitched roof over existing garage	Granted Conditionally	15/06/2015
05/15/00668/PRI	Works to Trees under TPO	3 Smalley Drive, Oakwood, Derby, DE21 2SF	Felling of Tree protected by Tree Preservation Order No.31	Granted Conditionally	24/06/2015
05/15/00679/DCC	Full Planning Permission	Shelton Junior & Infant School, Carlton Avenue, Shelton Lock, Derby, DE24 9EJ	Installation of replacement windows	Granted Conditionally	19/06/2015
05/15/00686/PRI	Works to Trees in a Conservation Area	6 Welney Close, Mickleover, Derby, DE3 5NZ	Various works to trees within the Mickleover Conservation Area	Raise No Objection	18/06/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
04/15/00689/PRI	Works to Trees under TPO	Trees at Ridgeway Court, 224 Warwick Avenue, Derby, DE23 6HP	Felling of Copper Beech Tree protected by Tree Preservation Order No. 231	Granted Conditionally	16/06/2015
05/15/00694/PRI	Demolition-Prior Notification	Unit 26, 42 & 43, Rolls Royce PLC, Sinfen A, Victory Road, Derby, DE24 8BJ	Demolition of three workshops (26, 42 and 43)	Raise No Objection	26/06/2015
05/15/00717/PRI	Full Planning Permission	18 Chain Lane, Mickleover, Derby, DE3 5AJ	Erection of two storey side extension to dwelling house (kitchen, utility room, w.c, sitting room, two bedrooms, en-suite and enlargement of bathroom), formation of rooms in roof space (bedroom and en-suite) and installation of rear dormer	Withdrawn Application	11/06/2015